

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



117A

FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

JUL - 8 2009

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Item 506.
Last assessed to: Herman Goldberg a single man, and Philip B. Stapp, a married man.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Timezone, agent for Selma T. Goldberg, surviving spouse of Herman Goldberg, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 859120013-9;
- 2) Approve the claim from Global Discoveries, Ltd., assignee for Sue Carney Way, heir to Philip B. Stapp, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 859120013-9;

(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.

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Don Kent, Treasurer/Tax Collector

FORM APPROVED, COUNTY COUNSEL
BY: DALE A. GARDNER 7/8/09 DATE: 7/8/09
Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$21,426.05	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

Consent Policy
 Consent Policy
 Dept Recomm.: Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 4

Agenda Number:

9.53

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue warrants to Timezone, agent for Selma T. Goldberg in the amount of \$10,713.03 and Global Discoveries, Ltd., assignee for Sue Carney Way in the amount of \$10,713.02, 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.

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

- 1) Claim from Timezone, agent for Selma T. Goldberg based on an Agent Agreement/Authority to Act dated May 9, 2006, a Deed recorded July 17, 1931 as Book No. 29 and Page No. 594, a Declaration Under Probate Code Section 13101 and the death certificate of Herman J. Goldberg.
- 2) Claim from Global Discoveries, Ltd., assignee for Sue Carney Way based on an Assignment of Right to Collect Excess Proceeds dated May 3, 2007, a Deed recorded July 17, 1931 as Book No. 29 and Page No. 594, an Affidavit Under California Probate Code Section 13101, the Last Will and Testament of Jane M. Stapp dated November 4, 1983 and the death certificates of Philip Braun Stapp and Jane McVey Stapp.

Pursuant to Section 4675 (a) & (b) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that Timezone, agent for Selma T. Goldberg be awarded excess proceeds in the amount of \$10,713.03 and Global Discoveries, Ltd., assignee for Sue Carney Way be awarded excess proceeds in the amount of \$10,713.02. 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.