

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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

JUN 23 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 171, Item 721.
Last assessed to: Francis Sherman Allen Trust, Francis Sherman Allen, Trustee.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Nationwide Asset Recovery Services, agent for Christina K. Cantrell, surviving spouse of Francis Sherman Allen, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 663161006-9;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Nationwide Asset Recovery Services, agent for Christina K. Cantrell in the amount of \$35,976.64, 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: (Continued on page two)




 Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$35,976.64	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010-11

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

FORM APPROVED COUNTY COUNSEL
 BY: Dale A. Gardner 6/23/10
 DATE: 6/23/10
 Departmental Concurrence

Consent Policy
 Consent Policy

Dept's Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: **District:** 5 **Agenda Number:**

ATTACHMENTS FILED
 WITH THE CLERK OF THE BOARD

9.16

BOARD OF SUPERVISORS

Form 11:

Page 2

BACKGROUND: (Continued)

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 21, 2005 public auction sale. The deed conveying title to the purchasers at the auction was recorded April 22, 2005. 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 14, 2005, 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.

The Treasurer-Tax Collector has received one claim for excess proceeds:

- 1) Claim from Nationwide Asset Recovery Services, agent for Christina K. Cantrell based on an Authorization for Agent to Collect Excess Proceeds dated July 30, 2005, a Grant Deed recorded April 6, 1994 as Instrument No. 143718 and a Declaration Pursuant to Probate Code 13100.

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 Christina K. Cantrell be awarded excess proceeds in the amount of \$35,976.64. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.