

CLAIM FOR EXCESS PROCEEDS
(See Reverse for Further Instructions)

TO: Elizabeth A. Nelson, Amador County Tax Collector
810 Court Street
Jackson, CA 95642-2132

I (We) hereby certify that I am (we are) a Party of Interest in the following parcel:

Assessment No.:

Situs:

Assessee(s):

Date Sold:

Date Deed to Purchaser Recorded:

I was (We were) the lienholder(s)/property owner(s) at the time of the subject sale, as evidenced by the document recorded on _____, in Book _____, Page _____, or as Instrument No. _____, Official Records of Amador County.

I (We) claim excess proceeds resulting from the sale of the property referred to above, under Section 4675 of the California Revenue and Taxation Code. I (We) hereby state that I am (we are) a rightful claimant and base my (our) status and right to file a claim on the following information and enclosed documentation:

ENCLOSED ARE COPIES OF DOCUMENTS SUPPORTING/VERIFYING THIS CLAIM (SEE REVERSE)

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

Executed this ____ day of _____, _____ at _____.
(day) (month) (year) (city and state)

Signature of Claimant

Signature of Claimant

Name (print)

Name (print)

Mailing Address

Daytime Telephone No.

PLEASE NOTE: Claims will be processed after one year has passed from the recording date of the deed to the purchaser. In order to receive consideration by the Amador County Board of Supervisors, completed claims must be RECEIVED before the expiration of this one year period. Please note the Final Date to Submit Claim shown on the enclosed Notice. Following the Board's review, the claim will either be approved or denied. The Tax Collector 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. The Auditor/Controller cannot issue a warrant in payment of the approved claim until at least 90 days following the action taken by the Board.

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

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. (In the event that a person with title of record is deceased, the heirs may submit an affidavit pursuant to Chapter 3 (commencing with Section 13100) of Part 1 of Division 8 of the Probate Code to support their claim for excess proceeds.)

A party of interest in the property at the time of the sale may assign his or her right to claim excess proceeds only by a dated, written instrument that explicitly states that the right to claim the excess proceeds is being assigned, and only after each party to the proposed assignment has disclosed to each other party to the proposed assignment all facts of which he or she is aware relating to the value of the right that is being assigned. A verified affidavit will be required, executed by all parties to the assignment, stating that the amount of excess proceeds has been disclosed to the party of interest and that the party of interest has been advised of his or her right to file a claim for the excess proceeds on his or her own behalf. In addition, any person or entity who in any way acts on behalf of, or in place of, any party of interest with respect to filing a claim for any excess proceeds shall submit proof with the claim that the amount of excess proceeds has been disclosed to the party of interest and that the party of interest has been advised of his or her right to file a claim for the excess proceeds on his or her own behalf.

If you believe you qualify as 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, and return the form as instructed below.

You must attach documents to support/verify your claim as follows:

1. In case (a), trust deed beneficiaries must submit the **original** promissory note, deed of trust and any assignments, evidencing the lien or security interest, along with a statement setting forth the original amount of the lien, the total amount of payments received reducing the original amount of the lien, and the amount that was still due and payable as of the date of the sale of the property by the Tax Collector. Judgment creditors, or other types of lienholders, must submit a certified copy of the recorded judgment/lien, along with a statement setting forth the original amount of the judgment/lien, the total amount of payments received reducing the original amount of the judgment/lien, and the amount that was still due as of the date of the sale of the property by the Tax Collector. In addition, judgment creditors/lienholders must also submit verifiable proof that the debtor is the person(s) who possessed record ownership of the property sold at tax sale.
2. In case (b), you must submit original or certified copies of recorded documents (i.e., deed, death certificate, court order, etc.) supporting your claim. You must also submit a notarized verification that you are the person named in the document whereby you acquired title, and photo proof of identity (i.e., current driver's license, valid passport, etc.). You should also submit any other supporting documentation you may possess. If you are claiming as an heir pursuant to Chapter 3 of the Probate Code, in addition to the above required documentation, you must also submit a properly completed affidavit and a notarized verification of proof of identity.

MAIL COMPLETED CLAIM FORMS TO:

ELIZABETH A. NELSON
Amador County Tax Collector
810 Court Street
Jackson, CA 95642-2132