

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

444 A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

NOV 05 2008

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 410.
Last assessed to: Frances M. Price and Carrie L. Bilbrew, Mother and Daughter, as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Deny the claim from Nationwide Asset Recovery Service, agent for Walter L. Johnson, heir to last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 375334080-3;
- 2) Deny the claim, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court.

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)

Don Kent, Treasurer/Tax Collector

FORM APPROVED COUNTY COUNSEL
 BY: ASMM 11-5-08
 DOROTHY L. HONN
 DATE
 Departmental Concurrence

| | | | | |
|-----------------------|-------------------------------|-----|-------------------------|---------|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$0 | 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: | 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

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

Prev. Agn. Ref.: _____ District: 1 Agenda Number: 9.6

BOARD OF SUPERVISORS

Form 11:

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The Treasurer-Tax Collector has received one claim for excess proceeds:

- 1) Claim from Nationwide Asset Recovery Service, agent for Walter L. Johnson based on an Authorization for Agent to Collect Excess Proceeds dated June 17, 2004, a Joint Tenancy Grant Deed recorded July 25, 1961 as Instrument No. 63540, Declaration's Pursuant to Probate Code 13100 and the death certificate's of Carrie Langston Bilbrew and Frances Muriel Price.

Pursuant to Section 4675 (a) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that Nationwide Asset Recovery Service, agent for Walter L. Johnson be denied since they were unable to substantiate their claim. Since there are no other claimants the amount of \$5,709.59 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 claimant by certified mail.