

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

547  
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**FROM:** Paul McDonnell, Treasurer/Tax Collector

**SUBMITTAL DATE:**  
June 10, 2004

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 451.  
Last assessed to: Darrell B. Carter and Bernice Carter, each an undivided one-half interest.

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

- 1) Approve the claim from Darrell B. Carter, last assessee and Beverly Carter Thomas, Trustee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 459173002-9;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Darrell B. Carter in the amount of \$8,995.97 and Beverly Carter Thomas, Trustee, in the amount of \$8,995.96 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

JUL 8 2004  
Henry

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 17,991.93	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	2004-05

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

**C.E.O. RECOMMENDATION:** APPROVE.

**County Executive Office Signature** 

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

**Prev. Agn. Ref.:** | **District:** 3 | **Agenda Number:** 9.18

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

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Darrell B. Carter, last assessee and Beverly Carter Thomas, Trustee based on a Order Settling Final Account and for Distribution Under Will recorded December 23, 1976 as Instrument No. 197798 and Last Will and Testament of Bernice Brucker Vincent fka Bernice B. Carter dated May 17, 2001 and 1989 Bernice B. Carter Family Trust, as amended and restated on May 17, 2001.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Darrell B. Carter be awarded excess proceeds in the amount of \$8,995.97 and Beverly Carter Thomas, Trustee be awarded excess proceeds in the amount of \$8,995.96. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.