

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

130A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUL 24 2009

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Item 225.
Last assessed to: Prodigy Investments, LLC.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Prodigy Investments, LLC, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 441623009-7;
- 2) Deny the claim from Dennis Troesh;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Prodigy Investments, LLC in the amount of \$3,038.61, 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)

Don Kent, Treasurer/Tax Collector

FORM APPROVED COUNTY COUNSEL

BY: Nancy G. Gardner 7/24/09
DALE A. GARDNER DATE

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$3,038.61	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

Dept't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

SEARCHED -3 JUL 28 2009

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

9.40

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claim from Prodigy Investments, LLC based on a Grant Deed recorded March 8, 2006 as Instrument No. 2006-0167764.
- 2) Claim from Dennis Troesh based on an Abstract of Judgment recorded June 20, 1990 as Instrument No. 228165 and re-recorded June 14, 1999 as Instrument No. 260729.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Prodigy Investments, LLC be awarded excess proceeds in the amount of \$3,038.61. The claim from Dennis Troesh be denied since the Abstract of Judgment filed was not against our last assessee. 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.