

|   |                |  |
|---|----------------|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name and Address</i> ):<br><input type="checkbox"/> Recording requested by and return to:<br><br><br>ATTORNEY FOR ( <i>Name</i> ):<br>NAME OF COURT:<br>STREET ADDRESS:<br>MAILING ADDRESS:<br>CITY AND ZIP CODE:<br>BRANCH NAME: | TELEPHONE NO.: | <b>FOR RECORDER'S USE ONLY</b>                           |
| PLAINTIFF:<br><br>DEFENDANT:  |                | LEVYING OFFICER ( <i>Name and Address</i> ):<br><br><br> |
| <b>NOTICE OF LEVY</b><br>under Writ of <input type="checkbox"/> Execution (Money Judgment) <input type="checkbox"/> Sale  |                | LEVYING OFFICER FILE NO.:    COURT CASE NO.:             |

TO THE PERSON NOTIFIED (*name*):

1. The judgment creditor seeks to levy upon property in which the judgment debtor has an interest and apply it to the satisfaction of a judgment as follows:
  - a. judgment debtor (*name*):
  - b. the property to be levied upon is described
    - in the accompanying writ of possession or writ of sale.
    - as follows:
  
2. The amount necessary to satisfy the judgment creditor's judgment is (*specify total amount due under the writ less partial satisfactions plus daily interest from the date of the writ until the date of levy*):  
 \$
  
3. You are notified as
  - a.  a judgment debtor.
  - b.  a person other than the judgment debtor (*state capacity in which person is notified*):

**(Read Information for Judgment Debtor or Information for Person Other Than Judgment Debtor on reverse.)**

- Notice of Levy was
- mailed on (*date*):
  - delivered on (*date*):
  - posted on (*date*):
  - filed on (*date*):
  - recorded on (*date*):

Signed by:

Levying officer                       Registered process server

*(Continued on reverse)*

|              |                           |                 |
|--------------|---------------------------|-----------------|
| SHORT TITLE: | LEVYING OFFICER FILE NO.: | COURT CASE NO.: |
|--------------|---------------------------|-----------------|

**– INFORMATION FOR JUDGMENT DEBTOR –**

1. The levying officer is required to take custody of the property described in item 1 in your possession or under your control.
2. You may claim any available exemption for your property. A list of exemptions is attached. **If you wish to claim an exemption for personal property, you must do so within 10 days after this notice was delivered to you or 15 days after this notice was mailed to you** by filing a claim of exemption and one copy with the levying officer as provided in section 703.520 of the Code of Civil Procedure. **If you do not claim an exemption, you may lose it and the property is subject to enforcement of a money judgment. If you wish to seek the advice of an attorney, you should do so immediately so that a claim of exemption can be filed on time.**
3. You are not entitled to claim an exemption for property that is levied upon under a judgment for sale of property. This property is described in the accompanying writ of sale. You may, however, claim available exemptions for property levied upon to satisfy damages or costs awarded in such a judgment.
4. You may obtain the release of your property by paying the amount of a money judgment with interest and costs remaining unpaid.
5. If your property is levied upon under a writ of execution or to satisfy damages and costs under a writ of possession or sale, the property may be sold at an execution sale, perhaps at a price substantially below its value. Notice of sale will be given to you. Notice of sale of real property (other than a leasehold estate with an unexpired term of less than two years) may not be given until at least 120 days after this notice is served on you. This grace period is intended to give you an opportunity to settle with the judgment creditor, to obtain a satisfactory buyer for the property, or to encourage other potential buyers to attend the execution sale.
6. All sales at an execution sale are final; there is no right of redemption.

**– INFORMATION FOR PERSON OTHER THAN JUDGMENT DEBTOR –**

1. If the property levied upon is in your possession or under your control and you do not claim the right to possession or a security interest, you must deliver the property to the levying officer. If you do not deny an obligation levied upon or do not claim a priority over the judgment creditor's lien, you must pay to the levying officer the amount that is due and payable and that becomes due and payable during the period of the execution lien which lasts two years from the date of issuance of the writ of execution. You must execute and deliver any documents needed to transfer the property.
2. You must complete the accompanying Memorandum of Garnishee.
3. If you claim ownership or the right to possession of real or personal property levied upon or if you claim a security interest in or lien on personal property levied upon, you may make a third-party claim and obtain the release of the property pursuant to sections 720.010-720.800 of the Code of Civil Procedure.
4. **Make checks payable to the levying officer.**