

**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. 176, Item 88.
Last assessed to: Caroline Buban, a single woman.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Louis Buban, surviving sibling of Caroline Buban, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 350122006-1;
- 2) Approve the claim from Rosemary Komperda, surviving sibling of Caroline Buban, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 350122006-1;

(Continued on Page 2)

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:	\$24,021.98	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

Consent Policy
 Consent Policy

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

Prev. Agn. Ref.:

District: 3

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.27

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 3) Approve the claims from Michael Buban, Mark Buban, Jennifer Buban, Janet De La Fuente, Daniel Buban, David Buban heirs to Caroline Buban, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 350122006-1;
- 4) Authorize and direct the Auditor-Controller to issue warrants to Louis Buban in the amount of \$8,007.33, Rosemary Komperda in the amount of \$8,007.33, Michael Buban in the amount of \$1,334.55, Mark Buban in the amount of \$1,334.55, Jennifer Buban in the amount of \$1,334.55, Janet De La Fuente in the amount of \$1,334.55, Daniel Buban in the amount of \$1,334.56 and David Buban in the amount of \$1,334.56, 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)

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 13, 2006 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 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 June 5, 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 eight claims for excess proceeds:

- 1) Claim from Louis Buban based on a Grant Deed recorded June 2, 1981 as Instrument No. 100526, an Affidavit under California Probate Code Section 13101, a Small Estate Affidavit and the death certificates of Caroline A. Buban, Margaret A. Ezerski and John A. Buban.
- 2) Claim from Rosemary Komperda based on a Grant Deed recorded June 2, 1981 as Instrument No. 100526, an Affidavit under California Probate Code Section 13101, a Small Estate Affidavit and the death certificates of Caroline A. Buban, Margaret A. Ezerski and John A. Buban.
- 3) Claims from Michael Buban, Mark Buban, Jennifer Buban, Janet De La Fuente, Daniel Buban and David Buban based on a Grant Deed recorded June 2, 1981 as Instrument No. 100526, an Affidavit under California Probate Code Section 13101, a Small Estate Affidavit dated and the death certificates of Caroline A. Buban, Margaret A. Ezerski and John A. Buban.

Pursuant to Section 4675 (a) & (f) of the California Revenue and Taxation Code, it is the recommendation of this office that Louis Buban be awarded excess proceeds in the amount of \$8,007.33, Rosemary Komperda be awarded excess proceeds in the amount of \$8,007.33, Michael Buban be awarded excess proceeds in the amount of \$1,334.55, Mark Buban be awarded excess proceeds in the amount of \$1,334.55, Jennifer Buban be awarded excess proceeds in the amount of \$1,334.55, Janet De La Fuente be awarded excess proceeds in the amount of \$1,334.55, Daniel Buban be awarded excess proceeds in the amount of \$1,334.56 and David Buban be awarded excess proceeds in the amount of \$1,334.56. Since there are no other claimants the excess proceeds in the amount of \$8,007.32 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 claimants by certified mail.