

109A
SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Paul McDonnell
Treasurer-Tax Collector

SUBMITTAL DATE: February 3, 2003

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 159, Item 743.
Last assessed to: George L. King and Cecelia H. King, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Cynthia E. King, agent for Cecilia H. King, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 415321010-3;
- 2) Deny the claim from Global Discoveries, LTD., agent for John Montson;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Cynthia E. King, agent for Cecilia H. King in the amount of \$28,320.98, 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

BY:
FINANCIAL DATA:

CURRENT YEAR COST \$28,320.98
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 18 2003
HARRIS

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist.
3

AGENDA NO.

9.13

BOARD OF SUPERVISORS

Form 11:

Page 2

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

- 1) Claim from Cynthia E. King, agent for Cecilia H. King based on a Assignment of Right to Collect Excess Proceeds dated March 13, 2002 and based on a Long Form Security (Installment) Land Contract with Power of Sale dated September 12, 1975 and recorded October 16, 1975 as Instrument No. 126906.
- 2) Claim from Global Discoveries, LTD., agent for John Montson based on a Assignment of Right to Claim Excess Proceeds from the Sale of Tax Deeded Property dated March 1, 2002 by John Montson, as heir to Mary E. Montson, based on Judgment Allowing Statutory Fees and of Final Distribution on Waiver of Accounting for the Estate of Mary E. Montson filed June 22, 1992.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Cynthia E. King, agent for Cecilia H. King be awarded excess proceeds in the amount of \$28,320.98. Global Discoveries, LTD., agent for John Montson withdrew their claim on January 24, 2003. 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 777 & 7001 2510 0000 7596 778.