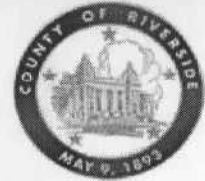


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

168A



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

**SUBMITTAL DATE:**  
October 22, 2004

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 842.  
Last assessed to: Jose Antonio Sanchez, a single man.

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

- 1) Approve the claim from Patricia Ann Fierro, Trustee of the Gilberto & Patricia Fierro Family Trust (Survivor's Trust) dated May 31, 1995 for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 639241028-9;
- 2) Deny the claim from the State of California, Franchise Tax Board;
- 3) Deny the claim from Global Discoveries, Ltd., agent for Jose Antonio Sanchez, last assessee;
- 4) Authorize and direct the Auditor-Controller to issue a warrant to Patricia Ann Fierro, Trustee of the Gilberto & Patricia Fierro Family Trust (Survivor's Trust) dated May 31, 1995 in the amount of \$23,348.02, 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.

*Paul McDonnell*  
Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED  
COUNTY COUNSEL

Departmental Concurrence

DEC 27 2004

BY *[Signature]*

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 23,348.02	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**  
*[Signature]*

County Executive Office Signature

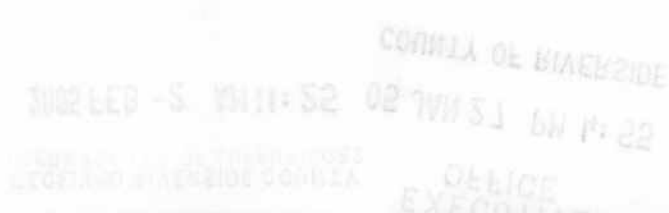
- Policy
- Consent
- Policy
- Consent

Prev. Agn. Ref.:

District: 5

Agenda Number:

9.78



BOARD OF SUPERVISORS

Form 11:

Page 2

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

- 1) Claim from Patricia Ann Fierro based on a Deed of Trust and Assignment of Rents recorded February 22, 1995 as Instrument No. 55771 and Assignment of Deed of Trust recorded October 8, 1996 as Instrument No. 385444.
- 2) Claim from the State of California, Franchise Tax Board based on a Notice of State Tax Lien recorded March 2, 1998 as Instrument No. 073186.
- 3) Claim from Global Discoveries, Ltd., agent for Jose Antonio Sanchez, last assessee based on Assignment of Right Collect Excess Proceeds dated July 9, 2003 and based on a Corporation Grant Deed dated February 22, 1995 as Instrument No. 55770.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Patricia Ann Fierro, Trustee of the Gilberto & Patricia Fierro Family Trust (Survivor's Trust), dated May 31, 1995 be awarded excess proceeds in the amount of \$23,348.02. Since the amount claimed by Patricia Ann Fierro exceeds the amount of the excess proceeds available for distribution, there are no funds available for consideration of the claims from State of California, Franchise Tax Board and Global Discoveries, Ltd., agent for Jose Antonio Sanchez. 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 443, 7002 2030 0004 7937 444 & 7002 2030 0004 7937 445.