

**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. 177, Item 149.
Last assessed to: Richard W. Shelton, as surviving joint tenant.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries, Ltd., assignee for Ella Marie Zahn Phillips, heir to the Estate of Richard W. Shelton, last assessee, for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 375333001-9;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., assignee for Ella Marie Zahn Phillips, heir to the Estate of Richard W. Shelton in the amount of \$13,262.91, 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:	\$13,262.91	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 Wally A. Gardner 6/23/10
 DATE
 Departmental Concurrence
 DALE A. GARDNER
 Dept's Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

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 12, 2007 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 2007. 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 4, 2007, 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 one claim for excess proceeds:

- 1) Claim from Global Discoveries, Ltd., assignee for Ella Marie Zahn Phillips, heir to the Estate of Richard W. Shelton based on an Assignment of Right to Collect Excess Proceeds dated May 22, 2007, a Joint Tenancy Grant Deed recorded June 4, 1962 as Instrument No. 51841, an Affidavit-Death of Joint Tenant recorded April 7, 1983 as Instrument No. 65404, an Order Settling First and Final Account and Report of Administrator, Allowing Statutory Commissions and Fees, and Extraordinary Compensation, and for Distribution filed September 10, 2002 and the death certificates of Esther Gwendolyn Shelton and Richard Waddy Shelton, Jr.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., assignee for Ella Marie Zahn Phillips, heir to the Estate of Richard W. Shelton be awarded excess proceeds in the amount of \$13,262.91. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.