

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

717A



**FROM:** Paul McDonnell, Treasurer/Tax Collector

**SUBMITTAL DATE:**  
April 14, 2004

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 627.  
Last assessed to: Ruben Gutierrez and Sandra C. Gutierrez, husband and wife as joint tenants.

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

- 1) Approve the claim from State of California, Employment Development Department for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 559182014-9;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to State of California, Employment Development Department, in the amount of \$2,130.61 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)

FORM APPROVED  
COUNTY COUNSEL

Departmental Concurrence

APR 27 2004

Paul McDonnell

Paul McDonnell, Treasurer/Tax Collector

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 2,130.61	In Current Year Budget:	YES
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	NO
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2003

<b>SOURCE OF FUNDS:</b> 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
- Dept't Recomm.:
- Per Exec. Ofc.:

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

9.44

RECEIVED  
OFFICE EXECUTIVE  
OF THE COUNTY OF RIVERSIDE  
APR 27 2004

BOARD OF SUPERVISORS

Form 11:

Page 2

The Treasurer-Tax Collector has received one claim for excess proceeds:

- 1) Claim from State of California, Employment Development Department based on a Notice of State Tax Lien recorded November 25, 1997 as Instrument No. 433887 and Notice of State Tax Lien recorded February 4, 1998 as Instrument No. 041015.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that the State of California, Employment Development Department be awarded excess proceeds in the amount of \$2,130.61. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.