

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS 10/1/15  
 DATE

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

637A



**SUBMITTAL DATE:**  
**OCT 01 2015**

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

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 197, Item 203. Last assessed to: Filemon A. Rosales, an unmarried man as his sole and separate property. District 4 [\$8,574]. Fund 65595 Excess Proceeds from Tax Sale.

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

1. Approve the claim from Filemon Rosales, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 680475013-0;
- (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 August 20, 2013 public auction sale. The deed conveying title to the purchasers at the auction was recorded October 2, 2013. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on October 30, 2013 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*  
 \_\_\_\_\_

Don Kent  
 Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 8,574	\$ 0	\$ 8,574	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

**SOURCE OF FUNDS:** Fund 65595 Excess Proceeds from Tax Sale  
**Budget Adjustment:** N/A  
**For Fiscal Year:** 15/16

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

**APPROVE**

BY: *Samuel Wong 10/26/15*  
 Samuel Wong

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Prev. Agn. Ref.: \_\_\_\_\_ District: 4 Agenda Number: \_\_\_\_\_

**9-23**

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

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 197, Item 203. Last assessed to: Filemon A. Rosales, an unmarried man as his sole and separate property. District 4 [\$8,574]. Fund 65595 Excess Proceeds from Tax Sale.

**DATE:** OCT 01 2015

**PAGE:** Page 2 of 2

**RECOMMENDED MOTION:**

2. Authorize and direct the Auditor-Controller to issue a warrant to Filemon Rosales in the amount of \$8,574.19, 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 Filemon Rosales based on a Grant Deed recorded January 18, 2006 as Instrument No. 2006-0037883.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Filemon Rosales be awarded excess proceeds in the amount of \$8,574.19. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.

**Impact on Citizens and Businesses**

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

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

A copy 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)

RECEIVED

2014 APR 14 PM 3:42

RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 197 Item 203 Assessment No.: 680475013-0

Assessee: ROSALES, FILEMON A

Situs:

Date Sold: August 20, 2013

Date Deed to Purchaser Recorded: October 2, 2013

Final Date to Submit Claim: October 2, 2014

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 24,600.00 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. #2013-049637 recorded on AUGUST 20/2013. 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.

COPY OF GRANT DEED

DIVORCE NOT JOINT TENANT

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tenants 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 4 day of \_\_\_\_\_, 2014 at \_\_\_\_\_ County, State

Filemon Rosales  
Signature of Claimant

\_\_\_\_\_  
Signature of Claimant

FILEMON ROSALES  
Print Name

\_\_\_\_\_  
Print Name

85041 CABINO AVE  
Street Address

\_\_\_\_\_  
Street Address

COACHELLA CAL. 92236  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

760-218-3311  
Phone Number

\_\_\_\_\_  
Phone Number

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO  
 AND MAIL TAX STATEMENTS TO

NAME Mr. Filemon A. Rosales  
 ADDRESS 85041 Cairo St.  
 CITY  
 STATE & ZIP Coachella, CA 92236



M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
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					3				SP
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GRANT DEED

TITLE ORDER NO. ESCROW NO. APN NO.

THE UNDERSIGNED GRANTOR(S) DECLARE(S)  
 DOCUMENTARY TRANSFER TAX is \$ 0 CITY TAX \$ 0  
 computed on full value of property conveyed, or  computed on full value less value of liens or encumbrances remaining at time of sale,  
 Unincorporated area:  City of Cathedral City, and

13



FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

MARTINA AGUIRRE

hereby GRANT(S) TO

FILEMON A. ROSALES, an unmarried man as his sole and separate property

the following described real property in the County of Riverside State of California:

See attached for legal description which is made a part herein.

