

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

731A



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:
MAR 26 2008

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 468 through 469.
Last assessed to: Lujax, Inc., a California Corporation.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claims from John T Johnson, agent for Mary L White for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 379213010-4 and 379213011-5;
- 2) Approve the claims from National Asset Recovery, agent for Lujax, Inc./Lou Norris, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 379213010-4 and 379213011-5;

(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 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: DOROTHY L. HONN
DATE: 3-26-08
Departmental Concurrence

FINANCIAL DATA

Current F.Y. Total Cost:	\$129,728.99	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
 Consent
 Policy
 Consent
 Dep't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: | District: 1 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.8

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Approve the claims from John Kegerreis, Executor for the Estate of Jack L. Kegerreis aka Lujax, Inc., last assessee, for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 379213010-4 and 379213011-5;
- 4) Authorize and direct the Auditor-Controller to issue warrants to John T Johnson, agent for Mary L White in the amount of \$65,890.32, National Asset Recovery, agent for Lujax, Inc./Lou Norris in the amount of \$31,919.34 and John Kegerreis, Executor for the Estate of Jack L. Kegerreis aka Lujax, Inc., in the amount of \$31,919.33, 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) Claims from John T Johnson, agent for Mary L White based on Authorization for Agent to Collect Excess Proceeds dated May 16, 2005 and an Assignment of Deed of Trust recorded March 7, 1994 as Instrument No. 094464.
- 2) Claims from National Asset Recovery, agent for Lujax Inc./Lou Norris based on an Assignment of Rights to Collect Excess Proceeds dated September 29, 2004 and a Grant Deed recorded August 15, 1986 as Instrument No. 196146.
- 3) Claims from John Kegerreis based on a Grant Deed recorded August 15, 1986 as Instrument No. 196146, The Last Will and Testament of Jack L. Kegerreis, Declaration Under Probate Code Section 13101 and a death certificate of Jack Lamkin Kegerreis.

Pursuant to Section 4675 (a) & (b) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that John T Johnson, agent for Mary L White be awarded excess proceeds in the amount of \$65,890.32, National Asset Recovery, agent for Lujax Inc./Lou Norris be awarded excess proceeds in the amount of \$31,919.34 and John Kegerreis, Executor for the Estate of Jack L. Kegerreis aka Lujax, Inc., be awarded excess proceeds in the amount of \$31,919.33. 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	Item468	\$ 52,421.29
EP170	Item469	<u>\$ 77,307.70</u>
TOTAL		\$129,728.99