

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

432 A



FROM: Paul McDonnell
Treasurer-Tax Collector

SUBMITTAL DATE: January 30, 2003

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 159, Item 1534.
Last assessed to: Richard Francis O'Connel, a single man, as his sole and separate property.

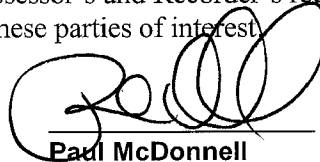
RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from The CLC Group, Inc. for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 928200003-2;
- 2) Approve the claim from Charles Neander and M. Elizabeth Neander for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 928200003-2;
- 3) Deny the claim from Ned Heiskell;
- 4) Deny the claim from Global Discoveries, LTD., agent for Paul Schwartz;

(Continued on Page 2)

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
Treasurer-Tax Collector

FINANCIAL DATA:

CURRENT YEAR COST \$49,045.81
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

MAR 25 2003

BY: 

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist.
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AGENDA NO.

9.12

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 5) Authorize and direct the Auditor-Controller to issue a warrant to The CLC Group, Inc., in the amount of \$25,985.00 and Charles Neander and M. Elizabeth Neander, in the amount of \$23,060.81, no sooner than 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.
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The Treasurer-Tax Collector has received four claims for excess proceeds:

- 1) Claim from William C. Cropper, President, The CLC Group, Inc., based on a Agreement and Assignment of Claim from Joseph Schwartz successor trustee of the Seymour & Shirley Strachman Family Trust dated 09/08/82, previous owners of the Rancho California Water District, Street Improvement Bond, Assessment District No. 3, Assessment No. 70, Registered Bond No. 33 dated January 20, 1987.
- 2) Claim from Charles Neander and M. Elizabeth Neander based on a All Inclusive Deed of Trust: Assignment of Rents; and Request for Notice dated September 30, 1980 and recorded October 14, 1980 as Instrument No. 188813.
- 3) Claim from Ned Heiskell based on Notice of Delinquent Assessment dated February 27, 2001 and recorded March 1, 2001 as Instrument No. 2001-084076.
- 4) Claim from Global Discoveries, LTD., agent for Paul Schwartz based on Assignment of Rights to Claim Excess Proceeds from the Sale of Tax Deeded Property dated October 18, 2001 by Paul Schwartz, based on a Short Form Deed of Trust and Assignment of Rents dated May 1, 1998 and recorded on May 11, 1998.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that The CLC Group, Inc. be awarded excess proceeds in the amount of \$25,985.00 and Charles Neander and M. Elizabeth Neander, be awarded excess proceeds in the amount of \$23,060.81. Since the amount claimed by The CLC Group, Inc, Charles Neander and M. Elizabeth Neander exceeds the amount of excess proceeds available for distribution, there are no funds available for Ned Heiskell and Global Discoveries, LTD., agent for Paul Schwartz. 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 636, 7001 0360 0000 9641 637, 7001 0360 0000 9641 638 & 7001 2510 0000 7596 808.