

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

647A



FROM: Paul McDonnell  
Treasurer-Tax Collector

SUBMITTAL DATE: February 5, 2003

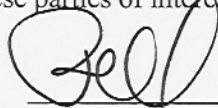
SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 159, Item 1219.  
Last assessed to: Robert C. Yeaney and Teresa L. Yeaney, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from The State of California, Franchise Tax Board for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 639231044-2;
- 2) Deny the claim from Jim Shorts, President, Forest Green Scholtz & Hightower, agent for Robert C. Yeaney and Teresa L. Yeaney, last assessee's;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to The State of California, Franchise Tax Board in the amount of \$5,751.37, 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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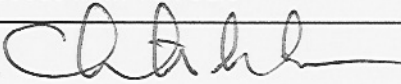
**FINANCIAL DATA:**

CURRENT YEAR COST \$5,751.37  
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  
FEB 5 2003

Policy

Consent

Department Recommendation:  
Per Executive Office:

Prev. Agn. ref.

Dist.  
3

AGENDA NO.

9.10

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from State of California, Franchise Tax Board based on a Notice of State Tax Lien, Certification No. 96183-000783 recorded July 8, 1996 as Instrument No. 252305.
- 2) Claim from Jim Shorts, President, Forest Green Scholtz & Hightower, agent for Robert C. Yeane and Teresa L. Yeane, last assessee's, based on Authorization for Agent to Collect Excess Proceeds dated April 12, 2002 and based on a Grant Deed dated November 15, 1994 and recorded on January 25, 1995 as Instrument No. 022809.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that State of California, Franchise Tax Board be awarded the excess proceeds in the amount of \$5,751.37. Supporting documentation has been provided. Since the amount claimed by State of California, Franchise Tax Board exceeds the amount of excess proceeds available for distribution, there are no funds available for consideration of the claim from Forest Green Scholtz & Hightower, agent for Robert C. Yeane and Teresa L. Yeane. 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 676 & 7001 0360 0000 9641 677.