§ 308. Notice of pendency of action. 1. In any action or proceeding instituted by the department the plaintiff or petitioner may file in the county clerk's office of the county where the premises affected by such action or proceeding are situated, a notice of the pendency of such action or proceeding. Such notice may be filed at any time after the service of any notice or order issued by the department, at the time of the commencement of the action or proceeding, or at any time afterwards, before final judgment or order.

2. Each county clerk with whom such a notice is filed shall record and index it to the name of each person specified in a direction subscribed by the corporation counsel or other legal officer of the city.

3. Any such notice may be vacated upon the order of a judge or justice of the court in which such action or proceeding was instituted or is pending, or upon the consent in writing of the corporation counsel or other legal officer of the city. The clerk of the county where such notice is filed shall mark such notice and any record or docket thereof as cancelled of record upon the presentation and filing of such consent or of a certified copy of such order.