

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

154A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 629.
Last assessed to: Craig D. and Gina Levinger.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Martha Evans for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 459131016-2;
- 2) Deny the claim from Craig D. Levinger, last assessee;
- 3) Deny the claim from Trackers USA, agent for Craig D. Levinger, last assessee;

(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

MAY 10 2005

FINANCIAL DATA

Current F.Y. Total Cost:	\$ 23,581.49	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

Policy

Consent

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

Prev. Agn. Ref.:

District: 5

Agenda Number:

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

9.33

Departmental Concurrence

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 4) Authorize and direct the Auditor-Controller to issue a warrant to Martha Evans in the amount of \$23,581.49, 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.
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The Treasurer-Tax Collector has received three claims for excess proceeds:

- 1) Claim from Martha Evans based on the Last Will and Testament of Bernard S. Evans and based on Short Form Deed of Trust and Assignment of Rents and Request for Special Notice recorded January 27, 1993 as Instrument No. 32929.
- 2) Claim from Craig D. Levinger based on a Grant Deed recorded December 18, 1995 as Instrument No. 418273.
- 3) Claim from Trackers USA.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Martha Evans be awarded excess proceeds in the amount of \$23,581.49. Since the amount claimed by Martha Evans exceeds the amount of excess proceeds available for distribution, there are no funds available for consideration of the claim from Craig D. Levinger and Trackers USA. 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 463, 7002 2030 0004 7937 464 & 7002 2030 0004 7937 465.