

05-1387-CD
Comm of PA vs Michael Barnard

Comm. Of Pa. vs. Michael W. Bernard
2005-1387-CD



05-1387-CJ

AUG 10 2005

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MICHAEL W BARNARD
219 S BRADY ST
NAME AND ADDRESS: DU BOIS PA 15801

TO THE PROTHONOTARY OF SAID COURT:
Pursuant to the laws of the Commonwealth of Pennsylvania,
there is herewith transmitted a Certified Copy of a Lien
to be entered of record in your County.

CERTIFIED COPY OF LIEN

212-88-1007

CLASS OF TAX	TAX PERIOD (OR DUE DATE)	DATE OF ASSESSMENT DETERMINATION OR SETTLEMENT	IDENTIFYING NUMBER	TAX	TOTAL
1	2	3	4	5	6
P.I.T.	01-01-01 TO 12-31-01	FEB 23 2004	N18509	2,557.00	3,620.51
INTEREST COMPUTATION DATE			TOTALS	\$2,557.00	\$3,620.51
AUG 29 2005			FILING FEE(S)	\$25.00	
			ADDITIONAL INTEREST		
			SETTLEMENT TOTAL		

The undersigned, the Secretary of Revenue (or his authorized delegate) of the Commonwealth of Pennsylvania, certifies this to be a true and correct copy of a lien against the above-named taxpayer for unpaid tax, interest, additions or penalties thereon due from such taxpayer and which, after demand for payment thereof, remains unpaid. The amount of such unpaid tax, interest, additions or penalties is a lien in favor of the Commonwealth of Pennsylvania upon the taxpayer's property, real, personal, or both, as the case may be.

FILED *icc*
m/11/17/05 PHF
SEP 08 2005 *jm*
PHF pd
William A. Shaw
Prothonotary/Clerk of Courts *25.00*

Keith J. Richardson
SECRETARY OF REVENUE
(OR AUTHORIZED DELEGATE)

PART 1 - TO BE RETAINED BY RECORDING OFFICE

SEP 06 2005

DATE

LIEN FOR TAXES, PENALTIES AND INTEREST

General Information:

COMMONWEALTH OF PENNSYLVANIA

VS

MICHAEL W BARNARD

Filed this _____ day of _____, 2005.

SEP 03 2005

William A. Shaw
PROTHONOTARY OF COUNTS
CLERK (or Register)

NOTICE OF TAX LIEN

Personal Income Tax, Employer Withholding Tax, Realty Transfer Tax, Sales and Use Tax, Liquid Fuels Tax, Fuels Use Tax, Motor Carriers Road Tax and Motorbus Road Tax, Oil Company Franchise Tax, and Liquid Fuels and Fuels Tax liens are liens upon the franchises as well as real and personal property of taxpayers, but only after they have been entered and docketed of record by the Prothonotary of the county where such property is situated and shall not attach to stock of goods, wares, or merchandise regularly sold in the ordinary course of business of the taxpayer. The lien has priority from the date of entry of record.

Interest is imposed at the following rates:
C.S., F.F., C.L.C.N.I. - 6% per annum (due date to payment date)
C.I., G.R., C.A.M.T. - 6% per annum (due date to payment date)
L.F., N.E., G.P.M.T. - 6% per annum (due date to payment date)
P.U.R. - 1% per month or fraction
P.I.T., E.M.T. - 3/4 of 1% per month or fraction
(due date to payment date)
S.& U. - 3/4 of 1% per month or fraction
R.T.T. - 6% per annum
IN. & EST. - 6% per annum
L.F.T., F.U.T. - 1% per month or fraction
M.C.R.T. - 1% per month or fraction
O.F.T. - 18% per annum

AUTOMATIC REVIVAL OF NOTICE AND PRIORITY OF NOTICE

General Rule: According to the Fiscal Code, the Notice of Lien is automatically revived and does not require refiling of the Notice by the Commonwealth. Any Notice of Lien filed by the Commonwealth shall have priority to, and be paid in full, before any other obligation, judgment, claim, lien, or estate is satisfied from a subsequent judicial sale or liability with which the property may be charged. Exception: The Commonwealth does not maintain priority of tax liens over any existing mortgages or liens which are properly recorded at the time that the tax lien is filed. See, Act of December 12, 1994, P.L. 1015, No. 138.

For all taxes that are originally due and payable on and after January 1, 1982, the PA Department of Revenue will calculate daily interest on all tax deficiencies using an annual interest rate that will vary from calendar year to calendar year. The applicable interest rates are as follows.

INTEREST: Interest is calculated on a daily basis at the following rates:
Delinquent Date Interest Rate Daily Interest Factor
1/1/82 thru 12/31/82 20% .000548

The Secretary or his delegate may issue a Certificate of Release of any lien imposed with respect to any tax if (1) the liability is satisfied, satisfaction consisting of payment of the amount assessed together with all interest and costs in respect thereof, or (2) the liability has become legally unenforceable. Exception: Interest on Corporation Taxes is computed after the lien is paid.

