

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

648A



**FROM:** Don Kent, Treasurer/Tax Collector

**SUBMITTAL DATE:**

JUL 2 2009

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Item 499.  
Last assessed to: Richard S. Haythorn and Frances Ann Haythorn, husband and wife as joint tenants.

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Approve the claim from Richard Steven Haythorn AKA Steve Haythorn, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 836144009-3;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Richard Steven Haythorn AKA Steve Haythorn in the amount of \$45,459.38, 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.

**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 13, 2006 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 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 June 5, 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)

  
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Don Kent, Treasurer/Tax Collector

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$45,459.38	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	2009-10

<b>SOURCE OF FUNDS:</b> Fund 65595 Excess Proceeds from Tax Sale	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

BY:   
\_\_\_\_\_  
Christopher M. Hans

**County Executive Office Signature**

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 7/2/09  
DATE Departmental Concurrence

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

Prev. Agn. Ref.:

District: 4

Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

9.16

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Richard Steven Haythorn AKA Steve Haythorn based on a Grant Deed recorded October 30, 1975 as Instrument No. 134226, the Last Will and Testament of Frances Haythorn and the death certificate of Frances A. Haythorn.
- 2) Claim from Global Discoveries, Ltd., assignee for Frederick Thomas Thornley and Ardis Ronelle Thornley, Co-Trustees of the 2006 Restatement to the Thornley Family Trust, originally UA Thornley Family Trust DTD 2/19/1986 based on an Assignment of Right to Collect Excess Proceeds dated November 21, 2006 and a Long Form Deed of Trust and Assignment of Rents recorded June 3, 1993 as Instrument No. 208578.
- 3) Claim from Global Discoveries, Ltd., assignee for Robert F. Thornley and Donna L. Thornley based on an Assignment of Right to Collect Excess Proceeds dated November 22, 2006 and a Long Form Deed of Trust and Assignment of Rents recorded June 3, 1993 as Instrument No. 208578.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Richard Steven Haythorn AKA Steve Haythorn be awarded excess proceeds in the amount of \$45,459.38. The claims from Global Discoveries, Ltd., assignee for Frederick Thomas Thornley and Ardis Ronelle Thornley, Co-Trustees of the 2006 Restatement to the Thornley Family Trust, originally UA Thornley Family Trust DTD 2/19/1986 and Global Discoveries, Ltd., assignee for Robert F. Thornley and Donna L. Thornley have been withdrawn on May 29, 2008 and June 3, 2008 since there was a Substitution of Trustee and Full Reconveyance recorded March 28, 1994 as Instrument No. 125486, therefore they were no longer a party of interest in the property at the time of tax sale. 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.