

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

42A



FROM: Paul McDonnell  
Treasurer-Tax Collector

SUBMITTAL DATE: October 21, 2002

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 159, Item 215.

Last assessed to: Ralph J. Quaglin, a single man and Helen C. Quaglin, a single woman as to an undivided one-half interest and Jack M. Bart and Sharlene Bart, as Trustees under declaration of revocable trust dated September 6th 1994 as to an undivided one-half interest.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Sharlene Bart, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 310250009-8;
- 2) Deny the claim from Trackers USA, agent for Sharlene Bart, last assessee;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Sharlene Bart, Trustee under declaration of revocable trust dated September 6th 1994, in the amount of \$29,265.82, no sooner than ninety days from the date of this order, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court.

BACKGROUND: In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, the Tax Collector conducted the March 12, 2001 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 10, 2001. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on May 31, 2001, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest.

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FINANCIAL DATA:

CURRENT YEAR COST \$58,531.63  
NET COUNTY COST \$ 0

ANNUAL COST \$ 0  
IN CURRENT YEAR BUDGET: YES  
BUDGET ADJUSTMENT: NO FOR FY: 2003

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale

C.E.O. RECOMMENDATION:

APPROVE

County Executive Officer Signature

FORM APPROVED  
COUNTY COUNSEL

16 2003

Helen

Policy  
 Policy

Consent  
 Consent

Department Recommendation:  
Per Executive Office:

Prev. Agn. ref.

Dist.  
5

AGENDA NO.

9.21

BOARD OF SUPERVISORS

Form 11:

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The Treasurer-Tax Collector has received two claims for excess proceeds:

- 1) Claim from Sharlene Bart, last assessee based on an Trustee's Deed Upon Sale dated and recorded August 19, 1993 as Instrument No. 325770 and based on a Quitclaim Deed dated September 6, 1994 and recorded September 20, 1994 as Instrument No. 361782.
- 2) Claim from Trackers USA, agent for Sharlene Bart, last assessee.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Sharlene Bart, Trustee, last assessee be awarded 50% of the excess proceeds in the amount of \$29,265.82. Supporting documentation has been provided. The claim from Trackers USA is denied because there is no Assignment of Right to Collect Excess Proceeds and supporting documentation. Since there are no other claimants the remaining amount of \$29,265.81 will remain unclaimed. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants by certified mail 7001 0360 0000 9641 660 & 7001 0360 0000 9641 661.