

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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUN 24 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 174, Item 142.
Last assessed to: Lura Harlan Jones, formerly Lura Harlan K. Dunbar.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Deny the claim from the Law Offices of Philip A. Putman, assignee for Carmelita Kelley, for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 526050002-0;
- 2) Deny the claim, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court.

BACKGROUND: (Continued on page two)

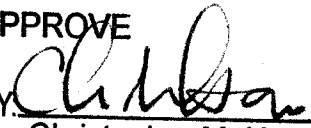


Don Kent, Treasurer-Tax Collector

FORM APPROVED COUNTY COUNSEL
BY DALE A. GARDNER DATE 6/24/10
Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	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:	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's Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: **ATTACHMENTS FILED** **Agenda Number:**
WITH THE CLERK OF THE BOARD

9.24

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 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.

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

- 1) Claim from the Law Offices of Philip A. Putman, assignee for Carmelita Kelley based on an Assignment of Right to Collect Excess Proceeds dated April 23, 2007, a Grant Deed recorded May 23, 1974 as Instrument No.'s 62487, 62488, 62489, 62490, 62491, 62492 & 62493, an Affidavit Section 13101-Probate Code and the death certificate of Harlan Thomas Kelley.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that the Law Offices of Philip A. Putman, assignee for Carmelita Kelley be denied since they were unable to substantiate their claim. Since there are no other claimants the excess proceeds in the amount of \$9,297.97 will remain unclaimed. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.