

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

Tom Watson

DEPT: Treasurer/Tax Collector

BOARD AGENDA # *B-3a

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 \$272.55 IN EXCESS PROCEEDS FROM THE MARCH 1, 2000 SALE OF TAX DEFAULTED PROPERTY BELONGING TO PAT CLIFTON.

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 \$272.55.

FISCAL
IMPACT:

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

BOARD ACTION AS FOLLOWS:

No. 2001-316

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 12634 Bentley Street, Waterford, assessed to Pat Clifton, for non-payment of property taxes. The excess proceeds from this sale were in the amount of \$6,553.84.

Stanislaus County Revenue Recovery has submitted a claim for excess proceeds to satisfy their liens against the property. 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 \$6,281.29 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.: 134 0737 310
Default Number: 29420
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:

Certification of Lien for Unsecured Property Taxes 95-000403 \$132.05

Certificate of Lien for Unsecured Property Taxes 94-000276 \$140.50

TOTAL AMOUNT OF CLAIM \$272.55

ENCLOSED IS DOCUMENTATION SUPPORTING MY CLAIM

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

Executed this 6th day of February, 20⁰¹ at Modesto CA
(day) (month) (city/state)



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

RECORDING REQUESTED BY:
Stanislaus County Tax Collector
P.O. Box 859
Modesto, CA 95353
(209) 525-6388

Co. Recorder's Office Stanislaus
County Recorder Karen Mathews
Requested By Tax Collector
DOC-96-0061609-00
Thursday JUL 25, 1996 16:15
\$0.00 FEE

CERTIFICATE OF LIEN FOR UNSECURED PROPERTY TAXES

Lien No. 95-000403

In accordance with the provisions of Section 2191.3 and 2191.4 of the Revenue and Taxation Code, I **TOM WATSON**, Tax Collector of the County of Stanislaus, State of California, do hereby certify that there is on record in my office, unpaid delinquent Unsecured Property taxes which were duly assessed, computed and levied in the name(s) and amount(s) stated herein, together with penalties and interest as shown below. This amount may not include penalties accrued since delinquent date.

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<u>ASSEESSEE AND ADDRESS</u>	<u>YEAR/PARCEL/ACCOUNT</u>	<u>AMOUNT</u>
CLIFTON PAT P O BOX 750 WATERFORD CA 95386	1995 134 0739 150	\$93.12

From and after the time of filing this certificate of lien for record, the total amount of unpaid tax, penalties, and interest required to be paid by the person(s) named constitutes a lien upon all personal and real property now owned by said person(s), or that may subsequently be acquired by them before the date this lien expires.

This lien has the force, effect and priority of a Judgment Lien for ten (10) years from this time of the recording of this instrument or extension thereof, unless sooner released or otherwise discharged.

**THIS IS TO NOTIFY YOU THAT A TAX LIEN HAS BEEN FILED WITH RESPECT TO
UNSECURED PROPERTY**

EXECUTED ON

APR. 19, 1996

TOM WATSON

Tax Collector

Tom Watson

CL01401

S T A N I S L A U S C O U N T Y

CL0140

** TAX CHARGE **

DEBTOR: CLIFTON PAT
 RCPN : CLIFTON PAT
 TAX CODE AREA: 008 020 TAX ROLL MARKED: N
 PARCEL : 1340739150 ROLL YEAR : 1995
 STATUS/WO: MIN DA JUDGMT/LIEN:
 REC.DATE: STATUS DATE: 06/20/2000

TRANSMITTAL:
 COLLECTOR : A
 CHARGE NO : 187054 00
 ENTRY DATE : 09/12/1996
 DEPT NO : 1021-03-UNT
 SEND STMT(Y/N): N
 ORIG CHRGE DATE: 08/31/19
 INSTRMENT:

COURT ADVISED:
 PAYMENT MEMO: AMOUNT .00 START
 TAX INTERCEPT(Y/N): N YEARS 00 00 00 00
 MESSAGE: LIEN #95-403 INT THRU 083196 INT 2/01 36.55

