

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

630A



**SUBMITTAL DATE:  
NOV 13 2006**

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

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 81.  
Last assessed to: Duggan Neville, as Trustee of the Survivor's Trust established under The Marcus and Jane Meairs Family Trust Agreement established March 4, 1986.

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

- 1) Approve the claim from David S. Halper dba TIMEZONE, who has Power of Attorney for Duggan Neville, Trustee, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 223061032-7;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to David S. Halper dba TIMEZONE in the amount of \$44,092.89, 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 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, Treasurer/Tax Collector

FORM APPROVED  
COUNTY COUNSEL

NOV 13 2006

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$44,092.89	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	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

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

County Executive Office Signature

Policy

Consent

Dept's Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 1

Agenda Number:

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

9.6

Departmental Concurrence

NOV 13 2006

RECEIVED RIVERSIDE COUNTY

BOARD OF SUPERVISORS

Form 11:

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The Treasurer-Tax Collector has received one claim for excess proceeds:

- 1) Claim from David S. Halper dba TIMEZONE based on Authority to Act Limited Power of Attorney signed by Duggan Neville, Trustee dated May 11, 2005 and based on an Affidavit – Death of Trustee recorded March 29, 1994 as Instrument No. 129203.

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 \$44,092.89. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.