

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

119A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
AUG - 6 2009

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Item 494.
Last assessed to: Marvin Duane McCune, single and Waltraud McCune, UKA Melodie McCune.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Craland Properties, Inc., agent for Waltraud McCune uka Melodie McCune, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 821080016-4;
- 2) Deny the claim from Myron Rolf Hagen;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Craland Properties, Inc., agent for Waltraud McCune in the amount of \$20,398.32, 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)

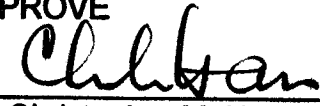

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FINANCIAL DATA	Current F.Y. Total Cost:	\$20,398.32	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	2009-10

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: 

County Executive Office Signature Christopher M. Hans

FORM-APPROVED COUNTY COUNSEL

BY: Dale A. Gardner 8/6/09
DALE A. GARDNER DATE

Departmental Concurrence

Dept't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | District: 4 | Agenda Number:

9.51

BOARD OF SUPERVISORS

Form 11:

Page 2

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

- 1) Claim from Craland Properties, Inc., agent for Waltraud McCune based on an Authorization for Agent to Collect Excess Proceeds dated March 22, 2007, a Warranty Deed recorded April 7, 1953 as Instrument No. 16700, an Order Assigning Estate filed April 14, 1964, a Decree Settling First and Final Account and Report of Executor, Allowing Ordinary and Extraordinary Compensation to Executor and Attorney and Making Final Distribution Under Will recorded June 26, 1967 as Instrument No. 55149 and the death certificates of Marvin Duane McCune and Hedy Elisabeth McCune.
- 2) Claim from Myron Rolf Hagen.

Pursuant to Section 4675 (a) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that Craland Properties, Inc., agent for Waltraud McCune be awarded excess proceeds in the amount of \$20,398.32. The claim from Myron Rolf Hagen be denied since he was unable to substantiate his claim. 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.