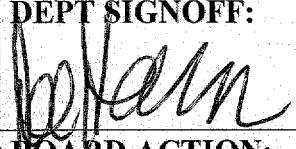


**EL DORADO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL
MEETING OF FEBRUARY 28, 2012**

AGENDA TITLE: EXCESS PROCEEDS FROM SALE OF TAX DEFAULTED PROPERTY DATED NOVEMBER 05, 2010

DEPARTMENT: AUDITOR-CONTROLLER	DEPT SIGNOFF:	CAO USE ONLY
CONTACT: SALLY ZUTTER/JOY SHAW		
DATE: 02/08/2012 PHONE: 621-5470		

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:
 On November 05, 2010, a Sale of Tax Defaulted Property was conducted by the Treasurer-Tax Collector's office. Parties of interest, as defined by Revenue & Taxation (R&T) Code §4675, were notified that the property identified as APN 500-122-47-100 was sold for \$351.26 more than the amount required to satisfy delinquent taxes & costs of the sale. Valid claim(s) have been filed for the excess proceeds due to the sale of the property. The Auditor-Controller's office has reviewed the claim(s) and supporting documents and is of the opinion that the claimant(s) are entitled to the proceeds pursuant to R&T Code §4675. The Auditor-Controller recommends that the Board of Supervisors authorize the Auditor-Controller to notify all valid claimants of the Board's action(s) and disburse excess proceeds as determined by the Board.

<u>Claimant(s)</u>	<u>Type</u>	<u>Recommended Distribution</u>
Rickey Ricardo Smith	Owner of Record	175.63
Rosa Savage	Owner of Record	175.63
Unclaimed	R&T Code §4674	-0-

CAO RECOMMENDATIONS:

Financial impact? <input type="checkbox"/> Yes <input type="checkbox"/> No	Funding Source: <input type="checkbox"/> Gen Fund <input type="checkbox"/> Other
	Other: _____

BUDGET SUMMARY: Total Est. Cost _____ Funding Budgeted _____ New Funding _____ Savings _____ Other _____ Total Funding _____ Change in Net County Cost _____	CAO Office Use Only: 4/5's Vote Required. <input type="checkbox"/> Yes <input type="checkbox"/> No Change in Policy <input type="checkbox"/> Yes <input type="checkbox"/> No New Personnel <input type="checkbox"/> Yes <input type="checkbox"/> No CONCURRENCES: Risk Management _____ County Counsel _____ Other _____
---	---

Explain

BOARD ACTIONS:

Vote: Unanimous _____ Or Ayes: Noes: Abstentions: Absent:	<p>I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors.</p> <p>Date: _____</p> <p>Attest: Suzanne Allen de Sanchez, Board of Supervisors Clerk</p> <p>By: _____</p>
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County of El Dorado

OFFICE OF AUDITOR-CONTROLLER

380 FAIR LANE
PLACERVILLE, CALIFORNIA 95667
Phone: (530) 621-5487 Fax: (530) 295-2535

JOE HARN, CPA
Auditor-Controller

BOB TOSCANO
Assistant Auditor-Controller

February 08, 2012

El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Honorable Board Members:

Title:

Excess Proceeds from the Sale of Tax Defaulted Property dated November 05, 2010

Recommendation:

The Auditor-Controller recommends that the Board of Supervisors authorize the Auditor-Controller to disburse excess proceeds for APN 500-122-47-100 pursuant to the attached information.

Reason for Recommendation:

The recommendation is based on §4675 of the Revenue and Taxation Code.

Fiscal Impact:

No net impact.

Action To Be Taken Following Approval:

The Auditor-Controller will disburse funds as directed.

Yours very truly,

A handwritten signature in blue ink that reads "Joe Harn".

Joe Harn
Auditor-Controller

enclosures
JH/js



County of El Dorado

OFFICE OF AUDITOR-CONTROLLER

360 FAIR LANE
PLACERVILLE, CALIFORNIA 95667
(530) 621-5487

JOE HARN, CPA
Auditor-Controller

BOB TOSCANO
Assistant Auditor-Controller

February 3, 2012

Rickey Ricardo Smith
2286 Via Puerta #D
Laguna Woods, CA 92637

Re: Excess Proceeds Claim from the Sale of Tax Defaulted Property of November 05, 2010
APN: 500-122-47-100 Default No: 088364 Excess Proc. Available: \$351.26

Please be advised that the Auditor-Controller will present to the Board of Supervisors only valid original claims for excess proceeds meeting the requirements of Revenue and Taxation (R&T) Code §4675 or other applicable authority. The Auditor-Controller will present all valid claims with a recommendation for distribution to a duly noticed Board of Supervisor's public hearing.

