

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

259A 

FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

OCT 01 2013

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 189, Item 45.

Last assessed To: Aurelio Palacios and Raquel Amaro, husband and wife as joint tenants. [\$1,838.92]
District 1/1

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Aurelio Palacios and Raquel Amaro, last assessees for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 230292009-3;

(continued on page two)

BACKGROUND:

Summary

In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, The Tax Collector conducted the March 15, 2011 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 18, 2011. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on June 2, 2011, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest.

(continued on page two)


Don Kent
Treasurer-Tax Collector

FORM APPROVED COUNTY COUNSEL
By: Don Kent DATE: 10/1/13
Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 1,838.92	\$ 0.00	\$ 1,838.92	\$ 0.00	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale	Budget Adjustment: NO
	For Fiscal Year: 13/14

C.E.O. RECOMMENDATION:

APPROVE
BY: 
Karen L. Johnson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: _____ District: 1/1 Agenda Number: _____

9-11

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

FORM 11: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 189, Item 45.

Last Assessed To: Aurelio Palacios and Raquel Amaro, husband and wife as joint tenants.

DATE: OCT 01 2013

PAGE: Page 2 of 2

RECOMMENDED MOTION:

2. Authorize and direct the Auditor-Controller to issue a warrant to Aurelio Palacios and Raquel Amaro in the amount of \$1,838.92, no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

BACKGROUND:

Summary (continued)

The Treasurer-Tax Collector has received one claim for excess proceeds:

1. Claim from Aurelio Palacios and Raquel Amaro based on a Grant Deed recorded February 26, 2003 as Instrument No. 2003-134856.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Aurelio Palacios and Raquel Amaro be awarded excess proceeds in the amount of \$1,838.92. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.

Impact on Citizens and Businesses

Excess proceeds are being released to the last assesses of the property.

ATTACHMENTS (if needed, in this order):

Copies of the Excess Proceeds Claim form and supporting documentation are attached.

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY
(SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 189 Item 45 Assessment No.: 230292009-3

Assessee: PALACIOS, AURELIO & AMARO, RAQUEL

Situs:

Date Sold: March 15, 2011

Date Deed to Purchaser Recorded: May 18, 2011

Final Date to Submit Claim: May 21, 2012

RECEIVED
2011 OCT 12 AM 10:00
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 1838.92 from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 03-134857; recorded on Feb 26, 2003. A copy of this document is attached here to. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tentants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of the claim.

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

Executed this 12 day of October, 2011 at Riverside California
County, State

Aurelio Palacios
Signature of Claimant

Raquel Amaro
Signature of Claimant

Aurelio Palacios
Print Name

Raquel Amaro
Print Name

7434 EVANS ST
Street Address

7434 EVANS ST
Street Address

Riverside CA 92504
City, State, Zip

Riverside CA 92504
City, State, Zip

714-697-3256
Phone Number

714-697-3256
Phone Number

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 in filling out the form, please contact our office by telephone at 951-955-3842, mail, or in person.

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 lien 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, certified 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 Riverside County Board of Supervisors, claims must be filed **ON OR BEFORE THE EXPIRATION OF ONE YEAR** following the date of the recording of the deed to the purchaser. Please see the "Date Deed to Purchaser Recorded" appearing on the attached notice (Form 117-170). The Tax Collector will submit a recommendation to the County 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-Controller cannot issue a warrant in payment of the approved claim until 90 days following the action taken by the Board.

