

UNOFFICIAL COPY

Form 668(Y)

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien Under Internal Revenue Laws

(Rev. May, 1985)

District Chicago, IL	Serial Number 368600559	For Optional 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 these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer Rocco P. Lotesto & Marie Lotesto

Residence 14023 South Oak Lane
Crestwood, IL 60445

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

86041445

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)
1040	12-31-82	[REDACTED]	8-19-85	9-18-91	6197.03

Place of Filing Recorder of Deeds Cook County Chicago, IL 60602	Total	\$ 6197.03
--	-------	------------

This notice was prepared and signed at Chicago, IL, on this, 23rd day of January, 1986.

Signature [Signature] Title Revenue Officer
for G. Lawler
36-01-2619

(NOTE: Certificate of officer authorized by law to take acknowledgments is not essential to the validity of Notice of Federal Tax Lien
Rev. Rul. 71-406, 1971-2 C.B. 409)

Form 6601 (Rev. 5-60)

Filed this

19

at

AM.

Clerk (or Registrar)

Notice of Tax Lien

FILED \$6.00

United States

No

Excerpts 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, additional amount, addition to tax, or assessable penalty, together with any costs that may accrue in addition thereto) shall be a lien in favor of the United States upon all property and rights to property, whether real or personal, belonging to such person.

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 arising out of such liability is satisfied or becomes unenforceable by reason of lapse of time.

Sec. 6323. Validity and Priority Against Certain Persons.

(a) Purchaser's, Holders Of Security Interests, Mechanic's Lienors, And Judgment Lien Creditors. — The lien imposed by section 6321 shall not be valid as against any purchaser, holder of a security interest, mechanic's lienor, or judgment lien creditor until notice thereof which meets the requirements of subsection (f) has been filed by the Secretary.

(f) Place For Filing Notice; Form. —

- (1) Place For Filing. — The notice referred to in subsection (a) shall be filed (A) Under State Laws (i) Real Property. — in the case of real property in one office within the State (or the county or other governmental subdivision) as designated by the laws of such State in which the property subject to the lien is situated; and (ii) Personal Property. — in the case of personal property, whether tangible or intangible, in one office within the State (or the county or other governmental subdivision) as designated by the laws of such State in which the property subject to the lien is situated or (B) With Clerk Of District Court. — in the office of the clerk of the United States district court for the judicial district in which the property subject to lien is situated, whenever the State has not by law designated one office which meets the requirements of subparagraph (A); or (C) With Recorder Of Deeds Of The District Of Columbia. — in the office of the Recorder of Deeds of the District of Columbia, if the property subject to the lien is situated in the District of Columbia.

- (2) Situs Of Property Subject To Lien. — For purposes of paragraph 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.

For purposes of paragraph 2(B), the residence of a corporation or partnership shall be deemed to be the place at which the principal executive office of the business is located and the residence of a taxpayer who is a resident is without the United States shall be deemed to be in the District of Columbia.

(3) Form. — 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 possessory lien
6. Real property tax and special assessment liens
7. Residential property subject to a mechanic's lien for certain repairs and improvements
8. Attorney's liens
9. Certain insurance contracts
10. Passbook loans

(g) Refiling Of Notice. — For purposes of this section:

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

(2) Place For Filing. — A notice of lien refiled during the required refiling period shall be effective only:

- (A) if (i) such notice of lien is refiled in the office in which the prior notice of lien was filed; and (ii) in the case of real property, the fact of refiling is entered and recorded in an index to the extent required by subsection (b) (4); and (B) in any case in which 90 days or more prior to the date of a refiling of notice of lien under subparagraph (A), the

Secretary received written information in the manner prescribed in regulations issued by the Secretary concerning a change in the taxpayer's residence, if a notice of such lien is also filed in accordance with subsection (f) in the State in which such residence is located.

(3) Required Refiling Period. — In the case of any notice of lien, the term "refiling period" means:

- (A) the one-year period ending 30 days after the expiration of 6 years after the date of the assessment of the tax; and (B) the one-year period ending with the expiration of 6 years after the close of the preceding required refiling period for such notice of lien.

Sec. 6325. Release Of Lien Or Discharge Of Property

(a) Release Of Lien. — The Secretary may, in his discretion, issue regulations as the Secretary may prescribe, the Secretary shall issue a certificate of release of any lien imposed by this section if any internal revenue tax not later than 30 days after the date in which:

1. Liability Satisfied Or Unenforceable. — The Secretary finds that the liability for the amount assessed, together with all interest in respect thereof, has been fully satisfied or has become legally unenforceable; or
2. Bond Accepted. — There is furnished to the Secretary and accepted by him a bond that is conditionally payable in full of the amount assessed, together with all interest in respect thereof, within the time prescribed by law, including any extension of such time, and that the conditions with such requirements relating to terms, conditions, and to the bond and sureties thereon, as may be specified by such regulations.

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

(k) Disclosure of Certain Returns and Return Information For Tax Administration Purposes. —

- (2) Disclosure of amount of outstanding liability. — 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 furnishes satisfactory written evidence that he has a right in the property subject to such lien or intends to obtain a right in such property.