

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

160A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 888.
Last assessed to: Dora Lapin, a widow, as to an undivided ¼ interest; Elfriede Feldman, as to an undivided ¼ interest;
(Continued on Page 2)

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claims from Nationwide Asset Recovery Service, agent for Ian Lapin and Herbert Lapin, last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 656265002-4;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Nationwide Asset Recovery Service, agent for Ian Lapin in the amount of \$2,902.41 and Nationwide Asset Recovery Service, agent for Herbert Lapin, in the amount of \$2,902.40 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.

FORM APPROVED
COUNTY COUNSEL
MAY 10 2005

Departmental Concurrence

Paul McDonnell

Paul McDonnell, Treasurer/Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$5,804.81	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

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

Prev. Agn. Ref.: **District: 5** **Agenda Number:** **9.39**

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

BOARD OF SUPERVISORS

Form 11:

Page 2

SUBJECT: (Continued)

Ian Lapin and Herbert Lapin, each an equal undivided one-half interest as tenants in common.

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

- 1) Claim from Nationwide Asset Recovery Service, agent for Ian Lapin based on an Authorization for Agent to Collect Excess Proceeds dated May 29, 2003 and based on an Individual Quitclaim Deed recorded October 3, 1986 as Instrument No. 245250.
- 2) Claim from Nationwide Asset Recovery Service, agent for Herbert Lapin based on an Authorization for Agent to Collect Excess Proceeds dated May 27, 2003 and based on an Individual Quitclaim Deed recorded October 3, 1986 as Instrument No. 245250.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Nationwide Asset Recovery Service, agent for Ian Lapin be awarded 25% of the excess proceeds in the amount of \$2,902.41 and Nationwide Asset Recovery Service, agent for Herbert Lapin be awarded 25% of the excess proceeds in the amount of \$2,902.40. Since there are no other claimants the amount of \$5,804.81 will remain unclaimed. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.