

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

224A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 969.
Last assessed to: Julie Liu, an unmarried woman.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Hushang Baharloo/Family Nursery Company Inc. for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 715140029-5;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Family Nursery Company Inc. in the amount of \$20,665.22, 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.

(Continued on page two)

Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED
COUNTY COUNSEL

Departmental Concurrence

SEP 16 2005

H. Smith

FINANCIAL DATA	Current F.Y. Total Cost:	\$20,665.22	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

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

Prev. Agn. Ref.: | District: 4 | Agenda Number:

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

9.8

BOARD OF SUPERVISORS

Form 11:

Page 2

The Treasurer-Tax Collector has received one claim for excess proceeds:

- 1) Claim from Hushang Baharloo/Family Nursery Company Inc. based on a Resolution of the Board of Directors of Next City Co. Inc. dated June 10, 2005 and based on a Corporation Assignment of Deed of Trust recorded June 24, 1997 as Instrument No. 221559.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Family Nursery Company Inc. be awarded excess proceeds in the amount of \$20,665.22. Next City Co., the Deed of Trust holder assigned all rights to the excess proceeds to Family Nursery Company Inc. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.