

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

229A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

JAN 17 2006

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 134.
Last assessed to: Jose Ojeda, a single man.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Jose Ojeda, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 317030028-4;
- 2) Deny the claim from the County of Orange, Department of Child Support Services;

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 15, 2004 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 20, 2004. 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 9, 2004, 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)

FORM APPROVED
COUNTY COUNSEL

JAN 17 2006

Departmental Concurrence

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Paul McDonnell, Treasurer/Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$74,258.65	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

[Handwritten signature]

County Executive Office Signature

Consent
 Policy
 Dept's Recomm.:
 Policy
 Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 1

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

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BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue a warrant to Jose Ojeda in the amount of \$74,258.65, 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.
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The Treasurer-Tax Collector has received two claims for excess proceeds:

- 1) Claim from Jose Ojeda based on a Grant Deed recorded January 24, 2001 as Instrument No. 2001-030308.
- 2) Claim from the County of Orange, Department of Child Support Services based on an Abstract of Support Judgment recorded February 26, 2001 as Instrument No. 2001-076196.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Jose Ojeda be awarded excess proceeds in the amount of \$74,258.65. Supporting documentation has been provided. The claim from the County of Orange, Department of Child Support is denied because the lien filed is not associated with our last assessee. 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 674 & 7001 2510 0007 0063 675.