

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

113 A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUL 14 2009

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 174, Item 60.
Last assessed to: Michael Kelly and Mary Kelly, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Mary Kelly, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 350231006-8;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Mary Kelly in the amount of \$9,689.69, 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 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: Dale A. Gardner 7/14/09
DATE: 7/14/09
CONCURRENCE

FINANCIAL DATA	Current F.Y. Total Cost:	\$9,689.69	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

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

8/12/09 11:08:32

Prev. Agn. Ref.: _____ **District:** 3 **Agenda Number:** _____

9.16

BOARD OF SUPERVISORS

Form 11:

Page 2

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

- 1) Claim from Mary Kelly based on a Grant Deed recorded May 29, 1981 as Instrument No. 98399 and the Dissolution of Marriage filed March 24, 1986.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Mary Kelly be awarded excess proceeds in the amount of \$9,689.69. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.