

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

634A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
DEC 21 2005

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167-2, Item 820.
Last assessed to: El Camino Trust, UDT dated 05-06-02, Daybreak Group, as Trustee.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Peters & Freedman, L.L.P. representing International Homeowners Association for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 625340030-5;
- 2) Approve the claim from Daybreak Group, Trustee of the El Camino Trust, UDT dated 05-06-02, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 625340030-5;

(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 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
DEC 21 2005
BY [Signature]

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$16,082.75	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

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

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

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

9.11

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue a warrant to International Homeowners Association in the amount of \$3,665.00 and Daybreak Group, Trustee of the El Camino Trust, UDT dated 05-06-02 in the amount of \$12,417.75, 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 Peters & Freedman, L.L.P. representing International Homeowners Association based on a Notice of Delinquent Assessment/Lien & Request for Special Notice recorded May 9, 2003 as Instrument No. 2003-337761.
- 2) Claim from Daybreak Group, Trustee of the El Camino Trust, UDT dated 05-06-02 based on Trustee's Deed Upon Sale recorded May 17, 2002 as Instrument No. 2002-261323.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that International Homeowners Association be awarded excess proceeds in the amount of \$3,665.00 and Daybreak Group, Trustee of the El Camino Trust, UDT dated 05-06-02 be awarded excess proceeds in the amount of \$12,417.75. 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 701 & 7001 2510 0003 8650 702.