

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

121A



FROM: Don Kent, Treasurer-Tax Collector

SUBMITTAL DATE:

OCT 28 2015

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 199, Item 315. Last assessed to: Marian S. Safrans, an unmarried woman and Carolyn S. Johnson, an unmarried woman and Hector E. Quintana, an unmarried man as tenants in common. District 4 [\$128,055]. Fund 65595 Excess Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Found Extra Money, LLC, assignee for Marian S. Safrans, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 638132006-5;

(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 February 4, 2014 public auction sale. The deed conveying title to the purchasers at the auction was recorded March 21, 2014. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on April 22, 2014 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

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Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 128,055	\$ 0	\$ 128,055	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale				Budget Adjustment: N/A	
				For Fiscal Year: 15/16	

C.E.O. RECOMMENDATION:

APPROVE

BY: *Samuel Wong 12/15/15*

County Executive Office Signature **Samuel Wong**

MINUTES OF THE BOARD OF SUPERVISORS

FORM APPROVED COUNTY COUNSEL
BY: *GREGORY P. PRAMOS*
DATE: *10/28/15*

Departmental Concurrence

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

Prev. Agn. Ref.:

District: 4

Agenda Number:

9-13

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

FORM 11: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 199, Item 315. Last assessed to: Marian S. Safrans, an unmarried woman and Carolyn S. Johnson, an unmarried woman and Hector E. Quintana, an unmarried man as tenants in common. District 4 [\$128,055]. Fund 65595 Excess Proceeds from Tax Sale.

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RECOMMENDED MOTION:

2. Approve the claim from Carolyn S. Johnson, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 638132006-5;
3. Approve the claim from Hector E. Quintana, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 638132006-5;
4. Deny the claim from Global Discoveries, Ltd., assignee for HSBC Mortgage Services, Inc.;
5. Authorize and direct the Auditor-Controller to issue warrants to Found Extra Money, LLC, assignee for Marian S. Safrans in the amount of \$42,685.18, Carolyn S. Johnson in the amount of \$42,685.17 and Hector E. Quintana in the amount of \$42,685.17, 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 four claims for excess proceeds:

1. Claim from Found Extra Money, LLC, assignee for Marian S. Safrans based on an Assignment of Right to Collect Excess Proceeds dated September 24, 2014 and a Grant Deed recorded August 28, 2007 as Instrument No. 2007-0550151.
2. Claim from Carolyn S. Johnson based on a Grant Deed recorded August 28, 2007 as Instrument No. 2007-0550151.
3. Claim from Hector E. Quintana based on a Grant Deed recorded August 28, 2007 as Instrument No. 2007-0550151.
4. Claim from Global Discoveries, Ltd., assignee for HSBC Mortgage Services, Inc. based on an Assignment of Right to Collect Excess Proceeds dated March 4, 2014 and a Deed of Trust recorded November 29, 2005 as Instrument No. 2005-0980755.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Found Extra Money, LLC, assignee for Marian S. Safrans be awarded excess proceeds in the amount of \$42,685.18, Carolyn S. Johnson be awarded excess proceeds in the amount of \$42,685.17 and Hector E. Quintana be awarded excess proceeds in the amount of \$42,685.17. The claim from Global Discoveries, Ltd., assignee for HSBC Mortgage Services, Inc. be denied since the Deed of Trust holder was not a party of interest at the time of the sale because the property was foreclosed on previously through Trustee's Deed Upon Sale recorded April 6, 2007 as Instrument No. 2007-0235923. 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 the last assesseees of the property.

ATTACHMENTS (if needed, in this order):

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