

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

Tom Watson

DEPT: Treasurer/Tax Collector

BOARD AGENDA # *B-3c

Urgent _____ Routine X

AGENDA DATE May 1, 2001

CEO Concurs with Recommendation YES *pk* NO _____
(Information Attached)

4/5 Vote Required YES _____ NO

SUBJECT:

APPROVE THE DISTRIBUTION OF \$63,882.42 IN EXCESS PROCEEDS FROM THE MARCH 1, 2000 SALE OF TAX DEFAULTED PROPERTY BELONGING TO BERNIE L. SHAW ET UX.

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 \$63,882.42.

FISCAL
IMPACT:

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

BOARD ACTION AS FOLLOWS:

No. 2001-318

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 930 7th Street, Modesto, assessed to Bernie L. Shaw et ux, for non-payment of property taxes. The excess proceeds from this sale were in the amount of \$63,882.42.

Bernie L. and Claudia Shaw have submitted a claim for excess proceeds as 'persons with title of record' prior to the public auction sale (Revenue and Taxation Codes Section 4675(b)). The Tax Collector is requesting authorization for the Auditor to honor their claim by distributing the excess proceeds based on the claim amount.

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.: 104-0609-340
Default Number: 29035
Date of Sale: March-23-1999

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:

(Owner)
Bought in 1978 from Mr. Mauter

ENCLOSED IS DOCUMENTATION SUPPORTING MY CLAIM

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

Executed this 18 day of July, 20 00 at Modesto
(day) (month) (city/state)

Bernie L Shaw
Signature of Claimant

Bernie Shaw
Claudia Shaw
Print Name

Mailing Address
488 Smith Rdg.
Reno NV. 89502

RECORDING REQUESTED BY
TITLE INSURANCE AND TRUST

BOOK 3105 PAGE 328

AND WHEN RECORDED MAIL TO

Name Mr. & Mrs. Bernie Shaw
Street Address 212 Sunset Blvd
City & State Modesto CA

MAIL TAX STATEMENTS TO

Name Same as above
Street Address
City & State

RECORDED AT BY
TITLE INSURANCE
AND TRUST COMPANY
OFF'L RECORDS STAN-
ISLAUS CO. CALIF.
STEVE R. NELSON,
RECORDER
BY *[Signature]*
ASST. RECORDER

20929 SEP 29 78

20929 SEP 29 78

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Individual Grant Deed

THIS FORM FURNISHED BY TICOR TITLE INSURERS

TO 1923 CA (12-74)

The undersigned grantor(s) declare(s):
Documentary transfer tax is \$ 55.00
~~XXX~~ computed on full value of property conveyed, or
() computed on full value less value of liens and encumbrances remaining at time of sale.
() Unincorporated area: ~~XXX~~ City of Modesto and

TAX PAID *[Signature]*

P.N. 1047.06-09
Execution 10/11

(TI)

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
WILLIAM G. MORTIMER, a widower

hereby GRANT(S) to
BERNIE L. SHAW and CLAUDIA N. SHAW,
husband and wife, as joint tenants

the following described real property in the Modesto Irrigation District
County of Stanislaus, State of California:

Lots 30, 31 & 32 in Block 42 of CITY OF MODESTO, according to the official map thereof, filed in the office of the recorder of Stanislaus County, California, on December 21, 1942 in Volume 15 of Maps.

Dated 18-May-78

[Signature]
William G. Mortimer

STATE OF CALIFORNIA }
COUNTY OF _____ } SS.

[Signature]
Witness

On _____ before me, the under-
_____ appeared

STATE OF CALIFORNIA }
COUNTY OF Stanislaus } SS.

On May 31, 1978 before me, the undersigned, a Notary Public, in and for said State, personally appeared Edward J. Fisher, known to me to be the person whose name is subscribed to the within Instrument, as a Witness thereto, who being by me duly sworn, deposes and says: That he resides in Modesto, CA

and that he was present and saw William G. Mortimer personally known to him to be the same person described in and whose name is subscribed to the within and annexed instrument execute the same; and he acknowledged to said affiant that he executed the same; and that affiant subscribed his name thereto as a Witness to said execution.

WITNESS my hand and official seal.
Signature *[Signature]*
Barbara Sesma

20929 SEP 29 78
OFFICIAL SEAL
BARBARA SESMA
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
STANISLAUS COUNTY
COMM. EXP. AUG. 2, 1982

STAPLE HERE