

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

Tom Watson

DEPT: Treasurer/Tax Collector

BOARD AGENDA # *B-3b

Urgent Routine X

AGENDA DATE May 1, 2001

CEO Concurs with Recommendation YES ght NO
(Information Attached)

4/5 Vote Required YES NO ✓

SUBJECT:

APPROVE THE DISTRIBUTION OF \$617.97 IN EXCESS PROCEEDS FROM THE MARCH 1, 2000 SALE OF TAX DEFAULTED PROPERTY BELONGING TO DOUGLAS KARL GUILLES.

STAFF
RECOMMEN-
DATIONS:

AUTHORIZE THE AUDITOR TO ISSUE A CHECK BASED ON THE ATTACHED CLAIM FOR EXCESS PROCEEDS SUBMITTED IN COMPLIANCE WITH THE REQUIREMENTS OF REVENUE AND TAXATION CODE SECTION 4675 IN THE AMOUNT OF \$617.97.

FISCAL
IMPACT:

None. This is a request to pay out funds held in trust since March 1, 2000.

BOARD ACTION AS FOLLOWS:

No. 2001-317

On motion of Supervisor Blom , Seconded by Supervisor Caruso
and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) Denied

3) Approved as amended

Motion:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy

File No.

Approve the Distribution of Excess Proceeds from
March 1, 2000 Sale of Tax Defaulted Property
Page Two

DISCUSSION: On March 1, 2000, by operation of the law the Tax Collector sold certain real property located at 406 Colorado Avenue, Modesto, assessed to Douglas Karl Guiles, for non-payment of property taxes. The excess proceeds from this sale were in the amount of \$1,496.19.

Stanislaus County Revenue Recovery has submitted a claim for excess proceeds to satisfy their lien against the property in the amount of \$617.97. The Tax Collector is requesting authorization for the Auditor to honor the claim by distributing the excess proceeds based on the claim amount. The balance of \$878.22 will remain in the County's General Fund.

POLICY

ISSUES: This request is being made in compliance with Part 8, Chapter 1.3, Sections 4675 and 4676 of the Revenue and Taxation Code.

The County has complied with the required provisions of this chapter.

STAFFING

IMPACT: None.

**CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF
TAX-DEFAULTED PROPERTY**

TO: Tom Watson, Stanislaus County
Treasurer/Tax Collector

RE: Assessor's Parcel No.: 102 0523 101
Default Number: 29021
Date of Sale: March 1, 2000

I, the undersigned claimant, request that I be awarded the excess proceeds resulting from the sale of the above referenced property.

I claim my status as a party of interest pursuant to Section 4675 of the California Revenue and Taxation Code. I hereby state I am a rightful claimant and base my status and right to file on the following information and documentation:

GRANT OF LIEN TO COUNTY OF STANISLAUS

\$617.97

TOTAL AMOUNT OF CLAIM \$617.97

ENCLOSED IS DOCUMENTATION SUPPORTING MY CLAIM

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

Executed this 7th day of February, 20 01 at Modesto CA
(day) (month) (city/state)

Deborah A. Morris
Signature of Claimant

Mailing Address
STANISLAUS COUNTY TREASURER/TAX COLLECTOR

Deborah A. Morris
Print Name

INSTRUCTIONS FOR FILING CLAIM
(See Claim Form on Reverse Side)

The California Revenue and Taxation Code, Section 4675, states in part (paraphrased):

For the purposes of this article, parties of interest and their order of priority are:

- A. First, lienholders of record prior to the recordation of the tax deed to the purchaser in the order of their priority; and
- B. Then, any person with title of record to all or any portion of the property prior to the recordation of the tax deed to the purchaser.

If you consider yourself to be a party of interest in the sale of tax defaulted property as defined above, please fill out the reverse of this form stating how you have determined your status as a party of interest. If you need help filling out this form, please contact our office by telephone at (209) 525-6388. You must attach copies of documents to support your claim as follows:

- 1. In case *A.*, attach a copy of your trust deed or other evidence of line or security interest, along with a statement under penalty of perjury setting forth the original amount of the lien or interest, the total amount of payments received reducing the original amount of the lien or interest, and the amount still due and payable as of the date of the sale of the tax defaulted property by the tax collector.
- 2. In case *B.*, attach copies of any other documents (e.g., deed, death certificate, will, court order, etc.) supporting your claim.