The Auditor-Controller will notify all claimants submitting valid claims of the scheduled public hearing at least 20 calendar days in advance. The notice will include the recommended distribution and copies of any other valid claims for the same property. Parties with valid claims are not required to attend the public hearing; however, you may do so if you wish. Any interested person(s) may attend the public hearing.

NOTICE OF HEARING

The El Dorado County Board of Supervisors will hold a public hearing on **February 28, 2012, beginning at 9:00 o'clock a.m.**, regarding the determination of distribution of the excess proceeds from the Sale of Tax Defaulted Property dated **November 05, 2010**. The hearing will be held at the Board of Supervisors chambers located in Building A, 330 Fair Lane, Placerville, California, 95667. All claims, proof, supporting documents, and relevant information, submitted by valid claimants meeting the requirements of R&T Code §4675, will be forwarded to the Board of Supervisors office prior to the public hearing.

Claimant(s) Names and Addresses:

Rickey Ricardo Smith
2286 Via Puerta #D
Laguna Woods, CA 92637

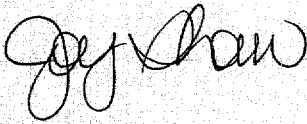
Rosa Savage
30041 Tessier St #314
Laguna Niguel, CA 92677

<u>Claimant</u>	<u>Type</u>	<u>\$ Claimed</u>	<u>Recommendation</u>
Rickey Ricardo Smith	Owner of Record	175.63	175.63
Rosa Savage	Owner of Record	175.63	175.63
Unclaimed	R&T Code §4674	-0-	-0-

Following the determination of distribution for valid claims at the public hearing, the Auditor-Controller will notify valid claimants of the action taken by the Board of Supervisors. Pursuant to R&T Code §4675(b), any action or proceeding to review the decision of the Board of Supervisors must be commenced within 90 calendar days after the date of the Board of Supervisors decision. County warrants will be issued no sooner than 90 days after the date of the decision of the Board of Supervisors.

Please contact Sally Zutter, Accounting Division Manager, or myself, at the address above, or at 530/621-5470 with any questions.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Joy Shaw".

Joy Shaw
Deputy Auditor-Controller

/js



County of El Dorado

OFFICE OF AUDITOR-CONTROLLER

360 FAIR LANE
PLACERVILLE, CALIFORNIA 95667
(530) 621-5487

JOE HARN, CPA
Auditor-Controller

BOB TOSCANO
Assistant Auditor-Controller

February 3, 2012

Rosa Savage
30041 Tessier St #314
Laguna Niguel, CA 92677

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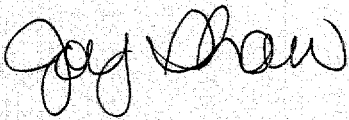
Rosa Savage
30041 Tessier St #314
Laguna Niguel, CA 92677

<u>Claimant</u>	<u>Type</u>	<u>S Claimed</u>	<u>Recommendation</u>
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Please contact Sally Zutter, Accounting Division Manager, or myself, at the address above, or at 530/621-5470 with any questions.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Joy Shaw".

Joy Shaw
Deputy Auditor-Controller

/js



360 Fair Lane, Placerville, Calif. 95667
Tax Collector (530) 621-5800

AUDITOR-CONTROLLER
JUG-11AM11:02

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY

Mail to: El Dorado County Auditor-Controller
Property Tax Division - Attn: Excess Proceeds
360 Fair Lane
Placerville CA 95667

Assessor Parcel Number: 500-122-47-100 Default Number: 088364

Date of Tax Sale: Nov 5 2010 Amount Claimed: \$ 351.26

I, the undersigned claimant, request an award from the excess proceeds resulting from the sale of the above-referenced property. I am filing this claim within one year of the recordation of the Tax Collector's Tax Deed to purchaser.

I claim my status as a party of interest pursuant to §4675 of the California Revenue and Taxation Code (R&T Code). I hereby state that I am a rightful claimant as (check one):

- Lienholder of record prior to recording of tax deed to purchaser.
- Assignee of a lienholder of record prior to recording of tax deed to purchaser.
- Any person(s) with title of record to all or any portion of the property prior to the recordation of the tax deed to the purchaser.

