

**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 265.
Last assessed to: Willidean Waterman, a married woman as her sole and separate property.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Nationwide Asset Recovery Services, agent for Richard Carpenter, Diane Carpenter, S.P. Carpenter AKA Stephen P. Carpenter and Rebeka Carpenter for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 667221019-3;
- 2) Deny the claim from Willidean Waterman;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Nationwide Asset Recovery Services, agent for Richard Carpenter, Diane Carpenter, S.P. Carpenter AKA Stephen P. Carpenter and Rebeka Carpenter in the amount of \$10,014.53, 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:	\$10,014.53	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 6/24/10
DATE: 6/24/10
Departmental Concurrence

Consent
 Policy
 Consent
 Policy

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

Prev. Agn. Ref.:

District: 5
ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

Agenda Number:

9.26

BOARD OF SUPERVISORS

Form 11:

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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 two claims for excess proceeds:

- 1) Claim from Nationwide Asset Recovery Services, agent for Richard Carpenter, Diane Carpenter, S.P. Carpenter AKA Stephen P. Carpenter and Rebeka Carpenter based on an Authorization for Agent to Collect Excess Proceeds dated January 28, 2006 and January 30, 2006, a Deed of Trust and Assignment of Rents recorded March 1, 1988 as Instrument No. 54069 and a Lost Instrument Declaration dated December 30, 2006 and January 20, 2007.
- 2) Claim from Willidean Waterman based upon an Individual Grant Deed recorded July 1, 1991 as Instrument No. 223467.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Nationwide Asset Recovery Services, agent for Richard Carpenter, Diane Carpenter, S.P. Carpenter AKA Stephen P. Carpenter and Rebeka Carpenter be awarded excess proceeds in the amount of \$10,014.53. The claim from Willidean Waterman be denied since the claim from Nationwide Asset Recovery Services, agent for Richard Carpenter, Diane Carpenter, S.P. Carpenter AKA Stephen P. Carpenter and Rebeka Carpenter exceeded the amount of excess proceeds available. 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.