

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

537A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
JUL 21 2006

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 167, Item 773.
Last assessed to: Jade Rhodora, a widow.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from David L. Arlaud for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 545182047-8;
- 2) Deny the claim from Global Discoveries, Ltd., agent for Rio Rhodora, sole heir of last assessee;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to David L. Arlaud in the amount of \$9,921.02, 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)

FORM APPROVED
COUNTY COUNSEL

Departmental Concurrence

JUL 21 2006

BY

Paul McDonnell
Paul McDonnell, Treasurer/Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 9,921.02	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	2006-07

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**
Ar Child
County Executive Office Signature

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

Prev. Agn. Ref.: | **District:** 3 | **Agenda Number:**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

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BOARD OF SUPERVISORS

Form 11:

Page 2

The Treasurer-Tax Collector has received two claims for excess proceeds:

- 1) Claim from David L. Arlaud based on an Abstract of Judgment recorded December 23, 1993 as Instrument No. 511669.
- 2) Claim from Global Discoveries, Ltd., agent for Rio Rhodora, sole heir of last assessee based on an Assignment of Right to Collect Excess Proceeds dated November 19, 2003, based on a Grant Deed recorded July 29, 1966 as Instrument No. 77640 and Letters of Personal Representative and Acceptance (Testate Estate).

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that David L. Arlaud be awarded excess proceeds in the amount of \$9,921.02. Since the amount claimed by David L. Arlaud exceeds the amount of the excess proceeds available, there are no funds available for consideration for the claim from Global Discoveries, Ltd., agent for Rio Rhodora. 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 707 & 7001 2510 0007 0063 708.