

# UNOFFICIAL COPY

Department of the Treasury - Internal Revenue Service

Form 668 (Y)

## 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.

Name of Taxpayer
Residence

92215779

**IMPORTANT RELEASE INFORMATION:** With respect to each assessment listed below, unless notice of lien is refilled by the government 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)
1041	12/31/1998	41-1111-1111	1/1/99	1/2/99	10000.00
1041	12/31/1999	41-1111-1111	1/1/00	1/2/00	10000.00
1041	12/31/2000	41-1111-1111	1/1/01	1/2/01	10000.00
1041	12/31/2001	41-1111-1111	1/1/02	1/2/02	10000.00

92215779

Place of Filing	Total \$
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This notice was prepared and signed at \_\_\_\_\_, on this, \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Signature	Title
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No. \_\_\_\_\_

United States

VS.

Notice of Tax Lien

Filed this

19

at

m.

day of

Clerk (or Registrar)

Form 602 (7-99) (Rev. 1-83)

UNITED STATES DISTRICT COURT

Excerpts From Internal Revenue Code

Sec. 6321. Lien For Taxes

If any person (a) is liable for any tax imposed or refuses to pay the same after demand, the amount (including any interest and penalties) which shall be lawfully assessed jointly and severally with any debts that may become due in addition thereto shall be a lien in favor of the United States in all property and rights to property, whether real or personal, belonging to such person.

Sec. 6322. Period Of Lien.

Unless another period is specified by law, the lien imposed by section 6321 shall continue in force until the amount is paid in full, but shall not be enforced by the amount be assessed, nor judgment against the taxpayer and no suit or action shall be instituted or commenced, or any suit or action continued, by reason of lapse of time.

Sec. 6323. Validity and Priority Against Certain Persons.

(a) 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, holder of a security interest, mechanic's lienor, or judgment lien creditor who obtains the property or interest to which such lien is claimed to attach after the date on which notice of lien imposed by section 6321 is filed with the Secretary.

(b) 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, corporeal or incorporeal, in 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 merely concerning returning Federal tax delinquency a national filing system does not constitute a second office for filing as designated by the laws of such State; or
- (B) With Clerk Of District Court.—In the case of the clerk of the United States district court for the 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.

(2) *Place Of Property Subject To Lien.*—For purposes of paragraph (1) and (2), 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.
- For purposes of paragraph (1)(ii), the residence of a corporation or partnership shall be deemed to be the place at which the principal office or office of the business is located, and the residence of the taxpayer whose residence is without the United States shall be deemed to be the residence of the taxpayer.
- (3) From the time such notice of the notice referred to in subsection (a) is provided to the Secretary, the notice shall be valid against persons who acquire an interest in property regarding the tax or interest to which such lien is claimed.

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 auction
- 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 Airplane liens
- 9 Certain insurance contracts
- 10 Possession liens

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

(1) *General Rule.*—Unless a notice of lien is refilled 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 such notice is rendered with subsection (b) after the expiration of such refiling period.

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

- (A) If
  - (i) such refiling is filed in the office in which the prior notice of lien was filed; and
  - (ii) in the case of real property, and the date of refiling is entered and recorded in an index in the office required by State law to be kept;
- (B) If the person who so refilled the notice in the case of a refiling in violation of paragraph (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 lien is so refilled in accordance with subsection (b) 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 90-day period ending 30 days after the expiration of 10 years after the date of the assessment of the tax; and
- (B) the 90-day period ending with the expiration of the period of limitation on the proceeding required refiling period under section 6502.

Sec. 6325. Release Of Lien On 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 date on which

- (1) liability satisfied or otherwise satisfied. 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) *Amount 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 thereon, within the time prescribed by law (including an extension of such time) and that is in accordance with such requirements relating to terms, conditions, and form of the bond as are specified therein, as may be specified by such regulations.

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

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

(1) In the case of a notice of outstanding lien, if such notice 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.