

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

121A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

AUG 09 2012

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 182, Item 333.
Last assessed to: Sondra A. Levy and Jack Levy, Trustee or successor in Trust, under the Jack Levy Trust dated September 25, 2007.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from the State of California, Franchise Tax Board for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 908220054-4;
- 2) Approve the claim from Arash Khakshooy, Attorney for Easy Loan Corp. for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 908220054-4;

BACKGROUND: (Continued on page two)


Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 78,714.23	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: 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: 
Karen L. Johnson

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL

BY:  JALE A. GARDNER DATE: 8/9/12

Departmental Concurrence

Consent Policy
 Consent Policy

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

Prev. Agn. Ref.: **District:** 3/3 **Agenda Number:**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.28

BOARD OF SUPERVISORS

Form 11:

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(Continued)

- 3) Approve the claim from U.S. Financial Funding, LLC, Power of Attorney for Sondra A. Levy AKA Sondra Levy, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 908220054-4;
- 4) Approve the claim from Global Discoveries, Ltd., assignee for Ruth Kirschner, Successor Trustee of The Jack Levy Trust dated September 25, 2007 for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 908220054-4;
- 5) Authorize and direct the Auditor-Controller to issue warrants to the State of California, Franchise Tax Board in the amount of \$1,387.59, Easy Loan Corp. in the amount of \$16,061.94, U.S. Financial Funding, LLC, Power of Attorney for Sondra A. Levy in the amount of \$23,295.18 and Global Discoveries, Ltd., assignee for Ruth Kirschner, Successor Trustee of The Jack Levy Trust dated September 25, 2007 in the amount of \$37,969.52, 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 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 four claims for excess proceeds:

- 1) Claim from the State of California, Franchise Tax Board based on a Notice of State Tax Lien recorded December 14, 2005 as Instrument No. 2005-1031501.
- 2) Claim from Arash Khakshooy, Attorney for Easy Loan Corp. based on an Abstract of Judgment recorded May 1, 2007 as Instrument No. 2007-0290763.
- 3) Claim from U.S. Financial Funding, LLC, Power of Attorney for Sondra A. Levy AKA Sondra Levy based on an Assignment of Right to Collect Excess Proceeds dated March 1, 2010; a Grant Deed recorded February 8, 1991 as Instrument No. 46045; the death certificate of Jack Levy and a Special and Limited Power of Attorney dated September 10, 2010.
- 4) Claim from Global Discoveries, Ltd., assignee for Ruth Kirschner, Successor Trustee of The Jack Levy Trust dated September 25, 2007 based on an Assignment of Right to Collect Excess Proceeds dated July 23, 2009, a Quitclaim Deed recorded October 15, 2007 as Instrument No. 2007-0638143, the death certificate of Jack Levy, a Certification of Trustees under Trust and Declaration of Trustee dated July 23, 2009 and a Certification of Trust Agreement dated September 25, 2007.

Pursuant to Section 4675 (a) & (b) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that the State of California, Franchise Tax Board be awarded excess proceeds in the amount of \$1,387.59, Easy Loan Corp. be awarded excess proceeds in the amount of \$16,061.94, U.S. Financial Funding, LLC, Power of Attorney for Sondra A. Levy AKA Sondra Levy be awarded excess proceeds in the amount of \$23,295.18 and Global Discoveries, Ltd, assignee for Ruth Kirschner, Successor Trustee of The Jack Levy Trust dated September 25, 2007 be awarded excess proceeds in the amount of \$37,969.52. 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.