

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

910A



FROM: Paul McDonnell, Treasurer/Tax Collector

**SUBMITTAL DATE:
FEB 28 2007**

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 684.
Last assessed to: Maria B. Iannitti, an unmarried woman.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries, Ltd., agent for Gina M. Johnson for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 528092003-5;
- 2) Deny the claim from Khosrow Abtahi;

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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 16, 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)

[Handwritten Signature]
Paul McDonnell, Treasurer/Tax Collector

DOROTHY HONAN

FORM APPROVED
COUNTY COUNSEL

FEB 28 2007

FINANCIAL DATA	Current F.Y. Total Cost:	\$6,737.03	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
BY: *[Handwritten Signature]*
Christopher M. Hans

County Executive Office Signature

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

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

9.21

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RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue warrant to Global Discoveries, Ltd., agent for Gina M. Johnson in the amount of \$6,737.03, 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 Global Discoveries, Ltd., agent for Gina M. Johnson based on an Assignment of Right to Collect Excess Proceeds dated February 8, 2005, a Corporation Grant Deed recorded October 4, 1971, Instrument No. 112112 and an Affidavit for Collection of Personal Property under California Probate Code Sections 13100-13106.
- 2) Claim from Khosrow Abtahi, based on a Grant Deed signed by Gina Johnson, recorded March 16, 2004, Instrument No. 2004-0179523.

Pursuant to Section California Revenue and Taxation Code Section 4675 parties of interest entitled to claim the excess proceeds from the sale of the real property include any person with title of record prior to the recordation of the tax deed to the purchaser. Title to the real property prior to the tax sale was in the name of Maria B. Iannitti, an unmarried woman. Maria B. Iannitti is deceased. The claim from Mr. Khosrow Abtahi is based on a wild deed signed by Ms. Iannitti's granddaughter, Gina Johnson, and recorded with the County Recorder.

It is the recommendation of this office that Global Discoveries, Ltd., agent for Gina M. Johnson be awarded excess proceeds in the amount of \$6,737.03. Mr. Khosrov Abtahi has failed to support his claim with sufficient evidence to establish his right to all or any portion of the excess proceeds therefore his claim should be denied. Pursuant to California Revenue and Taxation Code Section 4675 (g) an action to review the decision of the Board of Supervisor must be commenced within 90 days after the date of the decision of the 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.