

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



182A

**FROM:** Paul McDonnell, Treasurer/Tax Collector

**SUBMITTAL DATE:  
MAR 23 2006**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 168, Item 179.  
Last assessed to: Carolyn Sue Smith, an unmarried woman.

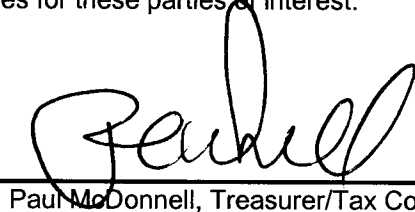
**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Approve the claim from Sally Francy for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 641092044-0;
- 2) Deny the claim from the State of California, Franchise Tax Board;

**(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 21, 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, Treasurer/Tax Collector

FORM APPROVED  
COUNTY COUNSEL


Departmental Concurrence

MAR 23 2006  


<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$773.39	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

<b>SOURCE OF FUNDS:</b> Fund 65595 Excess Proceeds from Tax Sale	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** **APPROVE**

**County Executive Office Signature** 

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

**Prev. Agn. Ref.:** **District: 5** **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) Deny the claim from Carolyn Sue Smith, last assessee;
  - 4) Authorize and direct the Auditor-Controller to issue a warrant to Sally Francy in the amount of \$773.39 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 three claims for excess proceeds:

- 1) Claim from Sally Francy based on a Deed of Trust with Assignment of Rents (Short Form) recorded January 22, 1988 as Instrument No. 18354 and an Affidavit Under California Probate Code Section 13101.
- 2) Claim from the State of California, Franchise Tax Board based on a Notice of State Tax Lien's recorded August 3, 1999 as Instrument No. 1999-346209 and recorded June 28, 2002 as Instrument No. 2002-358495.
- 3) Claim from Carolyn Sue Smith based on a Corporation Grant Deed recorded March 1, 1991 as Instrument No. 69745.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Sally Francy surviving heir of Marion R Bloch be awarded excess proceeds in the amount of \$773.39. Since the amount claimed by Sally Francy exceeds the amount available for distribution, there are no funds available for consideration of the claims from the State of California, Franchise Tax Board and Carolyn Sue Smith. 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 642 & 7001 2510 0007 0063 643 & 7001 2510 0007 0063 644.