

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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUN 21 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 171, Item 753.
Last assessed to: Beamish and Diggins, a co-partnership.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries, Ltd., assignee for Ruth Beamish for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 723141003-3;
- 2) Deny the claim from Vincent Asset Management, Power of Attorney for Cheryl L. Lessin;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., assignee for Ruth Beamish in the amount of \$33,439.29, 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: | \$ 33,439.29 | In Current Year Budget: | NO |
| | Current F.Y. Net County Cost: | \$ | Budget Adjustment: | N/A |
| | Annual Net County Cost: | \$ | 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 

County Executive Office Signature Christopher M. Hans

FORM APPROVED BY COUNTY COUNSEL
BY  6/21/10
DALE A. GARDNER DATE
Departmental Concurrence

Consent Policy
 Consent Policy

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

Prev. Agn. Ref.:

District: 4

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.18

BOARD OF SUPERVISORS

Form 11:

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Background: (Continued)

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 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 two claims for excess proceeds:

- 1) Claim from Global Discoveries, Ltd. assignee for Ruth Beamish based on an Assignment of Right to Collect Excess Proceeds dated October 19, 2005, a Corporation Grant Deed recorded February 28, 1963 as Instrument No. 20287, a Declaration, an Affidavit for Collection of Personal Property under California Probate Code 13100-13106 and the death certificate of Richard Wallace Beamish.
- 2) Claim from Vincent Asset Management based on a Power of Attorney Limited dated April 19, 2006 and death certificate for Kenneth Ray Baker.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd. assignee for Ruth Beamish be awarded excess proceeds in the amount of \$33,439.29. The claim from Vincent Asset Management is 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.