

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

609A



FROM: Paul McDonnell
Treasurer-Tax Collector

SUBMITTAL DATE: January 28, 2003

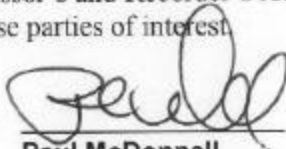
SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 159, Item 1539.
Last assessed to: Lee A. Scheffers and Ellen Scheffers, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Richard Mann, Jr. for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 932120015-7;
- 2) Deny the claim from Rancho California Water District;
- 3) Deny the claim from Donald E. Stevens;
- 4) Authorize and direct the Auditor-Controller to issue a warrant to Richard Mann, Jr., in the amount of \$23,943.24, 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.

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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FINANCIAL DATA:

CURRENT YEAR COST \$23,943.24
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

APR 8 - 2003
H. H. H.

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist.
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AGENDA NO.

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BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Richard Mann, Jr. based on a Rancho California Water District, Street Improvement Bond, Assessment District No. 15, Assessment No. 76A, Registered Bond No. 43A dated April 14, 1989.
- 2) Claim from Rancho California Water District, Phillip Forbes.
- 3) Claim from Donald E. Stevens, agent for Walter F. X. Mayer based on a Abstract of Judgment dated January 8, 1996 and recorded on February 7, 1996 as Instrument No. 046722.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Richard Mann, Jr., be awarded excess proceeds in the amount of \$23,943.24. The claim from Rancho California Water District is denied, bond holder already claimed excess proceeds. Since the amount claimed by Richard Mann, Jr. exceeds the amount of excess proceeds available for distribution, there are no funds available for consideration of the claim from Donald E. Stevens. 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 621, 7001 2510 0000 7596 622 & 7001 2510 0000 7596 623.