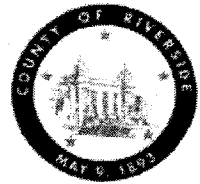


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUL 28 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 179, Item 256.
Last assessed to: William I. Maltz and Perry B. Maltz and Mitzi Maltz, Trustees of the Maltz Family Trust Dated March 5, 1982.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Perry B. Maltz, Trustee of the Maltz Family Trust Dated March 5, 1982, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 836080049-2;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Perry B. Maltz, Trustee of the Maltz Family Trust Dated March 5, 1982 in the amount of \$2,855.46, 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:	\$2,855.46	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: 4 | Agenda Number:

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

9.87

FORM APPROVED COUNTY COUNSEL
BY: DALE A. GARDNER 7/28/10
DATE: 7/28/10
Departmental Concurrence

Consent Policy
 Consent Policy

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 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 one claim for excess proceeds:

- 1) Claim from Perry B. Maltz, Trustee of the Maltz Family Trust Dated March 5, 1982 based on a Quitclaim Deed recorded October 27, 1982 as Instrument No. 185891.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Perry B. Maltz, Trustee of the Maltz Family Trust Dated March 5, 1982 be awarded excess proceeds in the amount of \$2,855.46. 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: Don Kent, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC 179 Item 256 Assessment No.: 836080049-2

Assessee: MALTZ, WILLIAM I & PERRY B TR & MITZI TR

Situs: NONE

Date Sold: March 17, 2008

Date Deed to Purchaser Recorded: May 12, 2008

Final Date to Submit Claim: May 12, 2009

RECEIVED
2009 MAY 12 PM 12:47
RIVERSIDE COUNTY
TREAS - TAX COLLECTOR

977-55828

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 28,554.46 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. 185895; recorded on 10-27-82. 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 tax sale 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 5 day of MAY, 2009 at LOS ANGELES CA
County, State

Perry B. Maltz
Signature of Claimant

Signature of Claimant

PERRY B MALTZ
Print Name

Print Name

139 S. BEVERLY DR #225
Street Address

Street Address

BEVERLY HILLS CA 90212
City, State, Zip

City, State, Zip

310 858-0861
Phone Number

Phone Number

RECORDING K. REQUESTED BY
M. L. STURMAN

185891

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHER WISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

NAME Mr & Mrs. Perry B. Maltz ✓
ADDRESS 1605 Carla Ridge Drive
Beverly Hills, CA 90210
CITY & STATE ZIP

Title Order No. _____ Escrow No. _____

RECEIVED FOR RECORD
AT 11:00 O'CLOCK A.M.
At Request of

Book 1982, Page **185891**

OCT 27 1982

Recorded in Official Records
of Riverside County, California

William E. Sturdy
Recorder

Fees

SPACE ABOVE THIS LINE FOR RECORDER'S USE

4

Quitclaim Deed ✓

The undersigned declares that the documentary transfer tax is \$.....NONE*..... and is
 computed on the full value of the interest or property conveyed, or is
 computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land, tenements or realty is located in
 unincorporated area city of and

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

PERRY B. MALTZ, a married man, as to an undivided 1/2 interest

do es hereby remise, release and forever quitclaim to

PERRY B. MALTZ AND MITZI MALTZ, Trustees of the MALTZ FAMILY TRUST DATED MARCH 5, 1982

an undivided 1/2 interest
the following described real property in the
state of California:

county of Riverside

W 50' of Lot 25 Chanslor Tr, as shown by Map on File in Book 9, Page 94 of Maps, Riverside County Recorder

THIS CONVEYANCE IS TO (OR BY) A TRUST,
WHICH IS NOT PURSUANT TO A SALE AND IS
EXEMPT PURSUANT TO ORDINANCE 9443
TRUST NAME: Maltz Family trust
TRUSTORS: Perry B. Maltz & Mitzi Maltz
TRUSTEES: " " " "

*TRANSFER TO REVOCABLE LIVING TRUST
Exempt from "Change in Ownership"
Rev. & Tax Code §62 (d)

Dated... September 13, 1982

Perry B. Maltz
PERRY B. MALTZ

STATE OF CALIFORNIA
COUNTY OF Los Angeles } ss.