Dated January 13, 2006

Martina Aguirre  
 Martina Aguirre

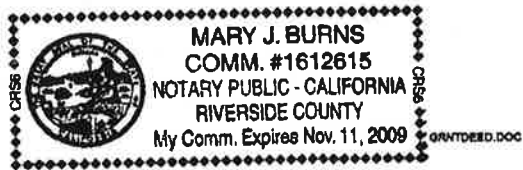
STATE OF CALIFORNIA }  
 COUNTY OF Riverside } ss.

On Jan 13 2006 before me, Mary J. Burns, Notary Public  
 (here insert name and title of the officer), personally appeared Martina Aguirre

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 Mary J Burns  
 DOCUMENT PROVIDED BY STEWART TITLE OF CALIFORNIA, INC.



Public Record

LEGAL DESCRIPTION

Parcel 1:

The North half of Lot No. 122 of Rancho Vista Estates, Unit No. 2 in the City of Cathedral City, in the said County, California, as shown by map on file in Book 22, page 39 of maps.

Parcel 2:

The South half of Lot 123 of Rancho Vista Estates No. 2, in the City of Cathedral City, Calif. as shown by map on file in Book 22 page 39 of maps, records of Riverside county, California.



2006-0037883  
01/18/2006 09:09A  
2 of 2

Public Record

BENJAMIN U CARRANZA & MARICELA CARRANZA  
32255 AURORA VISTA RD.  
APT B  
CATHEDRAL CITY, CA 92234

DOC # 2013-0475318

10/02/2013 11:52A Fee:28.00

Page 1 of 2 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
SMF FEE						T:	CTY	UNI	026

TRA 019-013

Doc. Trans. Tax - computed on full value of property conveyed \$ 27.50

Don Kent, Tax Collector

*Don Kent*  
Signature of Declarant

28



**TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY**

On which the legally levied taxes were a lien for Fiscal Year 2005-2006  
and for nonpayment were duly declared to be in default 2006-680475013-0000  
Default Number

This deed, between the Tax Collector of RIVERSIDE County ("SELLER") and **BENJAMIN U CARRANZA & MARICELA CARRANZA, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHTS OF SURVIVORSHIP** ("PURCHASER") conveys to the PURCHASER free of all encumbrances of any kind existing before the sale, except those referred to in §3712 of the Revenue and Taxation Code, to the real property described herein which the SELLER sold to the PURCHASER at a public auction held on AUGUST 20, 2013 pursuant to a statutory power of sale in accordance with the provisions of Division 1, Part 6, Chapter 7, Revenue and Taxation Code, for the sum of \$24,600.00.

NO TAXING AGENCY objected to the sale.

In accordance with law, the SELLER, hereby grants to the PURCHASER that real property situated in said county, State of California, last assessed to ROSALES, FILEMON A, described as follows:

Assessor's Parcel Number 680475013-0

IN THE CITY OF CATHEDRAL

SEE PAGE 2 ENTITLED "LEGAL DESCRIPTION"

State of California Executed on  
County of Riverside AUGUST 20, 2013 By *Don Kent*  
Tax Collector

On September 27, 2013, before me, Larry W. Ward, Assessor, Clerk-Recorder, personally appeared Don Kent, Treasurer and Tax Collector for Riverside County, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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.  
Larry W. Ward, Assessor, Clerk Recorder

By: *Sandy Tsaly* Seal  
Deputy



LEGAL DESCRIPTION

THE SOUTH HALF OF LOT 123 OF RANCHO VISTA ESTATES NO. 2, IN THE CITY OF CATHEDRAL CITY, AS SHOWN BY MAP ON FILE IN BOOK 22, PAGE 39 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.



680475013-0  
NOTARIAL PUBLIC  
STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE  
My Commission Expires: 12/31/2011  
I, \_\_\_\_\_  
do hereby certify that \_\_\_\_\_  
is the true and correct copy of the  
original as shown to me by \_\_\_\_\_  
on this \_\_\_\_\_ day of \_\_\_\_\_, 2011.  
Notary Public  
My Commission Expires: \_\_\_\_\_