

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

547A



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

**SUBMITTAL DATE:**  
**AUG 22 2006**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 401.  
Last assessed to: Joey Ortiz Martinez and Esther Guevara Martinez, husband and wife as joint tenants.

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

- 1) Approve the claim from Joey Ortiz Martinez and Esther Guevara Martinez, last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 375313001-7;
- 2) Deny the claim from the County of Los Angeles, Child Support Services Department;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Joey Ortiz Martinez and Esther Guevara Martinez in the amount of \$3,358.01, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court no later than ninety days from the date of this order.

**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)

*Paul McDonnell*  
Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED COUNTY COUNSEL AUG 22 2006

Departmental Concurrence

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$3,358.01	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

<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**  
*Chh*

**County Executive Office Signature**

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

Prev. Agn. Ref.: District: 1 Agenda Number:

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

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RECEIVED RIVERSIDE COUNTY

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Joey Ortiz Martinez and Esther Guevara Martinez based on a Quitclaim Deed recorded June 13, 1983 as Instrument No. 116898.
- 2) Claim from the County of Los Angeles, Child Support Services Department based on an Abstract of Support Judgment recorded March 1, 2000 as Instrument No. 2000-076555.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Joey Ortiz Martinez and Esther Guevara Martinez be awarded excess proceeds in the amount of \$3,358.01. The claim from the County of Los Angeles, Child Support Services Department 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 claimant by certified mail 7002 2030 0004 7939 756 & 7002 2030 0004 7939 757.