

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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:


AUG 11 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 182, Item 23.
Last assessed to: The Estate of Jimmy Ray Nichols.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from the State of California, Department of Health Care Services for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 225071014-6;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to the State of California, Department of Health Care Services in the amount of \$81,486.05, 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

FORM APPROVED COUNTY COUNSEL
BY: DALE A. GARDNER DATE: 8/11/10
Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$81,486.05	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
Christopher M. Hans

County Executive Office Signature

- Policy
- Consent
- Policy
- Consent

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

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD
Prev. Agn. Ref. | District: 2

Agenda Number:

9.90

BOARD OF SUPERVISORS

Form 11:

Page 2

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 16, 2009 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 5, 2009. 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, 2009, 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 the State of California, Department of Health Care Services based on a Creditor's Claim filed October 3, 2005.

Pursuant to Section 4675 (a) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that the State of California, Department of Health Care Services be awarded excess proceeds in the amount of \$81,486.05. Since there are no other claimants the excess proceeds in the amount of \$16,567.91 will remain unclaimed. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.