

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

129A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
September 24, 2004

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 370.
Last assessed to: Robert E. Byrne.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Robert E. Byrne, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 375021013-6;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Robert E. Byrne in the amount of \$856.38 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.

(Continued on page two)

[Handwritten Signature]

Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED
COUNTY COUNSEL

Departmental Concurrence

OCT 28 2004
[Handwritten Signature]

FINANCIAL DATA	Current F.Y. Total Cost:	\$856.38	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 *[Handwritten Signature]*

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

Prev. Agn. Ref.:

District: 1 Agenda Number:
**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

9.51

RECEIVED COUNTY CLERK
OCT 28 10 40 AM '04
COUNTY OF RIVERSIDE
OFFICE EXECUTIVE

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Robert E. Byrne based on an Order Approving Final Report and for Distribution Under Will recorded October 21, 1996 as Instrument No. 402023.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Robert E. Byrne be awarded excess proceeds in the amount of \$856.38. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.