

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

147A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 319.
Last assessed to: Tiffany Mortgage Co., Inc., A California Corporation.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claims from the State of California, Franchise Tax Board for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 361238011-3;
- 2) Approve the claim from the State of California, Employment Development Department for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 361238011-3;
- 3) Approve the claim from Global Discoveries, Ltd., agent for Breanne Kinte Stuart for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 361238011-3;

(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, Treasurer/Tax Collector

FORM APPROVED
COUNTY COUNSEL

JUN 9 2005 Departmental Concurrence

| | | | | |
|-----------------------|-------------------------------|-------------|-------------------------|---------|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$22,702.78 | In Current Year Budget: | NO |
| | Current F.Y. Net County Cost: | \$0 | Budget Adjustment: | N/A |
| | Annual Net County Cost: | \$0 | For Fiscal Year: | 2005-06 |

| | | |
|--|----------------------------------|--------------------------|
| 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

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.: | District: 3 | Agenda Number:

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

9.26

RECEIVED
COUNTY OF RIVERSIDE
JUN 9 2005 8:23 AM
CLERK OF THE BOARD

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 4) Deny the claim from Monroe M. Amber & Doris A. Amber;
- 5) Deny the claim from Duane Bruce & Patricia Bruce;
- 6) Authorize and direct the Auditor-Controller to issue a warrant to the State of California, Franchise Tax Board in the amount of \$5,856.26, the State of California, Employment Development Department in the amount of \$2,380.75 and Global Discoveries, Ltd., agent for Breanne Kinte Stuart in the amount of \$14,465.77 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 five claims for excess proceeds:

- 1) Claims from the State of California, Franchise Tax Board based on an Order to Withhold Corporation Tax for March 1993 and based on a Notice of State Tax Lien recorded September 5, 1995 as Instrument No. 291433.
- 2) Claim from the State of California, Employment Development Department based on a Notice of State Tax Lien recorded December 22, 1993 as Instrument No. 508088.
- 3) Claim from Global Discoveries, Ltd., agent for Breanne Kinte Stuart based on an Assignment of Right to Collect Excess Proceeds dated January 9, 2004, based on an Individual Grant Deed recorded December 3, 1990 as Instrument No. 438432.
- 4) Claim from Monroe M. Amber & Doris A. Amber based on a Short Form Deed of Trust and Assignment of Rents recorded March 22, 1991 as Instrument No. 094285.
- 5) Claim from the Duane Bruce & Patricia Bruce based on an Abstract of Judgment recorded August 24, 1994 as Instrument No. 330120.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that the State of California, Franchise Tax Board be awarded excess proceeds in the amount of \$5,856.26, the State of California, Employment Development Department be awarded excess proceeds in the amount of \$2,380.75 and Global Discoveries, Ltd., agent for Breanne Kinte Stuart be awarded excess proceeds in the amount of \$14,465.77. The claim from Monroe M. Amber & Doris A. Amber is denied because they have not substantiated their claim and the claim from Duane Bruce & Patricia Bruce was satisfied with the excess proceeds from TC167 Item 101. 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 7946 159, 7002 2030 0004 7946 160, 7002 2030 0004 7946 161, 7002 2030 0004 7946 162 & 7002 2030 0004 7946 163.