

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



FROM: Don Kent, Treasurer/Tax Collector


SUBMITTAL DATE:
JUL 06 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 177, Item 206.
Last assessed to: Gena Hoefert.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Gena Hoefert, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 528182020-8;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Gena Hoefert in the amount of \$7,727.92, 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 on page two)



Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 7,727.92	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010-11

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"/>

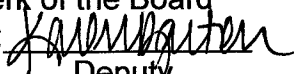
C.E.O. RECOMMENDATION: APPROVE
BY: 
Christopher M. Hans

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: September 14, 2010
xc: Treasurer, Auditor

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

9.57

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 7/6/10
DATE: 7/6/10
Departmental Concurrence

Policy Policy
Consent Consent

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

BOARD OF SUPERVISORS

Form 11:

Page 2

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 12, 2007 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 2007. 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, 2007, 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 one claim for excess proceeds:

- 1) Claim from Gena Hoefert based on a Quitclaim Deed recorded January 3, 2007 as Instrument No. 2007-0004434.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Gena Hoefert be awarded excess proceeds in the amount of \$7,727.92. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.

**CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY
(SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)**

To: Paul McDonnell, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC/Item 20 Assessment No.: 528182020-8

Assessee: FOREMAN, JAMES L.

Situs: NONE

Date Sold: MARCH 12, 2007

Date Deed to Purchaser Recorded: MAY 3, 2007

Final Date to Submit Claim: MAY 3, 2008

RECEIVED
2008 APR 24 PM 2:39
RIVERSIDE COUNTY
TREAS - TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of 100% \$ _____ from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 2007-0004434; recorded on 01/03/07. A copy of this document is attached hereto. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.


Certified copy of Quitclaim Deed executed by JAMES LESLIE FOREMAN III to

GENA HOEFERT dated December 23, 2006

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tentants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of the claim.

I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 22 day of April, 2007 at Federal Way, Washington 98023
County, State


Signature of Claimant

Signature of Claimant

GENA HOEFERT

Print Name

31450 12th Ave SW

Street Address

Federal Way, WA 98023

City, State, Zip

(206)403-8883

Phone Number

Print Name

Street Address

City, State, Zip

Phone Number

DOC # 2007-0004434

01/03/2007 08:00A Fee: 7.00

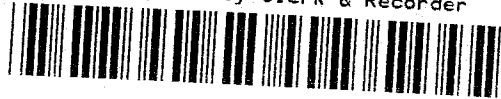
Page 1 of 1 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



RECORDING REQUESTED BY:

John Carr

WHEN RECORDED MAIL TO:

Name Gena Hoefert

Address PO Box 1711

City Port Hueneme

State, Zip CA, 93044

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
TRA 55 DTT 11.00									503

APN: 528-182-020-8

QUITCLAIM DEED

8-



THE UNDERSIGNED GRANTOR(S) DECLARE(S):

DOCUMENTARY TRANSFER TAX is \$ _____ CITY TAX is \$ _____

- computed on the full value of the property conveyed, or
- computed on full value less value of liens or encumbrances remaining at the time of sale,
- Realty not sold
- Unincorporated area City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

James Leslie Foreman III

do(es) hereby remise, release and forever quitclaim to

Gena Hoefert

the following described real property in the County of Riverside, State of California:

Lot 54 MB 042 Page 039-041

commonly known as Desert Highlands

Dated: 12/23/06

STATE OF CALIFORNIA }
COUNTY OF Los Angeles } ss

On December 23, 2006 before me

Karen Myers, Notary Public

personally appeared James Leslie Foreman III

James Leslie Foreman III

12-23-06

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/het/their authorized capacity(ies), and that by his/het/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Karen Myers

NOTARY SIGNATURE



SPACE ABOVE RESERVED FOR NOTARY SEAL