

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

112A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
August 12, 2004

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 361.
Last assessed to: George Wagonjack and Ellen Wagonjack, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Kathy Alexander, Kami Knopp and Karen Alexander, surviving heirs of Ellen Wagonjack, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 426096001-0;
- 2) Deny the claim from County of Riverside, Department of Building and Safety;

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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

AUG 16 2004

| | | | | |
|--|-------------------------------|--------------|-------------------------|---|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$ 16,390.38 | 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

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

Prev. Agn. Ref.:

District: 3

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.15

COUNTY OF RIVERSIDE
OFFICE EXECUTIVE
RECEIVED DEPARTMENT OF COUNTY

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue a warrant to Kathy Alexander, in the amount of \$5,463.46, Kami Knopp in the amount of \$5,463.46 and Karen Alexander, in the amount of \$5,463.46, 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.

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

- 1) Claim from Kathy Alexander, Kami Knopp and Karen Alexander, surviving heirs of Ellen Wagonjack based on Quitclaim Deed recorded May 4, 1987 as Instrument No. 122991 and Affidavit Under California Probate Code Section 13101.
- 2) Claim from County of Riverside, Department of Building and Safety based on a Notice of Abatement Lien recorded on December 11, 2002 as Instrument No. 740185.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Kathy Alexander be awarded excess proceeds in the amount of \$5,463.46, Kami Knopp be awarded excess proceeds in the amount of \$5,463.46 and Karen Alexander be awarded excess proceeds in the amount of \$5,463.46. The claim from County of Riverside, Department of Building and Safety is denied because the lien was recorded after the date of sale. 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 524 & 7001 2510 0003 9005 525.