

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

558A



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

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

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 824.  
Last assessed to: Kathleen Dadd, Anne Muzyk, Shirley McGlynn, Estate of Robert Neill and Eleanor Lampson, as their interests appear of record.

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

- 1) Approve the claim from David S. Halper dba TIMEZONE, who has Power of Attorney for Kathleen Dadd, Shirley McGlynn and Eleanor Lampson, last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 641193015-6;
- 2) Approve the claim from John Muzyk surviving heir of Anne Muzyk, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 641193015-6;

**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

Departmental Concurrence

AUG 22 2006

BY *[Signature]*

*[Signature]*  
Paul McDonnell, Treasurer/Tax Collector

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$18,822.16	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**  
*[Signature]*

**County Executive Office Signature**

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

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

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

9.42

2006 SEP 13 5M 3:23

BOARD OF SUPERVISORS

Form 11:

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**RECOMMENDED MOTION:** (Continued)

- 2) Authorize and direct the Auditor-Controller to issue a warrant to David S. Halper dba TIMEZONE in the amount of \$14,116.62 and John Muzyk in the amount of \$4,705.54, 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 four claims for excess proceeds:

- 1) Claim from David S. Halper dba TIMEZONE based on Authority to Act Limited Power of Attorney signed by Kathleen Dadd dated April 2, 2004, Shirley McGlynn dated April 5, 2004 and Eleanor Lampson dated April 3, 2004 and based on an Individual Quitclaim Deed recorded July 19, 1977 as Instrument No. 136008.
- 2) Claim from John Muzyk based on an Individual Quitclaim Deed recorded July 19, 1977 as Instrument No. 136008 and Last Will and Testament and death certificate of Anne Muzyk.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that David S. Halper dba TIMEZONE be awarded excess proceeds in the amount of \$14,116.62 and John Muzyk be awarded excess proceeds in the amount of \$4,705.54. Since there are no other claimants the amount of \$4,705.54 will remain unclaimed. 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 7002 2030 0004 7939 700, 7002 2030 0004 7939 701, 7002 2030 0004 7939 702 & 7002 2030 0004 7939 703.