

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

131A



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

**SUBMITTAL DATE:**  
October 28, 2004

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 567.  
Last assessed to: Michael Moore, Edgar Moore and Shirley Moore, all as tenants in common.

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

- 1) Approve the claim from Michael Moore, last assessee for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 383082022-2;
- 2) Approve the claim from Edgar Moore and Shirley Moore, last assessee's for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 383082022-2;

(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

FORM APPROVED  
COUNTY COUNSEL

DEC 28 2004

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$625.98	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

<b>SOURCE OF FUNDS:</b> Fund 65595 Excess Proceeds from Tax Sale	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

*Cl. L. P.*

**County Executive Office Signature**

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

**Prev. Agn. Ref.:** | **District: 1** | **Agenda Number:**

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

9.33

BOARD OF SUPERVISORS

Form 11:

Page 2

**RECOMMENDED MOTION:** (Continued)

- 3) Deny the claims from the County of Riverside, Department of Child Support Services;
- 4) Deny the claim from Gardener & Riechmann, Inc.;
- 5) Deny the claim from the County of San Diego, Department of Child Support Services;
- 6) Authorize and direct the Auditor-Controller to issue a warrant to Michael Moore in the amount of \$208.66 and Edgar Moore and Shirley Moore in the amount of \$417.32, 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 eight claims for excess proceeds:

- 1) Claim from Michael Moore based on a Grant Deed recorded July 12, 1989 as Instrument No. 231933.
- 2) Claim from Edgar Moore and Shirley Moore based on a Grant Deed recorded July 12, 1989 as Instrument No. 231933.
- 3) Claim from the County of Riverside, Department of Child Support Services based on an Abstract of Support Judgment recorded May 25, 1993 as Instrument No. 194094.
- 4) Claim from Gardener & Riechmann, Inc., attorney for J.A.B. Associates, Inc. based on an Abstract of Judgment recorded March 12, 1996 as Instrument No. 088853.
- 5) Claim from the County of Riverside, Department of Child Support Services based on an Abstract of Support Judgment recorded April 3, 1998 as Instrument No. 127640.
- 6) Claim from the County of San Diego, Department of Child Support Services based on an Abstract of Support Judgment recorded June 6, 2002 as Instrument No. 2002-308232.
- 7) Claim from the County of Riverside, Department of Child Support Services based on an Abstract of Support Judgment recorded August 13, 2002 as Instrument No. 2002-446446.
- 8) Claim from the County of Riverside, Department of Child Support Services based on an Abstract of Support Judgment recorded June 9, 2003 as Instrument No. 2003-415119.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Michael Moore be awarded excess proceeds in the amount of \$208.66 and Edgar Moore and Shirley Moore be awarded excess proceeds in the amount of \$417.32. The claims from the County of Riverside, Department of Child Support Services, Gardener & Riechmann, Inc., attorney for J.A.B. Associates, Inc. and the County of San Diego, Department of Child Support Services are denied because the liens filed are not associated with our last assessee. 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 490, 7002 2030 0004 7937 491, 7002 2030 0004 7937 492, 7002 2030 0004 7937 493, 7002 2030 0004 7937 494, 7002 2030 0004 7937 495, 7002 2030 0004 7937 496 & 7002 2030 0004 7937 497.