

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

310A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
June 9, 2004

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 1062.
Last assessed to: James J. Jones and Ruth M. Jones, as joint tenants and not as tenants in common, with full rights of survivorship.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Deny the claim from Valley Creditors Service for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 812341012-0;
- 2) Deny the claim from Employment Development Department;
- 3) Deny all claims 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

FINANCIAL DATA

Current F.Y. Total Cost:	\$0	In Current Year Budget:	NO
Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
Annual Net County Cost:	\$0	For Fiscal Year:	2003-04

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

Consent

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

Prev. Agn. Ref.: | District: 4 | Agenda Number:

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

9.18

Departmental Concurrence

AUG 26 2004

FORM APPROVED
COUNTY COUNSEL

BY: [Signature]

COUNTY OF RIVERSIDE
OFFICE OF THE CLERK OF THE BOARD
EXECUTIVE OFFICE

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Valley Creditors Service based on an Abstract of Judgment recorded July 15, 1993 as Instrument No. 271783.
- 2) Claim from Employment Development Department based on a Notice of State Tax Lien recorded December 26, 1995 as Instrument No. 426735 and Notice of State Tax Lien recorded April 29, 1996 as Instrument No. 152222.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that the claims from Valley Creditors Service and Employment Development Department are denied because the liens filed are not associated with our last assessee. Supporting documentation has been provided. The excess proceeds in the amount of \$1,678.43 will remain unclaimed. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants by certified mail 7002 0860 0002 8270 706 & 7002 0860 0002 8270 707.