

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

106A



FROM: Paul McDonnell
Treasurer-Tax Collector

SUBMITTAL DATE: October 7, 2002

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 159, Item 151.
Last assessed to: Josef Dolezal and Vera Dolezal, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Ronald J. Mauldin, Trustee for the James M. Mauldin and Mary A. Mauldin Trust Dated October 27, 1987 for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 271040057-6;
- 2) Deny the claim from Josef Dolezal and Vera Dolezal, last assessee's.
- 3) Deny the claim from James P. Monroe, Department of Building and Safety.
- 4) Authorize and direct the Auditor-Controller to issue a warrant to Ronald J. Mauldin, Trustee for the James M. Mauldin and Mary A. Mauldin Trust Dated October 27, 1987, in the amount of \$23,053.84 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
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FINANCIAL DATA:

CURRENT YEAR COST \$23,053.84
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 13 2003
HARRIS

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist.
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AGENDA NO.
9.10

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Ronald J. Maudlin, Trustee for the James M. Mauldin and Mary A. Mauldin Trust Dated October 27, 1987 based on a Deed of Trust with Assignment of Rents dated August 15, 1988 and recorded September 27, 1988 as Instrument No. 279371.
- 2) Claim from Josef Dolezal and Vera Dolezal, last assessee's based on a Grant Deed dated August 15, 1988 and recorded September 27, 1988 as Instrument No. 279364.
- 3) Claim from James P. Monroe, Department of Building and Safety based on a Notice of Noncompliance recorded December 20, 1999 as Instrument No. 1999-548202.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Ronald J. Maudlin, Trustee for the James M. Mauldin and Mary A. Mauldin Trust Dated October 27, 1987 be awarded excess proceeds in the amount of \$23,053.84. Since the amount claimed by Ronald J. Maudlin exceeds the amount of the excess proceeds available for distribution, there are no funds available for consideration of the claims from Josef Dolezal and Vera Dolezal, last assessee's and James P. Monroe, Department of Building and Safety. 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 2510 0000 7596 638, 7001 2510 0000 7596 639 & 7001 2510 0000 7596 640.