

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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUL 12 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Item 259.
Last assessed to: Charles S. Hedges, Marcella Ruth Rauch, Mary M. Lockwood and Ernest Junior Smith;
(Continued on Page 2)

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Craland Properties, Inc., agent for Mary M. Lockwood, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 528182040-6;
- 2) Approve the claim from Craland Properties, Inc., agent for Ernest Junior Smith, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 528182040-6;

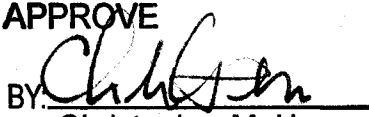
(Continued on Page 2)

BACKGROUND: (Continued on page two)


Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$1,691.62	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: 5** | **Agenda Number:**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.31

FORM APPROVED COUNTY COUNSEL
 BY: Dale A. Gardner 7/12/10
 DATE
 Departmental Concurrence

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SUBJECT: (Continued)

David R. Rich, Douglas James Rich, Martha E. Tilton Brooks, Elizabeth Tilton Hoffine, Margaret Schiffert Fairchild and Phillip Warren Schiffert, Elizabeth Tilton Demaree, Charles L. Tilton, Teresa Tilton, W. Robert Alderson, Jr., Alan F. Alderson and Ralph C. Alderson; Susan Pate Fisher, Kenneth Leroy Pate, Allen Edmond Pate and Von Eric Harbert; Joann Frances Ramsey Page, George Salem Ramsey, Audrey V. Ramsey, William Frederick Ramsey, David Spencer Hall, Karen Ramsey Maskasky, Kenneth John Ramsey, Donald Ray Ramsey and David Salem Ramsey.

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.

RECOMMENDED MOTION: (Continued)

- 3) Deny the claim from David Hall;
- 4) Deny the claim from Mary M. Lockwood;
- 5) Authorize and direct the Auditor-Controller to issue warrants to Craland Properties, Inc., agent for Mary M. Lockwood in the amount of \$845.81 and Craland Properties, Inc., agent for Ernest Junior Smith in the amount of \$845.81, 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 four claims for excess proceeds:

- 1) Claim from Craland Properties, Inc., agent for Mary M. Lockwood based on an Authorization for Agent to Collect Excess Proceeds dated January 31, 2007 and an Order Settling First and Final Account and Report of Administrator; for Final Distribution; for Administrator's Commissions; Attorneys' Fees and Extraordinary Attorneys' Fees recorded May 30, 2000 as Instrument No. 2000-204769.
- 2) Claim from Craland Properties, Inc., agent for Ernest Junior Smith based on an Authorization for Agent to Collect Excess Proceeds dated January 29, 2007 and an Order Settling First and Final Account and Report of Administrator; for Final Distribution; for Administrator's Commissions; Attorneys' Fees and Extraordinary Attorneys' Fees recorded May 30, 2000 as Instrument No. 2000-204769.
- 3) Claim from David Hall based on an Order Settling First and Final Account and Report of Administrator; for Final Distribution; for Administrator's Commissions; Attorneys' Fees and Extraordinary Attorneys' Fees recorded May 30, 2000 as Instrument No. 2000-204769.
- 4) Claim from Mary M. Lockwood based on an Order Settling First and Final Account and Report of Administrator; for Final Distribution; for Administrator's Commissions; Attorneys' Fees and Extraordinary Attorneys' Fees recorded May 30, 2000 as Instrument No. 2000-204769.

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Pursuant to Section 4675 (a) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that Craland Properties, Inc., agent for Mary M. Lockwood be awarded excess proceeds in the amount of \$845.81 and Craland Properties, Inc., agent for Ernest Junior Smith be awarded excess proceeds in the amount of \$845.81. The claim from David Hall be denied since he was not our last assessee. The claim from Mary M. Lockwood be denied since Mary M. Lockwood had assigned an agent Craland Properties, inc. to work on her behalf. Since there are no other claimants the excess proceeds in the amount of \$7,613.14 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.