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

FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUL 21 2014

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 192, Item 638. Last assessed to: Thomas E. Spears. District 3/3 [$17,588] Fund 65595 Excess Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:
1. Approve the claim from State of California, Franchise Tax Board for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 446042001-9;

BACKGROUND:
Summary

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 20, 2012 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 11, 2012. 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 6, 2012, 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.

Don Kent
Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	$ 17,588	$ 0	$ 17,588	$ 0	Consent ☐ Policy ☒
NET COUNTY COST	$ 0	$ 0	$ 0	$ 0	

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale

Budget Adjustment: N/A

For Fiscal Year: 14/15

C.E.O. RECOMMENDATION: APPROVE

BY: _____
Karen L. Johnson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

FORM APPROVED COUNTY COUNSEL
BY: DALE A. GARDNER
Departmental Concurrence
7/21/14 DATE

☐ Positions Added
☐ Change Order
☐ A-30
☐ 4/5 Vote

RECOMMENDED MOTION:

2. Approve the claim from Thomas Spears AKA Thomas E. Spears, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 446042001-9;
3. Authorize and direct the Auditor-Controller to issue warrants to State of California, Franchise Tax Board in the amount of $1,501.50 and Thomas Spears AKA Thomas E. Spears in the amount of $16,087.35, no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

BACKGROUND:
Summary (continued)

The Treasurer-Tax Collector has received two claims for excess proceeds:

1. Claim from State of California, Franchise Tax Board based on a Notice of State Tax Lien recorded August 11, 2010 as Instrument No. 2010-0376291;
2. Claim from Thomas Spears AKA Thomas E. Spears based on an Order Determining Succession to Real Property recorded on October 16, 2002 as Instrument No. 2002-575692.

Pursuant to Section 4675 (a) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that State of California, Franchise Tax Board be awarded excess proceeds in the amount of $1,501.50 and that Thomas Spears AKA Thomas E. Spears be awarded excess proceeds in the amount of $16,087.35. 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.

Impact on Citizens and Businesses
Excess proceeds are being released to a lien holder and the last assessee of the property.

ATTACHMENTS (if needed, in this order):

Copies of Excess Proceeds Claim forms and supporting documentation are attached.