

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS DATE: 9/26/14

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

5249



**SUBMITTAL DATE:  
 SEP 26 2014**

**FROM:** Don Kent, Treasurer/Tax Collector

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 182, Item 68. Last assessed to: Gerald Twardowski, an unmarried man. District 5/5 [\$27,050] Fund 65595 Excess Proceeds from Tax Sale.

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the claim from Rafael R. Barajas for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 329290041-6;  
 (continued on page two)

**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 16, 2009 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 05, 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.

(continued on page two)

*Don Kent*  
 Don Kent  
 Treasurer-Tax Collector

Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 27,050	\$ 0	\$ 27,050	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

<b>SOURCE OF FUNDS:</b> Fund 65595 Excess Proceeds from Tax Sale	<b>Budget Adjustment:</b> N/A
	<b>For Fiscal Year:</b> 14/15

**C.E.O. RECOMMENDATION:** APPROVE

BY: *Samuel Wong* 12/2/14  
 Samuel Wong

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

Positions Added  
 Change Order

A-30  
 4/5 Vote

Prev. Agn. Ref.:

District: 5/5

Agenda Number:

9-9

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

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 182, Item 68. Last assessed to: Gerald Twardowski, an unmarried man. District 5/5 [\$27,050] Fund 65595 Excess Proceeds from Tax Sale.

**DATE:** SEP 26 2014

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**RECOMMENDED MOTION:**

2. Deny the claim from Global Discoveries, Ltd., assignee for Gerald Twardowski.
3. Authorize and direct the Auditor-Controller to issue a warrant to Rafael R. Barajas in the amount of \$27,050.03 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 Rafael R. Barajas based on a Short Form Deed of Trust and Assignment of Rents recorded March 01, 2002 as Instrument No. 2002-108767 and the death certificate for Maria Vasquez Barajas.
2. Claim from Global Discoveries, Ltd., assignee for Gerald Twardowski based on an Assignment of Right to Collect Excess Proceeds dated May 13, 2009 and a Grant Deed recorded March 1, 2002 as Instrument No. 2002-108766.

Pursuant to Section 4675 (a) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that Rafael R. Barajas be awarded excess proceeds in the amount of \$27,050.03. Since the amount claimed by Rafael R. Barajas exceeds the amount of excess proceeds available, there are no funds available for consideration for the claim from Global Discoveries, Ltd., assignee for Gerald Twardowski. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation has been sent to the claimants by certified mail.

**Impact on Citizens and Businesses**

Excess proceeds are being released to the beneficiary of the deed of trust.

**ATTACHMENTS (if needed, in this order):**

Copies of the Excess Proceeds Claim form and supporting documentation are attached.