

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

119 A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
October 14, 2004

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 149.
Last assessed to: Oceana Financial Corporation ½ interest and Symbolic Finance Corporation ½ interest as tenants in common.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Riverside County, Treasurer/Tax Collector for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 318210068-3;
- 2) Approve the claim from Melodie Z. Scott, Administrator, Estate of James Cox, Jr. for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 318210068-3;

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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.

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Paul McDonnell, Treasurer/Tax Collector

FINANCIAL DATA

Current F.Y. Total Cost:	\$20,237.18	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

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

Prev. Agn. Ref.:

District: 1

Agenda Number:

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

9.12

FORM APPROVED BY COUNTY CLERK NOV 24 2004 Departmental Concurrence

BY Paul McDonnell

COUNTY OF RIVERSIDE
OFFICE EXECUTIVE
RECEIVED RIVERSIDE COUNTY

BOARD OF SUPERVISORS

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RECOMMENDED MOTION: (Continued)

- 3) Deny the claim from Catherine A. Valenzuela;
- 4) Authorize and direct the Auditor-Controller to issue a warrant to Riverside County, Treasurer/Tax Collector in the amount of \$107.65 and the Estate of James Cox, Jr. in the amount of \$20,129.53, 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.

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

- 1) Claim from Riverside County, Treasurer/Tax Collector based on a Certificate of Lien recorded May 1, 1997 as Instrument No. 149643.
- 2) Claim from Melodie Z. Scott, Administrator, Estate of James Cox, Jr. based on a Corporation Quitclaim Deed recorded October 28, 1992 as Instrument No. 408168 and an Order Granting Petition to Determine Title and to Require Transfer of Real Property to Estate recorded July 17, 2002 as Instrument No. 2002-390379.
- 3) Claim from Catherine A. Valenzuela based on a Grant Deed recorded May 15, 1996 as Instrument No. 178362.

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 \$107.65 and the Estate of James Cox, Jr. be awarded excess proceeds in the amount of \$20,129.53. The claim from Catherine A. Valenzuela is denied since she had no interest in the property. Since there are no other claimants the amount of \$20,237.17 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 7002 2030 0004 7937 458, 7002 2030 0004 7937 459 & 7002 2030 0004 7937 460.