T33250

CHG	CD	L	DESCRIPTION	ORIG-AMOUNT	ADJ-AMOUNT	PMT-AMOUNT	CURRENT BALANCE	ADJUSTME REFEREN
ASM	ASM		TAX ADMIN. FE	35.00	-35.00	.00	.00	
INT	INT		INTEREST	5.94	-5.94	.00	.00	
PEN	PEN		PENALTY ON TA	3.96	-3.96	.00	.00	
REX	REX		RECORDING FEE	11.00	-11.00	.00	.00	
TAX	TAX		UNSECURED TAX	39.60	-39.60	.00	.00	
TOTAL				95.50	-95.50	.00	.00	

PF(S):1=HLP 3=END 11=UPD 14=GRN 16=HST 17=NTS 23=ADR

RECORDING REQUESTED BY:
Stanislaus County Tax Collector
P.O. Box 859
Modesto, CA 95353
(209) 525-6388

Co Recorder's Office Stanislaus
County Recorder Karen Mathews
Requested By Tax Collector
DOC-94-0115062-00
Friday DEC 09, 1994 11:53
\$0.00 FRE

CERTIFICATE OF LIEN FOR UNSECURED PROPERTY TAXES

Lien No. 94-000276

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I, DON FAIRCHILD, Tax Collector of the County of Stanislaus, State of California, do hereby certify that there is on record in my office, unpaid delinquent Unsecured Property taxes which were duly assessed, computed and levied in the name(s) and amount(s) stated herein, together with penalties and interest as shown below. This amount may not include penalties accrued since.

<u>ASSESSEE AND ADDRESS</u>	<u>YEAR / PARCEL / ACCOUNT</u>	<u>AMOUNT</u>
CLIFTON PAT P O BOX 750 WATERFORD CA 95386	1994 134 0739 150	\$59.15

From and after the time of filing this certificate of lien for record, the total amount of unpaid tax, penalties, and interest required to be paid by the person(s) named constitutes a lien upon all personal and real property now owned by said person(s), or that may subsequently be acquired by them before the date this lien expires.

This lien has the force, effect and priority of a Judgment Lien for ten (10) years from this time of the recording of this instrument or extension thereof, unless sooner released or otherwise discharged.

**THIS IS TO NOTIFY YOU THAT A TAX LIEN HAS BEEN FILED WITH RESPECT TO
UNSECURED PROPERTY**

EXECUTED ON

NOV. 28, 1994

DON FAIRCHILD

By

Tax Collector

Deputy

1021-161L

(Acknowledgment is not required pursuant to §27282 of the Government Code)

CL01401

S T A N I S L A U S C O U N T Y

CL0140

**

TAX CHARGE

**

DEBTOR: CLIFTON PAT
 RCPN : CLIFTON PAT
 TAX CODE AREA: 008 020 TAX ROLL MARKED: N
 PARCEL : 1340739150 ROLL YEAR : 1994
 STATUS/WO: MIN DA JUDGMT/LIEN:
 REC.DATE: STATUS DATE: 06/20/2000
 COURT ADVISED:

TRANSMITTAL:
 COLLECTOR : A
 CHARGE NO : 187054 00
 ENTRY DATE : 12/05/1995
 DEPT NO : 1021-03-UNT
 SEND STMT(Y/N): N
 ORIG CHRGE DATE: 08/31/19
 INSTRMENT:

PAYMENT MEMO: AMOUNT .00 START
 TAX INTERCEPT(Y/N): N YEARS 00 00 00 00
 MESSAGE: LIEN #94-276 INT .59 THRU 11/95 INT 2/01 43.23

T33238

CHG	CD	L	DESCRIPTION	ORIG-AMOUNT	ADJ-AMOUNT	PMT-AMOUNT	CURRENT BALANCE	ADJUSTME REFEREN
ASM	ASM		TAX ADMIN. FE	35.00	-35.00	.00	.00	
INT	INT		INTEREST	7.71	-7.71	.00	.00	
PEN	PEN		PENALTY ON TA	3.96	-3.96	.00	.00	
REX	REX		RECORDING FEE	11.00	-11.00	.00	.00	
TAX	TAX		UNSECURED TAX	39.60	-39.60	.00	.00	

TOTAL 97.27 -97.27 .00 .00

PF(S):1=HLP 3=END 11=UPD 14=GRN 16=HST 17=NTS 23=ADR