

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

545A



**FROM:** Paul McDonnell, Treasurer/Tax Collector

**SUBMITTAL DATE:**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 793.

Last assessed to: Debbie Smith, one-fifth interest, Buck Powers, one-fifth interest, Robert A. Sandoval, as guardian

(Continued on Page 2)

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Approve the claim from Deborah Smith aka Debbie Smith and Billie Star Powers, last assessee's for payment of excess proceeds from the Tax Collector's public auction sale associated with parcel 571350019-3;
- 2) Deny the claim from May Department Stores, Inc. dba Robinsons-May;

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**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.

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*Paul McDonnell*  
Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED  
COUNTY COUNSEL

Departmental Concurrence

JUL 20 2005  
BY *[Signature]*

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$12,912.52	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

<b>SOURCE OF FUNDS:</b> Fund 65595 Excess Proceeds from Tax Sale	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** **APPROVE**

*[Signature]*

**County Executive Office Signature**

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

Prev. Agn. Ref.: \_\_\_\_\_ District: 3 Agenda Number: \_\_\_\_\_

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

9.24

BOARD OF SUPERVISORS

Form 11:

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**SUBJECT:** (Continued)

of the Estate of Billie Star Powers, a minor, one-fifth interest, Robert A. Sandoval, as guardian of the Estate of Brady Rose Powers, a minor, one-fifth interest and Robert A. Sandoval, as guardian of the Estate of Jessie Jane Powers, a minor, one-fifth interest.

**RECOMMENDED MOTION:** (Continued)

- 3) Authorize and direct the Auditor-Controller to issue a warrant to Deborah Smith aka Debbie Smith in the amount of \$6,456.26 and Billie Star Powers in the amount of \$6,456.26, 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 two claims for excess proceeds:

- 1) Claim from Deborah Smith aka Debbie Smith and Billie Star Powers based on an Order Settling First and Final Account and Report of Executor, for Allowance of Statutory Executor's Commissions and Statutory and Extraordinary Attorney's Fees and for Preliminary Distribution recorded February 18, 1997 as Instrument No. 052926.
- 2) Claim from May Department Stores, Inc. dba Robinsons-May based on an Abstract of Judgment recorded February 16, 1999 as Instrument No. 057383.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Deborah Smith aka Debbie Smith be awarded excess proceeds in the amount of \$6,456.26 and Billie Star Powers be awarded excess proceeds in the amount of \$6,456.26. May Department Stores, Inc. dba Robinsons-May is denied because the lien filed is not associated with our last assessee's. The amount of \$19,368.76 will remain unclaimed. 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 0003 8650 769, 7001 2510 0003 8650 770 & 7001 2510 0003 8650 771.