MAIL COMPLETED FORMS TO:

Don Kent, Treasurer-Tax Collector
Post Office Box 12005
Riverside, CA 92502-2205

Attention: Tax Sale Operations Unit

DOC # 2003-134856

02/28/2003 08:00A Fee:40.00

Page 1 of 2 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



RECORDING REQUESTED BY
DIVERSIFIED TITLE & ESCROW SERVICES COMPANY
WHEN RECORDED MAIL TO

NAME [AURELIO PALACIOS]
ADDRESS [RAQUEL AMARO]
CITY [7434 EVANS STREET]
STATE&ZIP [RIVERSIDE, CA 92506]
Title Order No. 237020351-35

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A	R	L	COPY	LONG	REFUND	NCHG	EXAM		

USE

GRANT DEED

and is

40

The undersigned declares that the documentary transfer tax is \$26.40
 Computed on the full value of the interest or property conveyed, or is
 Computed on the full value less the value of liens or encumbrances remaining at time of sale. The land, tenements realty is located in
 Unincorporated area of: x City of: Riverside and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.
THE CONTINENTAL CORPORATION, LTD., A CALIFORNIA CORPORATION



hereby GRANT(S) to
AURELIO PALACIOS AND RAQUEL AMARO, HUSBAND AND WIFE AS JOINT TENANTS

the following described real property in the CITY OF RIVERSIDE

County of: RIVERSIDE, State of California
THE EASTERLY TWENTY ONE (21) FEET OF LOT LINE (9) AND THE WESTERLY NINETEEN (19) FEET OF LOT TEN IN BLOCK FOUR (4) IN CASA BLANCA HEIGHTS, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY THE MAP ON FILE IN BOOK 5, PAGE 117 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 230-292-009-3 TRA: 008-045

Dated: February 20, 2003

STATE OF CALIFORNIA

COUNTY OF: SAN BERNARDINO

On 20 FEBRUARY 2003 before me, the undersigned, a Notary Public in and for State, personally appeared

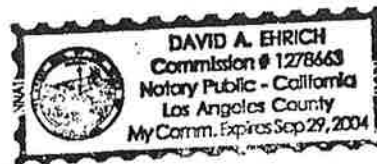
BRON MERRILL

The Continental Corporation, LTD

By: Bryon Merrill, President

personally known to me or 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.
WITNESS my hand and official seal

Signature



(This area for official notary seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Public Record

237020351-35

TRA009

PENALTY OF PERJURY FOR NOTARY SEAL
(GOVERNMENT CODE 27361.7)

I CERTIFY UNDER PENALTY OF PERJURY THAT THE NOTARY SEAL
ON THE DOCUMENT TO WHICH THIS STATEMENT IS ATTACHED
READS AS FOLLOWS:

NAME OF NOTARY: DAVID A. EHRICH

DATE COMMISSION EXPIRES: SEPTEMBER 29, 2004

COUNTY WHERE BOND IS FILED (IF APPLICABLE): LOS ANGELES

STATE WHERE BOND IS FILED: CALIFORNIA

COMMISSION NUMBER (IF APPLICABLE): 1278663

PLACE OF EXECUTION: COLTON, CALIFORNIA

DATE: FEBRUARY 24, 2003

SIGNATURE: *Pam Rauba*

PRINT NAME: PAM RAUBA



2003-134856
02/26/2003 08:00A
2 of 2

RECORDING REQUESTED BY:

NATIONS TITLE COMPANY

AND WHEN RECORDED MAIL TO:

A. Palacios
 c/o INLAND MORTGAGE SERVICE
 PO Box 2058
 RIVERSIDE, CA, 92516-2058

Recorded in Official Records
 County of Riverside
 Larry W. Ward
 Assessor, County Clerk & Recorder



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Order No.:
 Escrow No.: 001684 - *Accomo*
 APN: 230-292-009-3

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SUBSTITUTION OF TRUSTEE AND FULL RECONVEYANCE

39

T
-022

WHEREAS, Aurelio Palacios and Racquel Amaro, Husb & Wife as jt Tena was the original Trustor,
Diversified Title was the original Trustee
 and Julia Chipkar, a widow, & Stephen J. Chipkar, a married man as his sole & separate was the original beneficiary
property, mother & son as joint tenants
 under that certain Deed of Trust dated Feb 15, 2003, and recorded on
Feb 26, 2003, as Instrument No. 03-134857 of Official Records
 of Riverside County, California, describing land therein as: Legal description A
 attached as exhibit "A" and made a part hereto:

WHEREAS, the undersigned Beneficiary desires to substitute a new Trustee under said deed of trust in
 place of Diversified Title

NOW THEREFORE, the undersigned hereby substitute(s) his/herself/herselves themselves as Trustee
 under said Deed of Trust and does hereby RECONVEY, without warranty, to the person or persons
 legally entitled thereto, the estate now held by it thereunder.

