



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
C1

For the meeting of: December 5, 2017

Date: November 14, 2017

To: Board of Supervisors

From: Joseph Mellett, Auditor-Controller *MBW*

Subject: Distribution of Excess Proceeds from Tax Sale of 509-121-033 on April 22-25, 2016

RECOMMENDATION:

That the Board of Supervisors approve the distribution of the excess proceeds resulting from the April 22-25, 2016 public auction as set forth in Attachment A.

SOURCE OF FUNDING:

This money is proceeds from a tax auction held in fund 3680: Delinquent Tax Sales Trust until disposition.

DISCUSSION:

During April 22-25, 2016, Treasurer-Tax Collector John Bartholomew sold a number of delinquent property tax parcels using an internet-based public auction website. The date of recordation of the last tax deeds for this auction was June 23, 2016. Some of the parcels sold for more than the amount required to pay the parcel's back taxes and its share of the cost of preparing for and conducting the auction. This excess of sales price over taxes and expenses is referred to as excess proceeds and is available in priority to: (1) claimants who have a recorded lien against the property with priority given to the earliest recorded lien; and (2) the last owner(s), or assessee(s), prior to the sale. These claimants, or parties of interest, have one year from the date of the recordation of the tax deed to the purchaser to file a claim for excess proceeds.

On July 18, 2017 (Item C-2), staff recommended, and your Board approved, a previous distribution of excess proceeds resulting from the public auction held on April 22-25, 2016. Due to an inadvertent misunderstanding between the claimants and various county departments, claims regarding the excess proceeds resulting from the sale of parcel 509-121-033-000 (Estate of Edwin Arndt) were not timely

Prepared by: Joseph Mellett, Auditor-Controller

CAO Approval *[Signature]*

REVIEW: Auditor \_\_\_\_\_ County Counsel *SM* Personnel \_\_\_\_\_ Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

TYPE OF ITEM:  
 Consent  
 Departmental  
 Public Hearing  
 Other \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT  
Upon motion of Supervisor *Wilson*  
Seconded by Supervisor *Sundberg*  
And unanimously carried by those members present,  
The Board hereby adopts the recommended action  
contained in this report.

PREVIOUS ACTION/REFERRAL:

Board Order No. C-2  
Meeting of: July 18, 2017

Dated: 12/5/17  
Kathy Hayes, Clerk of the Board

By: *[Signature]*

received by the county. However, after the above-referenced misunderstanding was discovered, claimants filed valid claims for the excess proceeds in question with the Auditor-Controller's Office on October 4, 2017. Accordingly, staff recommends that such excess proceeds be distributed to claimants as set forth in Attachment A.

Upon approval by your Board of the distribution set forth in Attachment A, the excess proceeds in question will be held for ninety (90) days to allow for protests.

FINANCIAL IMPACT:

The claims currently recommended for payment represent \$19,454.28 of excess proceeds from the April 2016 sales. Whatever tax auction funds remain after resolution of all excess proceeds claims will be transferred to the tax losses reserve fund (3010). Effective management of the tax trust funds is consistent with your Board's Strategic Framework in that these resources are available to ensure sustainability of services and build reserve balances.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose to reject any or all of the recommended claims, whereupon the claimants would have ninety (90) days in which to appeal that rejection.

ATTACHMENTS:

Attachment A – Recommended Distribution of Excess Proceeds.

COUNTY OF HUMBOLDT

ATTACHMENT "A"

RECOMMENDED DISTRIBUTION OF EXCESS PROCEEDS  
FROM TAX SALES OF APRIL 22 - 25, 2016

<u>Parcel Number</u>	<u>Name</u>	<u>Amount</u>
509-121-033	Sandra Layne Fulton	\$6,484.76
509-121-033	Carol Jean Hammers	6,484.76
509-121-033	Larry Dean Arndt	<u>6,484.76</u>
	Total	<u><u>\$19,454.28</u></u>