

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

549
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FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

April 29, 2004

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 579.
Last assessed to: Nancy Dallas, an unmarried woman, as her sole and separate property.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Richard F. Bewley for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 540165007-4;
- 2) Deny the claim from Sadie Rodriguez;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Richard F. Bewley, in the amount of \$5,327.88, 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

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 5,327.88	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

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

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

Prev. Agn. Ref.: | **District:** 5 | **Agenda Number:** 9.20

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

Departmental Concurrence

JUL 8 2004

Harris

COUNTY OF RIVERSIDE
OFFICE OF THE CLERK
EXECUTIVE OFFICE
RECEIVED RIVERSIDE COUNTY

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Richard F. Bewley based on a Deed of Trust and Assignment of Rents recorded May 17, 1996 as Instrument No. 183172.
- 2) Claim from Sadie Rodriguez based on a Abstract of Judgment recorded on February 10, 2000 as Instrument No. 2000-052251.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Richard F. Bewley be awarded excess proceeds in the amount of \$5,327.88. Since the amount claimed by Richard F. Bewley exceeds the amount of the excess proceeds available for distribution, there are no funds available for consideration of the claim from Sadie Rodriguez. 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 9004 854 & 7001 2510 0003 9004 859.