

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

117A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

AUG 09 2012

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 189, Item 218.
Last assessed to: Lucy E. Ketch.

RECOMMENDED MOTION: That the Board of Supervisors:


- 1) Approve the claim from Meridian Financial, agent for Joan Sennett, Executor to the Estate of Lucy E. Ketch, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 377243011-4;
- 2) Deny the claim from Donald Ketch AKA Donald Lee Ketch;

BACKGROUND: (Continued on page two)


Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 25,078.05	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: Dale A. Gardner 8/9/12
DATE: 8/9/12
Departmental Concurrence

Policy
 Consent
 Policy
 Consent

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

Prev. Agn. Ref.: | District: 1/1 | Agenda Number:

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RECOMMENDED MOTION: (Continued)

- 3) Authorize and direct the Auditor-Controller to issue a warrant to Meridian Financial, agent for Joan Sennett, Executor to the Estate of Lucy E. Ketch in the amount of \$25,078.05, 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)

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 15, 2011 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 18, 2011. 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 2, 2011, 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 two claims for excess proceeds:

- 1) Claim from Meridian Financial, agent for Joan Sennett, Executor to the Estate of Lucy E. Ketch based on an Authorization for Agent to Collect Excess Proceeds dated August 10, 2011, a Quitclaim Deed recorded July 16, 1990 as Instrument No. 261543, a Petition for Probate filed April 11, 2007, the Last Will and Testament of Lucy E. Ketch and a death certificate for Lucy Elizabeth Ketch.
- 2) Claim from Donald Ketch AKA Donald Lee Ketch based on a Petition for Probate filed April 11, 2007 and the Last Will and Testament of Lucy E. Ketch.

Pursuant to Section 4675 (a) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that Meridian Financial, agent for Joan Sennett, Executor to the Estate of Lucy E. Ketch be awarded excess proceeds in the amount of \$25,078.05. The claim from Donald Ketch AKA Donald Lee Ketch be denied since the Executor to the Estate of Lucy E. Ketch is Joan Sennett. 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.