

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

921A



FROM: Paul McDonnell, Treasurer/Tax Collector

**SUBMITTAL DATE:
OCT 24 2007**

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 781.
Last assessed to: Elia M. Tawil, a single man.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries, Ltd., assignee for Palm Springs Oil Company for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 611244020-8;
- 2) Deny the claim from Riverside County, Treasurer-Tax Collector;
- 3) Deny the claim from Elia M. Tawil, last assessee;
- 4) Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., assignee for Palm Springs Oil Company in the amount of \$42,439.20, 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.

Paul McDonnell, Treasurer/Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$42,439.20	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

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: Christopher M. Hans

County Executive Office Signature

Consent Policy
 Consent Policy

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

Prev. Agn. Ref.:

District: 4 Agenda Number:
**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

9.5

FORM APPROVED COUNTY COUNSEL
 BY: DOROTHY L. HONN
 DATE: 10-24-07
 Departmental Concurrence

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Global Discoveries, Ltd., assignee for Palm Springs Oil Company based on an Assignment of Right to Collect Excess Proceeds dated June 7, 2004 and based on a Deed of Trust and Assignment of Rents (Short Form) recorded May 1, 1996, as Instrument No. 158068.
- 2) Claim from Riverside County, Treasurer-Tax Collector based on Certificates of Liens recorded January 4, 1999 as Instrument No. 000107, recorded January 4, 1999 as Instrument No. 000108 and recorded January 4, 1999 as Instrument No. 000115.
- 3) Claim from Elia M. Tawil based on a Grant Deed dated May 1, 1996 as Instrument No. 158067.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., assignee for Palm Springs Oil Company be awarded excess proceeds in the amount of \$42,439.20. Since the amount claimed by Global Discoveries, Ltd., assignee for Palm Springs Oil Company exceeds the amount of the excess proceeds available for distribution, there are no funds available for consideration of the claims from Riverside County, Treasurer-Tax Collector and Elia M. Tawil, last assessee. 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.