

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

667A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

FEB 18 2009

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 174, Item 25.
Last assessed to: Monte C. Nivens and Anna May Nivens, husband and wife, as joint tenants with right of survivorship.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries, Ltd., assignee for Billie Mae Roper, heir to Anna May Nivens AKA Anna Mae Nivens, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 350103003-9;
- 2) Approve the claim from Global Discoveries, Ltd., assignee for Patsy Ruth Hand, heir to Anna May Nivens AKA Anna Mae Nivens, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 350103003-9;

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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.

(Continued on page two)

Don Kent
Don Kent, Treasurer/Tax Collector

FORM APPROVED COUNTY COUNSEL

BY: *Dorothy L. Honn* DATE: 2-18-09

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$14,473.45	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

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

Prev. Agn. Ref.:

District: 3

Agenda Number:

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

9.15

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue warrants to Global Discoveries, Ltd., assignee for Billie Mae Roper in the amount of \$7,236.73 and Global Discoveries, Ltd., assignee for Patsy Ruth Hand in the amount of \$7,236.72, 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.
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The Treasurer-Tax Collector has received two claims for excess proceeds:

- 1) Claim from Global Discoveries, Ltd., assignee for Billie Mae Roper based on an Assignment of Right to Collect Excess Proceeds dated April 27, 2006, a Grant Deed recorded December 2, 1957 as Instrument No. 85308, a Declaration for Collection of Personal Property under California Probate Code 13100-13106 and the death certificate's of Monte C. Nivens and Anna Mae Nivens.
- 2) Claim from Global Discoveries, Ltd., assignee for Patsy Ruth Hand based on an Assignment of Right to Collect Excess Proceeds dated April 13, 2006, a Grant Deed recorded December 2, 1957 as Instrument No. 85308, a Declaration for Collection of Personal Property under California Probate Code 13100-13106 and the death certificate's of Monte C. Nivens and Anna Mae Nivens.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., assignee for Billie Mae Roper be awarded excess proceeds in the amount of \$7,236.73 and Global Discoveries, Ltd., assignee for Patsy Ruth Hand be awarded excess proceeds in the amount of \$7,236.72. 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.