



# The National Agricultural Law Center

[nationalaglawcenter.org](http://nationalaglawcenter.org) | [nataglaw@uark.edu](mailto:nataglaw@uark.edu) | [@nataglaw](https://twitter.com/nataglaw)

## Statutory Agricultural Lien Rapid Finder Chart: *Delaware*

Originally published 1993 by **Martha L. Noble**

Updated 2008 by **Elizabeth R. Rumley & Jennifer Fiser**

Updated 2020 by **Micah Brown**

\* The statutes are current through the 2020 Legislative Session of the 151th Delaware General Assembly



This material is based upon work supported by the National Agricultural Library, Agricultural Research Service, U.S. Department of Agriculture

# A National Agricultural Law Center Research Publication

## Statutory Agricultural Lien Rapid Finder Chart: Delaware

TYPE OF LIEN/CLAIMANT	LIEN CLAIMANT	ATTACHED PROPERTY	POSSESSION REQUIRED	FILING REQUIRED	DATE LIEN ATTACHES	EXPRESS STATUTORY PRIORITY
<b>LIEN ON COMMERCIAL FERTILIZERS OR SOIL CONDITIONERS INSPECTION FEE</b> DEL. CODE ANN. TIT. 3, § 2106	DEPARTMENT OF AGRICULTURE	INSPECTION FEE OWED BY REGISTRANT	NO	NOT SPECIFIED	30 DAYS AFTER EITHER DECEMBER 31 OR JUNE 30	NOT SPECIFIED
<b>WAREHOUSE LIEN</b> DEL. CODE ANN. TIT. 6, §§ 7-209 – 7-210	WAREHOUSE	GOODS COVERED BY A WAREHOUSE RECEIPT OR STORAGE AGREEMENT OR PROCEEDS THEREOF	YES, LIEN IS LOST IF WAREHOUSE VOLUNTARILY DELIVERS OR UNJUSTIFIABLY REFUSES TO DELIVER	ENFORCABLE BY COMMERCIALY REASONABLE SALE	THE DATE OF THE WAREHOUSE RECEIPT OR STORAGE AGREEMENT	ENFORCABLE BY COMMERCIALY REASONABLE SALE
<b>CARRIER'S LIEN</b> DEL. CODE ANN. TIT. 6, §§ 7-307 – 7-308	CARRIER	GOODS COVERED BY A BILL OF LADING OR ON THE PROCEEDS THEREOF	YES, LIEN IS LOST IF CARRIER VOLUNTARILY DELIVERS OR UNJUSTIFIABLY REFUSES TO DELIVER	ENFORCABLE BY COMMERCIALY REASONABLE SALE	AFTER THE DATE OF THE CARRIER'S RECEIPT OF THE GOODS FOR STORAGE OR TRANSPORTATION	ENFORCABLE BY COMMERCIALY REASONABLE SALE
<b>MECHANICS' LIEN</b> DEL. CODE ANN. TIT. 25, §§ 2701 – 2737	PERSON WHO PERFORMED OR FURNISHED LABOR OR MATERIALS	PROPERTY FURNISHED WITH LABOR, MATERIALS, OR IMPROVEMENT	NO	YES, MUST FILE A STATEMENT OF CLAIM IN THE OFFICE OF THE PROTHONOTARY OF THE SUPERIOR COURT IN THE COUNTY THE PROPERTY IS LOCATED	NOT SPECIFIED	NOT SPECIFIED
<b>LIEN OF COMMISSION MERCHANT, FACTOR AND CARRIER</b> DEL. CODE ANN. TIT. 25, §§ 3501 – 3503	PERSON WHO CARRIES, STORES, OR LABORS ON GOODS, WARES, MERCHANDISE, OR OTHER PROPERTY	GOODS, WARES, MERCHANDISE OR OTHER PROPERTY	NO	NO	NOT SPECIFIED	NONE
<b>LIEN OF GARAGEMEN, LIVERY AND STABLE KEEPERS</b> DEL. CODE ANN. TIT. 25, §§ 3901 – 3910	PERSON WHO KEEPS A LIVERY OR BOARDING STABLE, GARAGE, OR OTHER SUCH ESTABLISHMENT	HORSE, VEHICLE OR EQUIPMENT CARED FOR OR SERVICED AT THE ESTABLISHMENT	NO	YES, A LIEN CLAIMANT WITHOUT POSSESSION MUST FILE AN APPLICATION FOR SALE WITH THE COUNTY JUSTICE OF THE PEACE	NOT SPECIFIED	SUPERIOR TO OTHER LIENS, TITLES, OR INTERESTS, INCLUDING A CONDITIONAL SALES CONTRACT OR PRIOR UCC SECURITY INTEREST



TYPE OF LIEN/CLAIMANT	LIEN CLAIMANT	ATTACHED PROPERTY	POSSESSION REQUIRED	FILING REQUIRED	DATE LIEN ATTACHES	EXPRESS STATUTORY PRIORITY
<b>LIEN OF OWNER OF THRESHING MACHINE, CORN PICKER, OR HAY BALER</b> DEL. CODE ANN. TIT. 25, §§ 4101 – 4103	OWNER OF A THRESHING MACHINE, CORN PICKER, OR HAY BALER	GRAIN HARVESTED WITH THE MACHINE	NO	NO	NOT SPECIFIED	SUPERIOR TO ALL OTHER LIENS
<b>LANDLORD'S LIEN ON CROPS</b> DEL. CODE ANN. TIT. 25, §§ 6701 – 6715	LANDLORD WHO RENTS LAND UNDER AGREEMENT PROVIDING THAT CROPS SHALL BE RESERVED AS RENT OR USED TO SECURE ADVANCES	CROPS SUBJECT TO THE RENTAL AGREEMENT	NO	WRITTEN AGREEMENT PROVIDING FOR ADVANCES MUST BE RECORDED IN THE COUNTY WHERE THE RENTED LAND IS LOCATED	NOT SPECIFIED	SUPERIOR TO ALL OTHER LIENS

