

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

124A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

AUG 06 2012

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 182, Item 283.
Last assessed to: Security Title Ins Co.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Deny the claim from Craig Hardwick, attorney for JP Morgan Chase Bank, N.A. for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 658160025-5;
- 2) Deny the claim, 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:	\$ 0.00	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$ 0.00	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0.00	For Fiscal Year:	2012-13

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:
Karen L. Johnson

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 8/6/12
DALE A. GARDNER
DATE
Departmental Concurrence

Policy
 Consent
 Policy
 Consent

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

Prev. Agn. Ref.: | District: 4/4 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.25

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 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 Craig Hardwick, attorney for JP Morgan Chase Bank, N.A., based on a Deed of Trust recorded June 22, 1993 as Instrument No. 1993-236998, an Assignment of Deed of Trust recorded June 22, 1993 as Instrument No. 1993-236999 and a Letter dated June 4, 2012 withdrawing their claim.

Pursuant to Section 4675 (e) of the California Revenue and Taxation Code, it is the recommendation of this office that Craig Hardwick, attorney for JP Morgan Chase Bank, N.A., be denied, since they were not a party of interest at time of the sale and we received a letter dated June 4, 2012 withdrawing their claim. Since there are no other claimants the excess proceeds in the amount of \$8,338.12 will remain unclaimed. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.