

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

521A



FROM: Paul McDonnell
Treasurer-Tax Collector

SUBMITTAL DATE: October 30, 2002

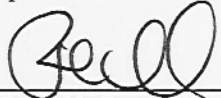
SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 159, Item 272.
Last assessed to: Clifton C. Calloway, a married man, as his sole and separate property.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Betty Myers, for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 323080062-4;
- 2) Deny the claim from Clifton C. Calloway, last assessee;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Betty Myers, successor Sole Trustee for the James Curty and Myrtle W. Curty Family Trust Dated 7/13/88, in the amount of \$3,505.61 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.

(continued on page two)


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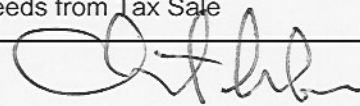
FINANCIAL DATA:

CURRENT YEAR COST \$3,505.61
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

OCT 23 2003

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist.
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AGENDA NO.

9.15

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Betty Myers, successor Sole Trustee for the James Curty and Myrtle W. Curty Family Trust Dated 7/13/88, based on a Assignment of Deed of Trust dated April 28, 1997 and recorded on May 15, 1997 as Instrument No. 169186 and Acceptance of Trust and Certificate of Successor Trustee dated October 9, 1996.
- 2) Claim from Clifton C. Calloway, last assessee based on a Quitclaim Deed dated November 26, 1993 and recorded December 2, 1993 as Instrument No. 480941.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Betty Myers be awarded excess proceeds in the amount of \$3,505.61 Supporting documentation has been provided. Since the amount claimed by Betty Myers exceeds the amount of the excess proceeds available for distribution, there are no funds available for consideration of the claim from Clifton C. Calloway. 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 663 & 7001 0360 0000 9641 664.