If so, list *ownership type* (check one):

- Joint Tenancy
- Tenancy in Common
- Sole Owner
- Other (please list): _____

If so, list *percentage of ownership* for each claimant to this claim (attach additional list of names, as necessary):

Claimant 1 Name: Ricky R Smith Percentage of Ownership: 50 %
Claimant 2 Name: Rosa J Savage Percentage of Ownership: 50 %

- Assignee of any person(s) with title of record to all or any portion of the property prior to the recordation of the tax deed to the purchaser.

If so, list *ownership type* (check one):

- Joint Tenancy
- Tenancy in Common
- Sole Owner
- Other (please list): _____

BSmith

If so, list *percentage of ownership* for each claimant to this claim
(attach additional list of names, as necessary):

Claimant 1 Name: _____ Percentage of Ownership: _____ %

Claimant 2 Name: _____ Percentage of Ownership _____ %

I base my status and right to claim on the attached documentation (check all that apply). Please review
El Dorado County Resolution 342-2003. **(Enclose copies of supporting documentation):**

- Copy of claimant's trust deed or other evidence of lien or security interest. Included is information regarding:
 - the original amount of the lien or interest
 - the total amount of payments received reducing the original amount of the lien or interest
 - the amount still due and payable as of the date of the sale of the tax-defaulted property by the Tax Collector (including a schedule of any calculations)
 - any attempts to foreclose or collect on the loan

- Deeds
- Wills and/or death certificate(s)
- Court order(s)
- Escrow documents
- Property tax bills mailed to claimant
- Canceled checks showing payment of taxes
- Other (please list): _____

If this claim is an assignment, additional items need to be submitted with this claim. All assignment documentation submitted must be originals. Please review R&T Code §4675 and El Dorado County Resolution 342-2003 for further details.

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

Executed this 28 day of July, 20 11 at Laguna Woods Cd.
(day) (month) (year) (city and state)

Signature of Claimant(s): Rickey Ricardo Smith
(If more than one claimant, each must sign) (Claimant signature(s) must be notarized)

Print Name(s): RICKEY RICARDO SMITH

Daytime Phone Number: 949-310-3596

Mailing Address: 2286 VIA PUERTA D

Mailing City, State, Zip: LAGUNA WOODS CA 92637

Notary: Attach notary statement(s)

If so, list *percentage of ownership* for each claimant to this claim
(attach additional list of names, as necessary):

Claimant 1 Name: _____ Percentage of Ownership: _____ %

Claimant 2 Name: _____ Percentage of Ownership: _____ %

I base my status and right to claim on the attached documentation (check all that apply). Please review
El Dorado County Resolution 342-2003. (**Enclose copies of supporting documentation**):

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

Executed this 28 day of July, 2011 at Laguna Woods, Ca
(day) (month) (year) (city and state)

Signature of Claimant(s): Rosa J. Savage
(If more than one claimant, each must sign) (Claimant signature(s) must be notarized)

Print Name(s): Rosa Savage

Daytime Phone Number: 510 332-6460

Mailing Address: 30041 Tessier St #314

Mailing City, State, Zip: Laguna Niguel, Ca 92677

Notary: Attach notary statement(s)



January 10, 2011

Smith Rickey R
Smith Rosa J
%rosa Savage 1400s Sunkist 117
Anaheim CA 92806

RE: CLAIM FOR EXCESS PROCEEDS FROM TAX SALE
LAST ASSESSEE, LIENHOLDER OF RECORD

Parcel No. 500-122-47-100
Situs: 3601 Lake Tahoe Blvd
Assessee: SMITH RICKEY R
Date Sold: November 05, 2010
Date Deed to Purchaser Recorded: January 07, 2011
Final Date to Submit Claim: January 07, 2012

AUDITOR-CONTROLLER
11 JAN 31 PM 3:13

Our records indicate that you may be a party of interest as defined in Section 4675 of the California Revenue and Taxation Code and therefore eligible to claim excess proceeds relative to the above described property sold at tax sale on November 05, 2010. Excess proceeds represent those monies remaining after all tax liens and costs of the sale have been satisfied.

A Claim Form is enclosed for your convenience. **Please note that by law your claim must be filed within one year of the date the deed to the purchaser was recorded.**

Please feel free to call the Auditor-Controller's Office should you require assistance. The telephone number is (530) 621-5470 (Placerville). Help is provided without charge and we would be happy to provide assistance.

Regards,

Kim McIntosh
Fiscal Technician