

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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUL 28 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 179, Items 61 through 64.
Last assessed to: Gary Gibson, a Single man.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Deny the claims from the County of San Diego, Department of Child Support Services for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcels 361214007-6, 361214008-7, 361214009-8 and 361214018-6;
- 2) Deny the claims, 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:	\$ 0	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:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

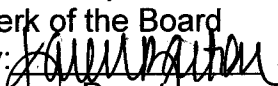
BY: _____

County Executive Office Signature Christopher M. Hans

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.: ATTACHMENT 3 FILED District 3 **Agenda Number:**

9.68

FORM APPROVED COUNTY COUNSEL
BY: WALEA GARDNER DATE: 7/28/10
Departmental Concurrence

Dept't Recomm.: Policy Consent
Per Exec. Ofc.: Policy Consent

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 17, 2008 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 12, 2008. 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 9, 2008, 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 four claims for excess proceeds:

- 1) Claims from the County of San Diego, Department of Child Support Services based on an Abstract of Support Judgment recorded December 13, 2004 as Instrument No. 2004-0986984.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that the County of San Diego, Department of Child Support Services be denied since they failed to file the claim for excess proceeds on a timely basis. Since there are no other claimants the excess proceeds in the amount of \$23,009.54 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 claimant by certified mail.

EP179	Item 61	\$ 8,127.37
EP179	Item 62	\$ 4,627.37
EP179	Item 63	\$ 4,627.37
EP179	Item 64	\$ <u>5,627.43</u>
TOTAL		\$ 23,009.54

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 179 Item 62 Assessment No.: 361214008-7

Assessee: GIBSON, GARY

Situs: NONE

Date Sold: March 17, 2008

Date Deed to Purchaser Recorded: May 12, 2008

Final Date to Submit Claim: May 12, 2009

361214007-6 ITEM 61
361214009-8 ITEM 63
361214018-6 ITEM 64

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 52,288.93 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. 040986984; recorded on 12/13/2004. 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.

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 14 day of May, 2009 at San Diego, CA
County, State

Donnele
Signature of Claimant

Signature of Claimant

P
COUNTY OF SAN DIEGO
Department of Child Support Services
S
P.O. Box 122031
San Diego, CA 92112-9933

Print Name

Street Address

City, State, Zip

City, State, Zip

866-901-3212
Phone Number

Phone Number

REQUESTED BY AND MAIL TO:

County of San Diego
DEPARTMENT OF CHILD SUPPORT SERVICES
P.O. BOX 122031
SAN DIEGO, CA 92112-2031

9

049 218 VV
DOC # 2004-0986984

12/13/2004 08:00A Fee:NC

Page 1 of 2

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



INDEX AS JUDGMENT ONLY

SC No.: ED053449

FSO No.: 2LF303

County Recorder I.D.: 33

No fee per Gov.C. 6103.9 - Fam.C. 4202

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ABSTRACT OF SUPPORT JUDGMENT

Title of Document

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION

ATTORNEY OR PARTY WITHOUT AND ATTORNEY (Name and Address)

TELEPHONE AND FAX NO.

FOR RECORDER'S USE ONLY

Recording requested by and return to:
ROBERT L. LAFER, Chief Legal Counsel
DEPARTMENT OF CHILD SUPPORT SERVICES
P.O. BOX 122031
SAN DIEGO, CALIFORNIA 92112-2031

(619) 236-7600
(619) 685-6610
695.211.822
2LF303

Attorney pursuant to Family Code §17400 and §17406

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

STREET ADDRESS: 220 W. BROADWAY
MAILING ADDRESS: 220 W. BROADWAY
CITY AND ZIP CODE: SAN DIEGO, CALIFORNIA 92112-4104
BRANCH NAME: CENTRAL COURT

PETITIONER : LINDA K GIBSON
RESPONDENT : GARY EUGENE GIBSON

ABSTRACT OF SUPPORT JUDGMENT

CASE NUMBER:
ED053449

FOR COURT USE ONLY

1. The judgment creditor assignee of record applies for an abstract of a support judgment and represents the following:
a. Judgment debtor's

Name and last known address
GARY EUGENE GIBSON JR
24819 CARL ST
SUN CITY, CA 92584-8435

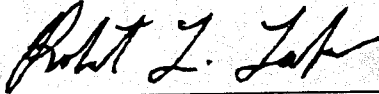
- b. Driver's License No. and State: C4699570 CA
c. Social Security number: 333-70-6541
d. Birthdate: JULY 14, 1966

- Unknown
 Unknown
 Unknown

Date: 11/10/2004

by ROBERT L. LAFER, Chief Legal Counsel

(TYPE OR PRINT NAME)



Chief Legal Counsel

2. I CERTIFY that the judgment entered in this action contains an order for payment of spousal, family, or child support.

