

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

413A



FROM: Paul McDonnell  
Treasurer-Tax Collector

SUBMITTAL DATE: October 10, 2002

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 159, Item 274.  
Last assessed to: Gil McAuley, a single man.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Gil McAuley, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 323140011-3;
- 2) Approve the claim from MFI Title Service for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 323140011-3;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Gil McAuley in the amount of \$7,029.49 and MFI Title Service in the amount of \$2,650.96 no sooner then 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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Paul McDonnell  
Treasurer-Tax Collector

**FINANCIAL DATA:**

CURRENT YEAR COST \$9,680.45  
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

JAN 2 2003  
H. [unclear]

Policy  
 Policy

Consent  
 Consent

Department Recommendation:  
Per Executive Office:

Prev. Agn. ref.

Dist.  
5

AGENDA NO.

9.22

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Gil McAuley, last assessee based on a Grant Deed dated March 16, 1993 and recorded March 18, 1993 as Instrument No. 100696.
- 2) Claim from MFI Title Service, c/o Dianne Kile, Vice President based on a Assignment of Right to Collect Excess Proceeds executed on May 21, 2002 by Donald B. Devirian, Attorney for C.L. Pharris Sand & Gravel Inc., DBA C.L. Pharris Ready Mix, based on a Mechanics' Lien dated June 21, 1993 and recorded June 28, 1993 as Instrument No. 246762, based on a Notice of Lis Pendens dated August 14, 1993 and recorded August 17, 1993 as Instrument No. 321105.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Gil McAuley be awarded excess proceeds in the amount of \$7,029.49 and MFI Title Service, c/o Dianne Kile, Vice President be awarded excess proceeds in the amount of \$2,650.96. Supporting documentation has been provided. 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 647 & 7001 0360 0000 9641 648.