

UNOFFICIAL COPY

Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien Under Internal Revenue Laws

Chicago, IL	Serial Number 349023805	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.

90589634

Name of Taxpayer SAMUEL TATE
Residence 1045 S. CALIFORNIA CHICAGO, IL 60643-1092

IMPORTANT RELEASE INFORMATION: In respect to each assessment listed below, unless notice of non-liability is received by the date given, the taxpayer is notified that this notice shall, on the day following such date, operate as a certificate of lien 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)
1040	10/31/87	321-34-5558	11/13/89	12/13/89	3,021.84
1040	12/31/88	321-34-5558	11/13/89	12/13/89	8,094.40
1040	12/31/89	321-34-5558	11/13/89	12/13/89	5683.54

COOK COUNTY, ILLINOIS

1990 DEC 5 AM 9 23

90589634

Recorder of Deeds Cook County Chicago, IL 60601	Total \$	10,999.78
---	----------	-----------

This notice was prepared and signed at Chicago, IL on this,

the 14th day of November, 1990

Signature <i>H. Williams</i> for Robert W. Smith	Title Chief Collector 35-01 6000
--	--

No. _____

United States

VS.

Notice of Tax Lien

Filed this _____ day of _____ 19__ at _____

Clerk (or Registrar)

Form 601 (7) Rev. 7-66

48000000

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 an other 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 Liens, 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 lien, 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 Law
 - (i) Real Property - in the case of real property, in one office with 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 the lien is situated, whenever the State has not by law designated one office which meets the requirements of subsection (1)(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) Site 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, whether tangible or intangible, at the residence of the taxpayer at the time the notice of lien is filed.
- (3) Residence of Corporation or Partnership - In the case of a corporation or partnership, the place of which the principal office, and either of the business is located, and the residence of a partner whose residence is within the United States shall be deemed to be in the District of Columbia.
- (4) Form - The form and content of the notice referred to in this section shall be prescribed by the Secretary. Such notice shall be valid notwithstanding any other provision of law requiring the form or content of a notice of lien.

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
3. Personal property purchased in retail
4. Personal property purchased in case of sale
5. Personal property subject to possession lien
6. Real-estate tax and mechanic's liens
7. Residential property subject to mechanic's lien for certain repairs and improvements
8. Attorney's fees
9. Certain insurance contracts
10. Passbook loans

(5) Refiling Of Notice. - For purposes of this section -

- (A) 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.
- (B) Place For Filing. - If notice of lien is filed during the required refiling period, such notice shall be effective as if -
 - (i) such notice of lien is filed in the office in which the property subject to the lien is situated; and
 - (ii) in the case of real property, the fact of refiling is certified and recorded in an index to the extent required by subsection (f)(4), and
 - (iii) in any case in which 30 days or more prior to the date of a refiling of notice of lien such subsection (f) the

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

(6) 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 5 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. - If a notice of lien imposed by section 6321 is not satisfied or becomes unenforceable by reason of lapse of time, the Secretary shall, upon the request of the taxpayer, cause the issue and filing of a release of lien, as provided in this section, in any State in which the lien is filed, after the day on which -

- (1) liability satisfied or becomes 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 equally enforceable; or
- (2) bond accepted. There is furnished to the Secretary and accepted by him a bond that is conditioned upon the taxpayer's 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, terms, conditions, and form of the bond and similar matters as may be prescribed by the Secretary.

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

Disclosure of Certain Returns and Return Information For Tax Administration Purposes. -

(1) Disclosure of amount of tax liability. - A notice of lien has been filed pursuant to section 6321, the amount of the outstanding Federal tax liability of such taxpayer has been assessed in the manner and furnished in the manner prescribed by law, and the taxpayer has been notified of such assessment.

FILED \$8.00