

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

655-A



FROM: Paul McDonnell, Treasurer/Tax Collector

**SUBMITTAL DATE:
APR 30 2008**

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 543.
Last assessed to: Fern R. Hill, an unmarried woman.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from National Asset Recovery, assignee for Ramona L. Nelson, surviving heir to Harriet Hill Norman, heir to Fern R. Hill, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 459223009-0;
- 2) Approve the claim from Phyllis Rozella Hill Crosby, surviving heir to Fern R. Hill, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 459223009-0;

(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 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.

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Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED COUNTY COUNSEL
BY:
DOROTHY L. HONN
DATE: 4-30-08
Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$17,516.14	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
 Dept't Recomm.:
 Policy
 Consent
 Per Exec. Ofc.:

Prev. Agn. Ref.: _____ District: 5 Agenda Number: _____

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.4

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue warrants to National Asset Recovery, assignee for Ramona L. Nelson in the amount of \$8,758.07, and Phyllis Rozella Hill Crosby in the amount of \$8,758.07, 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) Claim from National Asset Recovery, assignee for Ramona L. Nelson, based on Authorization for Agent to Collect Excess Proceeds dated January 14, 2005, a Grant Deed recorded August 29, 1957 as Instrument No. 62743 and a Declaration Under Probate Code Section 13101.
- 2) Claim from Phyllis Rozella Hill Crosby based on a Grant Deed recorded August 29, 1957 as Instrument No. 62743 and an Affidavit for Collection of Personal Property under California Probate Code 13100.

Fern R. Hill the last assessee of the subject property died intestate on December 9, 1997. She was survived by claimant Phyllis Rozella Hill Crosby her daughter and Ramona Lisa Norman a niece. According to the information provided to the County, Fern R. Hill had two other children and a nephew who failed to file claims with the County. Accordingly, 1/5 of the excess proceeds shall be distributed to Phyllis Rozella Hill Crosby and 1/5 to National Asset Recovery the assignee of Ramona Lisa Norman. The remainder of the excess proceeds will remain unclaimed.

Pursuant to Section 4675 (a) & (c) & (f) of the California Revenue and Taxation Code, it is the recommendation of this office that National Asset Recovery, assignee for Ramona L. Nelson be awarded excess proceeds in the amount of \$8,758.07 and Phyllis Rozella Hill Crosby be awarded the amount of \$8,758.07. Since there were no other claimants the amount of \$26,274.21 will remain unclaimed. 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.