

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

127A



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

**SUBMITTAL DATE:**  
**JUL 24 2009**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Items 243 and 244.  
Last assessed to: Frank Maples and Rose Maples, husband and wife.

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

- 1) Approve the claims from David S. Halper DBA Timezone, agent for Gail D. Saragosa, Nickie Comstock and Tammy Maples-Anderson, heirs to Frank Maples and Rose Maples, last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcels 525 051010-3 and 525051027-9;

**(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 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: Dale A. Gardner DATE: 7/24/09

Departmental Concurrence

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$19,749.00	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:**

**9.43**

BOARD OF SUPERVISORS

Form 11:

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**RECOMMENDED MOTION:** (Continued)

- 2) Authorize and direct the Auditor-Controller to issue warrants to David S. Halper DBA Timezone, agent for Gail D. Saragosa in the amount of \$6,583.00, David S. Halper DBA Timezone, agent for Nickie Comstock in the amount of \$6,583.00 and David S. Halper DBA Timezone, agent for Tammy Maples-Anderson in the amount of \$6,583.00, 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) Claims from David S. Halper DBA Timezone, agent for Gail D. Saragosa based on an Agent Agreement/Authority to Act dated February 20, 2007, a Corporation Grant Deed recorded May 14, 1970 as Instrument No. 45312, Declaration's under Probate Code Section 13101 and the death certificate's of Frank Bell Maples and Lila Rose Maples.
- 2) Claims from David S. Halper DBA Timezone, agent for Nickie Comstock based on an Agent Agreement/Authority to Act dated April 16, 2006 and February 1, 2007 and April 18, 2007, a Corporation Grant Deed recorded May 14, 1970 as Instrument No. 45312, Declaration's under Probate Code Section 13101 and the death certificate's of Frank Bell Maples and Lila Rose Maples.
- 3) Claims from David S. Halper DBA Timezone, agent for Tammy Maples-Anderson based on an Agent Agreement/Authority to Act dated December 19, 2006, a Corporation Grant Deed recorded May 14, 1970 as Instrument No. 45312, Declaration's under Probate Code Section 13101 and the death certificate's of Frank Bell Maples and Lila Rose Maples.

Pursuant to Section 4675 (a) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that David S. Halper DBA Timezone, agent for Gail D. Saragosa be awarded excess proceeds in the amount of \$6,583.00, David S. Halper DBA Timezone, agent for Nickie Comstock be awarded excess proceeds in the amount of \$6,583.00 and David S. Halper DBA Timezone, agent for Tammy Maples-Anderson be awarded excess proceeds in the amount of \$6,583.00. 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.

EP176	Item 243	\$ 11,874.50
EP176	Item 244	\$ 7,874.50
<b>TOTAL</b>		<b>\$19,749.00</b>