

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

523 A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
OCT 29 2012

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 182, Item 29.
Last assessed to: Michael Paul Sutton, Mary Elizabeth Sutton, Matilda Sutton and Darlene Livingston Sutton.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries Ltd., assignee for Michael Paul Sutton, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 259040011-4;
- 2) Deny the claim from the County of Riverside, Treasurer/Tax Collector;

(Continued on page two)

BACKGROUND: (Continued on page two)


Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$10,758.92	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
Department of Concurrence

Consent Policy
 Consent Policy

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

Prev. Agn. Ref.: | **District:** 5/5 | **Agenda Number:**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.9

BOARD OF SUPERVISORS

Form 11:

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RECOMMENDED MOTION: (Continued)

- 2) Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries Ltd., assignee for Michael Paul Sutton in the amount of \$10,758.92, 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 two claims for excess proceeds:

- 1) Claim from Global Discoveries Ltd., assignee for Michael Paul Sutton based on an Assignment of Right to Collect Excess Proceeds dated May 6, 2009 and a Judgment Settling First and Final Account and Report of Executor and of Final Distribution recorded October 26, 1984 as Instrument No. 232525.
- 2) Claim from the County of Riverside, Treasurer/Tax Collector based on a Certificate of Lien recorded May 22, 2008 as Instrument No. 2008-0277997.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries Ltd., assignee for Michael Paul Sutton be awarded excess proceeds in the amount of \$10,758.92. The claim from the County of Riverside, Treasurer/Tax Collector be denied since the lien filed is not associated with our last assessee. Since there are no other claimants the excess proceeds in the amount of \$32,276.77 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 claimants by certified mail.