

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

934A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

DEC 10 2007

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 236.
Last assessed to: David B. Finzi, a single man.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Riverside County, Treasurer-Tax Collector for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 350232035-7;
- 2) Approve the claim from the David Finzi, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 350232035-7;

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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 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
BY: JAWNUV. LIEU
DATE: 12-10-07

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$10,767.05	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

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

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

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.13

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Deny the claim from First Wilshire Finance;
- 4) Authorize and direct the Auditor-Controller to issue warrants to Riverside County, Treasurer-Tax Collector in the amount of \$113.69 and David Finzi in the amount of \$10,653.36, 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 three claims for excess proceeds:

- 1) Claim from Riverside County, Treasurer/Tax Collector based on a Riverside County Notice of Unpaid Unsecured Property Taxes for David B Finzi dated March 15, 2004.
- 2) Claim from the David Finzi based on a Grant Deed recorded March 3, 1997 as Instrument No. 070386.
- 3) Claim from First Wilshire Finance based on a Notice of Attachment recorded May 4, 2001 as Instrument No. 2001-195194.

Pursuant to Section 4675 (a) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that Riverside County, Treasurer/Tax Collector be awarded excess proceeds in the amount of \$113.69 and David Finzi be awarded excess proceeds in the amount of \$10,653.36. The claim from First Wilshire Finance has been denied since the lien filed has been released. 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.

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