

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

545A



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

**SUBMITTAL DATE:**  
April 19, 2004

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 444.  
Last assessed to: Dan J. Morganelli, Jr. and Sabrina C. Morganelli, husband and wife as joint tenants.

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

- 1) Approve the claim from Dan J. Morganelli, Jr. and Sabrina C. Morganelli, last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 458260013-1;
- 2) Deny the claim from Joseph K. Cox;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Dan J. Morganelli, Jr. and Sabrina C. Morganelli in the amount of \$51,560.12, 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)

*[Handwritten Signature]*  
Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED  
COUNTY COUNSEL

Departmental Concurrence

JUL 8 2004  
BY *[Handwritten Signature]*

**FINANCIAL DATA**

Current F.Y. Total Cost:	\$ 51,560.12	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

*[Handwritten Signature]*

- Policy
- Consent
- Policy
- Consent

Dep't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 3

Agenda Number:

9.16

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

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Dan J. Morganelli, Jr. and Sabrina C. Morganelli based on a Grant Deed recorded March 13, 1996 as Instrument No. 090060.
- 2) Claim from Joseph K. Cox based on a Short Form Deed of Trust and Assignment of Rents recorded January 22, 1991 as Instrument No. 022391.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Dan J. Morganelli, Jr. and Sabrina C. Morganelli be awarded excess proceeds in the amount of \$51,560.12. Joseph K. Cox's claim is denied because the Short Form Deed of Trust and Assignment of Rents recorded January 22, 1991 was assigned to Bernard Evans, but not recorded. 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 526 & 7001 2510 0003 9005 527.