

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

334A



FROM: Paul McDonnell
Treasurer-Tax Collector

SUBMITTAL DATE: February 6, 2003

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 159, Item 1333.
Last assessed to: Arthur M. Levine and Christian D. Levine, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from the Small Business Administration for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 668080035-0;
- 2) Deny the claim from Morgan Levine formerly known as Christian D. Levine, last assessee;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to the Small Business Administration, in the amount of \$16,169.64, 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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Paul McDonnell
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FINANCIAL DATA:

CURRENT YEAR COST \$16,169.64
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

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

APR 22 2003

Prev. Agn. ref.

Dist.
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AGENDA NO.

9.8

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Small Business Administration based on a Deed of Trust and Assignment of Rents dated October 14, 1986 and recorded October 29, 1986 as Instrument No. 271623.
- 2) Claim from Morgan Levine formerly known as Christian D. Levine, last assessee based on a Grant Deed dated March 21, 1974 and recorded April 4, 1974 as Instrument No. 38963.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Small Business Administration be awarded excess proceeds in the amount of \$16,169.64. Since the amount claimed by Small Business Administration exceeds the amount of the excess proceeds available for distribution, there are no funds available for consideration of the claim from Morgan Levine formerly known as Christian D. Levine, last assessee. 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 636 & 7001 2510 0000 7596 637.