

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

676A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
FEB 19 2009

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 174, Item 181.
Last assessed to: Sutton Properties, Inc.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Deny the claim from Global Discoveries, Ltd., assignee for Tolosa Holding Corp for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 528222027-8;
- 2) Deny the claim from Josephine Whiting;
- 3) Deny the claims, 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 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.

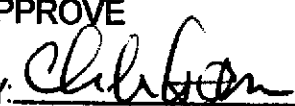
(Continued on page two)


Don Kent, Treasurer/Tax Collector

FORM APPROVED COUNTY COUNSEL
BY: HON. DOROTHY L. HONN DATE: 2-19-09
Departmental Concurrence

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: 
County Executive Office Signature Christopher M. Hans

Consent Policy
 Consent Policy
 Dept's Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: District: 5 Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.43

BOARD OF SUPERVISORS

Form 11:

Page 2

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

- 1) Claim from Global Discoveries, Ltd., assignee for Tolosa Holding Corp based on an Assignment of Right to Collect Excess Proceeds dated July 17, 2006 and a Quitclaim Deed recorded May 17, 1995 as Instrument No. 158233.
- 2) Claim from Josephine Whiting based on a Substitution of Trustee and Full Reconveyance recorded November 21, 1990 as Instrument No. 425068.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that the claims from Global Discoveries, Ltd., assignee for Tolosa Holding Corp and Josephine Whiting be denied since they were not parties of interest prior to the tax sale. Since there are no other claimants the excess proceeds in the amount of \$3,798.25 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 claimant by certified mail.