

**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 374.  
Last assessed to: The Estate of Vern Elmore, Rose Barker and Maxine M. Jordan, as tenants in common.

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

- 1) Approve the claim from Rose Barker AKA Rose M. Barker and Maxine M. Jordan, last assessee's for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 663152007-2;
- 2) Authorize and direct the Auditor-Controller to issue warrants to Rose Barker AKA Rose M. Barker in the amount of \$23,935.07 and Maxine M. Jordan in the amount of \$23,935.06, 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

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$47,870.13	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: \_\_\_\_\_  
Christopher M. Hans

**County Executive Office Signature**

FORM APPROVED COUNTY COUNSEL  
 BY: DALE A. GARDNER DATE: 6/24/10  
 Department: Incurrence  
 Dept't Recomm.:  Consent  Policy  
 Per Exec. Ofc.:  Consent  Policy

**Prev. Agn. Ref.:**

**District: 5**

**Agenda Number:**

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

9.33

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 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 one claim for excess proceeds:

- 1) Claim from Rose Barker AKA Rose M. Barker and Maxine M. Jordan based on an Order Settling First and Final Account and Report of Administrator with the Will Annexed, Order for Allowance of Statutory Attorney Fees and Commissions and Order of Final Distribution recorded August 4, 1981 as Instrument No. 147501, an Affidavit under California Probate Code Section 13101 and the death certificate of Vern Edward Elmore.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Rose Barker AKA Rose M. Barker be awarded excess proceeds in the amount of \$23,935.07 and Maxine M. Jordan be awarded excess proceeds in the amount of \$23,935.06. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.