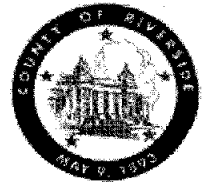


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

922A



FROM: Paul McDonnell, Treasurer/Tax Collector

**SUBMITTAL DATE:
SEP 11 2007**

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170-2, Item 227 through 228. Last assessed to: David Carnahan, a married man as his sole and separate property.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claims from Donna J. Creech for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 350201033-9 and 350201034-0;
- 2) Deny the claims from Global Discoveries, assignee for David L. Carnahan;

(Continued on Page 2)

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 May 10, 2004 public auction sale. The deed conveying title to the purchasers at the auction was recorded July 8, 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 July 21, 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
BY: DOROTHY L. HONN 9-11-07
Environmental Counsel DATE

FINANCIAL DATA	Current F.Y. Total Cost:	\$17,814.88	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

Dept's Recomm.: Policy
 Per Exec. Ofc.: Policy

Prev. Agn. Ref.: **District: 3** **Agenda Number:**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.7

BOARD OF SUPERVISORS

Form 11:

Page 2

RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue a warrant to Donna J. Creeach in the amount of \$17,814.88, 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) Claims from Donna J. Creeach based on an All-Inclusive Deed of Trust with Assignment of Rents recorded September 17, 1996 as Instrument No. 352819.
- 2) Claims from Global Discoveries, Ltd., assignee for David L. Carnahan based on an Assignment of Rights to Collect Excess Proceeds dated November 18, 2004 and a Grant Deed recorded October 16, 2000 as Instrument No. 2000-406271.

Pursuant to Section 4675 (a) & (b) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that Donna J. Creeach be awarded excess proceeds in the amount of \$17,814.88. Since the amount claimed by Donna J. Creeach exceeds the amount of excess proceeds available for distribution, there are no funds available for consideration of the claim from Global Discoveries, Ltd assignee for David L. Carnahan. 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.

EP170-2	Item227	\$ 15,567.73
EP170-2	Item228	<u>\$ 2,247.15</u>
TOTAL		\$ 17,814.88