

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

ASTA



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
NOV 05 2008

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 936.
Last assessed to: Frank L. Mitchell and Noreen D. Mitchell, as joint tenants, as to an undivided two-third interest;
(Continued on Page 2)

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Deny the claim from Michael C. Monaco and Marion A. Monaco, last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 723022004-6;
- 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 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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Don Kent, Treasurer/Tax Collector

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:
Christopher M. Hans

County Executive Office Signature

Prev. Agn. Ref.:

District: 4

Agenda Number:

9.16

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FORM APPROVED COUNTY COUNSEL
BY: Nov 05 11-5-08 DATE
DOROTHY L. HONN
Departmental Concurrence

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

BOARD OF SUPERVISORS

Form 11:

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SUBJECT: (Continued)

Michael C. Monaco and Marion A. Monaco, as Trustees of the Michael and Marion Monaco Family Trust (created by Declaration dated June 2, 1989), as to an undivided one-third interest.

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

- 1) Claim from Michael C. Monaco and Marion A. Monaco based on an Individual Quitclaim Deed recorded September 22, 1989 as Instrument No. 326199.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that the claim from Michael C. Monaco and Marion A. Monaco be denied since they were unable to substantiate their claim. Since there are no other claimants the excess proceeds in the amount of \$7,696.89 will remain unclaimed. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.