

UNOFFICIAL COPY

85 245 676

1015

Form 688(Y)

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien Under Internal Revenue Laws

District Chicago, IL	Serial Number 368511417	For Federal Use by Recording Office
--------------------------------	-----------------------------------	-------------------------------------

As provided by sections 6321, 6322, and 6323 of the Internal Revenue Code, notice is given that taxes (including interest and penalties) have been assessed against the following named taxpayer. Demand for payment of this liability has been made, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of those taxes and additional penalties, interest, and costs that may accrue.

Name of Taxpayer **Fred S. Weiner**

Residence **55 East Washington
Chicago, IL 60602**

IMPORTANT RELEASE INFORMATION: With respect to each assessment listed below, unless notice of lien is refilled by the date given in color in (b), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ended (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
940	12-31-84	[REDACTED]	5-27-85	6-26-91	1908.47

Place of Filing **Recorder of Deeds
Cook County
Chicago, IL 60602**

This notice was prepared and signed at **Chicago, IL**

the 24th day of October, 1985

Signature *[Signature]*
for **E. Alexander**
Revenue Officer

(NOTE: Certification of Officer authorized by law to take backdated entries is not essential to the validity of Notice of Federal Tax Lien
Rev. Rul. 73-486, 1971-2 C.B. 409)

Notice of Tax Lien

Section 6321. Lien For Taxes. If any person liable to pay any tax neglects or refuses to pay the same after demand, the amount (including any interest, penalties, additions to tax, or any other amount) payable by such person in respect of such tax shall be a lien in favor of the United States in preference to all other liens in force against such property.

Excerpt From Internal Revenue Code

Sec. 6321. Lien For Taxes.

If any person liable to pay any tax neglects or refuses to pay the same after demand, the amount (including any interest, penalties, additions to tax, or any other amount) payable by such person in respect of such tax shall be a lien in favor of the United States in preference to all other liens in force against such property.

Sec. 6322. Period Of Lien.

Unless another date is specifically fixed by law, the lien imposed by section 6321 shall arise at the time the assessment is made and shall continue until the liability for the amount so assessed for a judgment against the taxpayer or until out of such liability is satisfied or becomes unenforceable by reason of lapse of time.

Sec. 6323. Validity and Priority Against Certain Persons.

Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w), (x), (y), (z) of this section shall not apply to any person who is a partner, partner's creditor, or partner's assignee in the business of the taxpayer at the time of the assessment.

Place For Filing Notice; Form.

(1) Place For Filing. - The notice referred to in subsection (a) shall be filed - (A) Under State Law.

(2) Real Property. - In the case of real property, in one or more States, the notice shall be filed in the office of the clerk of the District Court in the District of Columbia in which the property subject to the lien is situated.

(3) Personal Property. - In the case of personal property, whether tangible or intangible, in real estate within the State for the country, or other governmental jurisdiction, the notice shall be filed in the office of the clerk of the District Court in the District of Columbia in which the property subject to the lien is situated.

(4) State Clerk Of District Court. - In the office of the clerk of the District Court in the District of Columbia in which the property subject to the lien is situated, whenever the State has not by its Constitution or laws prescribed the requirements of subsection (a).

(5) With Registrar Of Goods Of The District Of Columbia. - In the office of the Registrar of Goods of the District of Columbia, if the property subject to the lien is situated in the District of Columbia.

(2) Place Of Filing. - For purposes of paragraphs (1) and (4), property shall be deemed to be situated -

(A) Real Property. - In the case of real property at its physical location, or (B) Personal Property. - In the case of personal property, whether tangible or intangible, at the residence of the taxpayer at the time the notice of lien is filed.

(3) Place For Filing. - (A) Real Property. - In the case of real property, the place at which the taxpayer exercises his business is carried on, and the residence of the taxpayer whose residence is within the United States shall be deemed to be in the District of Columbia.

(B) Personal Property. - The form and content of the notice referred to in subsection (a) shall be prescribed by the Secretary. Such notice shall be valid notwithstanding any other provision of law regarding the form or content of a notice of lien.

Note: See section 6323(b) for exceptions to a valid notice of lien imposed by section 6321 with respect to:

- 1. Securities
2. Motor vehicles
3. Personal property purchased at retail
4. Personal property purchased in casual sale
5. Personal property subjected to customary lien
6. Personal property tax and special assessment liens
7. Residential property subject to mechanic's lien for certain repairs and improvements
8. Airline's liens
9. Certain insurance contracts
10. Passbook loans

(b) Filing Of Notice. - For purposes of this section -

(1) General Rule. - Unless notice of lien is retiled in the manner prescribed in paragraph (2) during the required retiling period, such notice of lien shall be treated as filed on the date on which it is filed in accordance with subsection (a) after the expiration of such retiling period.

(2) Place For Filing. - A notice of lien retiled during the required retiling period shall be effective only -

- (A) if (i) such notice of lien is retiled in the office in which the original notice of lien was filed, and (ii) in the case of real property, the fact of retiling is entered and recorded in an index to the extent required by subsection (1) (i), and (B) in any case in which, 90 days or more prior to the date of a retiling of notice of lien under subparagraph (A), the

Sec. 6325. Release Of Lien Or Discharge Of Property

(a) Release Of Lien. - Subject to any regulations as the Secretary may prescribe, the Secretary shall issue a certificate of release of any lien imposed with respect to any internal revenue tax not later than 30 days after the day on which -

- (1) Liability Satisfied Or Unenforceable. - The taxpayer files with the Secretary for the amount advanced, together with all interest in respect thereof, has been fully satisfied (A) has become legally unenforceable, or (B) is discharged.

(2) Bond Accepted. - There is furnished to the Secretary and accepted by him a bond that is conditioned upon the payment of the tax and interest, and that is in accordance with such requirements, conditions, and terms of the bond and certificate of release, as may be prescribed by such regulations.

Sec. 6103. Confidentiality and Disclosure of Returns and Return Information.

(a) Prohibitions of Certain Returns and Return Information For Tax Administration Purposes. -

(1) Disclosure of Amount of Outstanding Lien. - If a notice of lien has been filed pursuant to section 6321, the amount of the outstanding obligation secured by such lien may be disclosed to any person who is authorized to receive information under section 6103 only if the person has a right in the property subject to such lien or intends to obtain a right in such property.