

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



FROM: Paul McDonnell, Treasurer/Tax Collector

SUBMITTAL DATE:

JUL 09 2008

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 177, Item 81.

Last assessed to: Emery R. Worley and Mary L. Worley, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Wendell Kallenberger for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 283230030-5;
- 2) Approve the claim from Emery R. Worley and Marianne L. Worley AKA Mary L. Worley, last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 283230030-5;

(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 12, 2007 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 2007. 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 4, 2007, 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 7-9-08 DATE

FINANCIAL DATA	Current F.Y. Total Cost:	\$131,405.86	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	2008-09
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: _____

County Executive Office Signature Christopher M. Hans

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

Prev. Agn. Ref.: _____ **District:** 1 **Agenda Number:** _____

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.15

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue warrants to Wendell Kallenberger in the amount of \$60,088.40 and Emery R. Worley and Marianne L. Worley AKA Mary L. Worley in the amount of \$71,317.46, 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.
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The Treasurer-Tax Collector has received two claims for excess proceeds:

- 1) Claim from Wendell Kallenberger based on a Long Form Deed of Trust and Assignment of Rents for Home Equity Revolving Line of Credit recorded March 7, 2007 as Instrument No. 2007-0155741.
- 2) Claim from Emery R. Worley and Marianne L. Worley AKA Mary L. Worley based on a Grant Deed recorded November 27, 1991 as Instrument No. 414500.

Pursuant to Section 4675 (a) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that Wendell Kallenberger be awarded excess proceeds in the amount of \$60,088.40 and Emery R. Worley and Marianne L. Worley AKA Mary L. Worley be awarded excess proceeds in the amount of \$71,317.46. 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.