

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

172 A



**FROM:** Paul McDonnell, Treasurer/Tax Collector

**SUBMITTAL DATE:**  
September 9, 2004

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 163, Item 590.  
Last assessed to: Esteben Castillo, as to an undivided 1/7 interest; Connie Nieto, as to an undivided 1/14 interest;  
(Continued on Page 2)

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Approve the claim from Joseph (Joe) Peralta, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 541232021-0;
- 2) Approve the claim from Carlos Peralta, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 541232021-0;
- 3) Approve the claim from Carmen Hidalgo, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 541232021-0;

(Continued on Page 2)

**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

FORM APPROVED  
COUNTY COUNSEL

Departmental Concurrence

OCT 20 2004

**FINANCIAL DATA**

Current F.Y. Total Cost:	\$ 6,473.47	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**

*Chela*

County Executive Office Signature

Policy

Consent

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

COUNTY OF RIVERSIDE  
OFFICE EXECUTIVE

Prev. Agn. Ref.:

District: 5

Agenda Number:

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

9.9

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**SUBJECT:** (Continued)

Last assessed to: Robert Castillo, as to an undivided 1/14 interest; Jessie Castillo, as to an undivided 1/7 interest; Joe Castillo, Jr., as to an undivided 1/28 interest; David Castillo, as to an undivided 1/28 interest; Richard Castillo, as to an undivided 1/28 interest; Cora Castillo, as to an undivided 1/28 interest; Joe Peralta, as to an undivided 1/14 interest; Carlos Peralta, as to an undivided 1/14 interest; Carmen Hidalgo, as to an undivided 1/14 interest; Mike Sotelo, as to an undivided 1/14 interest; Ruby Chavez, as to an undivided 1/21 interest; Debbie Chavez, as to an undivided 1/21 interest and Darrell Chavez, as to an undivided 1/21 interest.

**RECOMMENDED MOTION:** (Continued)

- 4) Approve the claim from Mike Sotelo, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 541232021-0;
- 5) Approve the claim from Debbie Chavez aka Debbie Corral, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 541232021-0;
- 6) Approve the claim from Debbie Chavez aka Debbie Corral, on behalf of her deceased sister Ruby Chavez, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 541232021-0;
- 7) Approve the claim from Debbie Chavez aka Debbie Corral, on behalf of her deceased brother Darrell Chavez aka Darryl William Chavez, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 541232021-0;
- 8) Approve the claim from Connie Nieto, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 541232021-0;
- 9) Approve the claim from Riverside County District Attorney, Department of Child Support Services for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 541232021-0;
- 10) Deny the Claim from American General Finance, Inc;
- 11) Authorize and direct the Auditor-Controller to issue a warrant to Joseph (Joe) Peralta in the amount of \$863.13, Carlos Peralta in the amount of \$863.13, Carmen Hidalgo in the amount of \$863.13, Mike Sotelo in the amount of \$863.13, Debbie Chavez aka Debbie Corral in the amount of \$1726.26, Connie Nieto in the amount of \$863.13 and Riverside County District Attorney, Department of Child Support Services in the amount of \$431.56, 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.

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

- 1) Claim from Joseph (Joe) Peralta based on Judgment Settling First and Final Account and Report of Personal Representative and for fees, Commissions, and for Final Distribution recorded March 2, 1987 as Instrument No. 56505.
- 2) Claim from Carlos Peralta based on Judgment Settling First and Final Account and Report of Personal Representative and for fees, Commissions, and for Final Distribution recorded March 2, 1987 as Instrument No. 56505.
- 3) Claim from Carmen Hidalgo based on Judgment Settling First and Final Account and Report of Personal Representative and for fees, Commissions, and for Final Distribution recorded March 2, 1987 as Instrument No. 56505.
- 4) Claim from Mike Sotelo based on Judgment Settling First and Final Account and Report of Personal Representative and for fees, Commissions, and for Final Distribution recorded March 2, 1987 as Instrument No. 56505.
- 5) Claim from Debbie Chavez aka Debbie Corral based on Judgment Settling First and Final Account and Report of Personal Representative and for fees, Commissions, and for Final Distribution recorded March 2, 1987 as Instrument No. 56505.

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- 6) Claim from Debbie Chavez aka Debbie Corral on behalf of her deceased sister Ruby Chavez, based on Judgment Settling First and Final Account and Report of Personal Representative and for fees, Commissions, and for Final Distribution recorded March 2, 1987 as Instrument No. 56505 and Affidavit for Collection of Personal Property under California Code Sections 13100-13116.
- 7) Claim from Debbie Chavez aka Debbie Corral on behalf of her deceased brother Darrell Chavez aka Darryl William Chavez, based on Judgment Settling First and Final Account and Report of Personal Representative and for fees, Commissions, and for Final Distribution recorded March 2, 1987 as Instrument No. 56505 and Affidavit for Collection of Personal Property under California Code Sections 13100-13116.
- 8) Claim from Connie Nieto based on Judgment Settling First and Final Account and Report of Personal Representative and for fees, Commissions, and for Final Distribution recorded March 2, 1987 as Instrument No. 56505.
- 9) Claim from Riverside County District Attorney, Department of Child Support Services based on Abstract of Support Judgment recorded January 30, 1995 as Instrument No. 028892.
- 10) Claim from American General Finance, Inc. based on Abstract of Judgment recorded June 3, 1992 as Instrument No. 202883.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Joseph (Joe) Peralta be awarded the amount of \$863.13, Carlos Peralta be awarded the amount of \$863.13, Carmen Hidalgo be awarded the amount of \$863.13, Mike Sotelo be awarded the amount of \$863.13, Debbie Chavez aka Debbie Corral be awarded the amount of \$1,726.26, Connie Nieto in the amount of \$863.13 and Riverside County District Attorney, Department of Child Support Services be awarded the amount of \$431.56. American General Finance, Inc.'s claim is denied because the lien filed is not associated with our last assessee's. Since there are no other claimants the amount of \$5,610.28 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 7001 2510 0003 9005 513, 7001 2510 0003 9005 514, 7001 2510 0003 9005 515, 7001 2510 0003 9005 516, 7001 2510 0003 9005 517, 7001 2510 0003 9005 518, 7001 2510 0003 9005 519 & 7001 2510 0003 9005 520.