

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

525A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
AUG 14 2006

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 206.
Last assessed to: Betty J. Baer.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from David S. Halper dba TIMEZONE, who has Power of Attorney for Betty L. McWhorter, Lawtons Bail Bonds for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 349320005-2;
- 2) Approve the claim from David S. Halper dba TIMEZONE, who has Power of Attorney for Betty J. Baer, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 349320005-2;

(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 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.

Paul McDonnell
Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED
COUNTY COUNSEL
AUG 14 2006
BY *Paul McDonnell*

FINANCIAL DATA	Current F.Y. Total Cost:	\$26,330.76	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**
Alba

County Executive Office Signature

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

Prev. Agn. Ref.: _____ District: 5 Agenda Number: _____

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.22

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue a warrant to TIMEZONE in the amount of \$26,330.76 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 David S. Halper dba TIMEZONE based on Authority to Act Limited Power of Attorney signed by Betty L. McWhorter, Lawtons Bail Bonds dated May 13, 2005 and based on a Trust Deed and Note Securing Bail Bond recorded January 26, 1990 as Instrument No. 032375.
- 2) Claim from David S. Halper dba TIMEZONE based on Authority to Act Limited Power of Attorney signed by Betty J. Baer dated March 23, 2004 and based on a Quitclaim Deed recorded January 16, 1997 as Instrument No. 015795.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that TIMEZONE be awarded excess proceeds in the amount of \$26,330.76, this amount covers the lien in the amount of \$2,071.36 for Lawtons Bail Bonds and the remaining balance of \$24,259.40 for the last assessee. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.