

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

123A



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

**SUBMITTAL DATE:**

**JUL 30 2009**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Items 437 through 438. Last assessed to: Odis Orbra Crabtree as Trustee of the Odis Orbra Crabtree Living Trust dated.

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

- 1) Approve the claims from Nationwide Asset Recovery Services, agent for Ruth Potts, Successor Trustee of the Odis Orbra Crabtree Living Trust for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcels 721262025-3 and 721262026-4;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Nationwide Asset Recovery Services, agent for Ruth Potts, Successor Trustee of the Odis Orbra Crabtree Living Trust in the amount of \$41,287.90, 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.

**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

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$41,287.90	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**

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner  
DATE: 7/30/09  
Departmental Concurrence

Dep't Recomm.:  Consent  Policy

Per Exec. Ofc.:  Consent  Policy

**Prev. Agn. Ref.:**

**District: 4**

**Agenda Number:**

**9.47**

BOARD OF SUPERVISORS

Form 11:

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

- 1) Claims from Nationwide Asset Recovery Services, agent for Ruth Potts, Successor Trustee of the Odis Orbra Crabtree Living Trust based on an Authorization for Agent to Collect Excess Proceeds dated October 31, 2006, a Quitclaim Deed recorded August 9, 1996 as Instrument No. 299448, a Lost Trust and Successor Trustee Declaration, a Declaration Pursuant to Probate Code 13100 and the death certificate of Odis Orbra Crabtree.

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 Ruth Potts, Successor Trustee of the Odis Orbra Crabtree Living Trust be awarded excess proceeds in the amount of \$41,287.90. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.

EP176	Item 437	\$22,277.70
EP176	Item 438	<u>\$19,010.20</u>
<b>TOTAL</b>		<b>\$41,287.90</b>