

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

956 A



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

**SUBMITTAL DATE:**  
MAY 11 2010

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 177, Item 317.  
Last assessed to: Jacqueline Michele Ellman, an unmarried woman as to an undivided 1/2 interest and N. E. Fadhl, an unmarried woman as to an undivided 1/2 interest.


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

- 1) Approve the claim from First American Title Insurance Company, assignee for Jacqueline Michele Ellman, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 812141001-2;
- 2) Approve the claim from Nancy Fadhl AKA N.E. Fadhl, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 812141001-2;

**(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 12, 2007 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 2007. 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 4, 2007, 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:	\$29,774.29	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**

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

**Prev. Agn. Ref.:**

**District: 4**

**Agenda Number:**

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

9.23

FORM APPROVED COUNTY COUNSEL

BY:  DATE: 5/11/10  
DALE A. GARDNER

Departmental Concurrence

BOARD OF SUPERVISORS

Form 11:

Page 2

**RECOMMENDED MOTION:** (Continued)

- 3) Deny the claim from Jacqueline Michele Ellman, last assessee;
- 4) Authorize and direct the Auditor-Controller to issue warrants to First American Title Insurance Company, assignee for Jacqueline Michele Ellman in the amount of \$14,887.15 and Nancy Fadhl AKA N.E. Fadhl in the amount of \$14,887.14, 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) Claim from First American Title Insurance Company, assignee for Jacqueline Michele Ellman based on an Assignment of Right to Collect Excess Proceeds dated March 31, 2008 and a Quitclaim Deed recorded March 7, 2007 as Instrument No. 2007-0157119.
- 2) Claim from Nancy Fadhl AKA N.E. Fadhl based on a Quitclaim Deed recorded March 7, 2007 as Instrument No. 2007-0157119.
- 3) Claim from Jacqueline Michele Ellman based on a Quitclaim Deed recorded March 7, 2007 as Instrument No. 2007-0157119.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that First American Title Insurance Company, assignee for Jacqueline Michele Ellman be awarded excess proceeds in the amount of \$14,887.15 and Nancy Fadhl AKA N.E. Fadhl be awarded excess proceeds in the amount of \$14,887.14. The claim from Jacqueline Michele Ellman be denied since she had assigned her right to file a claim to First American Title Insurance Company. 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.