

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

230A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167-2, Item 365.

Last assessed to: The Estate of Julia M. Donnelly, Julius DeMan and Roosevelt Mc Gee and Carol Mc Gee, husband and wife as joint tenants, as their interests may appear of record.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Virgie D. Fixico and Annie L. Banks for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 374033006-0;
- 2) Approve the claim from Marion A. Anderson and Sharon D. DeMan for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 374033006-0;

(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 May 12, 2003 public auction sale. The deed conveying title to the purchasers at the auction was recorded July 8, 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 July 25, 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 SEP 29 2005 Departmental Concurrence

FINANCIAL DATA

Current F.Y. Total Cost:	\$10,005.88	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.: Consent Policy
 Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | District: 1 | Agenda Number:

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

9.14

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Deny the claim from Carol McGee and Robert McGee, last assessee's;
- 4) Authorize and direct the Auditor-Controller to issue a warrant to the Virgie D. Fixico in the amount of \$3,335.29, Annie L. Banks in the amount of \$3,335.29, Marion A. Anderson in the amount of \$1,667.65 and Sharon D. DeMan in the amount of \$1,667.65 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 three claims for excess proceeds:

- 1) Claim from Virgie D. Fixico and Annie L. Banks based on a Short Form Deed of Trust and Assignment of Rents recorded May 24, 1995 as Instrument No. 167008.
- 2) Claim from Marion A. Anderson and Sharon D. DeMan, surviving heirs of Fannie J. Deman based on a Short Form Deed of Trust and Assignment of Rents recorded May 24, 1995 as Instrument No. 167008 and Declaration Pursuant to California Probate Codes 13100-13115.
- 3) Claim from Carol McGee and Roosevelt McGee based on an Individual Grant Deed recorded May 24, 1995 as Instrument No. 167007.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Virgie D. Fixico be awarded excess proceeds in the amount of \$3,335.29, Annie L. Banks be awarded excess proceeds in the amount of \$3,335.29, Marion A. Anderson be awarded excess proceeds in the amount of \$1,667.65 and Sharon D. DeMan be awarded excess proceeds in the amount of \$1,667.65. Since the amount claimed by Virgie D. Fixico, Annie L. Banks, Marion A. Anderson and Sharon D. DeMan exceeds the amount of the excess proceeds available for distribution, there are no funds available for consideration of the claim from Carol McGee and Roosevelt McGee. 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 0063 701, 7001 2510 0007 0063 702, 7001 2510 0007 0063 703, 7001 2510 0007 0063 704 & 7001 2510 0007 0063 705.