PLEASE NOTE: We cannot by law begin processing of claims until one year has passed from the date of the deed to the purchaser. In order to receive consideration by the County Board of Supervisors, claims must be filed **ON OR BEFORE THE EXPIRATION OF ONE YEAR** following the date of the recording the deed to the purchaser. Please see the "Date Deed to Purchaser Recorded" appearing on the attached notice (Form TDL-8-20). The Tax Collector will submit a recommendation to the Board of Supervisors as to what disposition should be made on your claim. Following the Board's review, the claim will either be approved or denied. The Clerk of the Board of Supervisors will notify you of the action taken by the Board. Should the claim be approved, the Auditor-Controller will issue a County warrant in payment. By law, the Auditor cannot issue you a warrant in payment of the approved claim until 90 days following the action taken by the Board.

MAIL COMPLETED CLAIM FORMS TO:

Tom Watson, Treasurer/Tax Collector
P. O. Box 859
Modesto, CA 95353-0859

1:51:19 06 Feb 2001 PATIENT HISTORY for 0078778 GUILLES, DOUGLAS CARL (0221616) - From 08/01/93 thru 06/06/01 <CDW>

Claim#. Rcvd Dt Svc Dt Provider..... Sts. Billed Amt Claim Amt. F/C
Wrnt# Wrnt Dat Check# Check Dt

1	3054874	08/10/93	08/04/93	STANISLAUS MED CNTR JOUR		296.02	296.02	MIA	F001515766	MR#221616
2	218459	08/13/93	08/04/93	LI, DAVID	WARR	12.95	12.95	MIA	F001515766	MR#0221616
		19779	09/09/93	207509	09/13/93					
3	3123299	07/29/94	07/24/94	STANISLAUS MED CNTR JOUR		159.00	159.00	MIA	F003485760	MR#221616
4	3132753	09/24/94	09/18/94	STANISLAUS MED CNTR JOUR		150.00	150.00	MIA	F003796562	MR#221616

.L claim tots> Billed: 617.97 Reduced to: 617.97 Paid: 617.97

RECORDING REQUESTED BY:

Stanislaus Co Recorder's Office
Karen Mathews, County Recorder

DOC - 93-0107912-00
Acct 401-Over The Counter Documents
Monday, OCT 18, 1993 16:11:00
FRE \$0.0011
Total- \$0.00
REEL 109 IMAGE 105 Nbr-0000159950
RPS

WHEN RECORDED MAIL TO:

DON FAIRCHILDS
P.O. BOX 859
MODESTO CA 95353

**GRANT OF LIEN TO
COUNTY OF STANISLAUS**
(Section 17109 W & I Code)

Department Hospital

Case Number 227616

The undersigned hereby grant(s) to the County of Stanislaus a lien upon any real property in which the undersigned now has or holds any right, title or interest, and upon all other real property in which the undersigned may acquire any right, title or interest in the future, situated in the State of California, or elsewhere, for the purpose of securing an obligation to pay the amount of all county support, aid, medical care and hospitalization heretofore furnished or to be furnished in the future to the undersigned or to the spouses or dependents of the undersigned.

This lien shall not be foreclosable until the death of the undersigned; provided, however, that if any attempt by the undersigned to sell or otherwise transfer any interest in such property without making satisfactory arrangements for payment of the obligation secured by this lien, the lien shall be immediately foreclosable.

This agreement shall be binding upon each of the undersigned, his successors, heirs and assigns. Furthermore, the benefits of all Statutes of Limitation relating to collection of such indebtedness or enforcement of this lien are hereby and forever waived.

8-4-93 Don Fairchild
Date Signature
406 Colorado Ave
Address
Modesto CA 95351
City & State
1-22-61 55931-3093 N7418849
Birth Date Social Security No. Dr. Lic. No.

Date Signature

Address

City & State

Birth Date Social Security No. Dr. Lic. No.

107912 OCT 18 1993

STATE OF CALIFORNIA }
COUNTY OF STANISLAUS } SS

On this 4 day of August, 1993, before me, Karen Mathews, County Clerk of Stanislaus County, California, personally appeared Douglas Guite and _____ known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she... executed the same. In Witness Whereof, I have hereunto set my hand and affixed my official seal in the said County of Stanislaus, State of California, the day and year in this certificate first above written.



Karen Mathews, County Clerk of Stanislaus County, California

By: Maria J. Yancy, Deputy

This is to certify that any interest in real property conveyed by this grant of lien to the County of Stanislaus, a political corporation and governmental agency is hereby accepted by the undersigned agent on behalf of the Board of Supervisors of Stanislaus County pursuant to authority conferred by order of the said Board adopted on March 23, 1976, and the grantee consents to recordation thereof by its duly authorized officer.

Dated AUG 20 1993



Don Fairchild
Treasurer and Tax Collector
Stanislaus County

By: Jean Paul, Deputy