

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

728A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
March 22, 2004

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 420.
Last assessed to: Interstate Leasing Company, a Delaware Corporation.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Karen Ricca Kessler, for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 435152003-1;
- 2) Deny the claim from Interstate Leasing Company, last assessee;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Karen Ricca Kessler, in the amount of \$47,116.68, 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 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

FORM APPROVED
COUNTY COUNSEL

Departmental Concurrence

MAY 4 2004

**FINANCIAL
BY DATA**

Current F.Y. Total Cost:	\$ 47,116.68	In Current Year Budget:	NO
Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
Annual Net County Cost:	\$0	For Fiscal Year:	2003-04

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

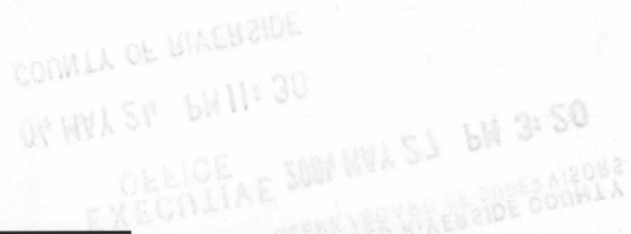
C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent
- Dep't Recomm.:
- Per Exec. Ofc.:

Prev. Agn. Ref.: | **District: 3** | **Agenda Number:**

9.33



BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Karen Ricca Kessler based on an Assignment of Deed of Trust dated August 23, 1988 and recorded February 22, 1999 as Instrument No. 067473 and based on an Affidavit of Death of Joint Tenant dated March 5, 1999 and recorded May 17, 1999 as Instrument No. 1999-213439.
- 2) Claim from Interstate Leasing Company based on a Grant Deed dated August 5, 1998 and recorded on August 10, 1998 as Instrument No. 331854.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Karen Ricca Kessler be awarded excess proceeds in the amount of \$47,116.68. Since the amount claimed by Karen Ricca Kessler exceeds the amount of the excess proceeds available for distribution, there are no funds available for consideration of the claim from Interstate Leasing Company. 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 0003 9005 537 & 7001 2510 0003 9005 538.