

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

563 A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 168, Item 060.
Last assessed to: Jerry Victor Maler and Georgia Rose Maler, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Betsy L. Maler, Executor of the Estate of Georgia Rose Maler, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 350033003-3;
- 2) Deny the claim from Nelson R. Maler;

(Continue 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 July 14, 2003 public auction sale. The deed conveying title to the purchasers at the auction was recorded September 29, 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 October 7, 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 20 2003

FINANCIAL DATA	Current F.Y. Total Cost:	\$2,835.17	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**
Chubb
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

9.42

BOARD OF SUPERVISORS

Form 11:

Page 2

RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue a warrant to the Estate of Georgia Rose Maler, in care of Betsy L. Maler in the amount of \$2,835.17 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 two claims for excess proceeds:

- 1) Claim from Betsy L. Maler, Executor based on a County Tax Collector's Deed recorded April 25, 1969 as Instrument No. 41005, based on the Last Will and Testament of Georgia Rose Maler and the death certificates of Jerry Victor Maler and Georgia Rose Maler.
- 2) Claim from Nelson R. Maler based on a County Tax Collector's Deed recorded April 25, 1969 as Instrument No. 41005, based on Declaration for Final Discharge and Order filed on June 25, 1990 and the death certificates of Jerry Victor Maler and Georgia Rose Maler.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that the Estate of Georgia Rose Maler, in care of Betsy L. Maler be awarded excess proceeds in the amount of \$2,835.17. Since the excess proceeds are being distributed to the Estate of Georgia Rose Maler, the claim of Nelson R. Maler is denied. 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 725 & 7001 2510 0003 8650 726.