

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

652A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
FEB 03 2009

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 174, Item 96.
Last assessed to: A.V. Webb.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claims from Jane Thissell, Brian J. Webb, Craig Webb, Louis A. Webb and Stephanie Beach, heir's to A.V. Webb, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 373063028-6;
- 2) Deny the claim from Excess Proceeds Services LLC, assignee for Breau S. Webb;
- 3) Deny the claim from Excess Proceeds Services LLC, assignee for Brian Webb II;

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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 November 7, 2005 public auction sale. The deed conveying title to the purchasers at the auction was recorded January 9, 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 January 30, 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.

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Don Kent, Treasurer/Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$18,566.79	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

FORM APPROVED COUNTY COUNSEL
BY: B.T.M. 2/3/09
BEAUFORD T. MILLER, JR.
Departmental Concurrence

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

9.9

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 4) Authorize and direct the Auditor-Controller to issue warrants to Jane Thissell in the amount of \$3,713.36, Brian J. Webb in the amount of \$3,713.36, Craig Webb in the amount of \$3,713.36, Louis A. Webb in the amount of \$3,713.36 and Stephanie Beach in the amount of \$3,713.35, 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 seven claims for excess proceeds:

- 1) Claim from Jane Thissell based on a Quitclaim Deed recorded April 4, 1983 as Instrument No. 62681, an Affidavit under California Probate Code Section 13101 and the death certificate of A. V. Webb.
- 2) Claim from Brian J. Webb based on a Quitclaim Deed recorded April 4, 1983 as Instrument No. 62681, an Affidavit under California Probate Code Section 13101 and the death certificate of A. V. Webb.
- 3) Claim from Craig Webb based on a Quitclaim Deed recorded April 4, 1983 as Instrument No. 62681, an Affidavit under California Probate Code Section 13101 and the death certificate of A. V. Webb.
- 4) Claim from Louis A. Webb based on a Quitclaim Deed recorded April 4, 1983 as Instrument No. 62681, an Affidavit under California Probate Code Section 13101 and the death certificate of A. V. Webb.
- 5) Claim from Stephanie Beach based on a Quitclaim Deed recorded April 4, 1983 as Instrument No. 62681, an Affidavit under California Probate Code Section 13101 and the death certificate of A. V. Webb.
- 6) Claim from Excess Proceeds LLC, assignee for Breun S. Webb based on an Assignment of Rights to Claim Excess Proceeds from Sale of Tax Deeded Property dated February 15, 2006 and the death certificate of A. V. Webb.
- 7) Claim from Excess Proceeds LLC, assignee for Brian Webb II based on an Assignment of Rights to Claim Excess Proceeds from Sale of Tax Deeded Property dated February 15, 2006 and the death certificate of A. V. Webb.

Pursuant to Section 4675 (a) & (f) of the California Revenue and Taxation Code, it is the recommendation of this office that Jane Thissell be awarded excess proceeds in the amount of \$3,713.36, Brian J. Webb be awarded excess proceeds in the amount of \$3,713.36, Craig Webb be awarded excess proceeds in the amount of \$3,713.36, Louis A. Webb be awarded excess proceeds in the amount of \$3,713.36 and Stephanie Beach be awarded excess proceeds in the amount of \$3,713.35. The claims from Excess Proceeds LLC assignee for Breun S. Webb and Brian Webb II are being denied since they were unable to substantiate their claims. 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.