

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

933A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
JAN 04 2007

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 479.
Last assessed to: James T. Welch and Charlotte M. Welch, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Nancy L. Blair for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 383092006-9;
- 2) Deny the claim from the State of California, Franchise Tax Board;

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

JAN 4 2007

BY

Paul McDonnell, Treasurer/Tax Collector

FINANCIAL DATA

Current F.Y. Total Cost:	\$6,165.17	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

County Executive Office Signature

- Policy
- Consent
- Policy
- Consent

Prev. Agn. Ref.:

District: 1

Agenda Number:

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

9.17

BOARD OF SUPERVISORS

Form 11:

Page 2

RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue a warrant to Nancy L. Blair in the amount of \$6,165.17, 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.
-

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

- 1) Claim from Nancy L. Blair based on an Deed of Trust with Assignment of Rents recorded May 27, 1986 as Instrument No. 121186.
- 2) Claim from the State of California, Franchise Tax Board based on Notices of State Tax Liens recorded March 16, 1998 as Instrument No. 095269 and recorded March 31, 2000 as Instrument No. 2000-120262.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Nancy L. Blair be awarded excess proceeds in the amount of \$6,165.17. Since the amount claimed by Nancy L. Blair exceeds the amount of excess proceeds available for distribution, there are no funds available for consideration of the claim from the State of California, Franchise Tax Board. 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 775 & 7002 2030 0004 7939 776.