Form 668(Y)

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Department of the Treasury - Internal Revenue Service

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	36-01-		w to take acknowled	aments is not esse	ntial to the valid	liv of Natice	of Federal Tax lien		

(NOTE: Certificate of officer authorized by law to take acknowledgments is not essential to the validity of Notice of Federal Tax Ilen Rev. Rul. 71-466, 1971 - 2 C.B. 409) Form 668(Y) (Rev. 12-85)

Excerpts From Internal Revenue Code

Sec. 6321. Lien For Taxes.

If any person ilable 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 therety shall be a lien in favor of the United States upon all property and rights to property, whether reat 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 shell arise at the time the assessment is made and shall continue until the liability for the amount so assessed (or 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

(a) Purchaser's, Holders Of Security Interests Mechanic's Lienors, And Judgment Lien Creditors. — The lien imposed by section 6321 shall not be yaird 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 filled 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 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, mether tangible or intangible, at the residence of the taxpayer at the time the notice of lien is filled.

For purpose of paragraph (2) (B), the residence of a corporation or partities in pale by deemed to be the place at which the principal execution office of the business is located, and the residence of a lar ever whose residence is without the United States shall be deemed to be in the District of Columbia.

(3) Form • The orm, and content, of the notice referred to in subsection (a) shall be prescribed by the Secretary. Such notice on a valid notwithstanding any other provision of law regurding the form or content of a

notice of lier

Note: See section 6323(b) for protection for certain interests even though notice of lien imposed by section 6321 is filed with respect to:

1. Securities

2. Motor vehicles

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

 Residential property subject to a mechanic's lien for certain repairs and improvements

8. Attorney's ilens

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

(Å) 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 (f) (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 entitied of such fien is also filled 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 "required 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 refilling period for such notice of lien.

Sec. 6325. Release Of Lien Or Discharge Of Property.

(a) Release Of Lien. — Subject to such 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 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 conditioned upon the payment 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 is in accordance with such requirements it with 10 terms, conditions, and form of the bond and sureties the soon 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 lien. - If a notice of lien has been filed pursuant to section 6323(!), the amount of the outstanding obligation secured by such lien may be disclosed to any person who furnishes satisfactory written evidence that he lias a right in the property subject to such lien or intends to obtain a right in such property.

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