

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

178A



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

**SUBMITTAL DATE:**  
November 19, 2004

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 769.  
Last assessed to: J.C. Malmquist and Mary Jane Malmquist, husband and wife as joint tenants.

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

- 1) Approve the claim from J.C. Malmquist and Mary Jane Malmquist, last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 544140007-5;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to J.C. Malmquist and Mary Jane Malmquist in the amount of \$649.07 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)

*Paul McDonnell*  
Paul McDonnell, Treasurer/Tax Collector

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$649.07	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	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 Mf*

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

Prev. Agn. Ref.: | District: 5 | Agenda Number: 9.52

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

9.52

Departmental Concurrence

JAV 1 5 2005  
 BY: [Signature]

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from J.C. Malmquist and Mary Jane Malmquist based on a Grant Deed recorded August 15, 1979 as Instrument No. 172142.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that J.C. Malmquist and Mary Jane Malmquist be awarded excess proceeds in the amount of \$649.07. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.