3. Judgment creditor (name):
County of San Diego
whose address appears on this form above the court's name.

4. The support is ordered to be paid to the following county officer (name and address):
COUNTY OF SAN DIEGO
P.O. BOX 122808
SAN DIEGO, CALIFORNIA 92112

5. Judgment debtor (full name as it appears in judgment):
GARY EUGENE GIBSON JR

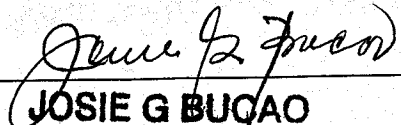
6. a. A judgment was entered on (date): 10/29/2004 
b. Renewal was entered on (date):
c. Renewal was entered on (date):

7. An execution lien is endorsed on the judgment as follows:
a. Amount: \$
b. In favor of (name and address):

8. A stay of enforcement has
a. not been ordered by the court.
b. been ordered by the court effective until (date):

9. This is an installment judgment.

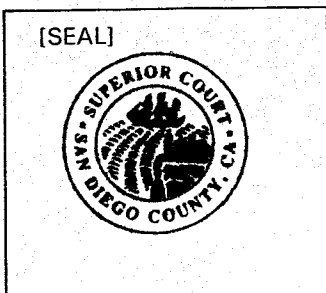
CLERK OF THE COURT

Clerk, by , Deputy
JOSIE G BUCAO

This abstract issued on
(date): 11-15-04

ABSTRACT OF SUPPORT JUDGMENT
(Family Law)

CCP 488.480, 674
697.320, 700.190



Results Summary Page

Case: 1: 0730695211822-1
Manage Cnty: San Diego
CP: LYNDA GIBSON
NCP: GARY GIBSON
Version: Current

Cyclical Charges

Debt Type	Start Date	End Date	Monthly Charge	Total Charges for Period	Aid Status
Child	07-2002	03-2008	900.00	62,100.00	Non-Aid

Interest Rate

Start Date	End Date	Rate
07-2002	07-2002	0.00
08-2002		10.00

Totals

Debt Type	Total Charges	Total Arrs/Adjs	Total Interest	Total Paid	Balance Due
Child	62,100.00	0.00	17,470.09	27,281.16	52,288.93

Balances by Debt

Debt Type	Balance Due	Total Principal	Total Interest	Aid Principal	Aid Interest	Non-Aid Principal	Non-Aid Interest
Child	52,288.93	42,573.56	9,715.37	0.00	0.00	42,573.56	9,715.37

Simple Report All Debt Types: Non-Aid

Case: 0730695211822-1
Manage Cnty: San Diego
CP: LYNDA GIBSON
NCP: GARY GIBSON
Court Order: ED053449

Total Current Charges	62,100.00	Total Principal Due	42,573.56
Total Arrears/Adjustments (Principal)	0.00	Total Interest Due	9,715.37
Total Interest Charges	17,470.09	Balance Due	52,288.93
Total Arrears/Adjustments (Interest)	0.00		
Total Amount Paid	27,281.16		
Balance Due	52,288.93		

