



T R E A S U R E R - T A X C O L L E C T O R

March 11, 2010

DONALD R. WHITE
TREASURER - TAX COLLECTOR

Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Dear Board Members:

SUBJECT: Rescission of Tax Sale of Parcel 48H-7704-10

RECOMMENDATION:

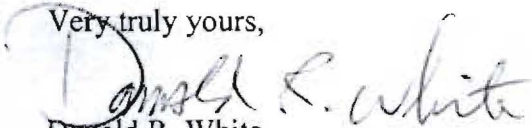
Authorize the Treasurer-Tax Collector to rescind the sale of property identified by Assessor's Parcel Number 48H-7704-10 which was sold at public auction on March 18, 2009, and authorize the Auditor to refund the purchase price of \$11,922.00 to the purchaser.

SUMMARY:

The Tax Collector sold property identified by Assessor's Parcel Number 48H-7704-10 on March 18, 2009 at public auction. The deed was recorded on May 26, 2009. On October 27, 2009 we were informed by the Alameda County Assessor's Office that there was an error in the legal description that was provided by them in order to record the Power to Sell. Per Revenue and Taxation Code Section 8130, the error in description invalidates the sale.

Revenue and Taxation Code section 3731 authorizes the Board of Supervisors with the consent of County Counsel and the purchaser at the tax sale to rescind the tax sale. Both County Counsel and the purchaser have consented as shown in the documents attached to this letter. The section provides for the refund of the purchase price but does not provide for the payment of interest on the funds.

Very truly yours,


Donald R. White

Treasurer and Tax Collector

cc: Claude Kolm, County Counsel

**CONSENT OF COUNTY COUNSEL AND PURCHASER TO RESCISSION
OF SALE**

The County Counsel consents to the rescission of the sale of Parcel Number 48H-770-10 held March 18-19, 2009.



Claude Kolm
Deputy County Counsel

I Arsalan Darmal, purchaser consent to the rescission of the sale of Parcel Number 48H-7704-10 held March 18-19, 2009.



Arsalan Darmal
Purchaser

SEE ATTACHED
Notarial Certificate

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange }

On 1/30/10 before me, Brittney Walters, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Arsalan Dormal
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature: Brittney Walters
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Consent of county counsel and purchaser to Rescission of Sale
 Document Date: 1/30/10 Number of Pages: 2

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____


- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Corporate Officer — Title(s): _____
<input type="checkbox"/> Individual
<input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General
<input type="checkbox"/> Attorney in Fact
<input type="checkbox"/> Trustee
<input type="checkbox"/> Guardian or Conservator
<input type="checkbox"/> Other: _____ | RIGHT THUMBPRINT OF SIGNER
Top of thumb here | <input type="checkbox"/> Corporate Officer — Title(s): _____
<input type="checkbox"/> Individual
<input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General
<input type="checkbox"/> Attorney in Fact
<input type="checkbox"/> Trustee
<input type="checkbox"/> Guardian or Conservator
<input type="checkbox"/> Other: _____ | RIGHT THUMBPRINT OF SIGNER
Top of thumb here |
|---|--|---|--|

Signer Is Representing: _____ Signer Is Representing: _____

REQUEST FOR APPROVAL TO RESCIND SALE OF TAX DEFAULTED PROPERTY

To the Honorable Board of Supervisors
County of Alameda, State of California

Notice is hereby given of my intention to rescind the sale of property identified by Assessor's Parcel Number 48H-7704-10 in accordance with section 3731 of the California Revenue & Taxation Code.



Donald R. White
Treasurer-Tax Collector

Resolution No. _____

Date: _____

RESOLUTION OF APPROVAL BY BOARD OF SUPERVISORS

Pursuant to the above notice and request, we resolve that approval for said rescission of sale is hereby granted, The Tax Collector is directed to rescind the sale of the property described as Assessor's Parcel Number 48H-7704-10 in accordance with section 3731 of the California Revenue and Taxation Code and refund the purchase price to the purchaser.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of County of Alameda, the _____ day of _____, 2010.

ATTEST:

Date: _____

**RESOLUTION FOR EXECUTION OF RESCISSION OF SALE OF TAX DEFAULTED
LAND IN ACCORDANCE WITH SECTION 3731 OF THE CALIFORNIA REVENUE
AND TAXATION CODE.**

Resolution No.

Date:

WHEREAS, This Board of Supervisors by resolution no. _____,
adopted on _____, directed the Clerk of the Board to execute the
rescission of the sale of the property identified as Assessor's Parcel Number 48H-7704-10.

NOW, THEREFORE BE IT RESOLVED, that the sale of the property described as
Assessor's Parcel Number 48H-7704-10 should be rescinded in accordance with section 3731 of
the California Revenue and Taxation Code.