

Form RD 1955-41  
(Rev. 1-97)

UNITED STATES DEPARTMENT OF AGRICULTURE  
Rural Development  
Farm Service Agency

# NOTICE OF SALE

Notice is hereby given that the United States of America, acting through an agency of the U.S. Department of Agriculture (USDA) will sell by  
 Public Auction    Regular Sale    Sealed Bid on Form RD 1955-46 the following described    Real    Chattel  
 Real and Chattel property:

The property will be sold for cash unless otherwise indicated herein. For security property (title not in USDA) USDA reserves the right to bid at any public auction sale. For inventory property (title in USDA) USDA reserves the right to reject all bids. (Note: "\*\*\*" preceding any property listed herein indicates that USDA will consider credit sales. Information concerning credit sales may be obtained from the USDA office listed below.)

The property may be examined at \_\_\_\_\_

The sale will be held \_\_\_\_\_

Inquiry concerning the sale of the above property may be made at the USDA Agency address shown below.

UNITED STATES OF AMERICA

\_\_\_\_\_  
(Date)

By \_\_\_\_\_

\_\_\_\_\_  
(Telephone)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Office Address)

RD 1955-41 (Rev. 1-97)

**PROCEDURE FOR PREPARATION** : RD Instructions 1955-C and 1962-A.

**PREPARED BY** : Agency Official, as appropriate.

**NUMBER OF COPIES** : As required by State instructions or handbook.

**SIGNATURES REQUIRED** : Agency Official, as appropriate.

**DISTRIBUTION OF COPIES** : As appropriate for adequate advertising and as required by State instructions or handbook.

Used by the appropriate official to give notice of public auction regular sale or sealed bid sale of security or inventory real or chattel property. (Not for use in foreclosure actions.)

When the form is used as a notice to lienholders, the copy sent to the lienholder will show the name and address of the debtor by inserting the following at the end of the text, preceding the space for description of the property. "Belonging to (insert name and address of debtor)." (Secure Regional Attorney guidance as to applicability to state prior to use as a notice to lienholders.)

When the lienholder is the Internal Revenue Service, the copy sent to it must include in addition to the above, the following: (a) the type of Agency security instrument and where it is filed or recorded, (b) the appraised value of the security property, (c) the amount of the unpaid principal and approximate amount of accrued unpaid interest on the Agency loan, and (d) a copy of each Notice of Federal Tax Lien affecting the property to be sold or the Internal Revenue District named thereon and the name and address of the taxpayer and the date and place of filing of each Notice of Federal Tax Lien. This information should be inserted immediately after the description of the property. The Notice of Sale must be sent to the IRS District Director (marked for attention of the chief, special procedures section) for the Internal Revenue District in which the sale is to be conducted no less than 25 days prior to the date of sale and shall be sent by certified or registered mail (or personal service). See 26 CFR 400.4-1 for full IRS text.

#### INSTRUCTIONS FOR PREPARATION

- (1) Check two blocks.
- (2) For real property - Enter a brief description of the property together with the address or location. If a full legal description is to be added, insert this sentence following the description: "Full legal description of this property is attached at Exhibit A." (NOTE: If the structure does not meet the requirements of "Decent, Safe and Sanitary Housing", as set forth in RD Instruction 1955-C, the following clause must be entered after the brief description:

"The structure of this property presently does not meet the standards of "Decent, Safe, and Sanitary Housing" as defined by the Agency. Prior to being used for residential purposes, the structure must be restored or repaired to (a) be structurally sound and habitable, (b) have a potable water supply, (c) have a functionally adequate, safe, and operable heating, plumbing, electrical and sewage disposal system, and (d) meet the Thermal Performance Standards for existing construction in Exhibit D to Subpart A of Part 1924-A of "Title 7 of the Code of Federal Regulations."

Provide any special notices as may be required, e.g., requirements or findings of RD Instruction 1955-C, Sections 1955.133, 136, 137, or 138.

For chattel property - Enter a brief description which may include manufacturer, brand, model, size, capacity and serial number. If additional space is required, insert this sentence following the last description: "Continued at attached Exhibit A."

- (3) Self explanatory.
- (4) For public auction - Enter time, date and location.

For regular sale - Enter "until sold or withdrawn."

For sealed bid sale - Enter time, date and place of opening.