

112A
SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Paul McDonnell
Treasurer-Tax Collector

SUBMITTAL DATE: September 8, 2003

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 78.
Last assessed to: Stephen Lang and Patricia Lang, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Cal Turner for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 179022009-2;
- 2) Deny the claim from Econo Lube N' Tune, Inc.;
- 3) Deny the claim from Stephen Lang, last assessee;
- 4) Authorize and direct the Auditor-Controller to issue a warrant to Cal Turner, in the amount of \$1,554.78 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 March 11, 2002 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 2002. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on June 3, 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 \$1,554.78
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 11 2003
HWS

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

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Prev. Agn. ref.

Dist.
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AGENDA NO.

9.19

BOARD OF SUPERVISORS

Form 11:

Page 2

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

- 1) Claim from Cal Turner based on a Short Form Deed of Trust and Assignment of Rents dated December 14, 1989 and recorded December 18, 1989 as Instrument No. 441163.
- 2) Claim from Econo Lube N' Tune, Inc. based on a Abstract of Judgment dated November 7, 1997 and recorded November 25, 1997 as Instrument No. 433010.
- 3) Claim from Stephen Lang based on a Grant Deed dated February 9, 1990 and recorded March 13, 1990 as Instrument No. 090150.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Cal Turner be awarded excess proceeds in the amount of \$1,554.78. Supporting documentation has been provided. Since the amount claimed by Cal Turner exceeds the amount of the excess proceeds available for distribution, there are no funds available for consideration of the claims from Econo Lube N' Tune, Inc. and Stephen Lang, last assessee. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants by certified mail 7002 2030 0004 7946 137, 7002 2030 0004 7946 138 & 7002 2030 0004 7946 139.