

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



**FROM:** Don Kent, Treasurer/Tax Collector

**SUBMITTAL DATE:**  
**JUN 23 2010**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Item 255.  
Last assessed to: Gary Foster Thayer, Sr. an Unmarried Man.

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Approve the claim from Gary F. Thayer AKA Gary Foster Thayer, Sr., last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 528132003-8;
- 2) Deny the claim from M.J.R. Holdings Inc.;
- 3) Authorize and direct the Auditor-Controller to issue a warrant to Gary F. Thayer AKA Gary Foster Thayer, Sr. in the amount of \$14,674.00, 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)

  
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Don Kent, Treasurer-Tax Collector

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$14,674.00	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

<b>SOURCE OF FUNDS:</b> Fund 65595 Excess Proceeds from Tax Sale	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY: 

**County Executive Office Signature** Christopher M. Hans

APPROVED COUNTY COUNSEL  
DATE 6/23/10  
Departmental Concurrence  
SALE A. GARDNER

Consent     Policy  
 Consent     Policy

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

**Prev. Agn. Ref.:** ATTACHED DISTRICT 15 **Agenda Number:** WITH THE CLERK OF THE BOARD

**9.30**

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 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.

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The Treasurer-Tax Collector has received two claims for excess proceeds:

- 1) Claim from Gary F. Thayer AKA Gary Foster Thayer, Sr. based on a Corporation Grant Deed recorded June 2, 1992 as Instrument No. 200926.
- 2) Claim from M.J.R. Holdings Inc. based on a Short Form Deed of Trust and Assignment of Rents recorded June 2, 1992 as Instrument No. 200927.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Gary F. Thayer AKA Gary Foster Thayer, Sr. be awarded excess proceeds in the amount of \$14,674.00. The claim from M.J.R. Holdings Inc. be denied since they were unable to substantiate their 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.