

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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
MAY 27 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 174, Item 119.
Last assessed to: Hermosa Construction Corporation, a California Corporation.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries, Ltd., assignee for Hermosa Construction Corporation, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 441391009-1;
- 2) Deny the claim from Robert M. Binam;

(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 November 7, 2005 public auction sale. The deed conveying title to the purchasers at the auction was recorded January 9, 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 January 30, 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)




Don Kent, Treasurer/Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$3,836.19	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

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

Prev. Agn. Ref.:

District: 3

Agenda Number:

9.23

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FORM APPROVED COUNTY COUNSEL
BY:  5/27/10
DALEA GARDNER DATE

Departmental Concurrence

BOARD OF SUPERVISORS

Form 11:

Page 2

RECOMMENDED MOTION: (Continued)

- 3) Deny the claim from Dennis Troesh;
- 4) Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., assignee for Hermosa Construction Corporation in the amount of \$3,836.19, 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 three claims for excess proceeds:

- 1) Claim from Global Discoveries, Ltd., assignee for Hermosa Construction Corporation based on an Assignment of Right to Collect Excess Proceeds dated November 15, 2006 and a Quitclaim Deed recorded November 18, 1980 as Instrument No. 216288.
- 2) Claim from Robert M. Binam based on an Abstract of Judgment recorded June 14, 1999 as Instrument No. 260729
- 3) Claim from Dennis Troesh based on an Abstract of Judgment recorded June 14, 1999 as Instrument No. 260729.

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 Hermosa Construction Corporation be awarded excess proceeds in the amount of \$3,836.19. The claims from Robert M. Binam and Dennis Troesh be denied since the Abstract of Judgment is not filed against our last assessee. 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.