

Butte County Sheriff’s Office ~ Civil Division

5 Gillick Way, Oroville, California 95965, 530-538-7483

Real Property Levy Worksheet

Please complete a separate instruction sheet for each property with an APN.

This worksheet is to be used only as an attachment to an original letter of instruction, which shall be submitted on official business letterhead and in compliance with CCP§ 687.010.

Issuing court information:

Court Case # _____

County of _____, State of _____

Please provide and include the following when you submit your signed instructions:

- **An original letter of instruction on official business letterhead.**
- Original writ and sufficient copies to record, serve and post (and any attachments to the Writ).
- A deposit check payable to the B.C.S.O.: Writ of Execution and Writ of Sale \$2,000.00 or Writ of Attachment \$500.00.
- Below, select the type of Writ and provide ALL the requested information and check ALL applicable boxes:

1. To the Sheriff of Butte County, pursuant to the attached Writ: **CHECK ONE**

- You are instructed to serve and execute the levy as described below.
- A Registered Process Server (RPS) will serve the levy as described below.

Name and phone number of RPS: _____

2. WHAT TYPE OF WRIT DO YOU HAVE? CHECK ONE

WRIT OF EXECUTION - MONEY JUDGMENT (EJ-130) Reference CCP 700.015 and 701.510-701.830
Does the real property contain a dwelling? Yes No. Is the land a vacant lot? Yes No.

If the property contains a dwelling, the Sheriff will serve notice on the judgment creditor that the levy has been made and that the property will be released unless the judgment creditor complies with the requirements of CCP 704.750. Be prepared to file a copy of your Application for Order for Sale of the Dwelling with the Sheriff within 20 days of service of the notice, or the property will be released. CCP 704.750 (a).

WRIT OF ATTACHMENT (AT-135) Reference CCP 488.315 and 700.015

Also include the **Right to Attach Order** and **Undertaking, if one was ordered**
Real property is not sold under a writ of attachment.

Regarding the service of the Summons and Complaint, CCP 488.020 (c):

If the defendant has not been previously served with a copy of the Summons and Complaint, you are required to instruct the levying officer to serve a copy of the Summons and Complaint when the writ is served on the defendant.

The defendant was previously served with the Summons and Complaint. Date: _____

Please serve the enclosed copy of the Summons and Complaint upon the defendant(s). Please provide two copies for each defendant to be served.

WRIT OF SALE (EJ-130) Reference CCP 712.010-712.070, 716.010-716.030, CCP 700.015 and 701.510-701.830

Also include the **Certified copy of the Judgment for Sale as required by CCP 716.010 (c).**

Is a "Right to Redemption" applicable to the sale of this property? Yes No.

The judgment is for:

1. partition of real property, or
2. judicial foreclosure of a: (check one of the following)
 - 2a. special assessment property tax or Mello-Roos tax lien (judgment creditor is a public entity).
 - 2b. assessment lien by an association or common interest development.
 - 2c. mechanics lien (labor or improvements to real property).
 - 2d. other lien (s) on real property. Specify:
 - 2e. mortgage or deed of trust and the judgment indicates that a deficiency judgment
 - 2e(1). may be ordered
 - 2e(2). is waived or prohibited.

ALL OF THE FOLLOWING SECTIONS MUST BE COMPLETED

Debtor Information

3. This levy seeks to levy upon (or attach) the real property interest of the following **Judgment Debtor** (s). The names listed below must match the names as they appear on the writ exactly, or the Sheriff will not act upon your instructions.

Debtor name: _____

Address for service: _____

Debtor name: _____

Address for service: _____

Additional names and address of judgment debtor (s) are contained on a separate sheet.

4. Does the judgment debtor's interest in the real property consist of a **Leasehold Interest**, Leasehold Estate or an Estate for Years? Yes No.

If yes, provide the date the lease expires: _____

Property Information

5. You must provide a copy of the **assessor's parcel map** and the **legal description** of the property. This is vital if the property is vacant land, if the parcels are not contiguous, if no street address exists, or if the property is difficult to locate. Copies must be clear, void of any hi-lightening and legible. Contact the Recorder at 530-538-7691 for their fee schedule.

Check to indicate that you have included a copy of the **assessor's parcel map**.

Check to indicate that you have included a copy of the **legal description** of the property.

6. What is the Assessor's Parcel Number (APN): _____

7. What is the real property **street address**: _____

8. Does this real property contain a **dwelling**? Yes No. Is this a **commercial property**? Yes No.

9. Is this land a **vacant lot**? Yes No. If yes, provide directions for locating the property.

10. How many **parcels** are subject to this levy? _____ If more than one, are the parcels **contiguous**? Yes No N/A

Note: If more than one parcel is subject to the levy, attach a separate worksheet and instruction for each parcel.

Third Party Information

11. Does the real property also stand in the name of a **Third Party** (other than the judgment debtor) having a recorded interest in the real property as shown by the records of the county? Yes No.

The Sheriff is required to serve by mail a copy of the writ and notice of levy on each such third person.

Third Party name: _____

Address for service: _____

Third Party name: _____

Address for service: _____

Additional names and address of third persons are contained on a separate sheet.

12. Additional Information is contained in an attachment (enclosed).

Your Information

Your name: _____ Phone: _____

Your address: _____

Signature: _____ Date: _____

Must be signed by the Plaintiff, Attorney of Record or Assignee of Record. I am the plaintiff plaintiff's attorney of record assignee of record.

Returned paperwork: Paperwork will be returned unprocessed if the writ is incomplete, if the writ is missing required information, if the writ is invalid on its face or if the letter of instruction is unclear or insufficient. Any changes or corrections made to a writ after it is issued by the court must be initialed by the court clerk. The Sheriff will not act upon the writ otherwise.

Civil Clerk: Papers reviewed and returned by: _____ Date: _____ Reason: _____