

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

446A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
NOV 05 2008

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Item 125.
Last assessed to: Wesley L. Reynolds and Thomas Ochsner, as tenants in common.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Timezone, agent for Wesley L. Reynolds, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 375071021-8;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Timezone, agent for Wesley L. Reynolds in the amount of \$10,071.42, 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.

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 13, 2006 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 2006. 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 5, 2006, 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: Honn 11-5-08
DOROTHY L. HONN DATE
Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$10,071.42	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: 
Christopher M. Hans
County Executive Office Signature

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

BOARD OF SUPERVISORS

Form 11:

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The Treasurer-Tax Collector has received two claims for excess proceeds:

- 1) Claim from Timezone agent for Wesley L. Reynolds based on an Agent Agreement/Authority to Act dated March 25, 2006 and a Grant Deed recorded December 29, 1966 as Instrument No. 123431.
- 2) Claim from Global Discoveries, Ltd., assignee for Anne Ochsner-Kesler Trustee of the Thomas D. Ochsner Trust No. 1 based on an Assignment of Right to Collect Excess Proceeds dated November 27, 2006, a Grant Deed recorded December 29, 1966 as Instrument No. 123431, a Declaration for Collection of Personal Property under California Probate Code 13100-13106, the Thomas D. Ochsner D.D.S. Living Will Declaration dated November 8, 1990 and the death certificate of Thomas D'Arcy Ochsner.

Pursuant to Section 4675 (a) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that Timezone agent for Wesley L. Reynolds be awarded excess proceeds in the amount of \$10,071.42. The claim from Global Discoveries, Ltd., assignee for Anne Ochsner-Kesler Trustee of the Thomas D. Ochsner Trust No. 1 was withdrawn on May 27, 2008 since their claimant was not associated with our last assessee. Since there are no other claimants the excess proceeds in the amount of \$10,071.42 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.