MEMORANDUM
TREASURER-TAX COLLECTOR
COUNTY OF PLACER

To: Honorable Board of Supervisors

From: Jenine Windeshausen, Treasurer-Tax Collector

Date: June 17, 2014

Subject: Request For Approval to Sell Tax-Defaulted Property By Sealed Bid

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RECOMMENDATION: Approve a resolution authorizing the Tax Collector to sell at a sealed bid sale, for the stated minimum price, the tax-defaulted property that is subject to the power of sale and described on the attached schedule, in accordance with Chapter 7 of Part 6 of Division 1 of the California Revenue and Taxation Code.

BACKGROUND: Secured real property becomes subject to the Tax Collector's power to sell 5 years from the date declared tax defaulted. The purpose of offering tax-defaulted property at a tax sale is to collect the unpaid taxes (redemption), return the property to a revenue-generating status by conveying the property to another owner, and allow owners of contiguous parcels or easement holders the opportunity to augment their property. Before the sale the Tax Collector is required to notify the assessee, and any other parties of interest, of the Tax Collector's power and intent to sell the property for nonpayment of taxes[1]. There are currently 14 parcels planned for sale, which may be redeemed by 5:00 p.m. the day prior to the sale (Tuesday, September 23, 2014). If the parcel has not been redeemed it will be offered for sale by sealed bid Wednesday, September 24, 2014. If the parcel is not sold by sealed bid on Wednesday, September 24, 2014, then the parcel will be offered for sale at the public auction to be held on Wednesday, October 1, 2014.

A sealed bid sale may be conducted when the tax-defaulted parcel is unusable by virtue of its size, location, or other conditions (§3692(c)). For sealed bid sales, the Tax Collector is the only officer authorized to determine the criteria she will use in establishing the minimum selling price (§3698.5(c)). Successful bids that are in excess of the original minimum bid amount result in "excess proceeds" which are subject to claim by certain parties on a priority lien basis as specified by law under Revenue and Taxation Code Sections 4674 and 4675. After a period of one year, any unclaimed excess proceeds are deposited into the County Tax Loss Reserve fund as specified by law. If a parcel is sold for an amount that is less than the total amount necessary to redeem plus costs, any unpaid taxes or fees would be supplanted from the Tax Loss Reserve Fund as required by the Teeter Plan.

FISCAL IMPACT: The 14 parcels eligible for sale on September 24, 2014, represent an estimated outstanding redemption amount of $73,629.00. Costs incurred for each parcel are collected upon the sale of the parcel. The actual fiscal impact to the County will be determined by the amount of excess proceeds deposited to the Tax Loss Reserve Fund and any amounts that may need to be transferred from the Tax Loss Reserve Fund.

JW/gs
Attachment
[1]Attachment A contains a copy of the public notice.

Before the Board of Supervisors
County of Placer, State of California

In the matter of: Resol. No. _____

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO SELL TAX-DEFAULTED PROPERTY BY SEALED BID

The following RESOLUTION was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held June 17, 2014 by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

_____
Chair, Board of Supervisors

Attest:
Clerk of said Board

_____

BE IT RESOLVED that approval for the Tax Defaulted Land Sale by sealed bid on September 24, 2014, is hereby granted. Jenine Windeshausen, Placer County Treasurer-Tax Collector, is directed to sell the property described in Attachment A as provided for by law pursuant to Chapter 7 of Part 6 of Division 1 of the California Revenue and Taxation Code.

Attachment A
NOTICE OF SEALED BID SALE ON September 24, 2014,
OF TAX-DEFAULTED PROPERTY FOR DELINQUENT TAXES
Made pursuant to Section 3702, Revenue and Taxation Code

On June 17, 2014, I, Jenine Windeshausen, Placer County Tax Collector, was authorized to conduct a sealed bid sale by the Board of Supervisors of Placer County, California. The tax-defaulted properties listed below are subject to the Tax Collector's power of sale and have been approved for sale by a resolution dated June 17, 2014, of the Placer County Board of Supervisors.

I will publicly open the sealed bids submitted and sell the properties at 2:00 p.m. on Wednesday, September 24, 2014, in the upper lobby of the FAB Building, 2976 Richardson Drive, Auburn, California, 95603. The property will be sold to the highest bidder among the eligible bidders. If a parcel is not sold by sealed bid on Wednesday, September 24, 2014, then the parcel will be offered for sale at the public auction to be held on Wednesday, October 1, 2014.

Properties that are redeemed (paid) in full by Tuesday, September 23, 2014, at 5:00 p.m. will not be sold. The right of redemption will cease at that time and properties not redeemed will be sold. If a parcel is not sold, the right of redemption revives up to the close of business on the last day prior to the next scheduled sale (Tuesday, September 30, 2014). Any parcel not sold at this scheduled tax sale may be re-offered for sale within a 90-day period.

Properties protected by bankruptcy as of the date of the tax-defaulted land sale will be removed prior to the sale. No action will be taken against any property or property owner that would violate the automatic stay provided for under the US Bankruptcy Code.

If the properties are sold, parties of interest, as defined in California Revenue and Taxation Code Section 4675, have a right to file a claim with the county for any excess proceeds from the sale. Excess proceeds are the amount in excess of the highest bid after the liens and costs of the sale are paid from the final sale price. Notice will be given to parties of interest, pursuant to law, if excess proceeds result from the sale.

More information may be obtained by contacting the Tax Collector at 2976 Richardson Dr., Auburn, California, 95603 or calling (530) 889-4129 or (530) 889-4109. Land Sale information is available on our website at www.placer.ca.gov/tax/landsale.

PARCEL NUMBERING SYSTEM EXPLANATION

The Assessor's Parcel Number (APN), when used to describe property in this list, refers to the assessor's map book, the map page, the block on the map, (if applicable), and the individual parcel on the map page or in the block. The assessor's maps and an explanation of the parcel numbering system are available in the assessor's office located at 2980 Richardson Dr., Auburn, California, 95603.

The properties that are the subject of this notice are situated in Placer County, California, and are described as follows:

Item No.	APN	Last Assessee	Minimum Bid
4	004-150-021-000	Coffman, Kenneth Et Al	$100.00*
12	010-132-007-000	Coffman, Kenneth Et Al	$2,700.00
13	010-162-006-000	Downtown Rocklin Development LLC	$500.00*
15	018-120-017-000	Harris, David A & Angela A	$1,000.00*
19	023-072-013-000	Aujla, Mandeep Et Al	$3,600.00*
20	023-072-014-000	Aujla, Mandeep Et Al	$3,600.00*
21	026-440-002-000	Wilkerson, Rick & Patti	$2,800.00
24	038-223-077-000	Salmon, Elbert O	$2,700.00
29	051-140-018-000	Bendzulla, H & Marcella	$2,700.00
33	062-084-003-530	Borba, Darrilyn Tr Et Al	$500.00*
34	063-010-005-000	Ever Pure SA DE DV	$4,600.00
47	074-203-006-000	Malloy, Clint G & Barbara J	$300.00*
62	101-131-024-000	Turin, Michael Et Al	$200.00*
72	469-306-008-000	Coffman, Kenneth Et Al	$2,700.00

* Designates property receiving no bids from previous tax-defaulted land sales being reoffered at a lower amount.