

FORM APPROVED COUNTY COUNSEL  
 BY: *G.P.P.* GREGORY P. PRIAMOS DATE: 7/28/15

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

627A



**SUBMITTAL DATE:  
 JUL 28 2015**

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

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 199, Item 241. Last assessed to: The Reo Group, Inc., a California Corporation, as to a 50% interest and First Midland, Inc., as to a 50% interest. District 3 [\$3,889] Fund 65595 Excess Proceeds from Tax Sale.

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

1. Approve the claim from The REO Group, Inc., last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 455200015-6;
- (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 February 4, 2014 public auction sale. The deed conveying title to the purchasers at the auction was recorded March 21, 2014. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on April 22, 2014 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	\$ 3,889	\$ 0	\$ 3,889	\$ 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: 3 | Agenda Number:

9-33

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

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 199, Item 241. Last assessed to: The Reo Group, Inc., a California Corporation, as to a 50% interest and First Midland, Inc., as to a 50% interest. District 3 [\$3,889] Fund 65595 Excess Proceeds from Tax Sale.

**DATE:** JUL 28 2015

**PAGE:** Page 2 of 2

### **RECOMMENDED MOTION:**

2. Authorize and direct the Auditor-Controller to issue a warrant to The REO Group, Inc. in the amount of \$3,889.32, 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.
3. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$3,889.31 to the county general fund pursuant to Revenue and Taxation Code Section 4674.

### **BACKGROUND:**

#### **Summary (continued)**

Revenue and Taxation Code 4676 (b) states that the county shall make reasonable effort to obtain the name and last known mailing address of the parties of interest. Then, if the address of the party of interest cannot be obtained, the county shall publish notice of the right to claim excess proceeds in a newspaper of general circulation in the county as per Revenue and Taxation Code 4676 (c). The Treasurer-Tax Collector's Office has made it a policy to take the following actions to locate the rightful party of the excess proceeds.

- Examined title reports to notify all parties of interest attached to the parcel.
- Researched all last assessee's through the County's Property Tax System for any parties of interest.
- Used Accurint (people finder) to notify any new addresses that may be listed for our parties of interest.
- Advertised in newspapers for three consecutive weeks in the Desert Sun, Palo Verde Valley Times and the Press Enterprise referring any parties of interest to file a claim for the excess proceeds.
- Sent out a certified mailing within 90 days as required by Revenue and Taxation Code 4675.

According to Revenue and Taxation Code 4675 (a) Any party of interest in the property may file with the county a claim for the excess proceeds, in proportion to his or her interest held with others of equal priority in the property at the time of the sale, at any time prior to the expiration of the one year following the recordation of the Tax Collector's deed to the Purchaser, which was recorded on March 21, 2014.

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

1. Claim from The REO Group, Inc. based on a Trustee's Deed Upon Sale recorded January 24, 2006 as Instrument No. 2006-0053326.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that The REO Group, Inc. be awarded excess proceeds in the amount of \$3,889.32. Since there are no other claimants the unclaimed excess proceeds in the amount of \$3,889.31 will be transferred to the county general fund. 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 and transferred to the county general fund.

### **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 199 Item 241 Assessment No.: 455200015-6

Assessee: REO GROUP INC & FIRST MIDLAND INC

Situs: 25302 VINETA LN HOMELAND 92548

Date Sold: February 4, 2014

Date Deed to Purchaser Recorded: March 21, 2014

Final Date to Submit Claim: March 23, 2015

RECEIVED  
2014 MAY 28 AM 11:12  
RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 7,778.63 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. 2014-0104718; recorded on 3/21/2014. A copy of this document is attached hereto. 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 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 19th day of May, 2014 at Los Angeles, CA  
County, State

Signature of Claimant

Signature of Claimant

Perry Cooper, The REO Group, Inc.

Print Name

Print Name

6535 Wilshire Blvd., #206

Street Address

Street Address

LA, CA 90048

City, State, Zip

City, State, Zip

(323) 653-6170

Phone Number

Phone Number

RECORDING REQUESTED BY  
RESS FINANCIAL CORPORATION

DOC # 2006-0053326  
01/24/2006 08:00A Fee:13.00  
Page 1 of 3 Doc T Tax Paid  
Recorded in Official Records  
County of Riverside  
Larry W. Ward  
Assessor, County Clerk & Recorder

AND WHEN RECORDED MAIL TO\*

THE REO GROUP, INC.  
FIRST MIDLAND INC.  
6535 Wilshire Boulevard, #206  
Los Angeles, CA 90048



M	S	U	PAGE	SIZE	QA	PCOR	NOCOR	SMF	MISC.
			3			✓			
					5				AS
A	R	L			COPY	LONG	REFUND	NCHG	EXAM



Loan No.: FRANKLIN  
A.P. No.: 455-200-015-6 ✓  
TRA No.: 089-020

RESS Order No.: 69000

### TRUSTEE'S DEED UPON SALE

18 -

The undersigned Trustee hereby certifies:

