

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



116A

FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

JUL 10 2009

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 171, Item 583.
Last assessed to: Estate of Lamar E. Kennedy, deceased.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Nationwide Asset Recovery Services, agent for Linda F. Kennedy Wheeler, heir to last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 635225009-4;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Nationwide Asset Recovery Services, agent for Linda F. Kennedy Wheeler in the amount of \$25,451.96, 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 21, 2005 public auction sale. The deed conveying title to the purchasers at the auction was recorded April 22, 2005. 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 14, 2005, 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: Dale A. Gardner 7/10/09
DATE: 7/10/09
Ceremonial Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$25,451.96	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

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

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

390 215 -3 01 8: 32

Prev. Agn. Ref.:

District: 3

Agenda Number:

9.13

BOARD OF SUPERVISORS

Form 11:

Page 2

The Treasurer-Tax Collector has received one claim for excess proceeds:

- 1) Claim from Nationwide Asset Recovery Services, agent for Linda F. Kennedy Wheeler based on an Authorization for Agent to Collect Excess Proceeds dated October 6, 2005, a Statement of Abandonment by Executor of Real Property recorded February 22, 2001 as Instrument No. 2001-072112, a Declaration Pursuant to Probate Code 13100 and a death certificate for Lamar Edmond Kennedy.

Pursuant to Section 4675 (a) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that Nationwide Asset Recovery Services, agent for Linda F. Kennedy Wheeler be awarded excess proceeds in the amount of \$25,451.96. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.