

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

108A



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

**SUBMITTAL DATE:**  
JUL 21 2009

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 174, Item 270.  
Last assessed to: Jerrel Dean Smith and James Crawford, as joint tenants


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

- 1) Approve the claim from Global Discoveries, Ltd., assignee for Abdullah Salaam, AKA Claude Edward Crawford, heir to last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 668390058-9;
- 2) Approve the claim from Global Discoveries, Ltd., assignee for May K. Crawford, heir to last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 668390058-9;

**(Continued on Page 2)**

**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)

  
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Don Kent, Treasurer/Tax Collector

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$19,279.81	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**

Dep't Recomm.:  Consent  Policy

Per Exec. Ofc.:  Consent  Policy

**Prev. Agn. Ref.:**

**District: 5**

**Agenda Number:**

**9.21**

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 7/21/09  
DATE

Departmental Concurrence

100-216-3 UN 8:30

BOARD OF SUPERVISORS

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**RECOMMENDED MOTION:** (Continued)

- 3) Deny the claim from Excess Proceeds Services LLC AKA the Law Offices of Philip A. Putman, assignee for Jimmie Earl Smith, Carl Smith and Robert F. Smith;
- 4) Authorize and direct the Auditor-Controller to issue warrants to Global Discoveries, Ltd., assignee for Abdullah Salaam, AKA Claude Edward Crawford in the amount of \$9,639.91 and Global Discoveries, Ltd., assignee for May K. Crawford in the amount of \$9,639.90, 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 three claims for excess proceeds:

- 1) Claim from Global Discoveries, Ltd., assignee for Abdullah Salaam, AKA Claude Edward Crawford based on an Assignment of Right to Collect Excess Proceeds dated January 3, 2007, a Grant Deed recorded July 10, 1980 as Instrument No. 124869, an Affidavit-Death of Joint Tenant recorded October 26, 1990 as Instrument No. 394356, an Affidavit for Collection of Personal Property Under California Probate Code 13101 and the death certificates of Ben Crawford, Jerrel Dean Smith and James Edward Crawford.
- 2) Claim from Global Discoveries, Ltd., assignee for May K. Crawford based on an Assignment of Right to Collect Excess Proceeds dated December 29, 2006, a Grant Deed recorded July 10, 1980 as Instrument No. 124869, an Affidavit-Death of Joint Tenant recorded October 26, 1990 as Instrument No. 394356, an Affidavit for Collection of Personal Property Under California Probate Code 13101 and the death certificates of Ben Crawford, Jerrel Dean Smith and James Edward Crawford.
- 3) Claim from Excess Proceeds Services LLC AKA the Law Offices of Philip A. Putman, assignee for Jimmie Earl Smith, Carl Smith and Robert F. Smith based on an Assignment of Rights to Claim Excess Proceeds from Sale of Tax Deeded Property dated April 18, 2006, February 13, 2006 and March 31, 2006, Affidavit's Section 13101-Probate Code and the death certificates of Jerrel Dean Smith and James Crawford.

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 Abdullah Salaam, AKA Claude Edward Crawford be awarded excess proceeds in the amount of \$9,639.91 and Global Discoveries, Ltd., assignee for May K. Crawford in the amount of \$9,639.90. The claim from Excess Proceeds Services LLC AKA the Law Offices of Philip A. Putman, assignee for Jimmie Earl Smith, Carl Smith and Robert F. Smith be denied since upon Jerrel Dean Smith's death on April 10, 1997 all interest in the property transferred to James Crawford since the property was held in joint tenancy. 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.