

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

668A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
FEB 05 2009

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 170, Item 452.
Last assessed to: Thomas Whychell, a widower.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claims from George Gross, Patricia (Goldrick) Nichols AKA Patricia Nichols, Donald Whychell, Eileen (Gross) Pelkey AKA Eileen Pelkey, William Chapp AKA William V. Chapp, Joan (Goldrick) Rota AKA Joan Rota, Alice Gross Pollard, Barbara (Gross) Strick, Ursula (Gross) Daddino, Robert Churnell AKA Robert F. Churnell, Clara (Whychell) Trojan AKA Clara D. Trojan and Patrick Goldrick, Jr. AKA Patrick Goldrick, and for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 378191004-5;

(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 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
Don Kent, Treasurer/Tax Collector

FORM APPROVED COUNTY COUNSEL
BY: DOROTHY L. HONN
DATE: 2-5-09
Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$10,441.36	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*
Christopher M. Hans

County Executive Office Signature

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

JAN 11 10:25
COUNTY OF RIVERSIDE

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

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.13

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Deny the claim from John T. Johnson, DBA Investigative Research, agent for Thomas Whychell;
- 4) Authorize and direct the Auditor-Controller to issue warrants to George Gross in the amount of \$417.65, Patricia (Goldrick) Nichols AKA Patricia Nichols in the amount of \$696.09, Donald Whychell in the amount of \$1,044.13, Eileen (Gross) Pelkey AKA Eileen Pelkey in the amount of \$417.65, William Chapp AKA William V. Chapp in the amount of \$2,088.28, Joan (Goldrick) Rota AKA Joan Rota in the amount of \$696.09, Alice Gross Pollard in the amount of \$417.65, Barbara (Gross) Strick in the amount of \$417.65, Ursula (Gross) Daddino in the amount of \$417.65, Robert Churnell AKA Robert F. Churnell in the amount of \$2,088.28, Clara (Whychell) Trojan AKA Clara D. Trojan in the amount of \$1,044.13 and Patrick Goldrick, Jr. AKA Patrick Goldrick in the amount of \$696.09, 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 twelve claims for excess proceeds:

- 1) Claims from George Gross, Patricia (Goldrick) Nichols AKA Patricia Nichols, Donald Whychell, Eileen (Gross) Pelkey AKA Eileen Pelkey, William Chapp AKA William V. Chapp, Joan (Goldrick) Rota AKA Joan Rota, Alice Gross Pollard, Barbara (Gross) Strick, Ursula (Gross) Daddino, Robert Churnell AKA Robert F. Churnell, Clara (Whychell) Trojan AKA Clara D. Trojan and Patrick Goldrick, Jr. AKA Patrick Goldrick based on a Grant Deed recorded November 1, 1957 as Instrument No.78486, an Affidavit of Death of Joint Tenant recorded March 14, 1980 as Instrument No.49578, an Order Settling Final Account, Directing Final Distribution and Fixing and Allowing Compensation for Extraordinary Services Filed July 11, 1997 in the Superior Court of California, County of Santa Clara and the death certificate's of Frances Josephine Whychell and Thomas Whychell.
- 2) Claim from John T. Johnson, DBA Investigative Research, agent for Thomas Whychell based on an Authorization for Agent to Collect Excess Proceeds dated May 10, 2005 and a Grant Deed recorded November 1, 1957 as Instrument No. 78486.

Pursuant to Section 4675 (a) & (c) & (f) of the California Revenue and Taxation Code, it is the recommendation of this office that George Gross be awarded the amount of \$417.65, Patricia (Goldrick) Nichols AKA Patricia Nichols be awarded the amount of \$696.09, Donald Whychell be awarded the amount of \$1,044.13, Eileen (Gross) Pelkey AKA Eileen Pelkey be awarded the amount of \$417.65, William Chapp AKA William V. Chapp be awarded the amount of \$2,088.28, Joan (Goldrick) Rota AKA Joan Rota be awarded the amount of \$696.09, Alice Gross Pollard be awarded the amount of \$417.65, Barbara (Gross) Strick be awarded the amount of \$417.65, Ursula (Gross) Daddino be awarded the amount of \$417.65, Robert Churnell AKA Robert F. Churnell be awarded the amount of \$2,088.28, Clara (Whychell) Trojan AKA Clara D. Trojan be awarded the amount of \$1,044.13 and Patrick Goldrick, Jr. AKA Patrick Goldrick be awarded the amount of \$696.09. The claim from John T. Johnson, DBA Investigative Research, agent for Thomas Whychell be denied since they were unable to substantiate their claim. 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.