

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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
AUG 02 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 179, Item 253.
Last assessed to: Edward R. Davis and Agnes M. Davis, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Wayne Davis AKA Wayne Edward Davis, Executor to the Estate of Reginald Edward Clarence Davis AKA Edward R. Davis, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 821239005-4;

BACKGROUND: (Continued on page two)

FORM APPROVED COUNTY COUNSEL
BY Dale A. Gardner DATE 8/2/10
DALE A. GARDNER Departmental Conference



Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$10,835.84	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

Dep't Recomm.:
 Per Exec. Ofc.:

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 2) Deny the claim from Corinne Koftinoff;
- 3) Deny the claim from Sharon Baillie;
- 4) Authorize and direct the Auditor-Controller to issue a warrant to Wayne Davis AKA Wayne Edward Davis, Executor to the Estate of Reginald Edward Clarence Davis AKA Edward R. Davis in the amount of \$10,835.84 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 three claims for excess proceeds:

- 1) Claim from Wayne Davis AKA Wayne Edward Davis, Executor to the Estate of Reginald Edward Clarence Davis AKA Edward R. Davis based on a Grant Deed recorded July 31, 1997 as Instrument No. 270229, the Last Will and Testament of Reginald Edward Clarence Davis and Agnes Mary Davis and the death certificates of Agnes Mary Davis and Reginald Edward Davis.
- 2) Claims from Corinne Koftinoff and Sharon Baillie based on a Grant Deed recorded July 31, 1997 as Instrument No. 270229, the Last Will and Testament of Reginald Edward Clarence Davis and Agnes Mary Davis and the death certificates of Agnes Mary Davis and Reginald Edward Davis.

Pursuant to Section 4675 (a) & (f) of the California Revenue and Taxation Code, it is the recommendation of this office that Wayne Davis AKA Wayne Edward Davis, Executor to the Estate of Reginald Edward Clarence Davis AKA Edward R. Davis be awarded excess proceeds in the amount of \$10,835.84. The claims from Corinne Koftinoff and Sharon Baillie 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.