

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

174A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
September 30, 2004

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 356.
Last assessed to: Gail F. Britton, a widow.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Verla L. Brown, surviving heir of Gail F. Britton, for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 415221026-9;
- 2) Approve the claim from Gerldine Y. Burden, surviving heir of Gail F. Britton, for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 415221026-9;
- 2) Deny the claim from Richard Green, Agent for Trackers U.S.A.;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Estate of Verla L. Brown in the amount of \$14,809.05 and Gerldine Y. Burden in the amount of \$14,809.05, 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.

Paul McDonnell

Paul McDonnell, Treasurer/Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$29,618.10	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
Charles

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

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

9.7

FORM APPROVED COUNTY COUNSEL
 OCT 21 2004
 Departmental Concurrence
 Dept's Recomm.: Policy Consent
 Per Exec. Ofc.: Policy Consent

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Verla L. Brown, surviving heir of Gail F. Britton, based on a Quitclaim Deed recorded December 4, 1991 as Instrument No. 419337 and Affidavit for Collection of Personal Property under California Probate Codes 13100-13106.
- 2) Claim from Gerldine Y. Burden, surviving heir of Gail F. Britton, based on a Quitclaim Deed recorded December 4, 1991 as Instrument No. 419337 and Affidavit for Collection of Personal Property under California Probate Codes 13100-13106.
- 3) Claim from Richard Green, Agent for Trackers U.S.A.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that the Estate of Verla L. Brown be awarded excess proceeds in the amount of \$14,809.05 and Gerldine Y. Burden be awarded excess proceeds in the amount of \$14,809.05. The claim from Richard Green, Agent for Trackers U.S.A is denied because no supporting documentation was supplied. Since there are no other claimants the amount of \$14,809.05 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 713, 7002 0860 0002 8270 714 & 7002 0860 0002 8270 715.