1. The Grantee named herein below IS NOT the foreclosing Beneficiary;
2. The amount of the unpaid debt, together with costs was \$67,161.06;
3. The amount bid by the Grantee at the Trustee's Sale was \$67,161.07;
4. Total Documentary Transfer Tax, based on the above is 74.25 and

RESS FINANCIAL CORPORATION, a California corporation, herein called "Trustee", as Trustee in the Deed of Trust herein referred to, hereby grants and conveys, without warranty, express or implied to THE REO GROUP, INC., a California corporation, as to a 50% interest and FIRST MIDLAND, INC., as to a 50% interest herein called "Grantee", all right, title and interest heretofore acquired and held by Trustee in and to all that certain real property situated in the UNINCORPORATED AREA OF THE County of RIVERSIDE, State of California, described as follows:

Parcel 1:

THE NORTHEAST OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN.

PARCEL 2:

A 60 FOOT WIDE ROAD AND PUBLIC UTILITY EASEMENT IN THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, LYING 30 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTER LINE:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 9; THENCE SOUTH 00 DEGREES 25' 00" WEST, ALONG THE WESTERLY LINE OF SAID SECTION, 852.90 FEET, TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED TO CLYDE ROBERTSON AND FRANCES A. ROBERTSON RECORDED FEBRUARY 3, 1967 AS INSTRUMENT NO. 9353;

THENCE NORTH 89 DEGREES 28' 00 EAST, ALONG THE NORTHERLY LINE OF SAID ROBERTSON PARCEL AND AN EASTERLY EXTENSION THEREOF, 300.03 FEET, TO THE EASTERLY LINE OF 50-FOOT WIDE EASEMENT LYING EAST OF AND ADJACENT TO THE EAST LINE OF SAID ROBERTSON PARCEL;

\* Mail tax bill to the above

Trustee's Deed: TWC-008 (7/94)

TRUSTEE'S DEED UPON SALE

Loan No.: FRANKLIN  
A.P. No.: 455-200-013-6

RESS Order No.: 69000

THENCE SOUTH 00 DEGREES 25' 00" WEST, ALONG THE EASTERLY LINE OF SAID 50-FOOT WIDE EASEMENT AND PARALLEL WITH THE WESTERLY LINE OF SAID SECTION 265.68 FEET, TO A POINT THAT IS 200 FEET NORTH OF THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 58' 08" EAST, PARALLEL WITH SAID SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER, 485.00 FEET, TO A POINT (HEREINAFTER REFERRED TO POINT "A") ON A LINE THAT IS PARALLEL WITH THE WEST LINE OF SAID SECTION 9, AND 785.00 FEET EAST THEREOF (SAID 785.00 FEET BEING MEASURED ON SAID SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER;

THENCE NORTH 00 DEGREES 25' 00" EAST, ON SAID LINE PARALLEL WITH THE WEST SECTION LINE, 632.65 FEET, TO A POINT 832.65 FEET NORTH OF THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE BEGINNING OF A TANGENT CURVE EASTERLY AND HAVING A RADIUS OF 400.00 FEET;

THENCE NORTHERLY AND EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 30 DEGREES 47' 26", AN ARC LENGTH OF 214.96 FEET; THENCE NORTH 31 DEGREES 12' 28" EAST 386.19 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 140.00 FEET;

THENCE CURVING NORTHERLY AND WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 123 DEGREES 54' 15", AN ARC LENGTH OF 302.75 FEET; THENCE SOUTH 87 DEGREES 18' 11" WEST 232.93 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 9, SAID POINT HEREINAFTER REFERRED TO A POINT "B"; THENCE CONTINUING SOUTH 87 DEGREES 18' 11" WEST 10.41 FEET, TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 190.00 FEET;

THENCE WESTERLY AND SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE 42 DEGREES 49' 50", AN ARC LENGTH OF 142.03 FEET; THENCE SOUTH 44 DEGREES 28' 21" WEST 201.06 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 265.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13 DEGREES 16' 22", AN ARC LENGTH OF 84.55 FEET, TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 9, SAID POINT BEING HEREINAFTER REFERRED TO AS POINT "C"; THENCE RETURNING TO POINT "B" HEREINBEFORE MENTIONED;

THENCE FROM POINT "B" NORTH 00 DEGREES 35' 54" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, 408.07 FEET, TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SAID POINT BEING HEREINAFTER REFERRED TO POINT "D".

THE SIDE LINES OF SAID EASEMENT SHALL EXTENT OR SHORTEN TO POINTS OF INTERSECTION AT POINT "A" SO AS TO PROVIDE CONTINUITY OF A 60-FOOT WIDE EASEMENT AND SHALL ALSO EXTEND OR SHORTEN AS POINTS "C" AND "D" SO AS TO TERMINATE RESPECTIVELY IN THE SOUTHERLY AND NORTHERLY LINES OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 9.

