

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

123A



FROM: Paul McDonnell
Treasurer-Tax Collector

SUBMITTAL DATE: April 23, 2003

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 161, Item 252.
Last assessed to: Clark Burkart, a single man.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries, LTD., agent for Clark Burkart, last assessee, for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 378304006-5;
- 2) Deny the claim from Clark Burkart;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, LTD., agent for Clark Burkart, in the amount of \$4,437.29, 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 October 22, 2001 public auction sale. The deed conveying title to the purchasers at the auction was recorded December 12, 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 January 10, 2002, 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**

FINANCIAL DATA:

CURRENT YEAR COST \$4,437.29
NET COUNTY COST \$ 0

ANNUAL COST \$ 0
IN CURRENT YEAR BUDGET: YES
BUDGET ADJUSTMENT: NO FOR FY: 2003-04

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale

C.E.O. RECOMMENDATION:

APPROVE

County Executive Officer Signature

FORM APPROVED
COUNTY COUNSEL

SEP 3 2003
Horn

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

Prev. Agn. ref.

Dist.
1

AGENDA NO.

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

9.8

BOARD OF SUPERVISORS

Form 11:

Page 2

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

- 1) Claim from Global Discoveries, LTD., agent for Clark Burkart based on Assignment of Rights to Claim Excess Proceeds from the Sale of Tax Deeded Property dated February 25, 2002 by Clark Burkart, based on a Grant Deed dated May 18, 1990 and recorded on June 6, 1990.
- 2) Claim from Clark Burkart based on a Grant Deed dated May 18, 1990 and recorded on June 6, 1990.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, LTD., agent for Clark Burkart, be awarded the excess proceeds in the amount of \$4,437.29. The claim from Clark Burkart is denied because he assigned his rights to Global Discoveries, LTD., in order that they might collect the excess proceeds on this parcel for him. Supporting documentation has been provided. The Tax Collector requests approval of the above 7001 2510 0000 7596 692 & 7001 2510 0000 7596 693.