Dated: 8/2/2010

Julia Chipkar

 Julia Chipkar
Stephen J Chipkar

 Stephen J Chipkar

STATE OF CALIFORNIA)
) SS.
 COUNTY OF RIVERSIDE)

On August 2, 2010 before me, W.R. BURKES, Notary Public, personally
 appeared JULIA CHIPKAR AND STEPHEN J. CHIPKAR

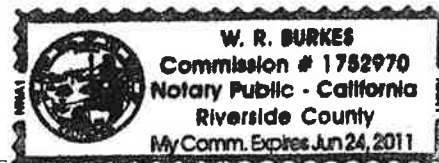
who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) ~~is/are~~ subscribed to the
 within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies),
 and that by ~~his/her/their~~ signature(s) on the instrument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

Signature *W.R. Burkes*

This document was filed for recording by
 NTC as an accommodation only. It has not
 been examined as to its execution or as to
 its effect upon title.



FOR NOTARY STAMP
 #1752970
 Exp 011N. 24. 2011

March 101a TR
19th
County Administrative Center- 4th Floor
4080 Lemon Street, P.O. Box 12005
Riverside, CA 92502-2205
(951) 955-3900
(951) 955-3990 - Fax

E-mail: ttc@co.riverside.ca.us
www.countytreasurer.org



COUNTY OF RIVERSIDE
TREASURER-TAX COLLECTOR

Palm Springs Office
997 E Tahquitz Canyon Way, Suite A
Palm Springs, CA 92262

Temecula Office
40935 County Center Drive, Suite C
Temecula, CA 92591

June 2, 2011

GAMEZ, AURELIO P
7434 EVANS ST
RIVERSIDE, CA 92504

Re: EXCESS PROCEEDS FROM SALE OF TAX DEFAULTED PROPERTY

Assessment No.: 230292009-3 Item: 45
Situs Address:
Assessee: Palacios, Aurelio & Amaro, Raquel
Date Sold: March 15, 2011
Date Deed to Purchaser Recorded: May 18, 2011
Final Date to Submit Claim: May 21, 2012

Dear Sir or Madame:

The property referenced above was declared subject to the Tax Collector's power of sale for non-payment of taxes and later sold. Parties of Interest, as defined in Section 4675 of the California Revenue and Taxation Code (e.g., the last assessee and any lienholders of record), have a right to file a claim for any excess proceeds that remain after the tax liens and the costs of the sale have been satisfied. Our records show that you may be a party of interest, and we are enclosing for your convenience a claim form and a return envelope. Please note that your claim must be filed within one year of the date the deed to the purchaser was recorded (shown above). By law, we cannot accept claims after one year from this recording date. Claims submitted will be evaluated by our legal counsel and awarded in accordance with state law. The submission of a claim merely initiates that review.

The enclosed form is relatively simple and we must stress that most applicants will be able to fill it out without help. However, if you need help, please feel free to contact our office by mail, telephone or in person and we will help you without charge. (You may telephone us at (951) 955-3842. X)

If you prefer to have an agent file your claim for you, or if you should decide to sell your claim (often referred to as "assignment") so that the purchaser of the claim may receive the funds, please advise us and we will send the proper form.

Please note also that the statutory procedures and the County's internal procedures dictate that most claims will not be processed until at least twenty (20) months following the date of recordation of the tax deed.

Sincerely,

DON KENT
TREASURER-TAX COLLECTOR

By Susan Loera
Deputy

2 years
Copy # Doct
quick # Date
claim
deed
\$ 18,389.92