

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

539A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 308.
Last assessed to: Randy Smith, a single man.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries, Ltd., agent for Randy Smith, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 361125016-9;
- 2) Deny the claim from Scott A. McIntyre representing M. Zabrowski;
- 3) Deny the claim from Kasperek Enterprises, Inc. dba Professional Medical Recovery, Inc.;

(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.

Departmental Concurrence

Continued on page two)

Paul McDonnell
Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED
COUNTY COUNSEL

FINANCIAL DATA	Current F.Y. Total Cost:	\$1,443.74	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 *[Signature]*

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

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

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

9.18

BOARD OF SUPERVISORS

Form 11:

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- 4) Deny the claim from the State of California, State Board of Equalization;
- 5) Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., agent for Randy Smith in the amount of \$1,443.74, 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 Global Discoveries, Ltd., agent for Randy Smith based on an Assignment of Right to Collect Excess Proceeds dated May 28, 2003 and based on a Grant Deed recorded June 5, 1979 as Instrument No. 115289.
- 2) Claim from Scott A. McIntyre representing M. Zabrowski based on an Abstract of Judgment recorded March 18, 1993 as Instrument No. 100709.
- 3) Claim from Kasperek Enterprises, Inc. dba Professional Medical Recovery, Inc based on an Abstract of Judgment recorded June 1, 1993 as Instrument No. 204300.
- 4) Claim from the State of California, State Board of Equalization based on Notice of State Tax Liens recorded July 30, 1999 as Instrument No. 1999-342238 and recorded November 2, 1999 as Instrument No. 9931460976.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., agent for Randy Smith be awarded the excess proceeds in the amount of \$1,443.74. The claims from Scott A. McIntyre representing M. Zabrowski, Kasperek Enterprises, Inc. dba Professional Medical Recovery, Inc and the State of California, State Board of Equalization are denied because the liens filed are not associated with our last assessee. 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 7001 2510 0007 0060 778, 7001 2510 0007 0060 779, 7001 2510 0007 0060 780 & 7001 2510 0007 0060 781.