TOGETHER WITH A 50-FOOT WIDE NON-EXCLUSIVE ROAD AND PUBLIC UTILITY EASEMENT IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, LYING EASTERLY OF AND ADJACENT TO THE EAST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED TO CLYDE ROBERTSON AND FRANCES A. ROBERTSON RECORDED FEBRUARY 3, 1967 AS INSTRUMENT NO. 9353 OF OFFICIAL RECORDS. THE NORTH TERMINUS OF SAID EASEMENT BEING ON THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF SAID ROBERTSON PARCEL AND THE SOUTH TERMINUS BEING ON THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID ROBERTSON PARCEL. SAID LAND IS LOCATED IN THE UNINCORPORATED AREA OF RIVERSIDE COUNTY.



2006-0053326  
01/24/2006 08:09A  
2 of 3

Trustee's Deed: TWC-008 (7/94)

TRUSTEE'S DEED UPON SALE

Loan No.: FRANKLIN  
A.P. No.: 455,200-015-6

RESS Order No.: 69000

This conveyance is made pursuant to the power and authority conferred upon the Trustee in that certain Deed of Trust executed by AUSTIN L. FRANKLIN, A SINGLE MAN as Trustor, recorded 03/12/2003, in Book n/a of Official Records of said County, at page n/a, Recorder's Instrument No. 2003-173512, and after fulfillment of the conditions specified in said Deed of Trust authorizing this conveyance. Default occurred as set forth in that Notice of Default and Election to Sell Under Deed of Trust which was recorded 09/14/2005, in Book n/a of Official Records of said County, at page n/a, Recorder's Instrument No. 2005-0760853. All requirements of law regarding the mailing of copies of Notices for which Requests had been recorded, and otherwise, and regarding publication, recordation and posting of copies of a Notice of Trustee's Sale, have been complied with. Said real property was sold by Trustee on 01/10/2006, at public auction, at the place named in said Notice of Trustee's Sale, in the County of RIVERSIDE, State of California, in which said property is situated. Grantee being the highest bidder at said sale, became the purchaser of said real property and paid to Trustee the amount bid therefore, being the sum of \$67,161.07, or by the satisfaction pro tanto, of the obligations then secured by said Deed of Trust.

In WITNESS WHEREOF, Trustee has executed these presents the day set forth in the acknowledgement certificate hereinbelow.

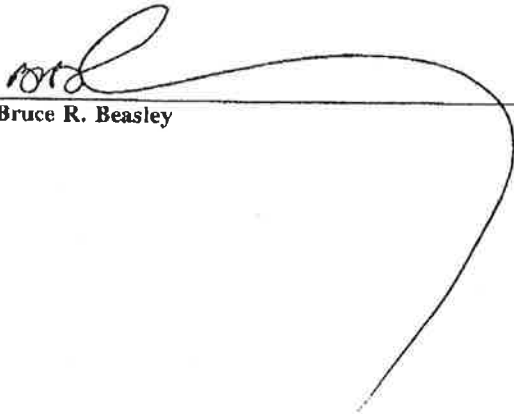
RESS FINANCIAL CORPORATION,  
a California corporation, as Trustee

By:   
Christopher Loria  
Trustee's Sale Officer

STATE OF CALIFORNIA                    }  
COUNTY OF RIVERSIDE                } ss:

On 01/11/2006 before me, Bruce R. Beasley, a Notary Public for said State, personally appeared Christopher Loria, 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   
Bruce R. Beasley



(Seal)



2906-0953326  
01/24/2006 08:00A  
3 of 3

Trustee's Deed: TWC-008 (7/94)

Public Record

REQUESTED BY:  
TREASURER-TAX COLLECTOR  
STOP 1110 DON KENT TAX COLLECTOR  
4080 LEMON ST-4TH FLOOR  
RIVERSIDE, CALIFORNIA 92501

SAMI KHOGYANI & DIANE KHOGYANI  
1219 FLINTLOCK RD  
DIAMOND BAR, CA 917651118

DOC # 2014-0104718  
03/21/2014 10:55A 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
			2						
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
SMF FEE					T:		CTY	UNI	042

28

C  
042

TRA 089-020

Doc. Trans. Tax - computed on full value of property conveyed \$ 17.05

Don Kent, Tax Collector

*Don Kent*  
Signature of Declarant

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

On which the legally levied taxes were a lien for Fiscal Year 2007-2008  
and for nonpayment were duly declared to be in default 2008-455200015-0000  
Default Number

This deed, between the Tax Collector of RIVERSIDE County ("SELLER") and SAMI KHOGYANI & DIANE KHOGYANI, HUSBAND AND WIFE AS JOINT TENANTS ("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 FEBRUARY 4, 2014 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 \$15,300.00.

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 REO GROUP INC & FIRST MIDLAND INC. described as follows:

Assessor's Parcel Number 455200015-6

OUTSIDE CITY

SEE PAGE 2 ENTITLED "LEGAL DESCRIPTION"

State of California Executed on  
County of Riverside FEBRUARY 4, 2014 By *Don Kent*  
Tax Collector

On March 5, 2014, 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: *N. Taylor* Seal  
Deputy



§§3708 & 3804 R&T Code

TDL 8-19 (6-97)

LEGAL DESCRIPTION

OUTSIDE CITY

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9,  
TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN.