

UNOFFICIAL COPY

Form 668 (Y)

Department of the Treasury - Internal Revenue Service 6 9

Notice of Federal Tax Lien Under Internal Revenue Laws

District

Serial Number

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

Residence

91563369

IMPORTANT RELEASE INFORMATION: With respect to each assessment listed below, unless notice of lien is referred to in writing given to you in (a), this notice is not a lien. It is a notice of a lien in pending as a certificate of release as defined in HC 8325(a).

Kind of Tax	Tax Period Ended	Identifying Number	Date of Assessment (a)	Last Day for Refiling (b)	Unpaid Balance of Assessment (c)
			1991 OCT 29	AM 9 28	91563369

Piece of Filina	Total \$
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This notice was prepared and signed at _____, on this,

the _____ day of _____, 19____

Signature _____ Title _____

NOTE: This notice is not a lien. It is a notice of a lien in pending as a certificate of release as defined in HC 8325(a).

Form 668 (Y) (Rev. 1-81)

Print Name of Recording Office

No.

United States

VS.

Notice of Tax Lien

Filed this

19

at

m.

day of

Clerk (or Registrar)

COPIES

Form 602 (Rev. 1-27-73)

Excerpts From Internal Revenue Code

Sec. 6321. Lien For Taxes

Whenever any liability for Federal income tax is imposed by section 6011 or 6012 and the taxpayer neglects or refuses to pay the same after demand, the amount... (A) Real Property... (B) Personal 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 is fully paid...

Sec. 6323. Validity and Priority Against Certain Persons.

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 of real property... (1) Securities (2) Motor vehicles (3) Personal property purchased at retail (4) Personal property purchased in casual sale (5) Personal property subjected to possession 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

Place For Filing Notice; Form.—

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

(2) 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...

(3) Personal Property.—In the case of personal property, in 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, except that State law relating to remittance of a lien shall apply...

(4) District Office.—In the case of the District of Columbia, in the office of the District Registrar of the District of Columbia...

(5) State Registrar.—In the case of any other State, in the office of the State Registrar of Deeds or the Clerk of the District of Columbia...

(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 lien is filed.

(C) Business Property.—In the case of a corporation or partnership, the residence of the principal executive office of the business is located, and the residence of the taxpayer whose residence is without the United States shall be deemed to be in the District of Columbia.

(d) 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 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 in casual sale
5. Personal property subjected to possession 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

(1) 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 retfiling 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 retfiling period.

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

(A) If such notice of lien is refiled in the office in which the prior notice of lien was filed, and

(B) In the case of real property, and the fact of refiling is entered and recorded in an index to the extent required by subsection (f), (4), and

(C) 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 type is also filed in accordance with subsection (f) in the State in which such residence is located

(3) Required Retfiling Period.—In the case of any notice of lien, the term "required retfiling period" means—

(A) The one-year period ending 30 days after the expiration of 10 years after the date of the assessment of the tax, and

(B) The one-year period ending with the expiration of 10 years after the date of the preceding required retfiling 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 relating to terms, conditions, and form of the bond and penalties thereon, as may be specified by such regulations.

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

(1) 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(f), 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.