

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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUL 06 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Item 435.
Last assessed to: Luis Eduardo Flores Seanes, a married man.

RECOMMENDED MOTION: That the Board of Supervisors:

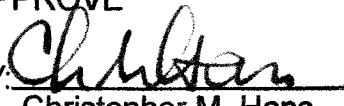
- 1) Deny the claim from Luis Eduardo Fl. Seanes for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 721192011-4;
- 2) Deny the claim, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court.

BACKGROUND: (Continued on page two)


Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$0	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010-11

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

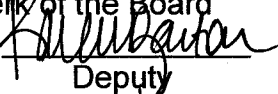
C.E.O. RECOMMENDATION: APPROVE
BY: 
Christopher M. Hans
County Executive Office Signature

Consent Policy
 Consent Policy

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: September 14, 2010
xc: Treasurer, Auditor

Kecia Harper-Ihem
 Clerk of the Board
 By: 
 Deputy

Prev. Agn. Ref.: **District:** 4 **Agenda Number:**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.34

FORM APPROVED COUNTY COUNSEL
 BY: Dale A. Gardner 7/6/10
 DATE: 7/6/10
 Departmental Concurrence

Dept's Recomm.:
 Per Exec. Ofc.:

BOARD OF SUPERVISORS

Form 11:

Page 2

BACKGROUND: (Continued)

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 13, 2006 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 2006. 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 5, 2006, 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.

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

- 1) Claim from Luis Eduardo Fl. Seanes based on a Quitclaim Deed recorded March 18, 2002 as Instrument No. 2002-136749.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Luis Eduardo Fl. Seanes be denied since he was unable to substantiate his claim. Since there are no other claimants the excess proceeds in the amount of \$28,737.79 will remain unclaimed. 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.

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

To: Paul McDonnell, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC 176 Item 435 Assessment No.: 721192011-4

Assessee: SEANES, LUIS EDUARDO FL

Situs:

Date Sold: March 13, 2006

Date Deed to Purchaser Recorded: May 3, 2006

Final Date to Submit Claim: May 3, 2007

RIVERSIDE COUNTY
PROPERTY TAX COLLECTOR
TREASURER'S OFFICE

07 MAY - 3 PM 5: 22

RECEIVED

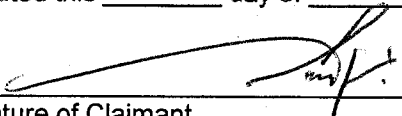
I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 29,250.00 from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 2002-136749 recorded on 3/18/2002. 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.

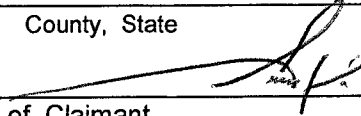
If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tentants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of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

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

Executed this _____ day of _____, 20__ at _____ County, State



Signature of Claimant



Signature of Claimant

Luis Eduardo fl. Seanes

Print Name

Luis Eduardo fl. Seanes

Print Name

46-211 Jackson # 116

Street Address

46-211 Jackson # 116

Street Address

Indio ca. 92201

City, State, Zip

Indio ca. 92201

City, State, Zip

760-347-2720

Phone Number

760-347-2720

Phone Number

Name LUIS EDUARDO SEANES
Street Address 243 FIRST STREET PMB 45115
City & State CALEXICO, CA 92231
Title Order No. _____ Escrow No. _____

DOC # 2002-136749
03/18/2002 08:00A Fee:7.00
Page 1 of 1
Recorded in Official Records
County of Riverside
Gary L. Orso
Assessor, County Clerk & Recorder



MAIL TAX STATEMENTS TO

Name
Street Address SAME AS ABOVE
City & State
Zip

M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		1			✓			
					3				(W)
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

10

TRA:058

Quitclaim Deed

C
MM

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX IS \$ -0-

unincorporated area City of _____

Parcel No. 721-192-011

computed on full value of property conveyed, or

computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
JORGE E. GONZALES, A MARRIED MAN

hereby REMISE, RELEASE AND FOREVER QUITCLAIM to

LUIS EDUARDO FLORES SEANES A MARRIED MAN

the following described real property in the NORTH SHORE
county of RIVERSIDE, state of California:

LOT 182 OF TRACT 2285, AS SHOWN BY MAP ON FILE IN BOOK 44
PAGES 92 TO 94 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER
OF SAID COUNTY.

