

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

646A



FROM: Paul McDonnell
Treasurer-Tax Collector

SUBMITTAL DATE: November 6, 2002

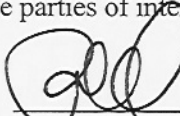
SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 159, Item 1246.
Last assessed to: Donald Lee Brant and Berit Brant, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Ray F. Larson and Patricia L. Larson for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 645160013-0;
- 2) Deny the claim from Donald Lee Brant and Berit Brant, last assessee's;
- 3) Deny the claim from State of California, Franchise Tax Board;
- 4) Authorize and direct the Auditor-Controller to issue a warrant to Ray F. Larson and Patricia L. Larson in the amount of \$21,047.70, 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)

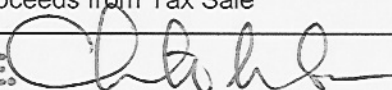

 Paul McDonnell
 Treasurer-Tax Collector

FINANCIAL DATA:

| | | | |
|-------------------|-------------|-------------------------|-----------------|
| CURRENT YEAR COST | \$21,047.70 | ANNUAL COST | \$ 0 |
| NET COUNTY 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

2003

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist.
4

AGENDA NO.

9.11

BOARD OF SUPERVISORS

Form 11:

Page 2

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

- 1) Claim from Ray F. Larson and Patricia L. Larson based on an Short Form Deed of Trust and Assignment of Rents and Request for Special Notice dated May 24, 1994 and recorded June 21, 1994 as Instrument No. 251939.
- 2) Claim from Donald Lee Brant and Berit Brant, based on a Grant Deed dated May 27, 1994 and recorded June 21, 1994 as Instrument No. 215938.
- 3) Claim from Chris Koris, Supervisor, State of California, Franchise Tax Board based on a Notice of State Tax Lien, Certification No. 95095-006459 and recorded April 18, 1995 as Instrument No. 119892 and based on a Order to Withhold Personal Income Tax dated June 18, 2001.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Ray F. Larson and Patricia L. Larson be awarded excess proceeds in the amount of \$21,047.70. Since the amount claimed by Ray F. Larson and Patricia L. Larson exceeds the amount of the excess proceeds available for distribution, there are no funds available for consideration of the claims from Donald Lee Brant and Berit Brant, last assessee's and State of California, Franchise Tax Board. 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 678, 7001 0360 0000 9641 679 & 7001 0360 0000 9641 680.