

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

233A



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

**SUBMITTAL DATE:**  
**AUG 14 2007**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 809.  
Last assessed to: Riviera Construction Co. Inc., a California Corporation.

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

- 1) Approve the claim from Nick I. Iezza, Attorney for Sanwa Bank for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 639182045-2;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Sanwa Bank in the amount of \$47,944.25, 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 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)

*Paul McDonnell*  
Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED COUNTY COUNSEL  
BY: DOROTHY L. HONN  
DATE: 8-14-2007

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$47,944.25	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	2007-08

<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  
*Christopher M. Hans*  
BY: Christopher M. Hans

**County Executive Office Signature**

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

**Prev. Agn. Ref.:**

**District: 5**

**Agenda Number:**

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

9.13

RECEIVED RIVERSIDE COUNTY  
AUG 15 11:30 AM '07

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Nick I. Iezza, Attorney for Sanwa Bank based on an Abstract of Judgment recorded September 10, 1999 as Instrument No.1999-408083.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Sanwa Bank be awarded excess proceeds in the amount of \$47,944.25. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.