

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

*954 A*



**FROM:** Don Kent, Treasurer/Tax Collector

**SUBMITTAL DATE:**  
**JUN 02 2014**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 192, Item 389. Last assessed To: Ephraim E. Benjamin, an unmarried man and Jeff Helmick, an unmarried man, as joint tenants. District 1/3 [\$11,785] Fund 65595 Excess Proceeds from Tax Sale.

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the claim from Donald Helmick AKA Don Helmick for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 361205013-3;  
(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 20, 2012 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 11, 2012. 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 6, 2012, 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)

  
Jon Christensen on behalf of Don Kent,  
Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 11,785	\$ 0	\$ 11,785	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

<b>SOURCE OF FUNDS:</b> Fund 65595 Excess Proceeds from Tax Sale	<b>Budget Adjustment:</b> N/A
	<b>For Fiscal Year:</b> 14/15

**C.E.O. RECOMMENDATION:**

**APPROVE**

BY:   
Samuel Wong

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

FORM APPROVED COUNTY COUNSEL  
BY:   
DALE A. GARDNER  
DATE: 6/2/14  
Departmental Concurrence

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

Prev. Agn. Ref.:

District: 1/3

Agenda Number:

**9-16**

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

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 192, Item 389. Last assessed To: Ephraim E. Benjamin, an unmarried man and Jeff Helmick, an unmarried man, as joint tenants. District 1/3 [\$11,785] Fund 65595 Excess Proceeds from Tax Sale.

**DATE:** JUN 02 2014

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**RECOMMENDED MOTION:**

2. Approve the claim from Nita P. Helmick for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 361205013-3;
3. Deny the claim from Ephraim E. Benjamin;
4. Authorize and direct the Auditor-Controller to issue warrants to Donald Helmick AKA Don Helmick in the amount of \$5,892.74 and to Nita P. Helmick in the amount of \$5,892.73 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 three claims for excess proceeds:

1. Claim from Donald Helmick AKA Don Helmick based on a Deed of Trust with Assignment of Rents recorded August 17, 2005 as Instrument No. 2005-0671848.
2. Claim from Nita P. Helmick based on a Deed of Trust with Assignment of Rents recorded August 17, 2005 as Instrument No. 2005-0671848.
3. Claim from Ephraim E. Benjamin based on a Grant Deed recorded August 17, 2005 as Instrument No. 2005-0671847.

Pursuant to Section 4675 (a) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that Donald Helmick AKA Don Helmick be awarded excess proceeds in the amount of \$5,892.74 and Nita P. Helmick be awarded excess proceeds in the amount of \$5,892.73. Since the amount claimed by Donald Helmick AKA Don Helmick and Nita P. Helmick exceeds the amount of excess proceeds available there are no funds available for consideration for the claim from Ephraim E. Benjamin. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants by certified mail.

**Impact on Citizens and Businesses**

Excess proceeds are being released to the beneficiaries of the deed of trust.

**ATTACHMENTS (if needed, in this order):**

Copies of Excess Proceeds Claim forms and supporting documentation are attached.