

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.

92288698

Name of Taxpayer

Residence

IMPORTANT RELEASE INFORMATION. With respect to each assessment listed below, unless notice of lien is refiled by the date given in column (d), 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)
			1992 APR 23	AM 9 33	92288698

Place of Filing

Total \$

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

Signature *S. Pacific* Title

No.

United States

VS.

Notice of Tax Lien

Filed this

19

at

m.

day of

Clerk (or Registrar).

\$8.00 FILING

Excerpts From Internal Revenue Code

Sec. 6321. Lien For Taxes

If any person neglects or refuses to pay any tax properly assessed on him, the same after demand shall be a lien in favor of the Government in addition to any other lien thereon, and shall have priority over all other liens thereon, except a lien for a judgment against the taxpayer arising out of such liability...

Sec. 6322. Period Of Lien.

Unless another date is specifically fixed by law, the lien imposed by section 6321 shall remain in full force and effect until the amount so assessed is paid in full, or until the liability arising out of such liability is satisfied in full...

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 until notice thereof which meets the requirements of subsection (b) has been filed by 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 Law
(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, in an 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; except that State law merely conforming to existing Federal law of imposing a collateral lien system does not constitute a local office for filing as designated by the laws of such State; or
(iii) 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 The 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.

(1) This section shall not apply for purposes of paragraph (2) and (3) property shall be deemed to be situated (A) Real Property.—In the case of real property, at its physical location; or
(ii) Personal Property.—In the case of personal property, whether tangible or intangible, at the residence of the taxpayer at the time of the assessment.

(2) For purposes of paragraph (1)(ii), the residence of a corporation, partnership, or other entity shall be deemed to be the place of which the general 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.

(3) Form.—The form and content of the notice referred to in subsection (a) shall be prescribed by the Secretary, but the notice shall be in writing and shall contain a statement of the amount of the tax or other liability of a taxpayer.

Note: See section 6223(b) for protection for certain interests even though notice of lien imposed by section 6321 is filed with respect to:

- 1. Securities
2. Life insurance
3. Personal property purchased at retail
4. Personal property purchased in liquidation
5. Personal property subjected to possession for tax, property tax and special assessment liens
6. Residential property subject to a mechanic's lien for certain repairs and improvements
7. Attorney's liens
8. Certain insurance contracts
9. Past-due loans

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

(1) 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 a applicable law, after the expiration of such refiling period.

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

- (A) If the notice of lien is refiled in the office in which the lien notice of lien was filed; and
(B) In the case of real property, and the fact of refiling is entered and recorded in accordance with the requirements of subsection (b)(1)(A); 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, notice of such lien is also filed in accordance with subsection (b) in the State in which such residence is located.

(d) 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 10 years after the date of the assessment of the tax;
(B) the one-year period ending with the expiration of 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 Federal revenue tax not later than 30 days after the date on which—

- (1) a liability established 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 thereon, within the time prescribed by law (including extensions of such time), and that is in accordance with a contract or agreement relating to terms, conditions, and form the bond and sureties thereon, as they may be specified by such regulations.

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

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

(1) Disclosure of amount of outstanding lien.—If 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.