

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

113A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
August 17, 2004

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 646.
Last assessed to: William L. Powers, an unmarried man.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from The State of California, Franchise Tax Board for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 571350018-2;
- 2) Deny the claim from Roger S. Hanson;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to The State of California, Franchise Tax Board in the amount of \$35,648.86, 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

AUG 17 2004
Hanson

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 35,648.86	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
- Dept't Recomm.:
- Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 3

Agenda Number:

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

9.16

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from The State of California, Franchise Tax Board based on a Notice of State Tax Lien for Tax Year 1989 dated May 5, 1992 and recorded May 11, 1992 as Instrument No. 167751, Notice of State Tax Lien for Tax Year 1990 dated February 10, 1993 and recorded February 18, 1993 as Instrument No. 061161 and re-recorded Notice of State Tax Lien for Tax Years 1989 & 1990 (to add updated penalties and interest) dated July 24, 1997 and recorded July 30, 1997 as Instrument No. 268336.
- 2) Claim from Roger S. Hanson based on a Deed of Trust with Assignment of Rents and Request for Special Notice dated March 3, 1994 and recorded March 18, 1994 as Instrument No. 114033 and a Deed of Trust with Assignment of Rents dated September 15, 1995 and recorded September 15, 1995 as Instrument No. 305114.

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, Franchise Tax Board be awarded excess proceeds in the amount of \$35,648.86. Roger S. Hanson claim is denied because the Deeds of Trust filed was not our last assessee. Since there are no other claimants the amount of \$3,358.51 will remain unclaimed. 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 7002 2030 0004 7930 935 & 7002 2030 0004 7930 936.