

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

934A



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

**SUBMITTAL DATE:**  
**FEB 22 2007**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 508.  
Last assessed to: Charles Polk, as Executor of the Will of Mike Polk, deceased.

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

- 1) Approve the claim from Esther E. Polk, surviving spouse of Charles Polk, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 435131020-1;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Esther E. Polk in the amount of \$780.32, 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

FEB 22 2007

BY *[Signature]*

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$780.32	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**

County Executive Office Signature

Policy  
 Policy  
 Consent  
 Consent  
 Dept Recomm.:  
 Pet Exec. Ofc.:

Prev. Agn. Ref.: \_\_\_\_\_ District: 3 Agenda Number: \_\_\_\_\_

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

**9.18**

BOARD OF SUPERVISORS

Form 11;

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

- 1) Claim from Esther E. Polk based on a Judgement for Final Distribution to Sole Distributee, Approving Waiver of Accounting, Allowing Statutory Fees, Authorizing Withholding of Closing Expenses and Approving Sale of Depreciating Property recorded May 14, 1981 as Instrument No. 88415, Summation and Verification of the Polk Family Trust Dated October 29, 1993 and the Will of Charles Polk dated October 30, 1993.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Esther E Polk be awarded excess proceeds in the amount of \$780.32. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.