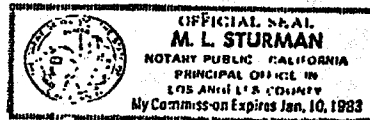
On September 13, 1982 before me, the undersigned, a Notary Public in and for said County and State, personally appeared PERRY B. MALTZ

....., known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

M. L. Sturman
Signature of Notary

M. L. STURMAN

FOR NOTARY SEAL OR STAMP



Assessor's Parcel No.

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name _____ Street Address _____ City & State _____
CAL-11A (Rev. 6-81) (# pt)

DUPLICATE COPY
ORIGINAL ON FILE

AT _____
ALBANY COUNTY

DATE 3-5-82

MERRILL L. STURMAN
A FIDUCIARY CORP.

MALTZ
FAMILY TRUST

THIS DECLARATION OF TRUST and TRUST AGREEMENT (hereinafter referred to as the MALTZ FAMILY TRUST or TRUST) is made this March 5, 1982, between PERRY BERNARD MALTZ, also known as PERRY B. MALTZ, Trustor-husband, and MITZI LEE MALTZ, also known as MITZI MALTZ, Trustor-wife, hereinafter sometimes referred to collectively as Trustors, and PERRY B. MALTZ and MITZI MALTZ, Trustees, hereinafter sometimes collectively referred to as Trustee.

W I T N E S S E T H:

WHEREAS, the Trustors desire to establish a Trust; and
WHEREAS, concurrently with the execution of this Trust, Trustors have transferred to the Trustee the sum of Ten Dollars (\$10.00);

NOW THEREFORE, the Trustors do hereby establish the MALTZ FAMILY TRUST for the following uses and purposes, subject to the terms, conditions, powers and agreements hereinafter set forth.

ARTICLE I

1.1 The Trustors, or any other person by Will or in any other manner, may from time to time add to this Trust, or the separate trusts or shares into which the Trust may from time to time be divided, other property acceptable to the Trustee, which property shall become part of the Trust upon its receipt and acceptance by the Trustee.

1.2 Any property placed in this Trust shall retain its character as such and during the joint lives of Trustors all trust income payable or principal amounts distributable to either or both of them shall have the same separate, quasi-community or community character as the source property.

be apportioned, to the extent provided or permitted by applicable law, amongst the property subject to tax under Chapter 13 of said Code or the persons beneficially interested in the property subject to such power of appointment, as the case may be. These provisions shall not apply to the extent that contrary provisions concerning the payment or apportionment of any such taxes, interest or penalty have been or shall be made in any instrument inter vivos executed by either Trustor relating to any such insurance, trusts, gifts or other transfers, jointly owned property or accounts, property subject to tax under Chapter 13 of said Code, or property subject to powers of appointment.

WE CERTIFY that we have read the foregoing Declaration of Trust and Trust Agreement and that it correctly states the terms and conditions under which the MALTZ FAMILY TRUST is to be held, managed and administered by the Trustee. We approve the MALTZ FAMILY TRUST in all particulars.

DATED: March 5, 1982

Perry B. Maltz
PERRY B. MALTZ
Trustor-husband

Mitzi Maltz
MITZI MALTZ
Trustor-wife

ACCEPTED:

DATED: March 5, 1982

Perry B. Maltz
PERRY B. MALTZ
Trustee

Mitzi Maltz
MITZI MALTZ
Trustee

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)

On March 5, 1982, before me, a Notary Public, personally appeared PERRY B. MALTZ and MITZI MALTZ, known to me to be the Trustors and Trustees of the Trust created by the above Trust Agreement, and to be the persons whose names are subscribed to the Trust Agreement, and they acknowledged that they executed the same as such Trustors and Trustees.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in said County, the day and year in this certificate first above written.

MARTIN L. STURMAN

Notary Public in and for
said County and State

RECEIPT

We the undersigned as Trustees do hereby acknowledge receipt of the sum of Ten Dollars (\$10.00) to be held, managed, administered and distributed pursuant to the terms of this Declaration of Trust.

DATED: March 5, 1982

[Signature]
PERRY B. MALTZ
Trustee

[Signature]
MITZI MALTZ
Trustee