

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

150A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
October 18, 2004

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 191.
Last assessed to: R. Leslie Kelley, a married man, as his sole and separate property.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claims from Global Discoveries, Ltd., agent for Robert S. Kelley, Executor of the Estate of R. Leslie Kelley for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 341170002-0;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., agent for Robert S. Kelley, Executor of the Estate of R. Leslie Kelley in the amount of \$35,538.12, 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 17, 2003 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 14, 2003. 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 13, 2003, 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.

FORM APPROVED
COUNTY COUNSEL

NOV 15 2004 Departmental Concurrence

BY: [Signature]

[Signature]

Paul McDonnell, Treasurer/Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 35,538.12	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**

[Signature]

County Executive Office Signature

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

Prev. Agn. Ref.: | District: 3 | Agenda Number:

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

9.31

BOARD OF SUPERVISORS

Form 11:

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The Treasurer-Tax Collector has received one claim for excess proceeds:

- 1) Claim from Global Discoveries, Ltd., agent for Robert S. Kelley based on an Assignment of Right to Collect Excess Proceeds dated May 12, 2004, based on a Corporation Grant Deed recorded January 8, 1963 as Instrument No. 2383 and a First and Final Account of Executors and Report of Administration and Petition for Final Settlement, and Petition for Final Distribution filed April 13, 1992 in Los Angeles Superior Court.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., agent for Robert S. Kelley, Executor of the Estate of R. Leslie Kelley be awarded excess proceeds in the amount of \$35,538.12. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.