Dated MARCH 18, 2002

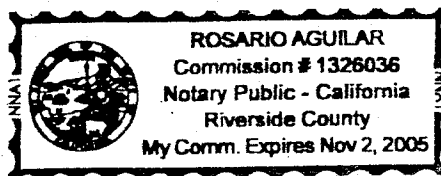
Jorge E. Gonzalez
JORGE E. GONZALES

STATE OF CALIFORNIA } S.S.
COUNTY OF RIVERSIDE }
On MARCH 18, 2002 before me,

ROSARIO AGUILAR NOTARY PUBLIC
a Notary Public in and for said County and State, personally appeared
JORGE E. GONZALES

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 *Rosario Aguilar*



FOR NOTARY SEAL OR STAMP

July 24, 2008

Luis Eduardo Fl. Seanes
46211 Jackson #116
Indio, CA 92201

Re: Apn: 721192011-4
TC 176 Item 435
Date of Sale: March 13, 2006

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(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com[®]

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To: EP176 Item435-
Luis Eduardo Fl. Seanes
46211 Jackson #116
Indio, CA 92201

PS Form 3800, June 2002

7002 3222 0922 4000 1951 5105

Dear Luis Eduardo Fl. Seanes:

This office is in receipt of your claim for excess proceeds from the above-mentioned tax sale. The documentation you have provided is insufficient to establish your claim.

Please submit the necessary proof to establish your right to claim the excess proceeds. The document(s) listed below may assist the Tax Collector in making the determination.

- Notarized Affidavit for Collection of Personal Property under California Probate Code 13100
- Notarized Statement of different/mispelled name for
- Notarized Statement Giving Rights to Collect/Claim on behalf of
- Copy of Trust/Will (Complete)
- Certified Death Certificate
- Copy of Birth Certificate

- Original Note/Payment Book
- Updated Statement of Monies Owed (as of dated of tax sale)
- Articles of Incorporation (if applicable Statement by Domestic Stock)
- Court Order Appointing Administrator
- Deed (Quitclaim/Grant etc...)
- Other – Please provide the connection between yourself whose address is 46211 Jackson #116 Indio, CA 92201 and our last assessee whose address was 243 First Street PMB 45115 Calexico, CA 92231**

Copy of Marriage Certificate for

If your documentation is not received within 30 days, (August 25, 2008) your claim will be denied.

If you should have any questions, please contact me at the number listed below.

Sincerely,

Desiree Taylor

Desiree Taylor
Tax Enforcement Unit
(951) 955-3842
(951) 955-3990 Fax

September 24, 2008

Luis Eduardo Fl. Seanes
855 E Marilyn Ave
Mesa, AZ 95204-3404

Re: Apn: 721192011-4
TC 176 Item 435
Date of Sale: March 13, 2006

Dear Luis Eduardo Fl. Seanes:

This office is in receipt of your claim for excess proceeds from the above-mentioned tax sale. The documentation you have provided is insufficient to establish your claim.

Please submit the necessary proof to establish your right to claim the excess proceeds. The document(s) listed below may assist the Tax Collector in making the determination.

- Notarized Affidavit for Collection of Personal Property under California Probate Code 13100
- Notarized Statement of different/misspelled name for
- Notarized Statement Giving Rights to Collect/Claim on behalf of
- Copy of Trust/Will (Complete)
- Certified Death Certificate's of
- Copy of Birth Certificate
- Copy of Marriage Certificate for
- Original Note/Payment Book

- Updated Statement of Monies Owed (as of dated of tax sale)
- Articles of Incorporation (if applicable Statement by Domestic Stock)
- Court Order Appointing Administrator
- Deed (Quitclaim/Grant etc...)
- Other – Please provide the connection between yourself whose address is 855 E. Marilyn Ave Mesa AZ 95204 and our last assessee whose address was 243 First Street PMB 45115 Calexico, CA 92231**

If you should have any questions, please contact me at the number listed below.

Sincerely,

Desiree Taylor

Desiree Taylor
Tax Enforcement Unit
(951) 955-3842
(951) 955-3990 Fax

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Postage	\$	
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Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		

Sent To: EP176 Item435
 Street, Apt. No., or PO Box No.: Luis Eduardo Fl. Seanes
 855 E Marilyn Ave
 City, State, ZIP+4: Mesa, AZ 95204-3404

Postmark Here
 RIVERSIDE CA
 SEP 25 2008

PS Form 3800, July 2007