

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

536 A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 290.
Last assessed to: Tiffany Mortgage Co., Inc., A California Corporation.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) 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 361062019-8;
- 2) Approve the claim from Albert Carl Hilberger and Sherry Lee Hilberger, Trustees of the Hilberger Family Trust for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 361062019-8;
- 3) Deny the claim from Duane Bruce & Patricia Bruce;

(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
Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED
COUNTY COUNSEL

Departmental Concurrence

JUL 18 2005

FINANCIAL DATA

Current F.Y. Total Cost:	\$ 247.02	In Current Year Budget:	NO
Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
Annual Net County Cost:	\$0	For Fiscal Year:	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

Debra

County Executive Office Signature

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

YTHRU...
280...
11-01-05

COUNTY OF RIVERSIDE
JUL 18 - 8 PM 3:32
OFFICE EXECUTIVE

Prev. Agn. Ref.:

District: 3

Agenda Number:

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

9.15

BOARD OF SUPERVISORS

Form 11:

Page 2

RECOMMENDED MOTION: (Continued)

- 4) Deny the claim from Richard A. Warner & Kathy L. Warner;
- 5) Authorize and direct the Auditor-Controller to issue a warrant to the State of California, Employment Development Department in the amount of \$112.63 and Albert Carl Hilberger and Sherry Lee Hilberger, Trustees of the Hilberger Family Trust in the amount of \$134.39 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 four claims for excess proceeds:

- 1) Claim from the State of California, Employment Development Department based on a Notice of State Tax Lien recorded May 11, 1993 as Instrument No. 174276.
- 2) Claim from Albert Carl Hilberger and Sherry Lee Hilberger, Trustee's based on an Abstract of Judgment recorded March 2, 1994 as Instrument No. 086831.
- 3) Claim from Duane Bruce & Patricia Bruce based on an Abstract of Judgment recorded August 24, 1994 as Instrument No. 330120.
- 4) Claim from Richard A. Warner & Kathy L. Warner.

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, Employment Development Department be awarded excess proceeds in the amount of \$112.63 and Albert Carl Hilberger and Sherry Lee Hilberger, Trustees of the Hilberger Family Trust be awarded excess proceeds in the amount of \$134.39. The claim from Duane Bruce & Patricia Bruce was satisfied with the excess proceeds from TC167 Item 101. The claim from Richard A. Warner & Kathy L. Warner be denied since the claim was not substantiated. 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 0860 0002 8270 203, 7002 0860 0002 8270 204, 7002 0860 0002 8270 205 & 7002 0860 0002 8270 206.