

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

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FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
May 24, 2004

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 583.
Last assessed to: Marvin Biggers and Betty Jean Biggers as Trustees of the Marvin and Betty Biggers Family Trust dated August 6, 1993.

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 541054007-8;
- 2) Deny the claim from City of Banning;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to State of California, Employment Development Department, in the amount of \$3,931.59 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.

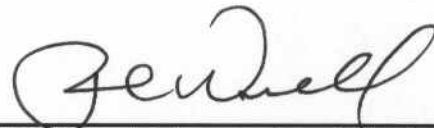
(Continued on page two)

FORM APPROVED
COUNTY COUNSEL

Departmental Concurrence

JUL 15 2004

BY 



Paul McDonnell, Treasurer/Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 3,931.59	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

Dept's Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | District: 3 | Agenda Number: **9.21**

ATTACHMENTS FILED

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from State of California, Employment Development Department based on a Notice of State Tax Lien recorded October 12, 2000 as Instrument No. 402663, Notice of State Tax Lien recorded March 20, 2001 as Instrument No. 129772 and Notice of State Tax Lien recorded July 27, 2001 as Instrument No. 349927.
- 2) Claim from City of Banning was withdrawn on May 24, 2004, lien had been previously satisfied.

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 \$3,931.59. 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 528 & 7001 2510 0003 9005 529.