

# UNOFFICIAL COPY

Department of the Treasury - Internal Revenue Service 3 6

Form 668 (Y)

Rev. January 1981

## Notice of Federal Tax Lien Under Internal Revenue Laws

District	Serial Number	For Optional Use by Recording Office			
<p>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.</p>					
Name of Taxpayer			92008106		
Residence					
<p><b>IMPORTANT RELEASE INFORMATION:</b> With respect to each assessment listed below, unless notice of lien is filed 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).</p>					
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)
1992	1992	1992 JAN 9 22	1992 JAN 9 22	1992 FEB 9 22	\$ 000.00
Place of Filing			Total \$ 000.00		

This notice was prepared and signed at \_\_\_\_\_, on this,

the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.  
*00.82*

Signature *S. M. Hayes*

Title

NOTE: Certification of officer authorized by law to take acknowledgments is not essential to the validity of Notice of Federal Tax Lien.  
Rev. Proc. 71-486, 14/1-2 C.B. 409

Form 668 (Y) (Rev. 1-91)

# UNOFFICIAL COPY

No. —

United States

vs.

## Notice of Tax Lien

Filed this \_\_\_\_\_ day of

, 19 —, at — m.

Clerk (or Registrar).

Form 6321 (1-26-64) 1-91

### Excerpts From Internal Revenue Code

#### Sec. 6321. Lien For Taxes

If a tax is unpaid at the time it becomes due or at any time thereafter, the same may be collected by a notice of lien, which is a written statement of the amount of tax, the date it became due, and therefore the date the tax is due, the date paid, if any, the property against which the tax is levied, whether real or personal, and on which such debt is created.

#### Sec. 6322. Period Of Lien.

Unless another claim is filed against the tax, the lien may not be levied until after a notice of assessment is made and a certificate of the amount so assessed is issued to a collector against the taxpayer, assuming that such debt is extant or becomes enforceable 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 creditor until notice thereof which meets the requirements of subsection (b) has been filed by the Secretary.

#### (b) Place For Filing Notice; Form.—

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

(A) **Under State Laws.**

In Real Property.—In the case of real property, in one office within the State for 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

(B) **Persons.**—Property in the case of personal property, whether tangible or intangible, in the office within the State for 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, *conforming to* Federal law, establishing a naturalizing system does not constitute a single office for filing as designated by the laws of such State, or

(C) **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 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.

For purposes of paragraphs (1) and (2), property shall be deemed to be situated in the place where it is physically located, or, if it is movable, in the residence of the taxpayer at the time the tax was assessed.

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

The Form 6321, and content of the notice referred to in section 6321, is prescribed by the Secretary. Such notice shall be in writing, containing one or more provisions of law regarding the form in which it is given or 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 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

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

(i) **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 (b) after the expiration of such refiling period.

(ii) **Place For Filing.**—A notice of lien referred to in 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 filing 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 to whom notice is addressed, or the name presented in regulations issued by the Secretary concerning a change in the taxpayer's residence, sends to the taxpayer a statement in accordance with subsection (b) in the State in which such residence is located.

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

At the one year period ending 30 days after the expiration of 3 years after the date of the assessment of tax, and

At the one year period ending with the expiration of 3 years after the close of the preceding required filing period for such notice of lien.

#### Sec. 6325. Release Of Lien; Discharge Of Property

**Release Of Lien.**—Subject to such regulations as the Secretary may prescribe, the Secretary may issue a certificate of release of any lien imposed with respect to any internal revenue tax not later than 30 days after the date on which:

(1) **Legally Satisfied or Unenforceable.**—The Secretary finds that the liability for the amount assessed, together with all interest in respect thereto, has been fully satisfied, 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 extension of such time), and that is in accordance with such agreements relating to terms, conditions, and form of the bond, so sureties thereon as may be specified by regulation.

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

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

(i) **Disclosure of amount of outstanding lien.**—Notice of lien has been filed pursuant to section 6321, amount of the outstanding obligation secured by such notice may be disclosed to any person who furnishes written evidence that he has a right in the property subject to such lien or intends to obtain a right in such property.

**\$8.00  
FILING**