MM-CCYY	Current Charge	Aid St	Payments to Principal	Payments to Interest	Principal Balance	Monthly Interest	Interest Balance	Total Balance
07-2002	900.00		600.00	0.00	300.00	0.00	0.00	300.00
08-2002	900.00		600.00	0.00	600.00	2.50	2.50	602.50
09-2002	900.00		600.00	0.00	900.00	5.00	7.50	907.50
10-2002	900.00		600.00	0.00	1,200.00	7.50	15.00	1,215.00
11-2002	900.00		600.00	0.00	1,500.00	10.00	25.00	1,525.00
12-2002	900.00		750.00	0.00	1,650.00	12.50	37.50	1,687.50
01-2003	900.00		0.00	0.00	2,550.00	13.75	51.25	2,601.25
02-2003	900.00		0.00	0.00	3,450.00	21.25	72.50	3,522.50
03-2003	900.00		0.00	0.00	4,350.00	28.75	101.25	4,451.25
04-2003	900.00		300.00	0.00	4,950.00	36.25	137.50	5,087.50
05-2003	900.00		0.00	0.00	5,850.00	41.25	178.75	6,028.75
06-2003	900.00		0.00	0.00	6,750.00	48.75	227.50	6,977.50
07-2003	900.00		150.00	0.00	7,500.00	56.25	283.75	7,783.75
08-2003	900.00		0.00	0.00	8,400.00	62.50	346.25	8,746.25
09-2003	900.00		150.00	0.00	9,150.00	70.00	416.25	9,566.25
10-2003	900.00		0.00	0.00	10,050.00	76.25	492.50	10,542.50
11-2003	900.00		0.00	0.00	10,950.00	83.75	576.25	11,526.25
12-2003	900.00		160.00	0.00	11,690.00	91.25	667.50	12,357.50
01-2004	900.00		200.00	0.00	12,390.00	97.42	764.92	13,154.92
02-2004	900.00		0.00	0.00	13,290.00	103.25	868.17	14,158.17
03-2004	900.00		0.00	0.00	14,190.00	110.75	978.92	15,168.92
04-2004	900.00		0.00	0.00	15,090.00	118.25	1,097.17	16,187.17
05-2004	900.00		0.00	0.00	15,990.00	125.75	1,222.92	17,212.92
06-2004	900.00		0.00	0.00	16,890.00	133.25	1,356.17	18,246.17
07-2004	900.00		0.00	0.00	17,790.00	140.75	1,496.92	19,286.92
08-2004	900.00		0.00	0.00	18,690.00	148.25	1,645.17	20,335.17
09-2004	900.00		0.00	0.00	19,590.00	155.75	1,800.92	21,390.92
10-2004	900.00		0.00	0.00	20,490.00	163.25	1,964.17	22,454.17
11-2004	900.00		0.00	0.00	21,390.00	170.75	2,134.92	23,524.92
12-2004	900.00		0.00	0.00	22,290.00	178.25	2,313.17	24,603.17
01-2005	900.00		0.00	0.00	23,190.00	185.75	2,498.92	25,688.92
02-2005	900.00		0.00	0.00	24,090.00	193.25	2,692.17	26,782.17
03-2005	900.00		0.00	0.00	24,990.00	200.75	2,892.92	27,882.92
04-2005	900.00		0.00	0.00	25,890.00	208.25	3,101.17	28,991.17
05-2005	900.00		0.00	0.00	26,790.00	215.75	3,316.92	30,106.92
06-2005	900.00		0.00	0.00	27,690.00	223.25	3,540.17	31,230.17
07-2005	900.00		0.00	0.00	28,590.00	230.75	3,770.92	32,360.92
08-2005	900.00		0.00	0.00	29,490.00	238.25	4,009.17	33,499.17
09-2005	900.00		0.00	0.00	30,390.00	245.75	4,254.92	34,644.92
10-2005	900.00		0.00	0.00	31,290.00	253.25	4,508.17	35,798.17
11-2005	900.00		0.00	0.00	32,190.00	260.75	4,768.92	36,958.92
12-2005	900.00		0.00	0.00	33,090.00	268.25	5,037.17	38,127.17
01-2006	900.00		0.00	0.00	33,990.00	275.75	5,312.92	39,302.92
02-2006	900.00		0.00	0.00	34,890.00	283.25	5,596.17	40,486.17
03-2006	900.00		158.70	0.00	35,631.30	290.75	5,886.92	41,518.22
04-2006	900.00		0.00	0.00	36,531.30	296.93	6,183.85	42,715.15
05-2006	900.00		788.38	0.00	36,642.92	304.43	6,488.28	43,131.20
06-2006	900.00		0.00	0.00	37,542.92	305.36	6,793.64	44,336.56
07-2006	900.00		0.00	0.00	38,442.92	312.86	7,106.50	45,549.42
08-2006	900.00		0.00	0.00	39,342.92	320.36	7,426.86	46,769.78

Individual Payment Report

Case: 0730695211822-1
Manage Cnty: San Diego
CP: LYNDA GIBSON
NCP: GARY GIBSON
Court Order: ED053449

Total Paid: 27,281.16

DOC	Posting Date	FIPS	Receipt Number	Type	Amount	Month Total
07-01-2002			PAYMENT PER 050109 AOA		600.00	600.00
08-01-2002			PAYMENT PER 050109 AOA		600.00	600.00
09-01-2002			PAYMENT PER 050109 AOA		600.00	600.00
10-01-2002			PAYMENT PER 050109 AOA		600.00	600.00
11-01-2002			PAYMENT PER 050109 AOA		600.00	600.00
12-01-2002			PAYMENT PER 050109 AOA		750.00	750.00
04-01-2003			PAYMENT PER 050109 AOA		300.00	300.00
07-01-2003			PAYMENT PER 050109 AOA		150.00	150.00
09-01-2003			PAYMENT PER 050109 AOA		150.00	150.00
12-01-2003			PAYMENT PER 050109 AOA		160.00	160.00
01-01-2004			PAYMENT PER 050109 AOA		200.00	200.00
03-01-2006	03-02-2006	0607300	060301-9501-038000	FTF	158.70	158.70
05-02-2006	05-03-2006	0607300	060502-9501-062000	FTF	788.38	788.38
10-26-2006	10-30-2006	0607300	061026-8401-004000	LEN	21,624.08	21,624.08
Totals:					27,281.16	27,281.16

May 19, 2009

County of San Diego
Department of Child Support Services
PO Box 122031
San Diego, CA 92112-9933

Re: Assessment Numbers 361214007-6, 361214008-7, 361214009-8 & 361214018-6

TC 179 Items 61, 62, 63 & 64

Date of Sale: March 17, 2008

Date Deeded to Purchaser: May 12, 2008

Deadline for E.P. Claim Submittal: May 12, 2009

Dear County of San Diego:

We have received your claim for excess proceeds on the above-mentioned parcel on May 18, 2009 being postmarked May 14, 2009; however the final date to submit a claim was on May 12, 2009.

We are sorry but we cannot accept your late claim. The Revenue and Taxation Code Section 4675 clearly states that a claim must be received prior to the expiration of one year following the recordation of the Tax Collector's Deed to the Purchaser, which was on May 12, 2009.

If you should have any other questions, please contact me at the number listed below.

Sincerely,

Desiree Taylor

Desiree Taylor
Tax Enforcement Unit
(951) 955-3842