

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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUL 28 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 179, Item 196.
Last assessed to: Jose Alfonso Gutierrez M. a single man and Maria De Los Angeles Sanchez a single woman, as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Jose Alfonso Gutierrez AKA Jose Alfonso Gutierrez M. for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 656112025-2;
- 2) Approve the claim from Maria De Los Angeles Sanchez for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 656112025-2;

(Continued on Page 2)

BACKGROUND: (Continued on page two)



Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$20,840.64	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: Dale A. Gardner 7/28/10 DATE
Departmental Concurrence

Consent Policy
 Consent Policy

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

Prev. Agn. Ref. ATTACHMENTS FILED District: 5
WITH THE CLERK OF THE BOARD

Agenda Number:

9.79

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RECOMMENDED MOTION: (Continued)

- 3) Deny the claim from Budget National Finance Company;
- 4) Deny the claim from Ford Motor Credit Company;
- 5) Deny the claim from Freddy Blanco DBA Union Furniture;
- 6) Deny the claim from Ventura County, Department of Child Support Services;
- 7) Deny the claim from Harbor Specialty Insurance Company;
- 8) Deny the claim from the State of California, Franchise Tax Board;
- 9) Deny the claim from Riverside County, Department of Public Social Services;
- 10) Authorize and direct the Auditor-Controller to issue warrants to Jose Alfonso Gutierrez AKA Jose Alfonso Gutierrez M. in the amount of \$10,420.32 and Maria De Los Angeles Sanchez in the amount of \$10,420.32 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 17, 2008 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 12, 2008. 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 9, 2008, 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 nine claims for excess proceeds:

- 1) Claim from Jose Alfonso Gutierrez AKA Jose Alfonso Gutierrez M. based on a Grant Deed recorded February 24, 1997 as Instrument No. 059785.
- 2) Claim from Maria De Los Angeles Sanchez based on a Grant Deed recorded February 24, 1997 as Instrument No. 059785.
- 3) Claim from Budget National Finance Company based on an Abstract of Judgment recorded December 18, 2003 as Instrument No. 2003-986118.
- 4) Claim from Ford Motor Credit Company based on an Abstract of Judgment recorded September 29, 2004 as Instrument No. 2004-0770869.
- 5) Claim from Freddy Blanco DBA Union Furniture based on an Abstract of Judgment recorded February 3, 2005 as Instrument No. 2005-0098823.
- 6) Claim from Ventura County, Department of Child Support Services based on an Abstract of Support Judgment recorded April 5, 2005 as Instrument No. 2005-0266581.
- 7) Claim from Harbor Specialty Insurance Company based on an Abstract of Judgment recorded July 24, 2006 as Instrument No. 2006-0540417.
- 8) Claim from the State of California, Franchise Tax Board based on a Notice of State Tax Lien recorded September 14, 2006 as Instrument No. 2006-0680631 and a Certificate of Tax Due and Delinquency.
- 9) Claim from Riverside County, Department of Public Social Services based on an Abstract of Judgment recorded December 11, 2006 as Instrument No. 2006-0906757.

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Pursuant to Section 4675 (a) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that Jose Alfonso Gutierrez AKA Jose Alfonso Gutierrez M. be awarded excess proceeds in the amount of \$10,420.32 and Maria De Los Angeles Sanchez be awarded excess proceeds in the amount of \$10,420.32. The claims from Budget National Finance Company, Ford Motor Credit Company, Freddy Blanco DBA Union Furniture, Ventura County, Department of Child Support Services, Harbor Specialty Insurance Company, the State of California, Franchise Tax Board and Riverside County, Department of Public Social Services be denied since the claims filed were not associated with our last assesses. 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.