RELEASE OF LIEN

The "TOTAL" (Column 6) for each type of tax listed on this Notice of Lien comprises the balance of tax due (Column 5) plus assessed additions and/or penalties, and assessed and accrued interest to the interest computation date on the face of the Notice.

If payment or settlement of the account is made after the interest computation date, the payment must include the lien filing costs and accrued interest from the interest computation date to and through the payment date.

S & U.	State Sales and Use Tax
L.S.& U.	Local Sales and Use Tax
R.T.T.	Realty Transfer Tax
IN. & EST.	Inheritance and Estate Tax
L.F.T.	Liquid Fuels Tax (Gasoline)
F.U.T.	Fuels Use Tax (Diesel and Special Fuels)
M.C.R.T.	Motor Carriers Road Tax
O.F.T.	Oil Franchise Tax
M.T.	Public Transportation Assistance Fund Taxes and Fees
BUS.	Motorbus Road Tax
L.F. & F.T.	Liquid Fuels and Fuels Tax

The "TOTAL" (Column 6) for each type of tax listed on this Notice of Lien comprises the balance of tax due (Column 5) plus assessed additions and/or penalties, and assessed and accrued interest to the interest computation date on the face of the Notice.

Interest is calculated on a daily basis at the following rates:
C.S., F.F., C.L.C.N.I. - 6% per annum (due date to payment date)
C.I., G.R., C.A.M.T. - 6% per annum (due date to payment date)
L.F., N.E., G.P.M.T. - 6% per annum (due date to payment date)
P.U.R. - 1% per month or fraction
P.I.T., E.M.T. - 3/4 of 1% per month or fraction
(due date to payment date)
S.& U. - 3/4 of 1% per month or fraction
R.T.T. - 6% per annum
IN. & EST. - 6% per annum
L.F.T., F.U.T. - 1% per month or fraction
M.C.R.T. - 1% per month or fraction
O.F.T. - 18% per annum

INTEREST: Interest is calculated on a daily basis at the following rates:
Delinquent Date Interest Rate Daily Interest Factor
1/1/82 thru 12/31/82 20% .000548
1/1/83 thru 12/31/83 16% .000438
1/1/84 thru 12/31/84 16% .000501
1/1/85 thru 12/31/85 15% .000556
1/1/86 thru 12/31/86 10% .000274
1/1/87 thru 12/31/87 9% .000247
1/1/88 thru 12/31/88 11% .000301
1/1/89 thru 12/31/89 7% .000192
1/1/90 thru 12/31/90 7% .000219
1/1/91 thru 12/31/91 9% .000247
1/1/92 thru 12/31/92 6% .000164
1/1/93 thru 12/31/93 7% .000137
1/1/94 thru 12/31/94 9% .000110
1/1/95 thru 12/31/95 5% .000137
1/1/96 thru 12/31/96 4% .000137
--Taxes that become delinquent on or before December 31, 1981 will remain a constant interest rate until the delinquent balance is paid in full.
--Taxes that become delinquent on or after January 1, 1982 are subject to a variable interest rate that changes each calendar year.
--Interest is calculated as follows:
INTEREST = BALANCE OF TAX UNPAID X NUMBER OF DAYS DELINQUENT X DAILY INTEREST FACTOR.

Liens for Inheritance Tax and Estate Tax arise under the Inheritance and Estate Tax of 1982, Act of December 13, 1982, P.L. 1082, No. 225 Section 1 et. seq., 72 Pa. C.S.A. Section 1701 et. seq. (For decedents with date of death prior to December 13, 1982, liens arise under the Inheritance and Estate Tax Act of 1961, 72 P.S. Section 2465 - 101 et. seq.).

Liens for State or State and Local Sales, Use and Hotel Occupancy Tax and Public Transportation Assistance Fund Taxes and Fees arise under Section 262, Act of March 4, 1971, No. 2 as amended, 72 P.S. Section 7202.

Liens for Liquid Fuels and Fuels Tax, and the tax imposed in section 9502 of the Vehicle Code (75 Pa. C.S. 9502) arise under Chapter 90 of the Vehicle Code, (75 Pa. C.S. 9013).

Liens for Motorbus Road Tax arise under Chapter 98 of the PA Vehicle Code, (75 Pa. C.S. 9815).
Liens for Liquid Fuels and Fuels Tax, and the tax imposed in section 9502 of the Vehicle Code (75 Pa. C.S. 9502) arise under Chapter 90 of the Vehicle Code, (75 Pa. C.S. 9013).

* Use this rate for M.C.R.T./FTA effective January 1, 1996.