

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

536A



FROM: Paul McDonnell  
Treasurer-Tax Collector

SUBMITTAL DATE: April 8, 2003

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 159-2, Item 411.  
Last assessed to: Gene Eakins & Sherry Eakins, husband and wife as joint tenants and Ernest Bren & Anne Bren, husband and wife as joint tenants as to an undivided 40% interest and Jill Segel, a married woman as her sole and separate.

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Approve the claim from Gene Eakins & Sherry Eakins, last assessee's, for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 365051004-8;
- 2) Approve the claim from Ernest Bren & Anne Bren, last assessee's, for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 365051004-8;
- 3) Authorize and direct the Auditor-Controller to issue warrants to Gene Eakins & Sherry Eakins, in the amount of \$1,454.00 and Ernest Bren & Anne Bren, in the amount of \$1,454.00, 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 May 8, 2001 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 22, 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 August 1, 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 \$7,269.98  
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

JUN 05 2003

Policy  
 Policy

Consent  
 Consent

Department Recommendation:  
Per Executive Office:

Prev. Agn. ref.

Dist.  
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AGENDA NO.

9.15

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Gene Eakins & Sherry Eakins, based on a Grant Deed dated July 22, 1995 and recorded September 19, 1995 as Instrument No. 308116.
- 2) Claim from Ernest Bren & Anne Bren, based on a Grant Deed dated July 22, 1995 and recorded September 19, 1995 as Instrument No. 308116.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Gene Eakins & Sherry Eakins, be awarded 20% of the excess proceeds in the amount of \$1,454.00 and Ernest Bren & Anne Bren be awarded 20% of the excess proceeds in the amount of \$1,454.00. Since there are no other claimants the remaining amount of \$4,361.98 will remain unclaimed. 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 709 & 7001 2510 0000 7596 702.