

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

140A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
October 18, 2004

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 270.
Last assessed to: Gilbert R. Navarro, a married man as his sole and separate property.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Riverside County, Treasurer/Tax Collector for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 350231005-7;
- 2) Approve the claim from the State of California, Franchise Tax Board for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 350231005-7;

(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 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.

(Continued on page two)

Paul McDonnell
Paul McDonnell, Treasurer/Tax Collector

FINANCIAL DATA

Current F.Y. Total Cost:	\$ 587.80	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

Ch. [Signature]

FORM APPROVED
COUNTY COUNSEL

Departmental Concurrence
NOV 10 2004

Dept Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.:

District: 3

Agenda Number:

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

9.41

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue a warrant to Riverside County, Treasurer/Tax Collector in the amount of \$439.29 and the State of California, Franchise Tax Board in the amount of \$148.51, 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 two claims for excess proceeds:

- 1) Claim from Riverside County, Treasurer/Tax Collector based on the original Certificate of Lien recorded November 21, 1989 as Instrument No. 408371 and the re-filed Certificate of Lien recorded November 12, 1999 as Instrument No. 1999-498929.
- 2) Claim from the State of California, Franchise Tax Board based on a Notice of State Tax Lien recorded July 5, 1995 as Instrument No. 215849.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Riverside County, Treasurer/Tax Collector be awarded excess proceeds in the amount of \$439.29 and the State of California, Franchise Tax Board be awarded excess proceeds in the amount of \$148.51. 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 7932 462.