

UNOFFICIAL COPY

Form 668 (Y)

Department of the Treasury Internal Revenue Service

Notice of Federal Tax Lien Under Internal Revenue Laws

District	Serial Number	For Optional Use by Recording Office
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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.

91522955

Name of Taxpayer

Residence

IMPORTANT RELEASE INFORMATION: With respect to each assessment listed below, unless notice of lien is refuted by the date given in column (e), 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)
			1991 OCT 8 AM 9 34		91522955

Place of Filing

Total \$

This notice was prepared and signed at _____, on this, _____ the _____ day of _____, 19_____.

Signature _____ Title _____

\$8.00 FILING

Form 601 (Rev. 7-27-73)

Clerk (or Registrar)

19

at

m.

Filed this

day of

Notice of Tax Lien

VS.

United States

No.

Excerpts From Internal Revenue Code

Sec. 6321. Lien For Taxes

There shall be a lien in favor of the United States in all property and in all rights to property...

Sec. 6322. Period Of Lien.

Unless another date is specifically fixed by law, the lien imposed by section 6321 shall accrue at the time the assessed tax becomes due and shall continue until the liability for the amount so assessed is paid or judgment against the taxpayer...

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 in writing which meets the requirements of subsection (b) has been filed by the Secretary.

Place For Filing Notice; Form.—

(1) Place For Filing.—The notice referred to in subsection (a) shall be filed—

- (A) Under State Law.—In the case of real property, in one office within the State or the county or other governmental subdivisions, as designated by the laws of such State, in which the property subject to the lien is situated; and
(B) Personal Property.—In the case of personal property, whether tangible or intangible, in one office within the State or the county or other governmental subdivisions, as designated by the laws of such State, in which the property subject to the lien is situated; except that State law relating to recording Federal tax liens imposing a national ranking system does not constitute a second office for filing as designated by the laws of such State; or
(C) With Recorder Of Deeds Or 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.

(A) Real Property.—In the case of real property, in the physical location of the property; and
(B) Personal Property.—In the case of personal property, whether tangible or intangible, in the residence of the taxpayer at the time the lien is imposed.

(2) Form.—The notice referred to in subsection (a) shall be filed in the principal office of the business, if any, of the taxpayer, and the residence of a taxpayer whose residence is without the United States shall be deemed to be in the District of Columbia.

(3) Form.—The notice referred to in subsection (a) shall be prepared by the Secretary. Such notice shall be valid only if it complies with the provision of law regarding the form of such notice of lien.

Note: See section 6322(h) 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 at retail
4. Personal property purchased at public 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 fees
9. Certain insurance contracts
10. Realbook loans

Refiling Of Notice.—For purposes of this section:

(1) General Rule.—If a notice of lien is refilled in the manner prescribed in subsection (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 (b) after the expiration of the refiling period.

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

- (A) If—
(i) such notice of lien is filed in the office in which the prior notice of lien was filed; and
(ii) in the case of real property, and the fact of refiling is entered and recorded in an index to the extent required by subsection (b)(4); and
(B) Any date in which it is filed is prior to the date of a filing 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; and
(3) Such notice of lien is also filed in accordance with subsection (b) in the State in which such real property is located.

Required Refiling Period.—

(1) One-Year Period.—If the notice of lien is not effective, the period for which the notice of lien is effective shall be the period ending 30 days after the expiration of 12 months after the date of the assessment of the tax and

(2) Ten-Year Period.—If the notice of lien is not effective, the period for which the notice of lien is effective shall be the period ending 10 years after the date of the preceding required refiling 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 delinquent Federal tax not later than 30 days after the date 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 regulations relating to terms, conditions, and form of the bond as the Secretary may prescribe, as may be specified by such regulations.

Sec. 6109. Confidentiality and Disclosure of Returns and Return Information.

(a) 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 6321, the amount of the outstanding obligation secured by such lien may be disclosed to any person who furnishes appropriate written evidence that he has a right in the property subject to such lien or intends to violate a right in such property.