

**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. 177, Item 203.  
Last assessed to: L. Dee Tallent (A single man).

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

- 1) Approve the claim from David S. Halper DBA Timezone, agent for L. Dee Tallent, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 528052005-3;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to David S. Halper DBA Timezone, agent for L. Dee Tallent in the amount of \$22,309.48, no sooner than ninety days from the date of this order, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court.

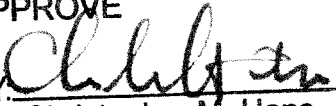
**BACKGROUND:** (Continued on page two)

  
\_\_\_\_\_  
Don Kent, Treasurer-Tax Collector

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$22,309.48	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

<b>SOURCE OF FUNDS:</b> Fund 65595 Excess Proceeds from Tax Sale	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

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

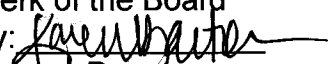
**APPROVE**  
  
BY: \_\_\_\_\_  
Christopher M. Hans

**County Executive Office Signature**

**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:** ATTACHMENTS FILED | **District: 5** | **Agenda Number:**

**9.56**

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

Dep't Recomm.:  Consent  Policy   
Per Exec. Ofc.:  Consent  Policy

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 12, 2007 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 2007. 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 4, 2007, 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.

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

- 1) Claim from David S. Halper DBA Timezone, agent for L. Dee Tallent based on an Agent Agreement/Authority to Act dated July 25, 2007, a Quitclaim Deed recorded January 26, 1978 as Instrument No. 15709 and a Quitclaim Deed recorded October 3, 1990 as Instrument No. 366361.

Pursuant to Section 4675 (a) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that David S. Halper DBA Timezone, agent for L. Dee Tallent be awarded excess proceeds in the amount of \$22,309.48. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.

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 177 Item 203 Assessment No.: 528-052-005-3

Assessee: Tallent, L Dee

Situs:

Date Sold: March 12, 2007

Date Deed to Purchaser Recorded: May 3, 2007

Final Date to Submit Claim: May 3, 2008

RECEIVED  
2008 MAR 27 PM 3:54  
RIVERSIDE COUNTY  
TREAS - TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ \_\_\_\_\_ 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. Bk1978Pg15709 recorded on 1/26/1978. 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.

AGENT AGREEMENT / AUTHORITY TO ACT

QUITCLAIM DEED (BK1978PG15709)

\* SEE ALSO PREVIOUS CLAIM FIELD - TC174 Item#150 APN:528-112-011-3

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 27 day of MARCH, 2008 at RIVERSIDE, CA.  
County, State

David S. Halper, AGENT  
Signature of Claimant

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

David S. Halper DBA Timezone  
Print Name

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

904 Silver Spur Rd. #363  
Street Address

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

Rolling Hills Est., CA 90274  
City, State, Zip

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

(310) 265-0220  
Phone Number

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

## AGENT AGREEMENT/AUTHORITY TO ACT

I (we), **L. Dee Tallent**, a party of interest\*, (hereafter "TALLENT") hereby engage the services of **David S. Halper DBA Timezone**, located at 904 Silver Spur Rd., #363, Rolling Hills Estates, CA 90274 (hereafter "AGENT"), as of this 25<sup>th</sup> day of July, 2007.

TALLENT hereby irrevocably retains and employs AGENT for the sole purpose of enforcing, collecting and/or distributing undistributed, unclaimed, undelivered tenders, funds or excess proceeds (hereafter "CLAIM") IN THE APPROXIMATE AMOUNT OF **\$22,886.00**. These funds are in reference to Assessors Parcel Number (APN) 528-052-005 which the Riverside County Tax Collector sold at public auction March 12, 2007.

I (We), **L. Dee Tallent**, have been advised that I (we) have the right to file this CLAIM on my (our) own behalf, without representation. Therefore, this Agreement appoints AGENT to collect and distribute the aforementioned CLAIM. TALLENT IS NOT SELLING HIS RIGHT TO THIS CLAIM, but merely naming AGENT for TALLENT'S assistance in collecting the CLAIM.

AGENT shall be paid a fee (hereafter "FEE"), from the proceeds as set forth in the FINDERS FEE AGREEMENT dated July 13<sup>th</sup>, 2007. In consideration for such fee, AGENT agrees to perform such services as are reasonably necessary to collect the CLAIM. The FEE shall include all AGENT's expenses. In the event of any dispute between TALLENT and AGENT, the prevailing party shall be entitled to recovery reasonable attorney's fees and costs. THIS AGREEMENT IS LIMITED TO THE ENFORCEMENT, COLLECTION AND DISBURSEMENT OF THE ABOVE REFERENCED CLAIM\*\*.

TALLENT requests the allowable CLAIM to be paid immediately as set forth below:

Please remit to: **L. Dee Tallent and Timezone**,  
and mail to: **904 Silver Spur Road, No. 363, Rolling Hills Estates, CA 90274.**

Any modifications of this Agreement must be in writing signed by both parties.

X *L. Dee Tallent*  
**L. Dee Tallent**  
**11060 FM 130**  
**Hughes Springs, TX 75656-5523**  
Date: 7-25-07

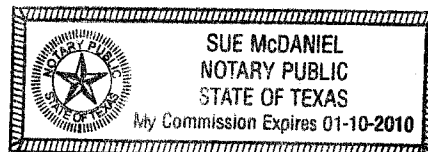
### NOTARY ACKNOWLEDGEMENT

State of ~~California~~ Texas  
County of Cass

On 7-25-07 before me, Sue McDaniel, personally  
appeared L. Dee Tallent

\_\_\_\_\_, 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 *Sue McDaniel* (Seal)



\* As defined in section 4675 of the California Revenue and Taxation Code.  
\*\* In construing this instrument, and where the context so requires, the singular includes the plural.

15709

RECORDING REQUESTED BY  
L. Dee Tallent

WHEN RECORDED MAIL TO

Name: L. Dee Tallent  
Street Address: Rt. 1 Box 1700  
City & State: Cabazon, Calif. 92230

RECEIVED FOR RECORD  
JAN 26 1978  
30 Min. Past 9 o'Clock A.M.  
At Request of  
WARRANTEE  
Book 1978, Page 15709  
Recorded in Official Records  
of Riverside County, California  
W.D. Balogh Recorder  
FEES \$

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### QUITCLAIM DEED

DOCUMENTARY TRANSFER TAX \$ none  
 \_\_\_\_\_ COMPUTED ON FULL VALUE OF PROPERTY CONVEYED,  
 \_\_\_\_\_ OR COMPUTED ON FULL VALUE LESS LIENS AND  
 ENCUMBRANCES REMAINING AT TIME OF SALE.  
*Lene Tallent*  
 Signature of Declarant or Agent determining tax. Firm Name

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

Ilene Tallent

does hereby

REMISE, RELEASE AND FOREVER QUITCLAIM to

L. Dee Tallent

the real property in the District of Cabazon County of Riverside State of California, described as:

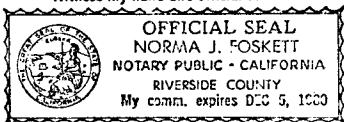
Lots 1,2,5,6, 8 thru 16, 19 thru 44, 47 thru 50 and 52 thru 82, of tract #3189 as recorded in book 53 pgs. 51 and 52 Riverside County records.-----

Dated: 1-19-78 Lene Tallent

State of California, }  
County of RIVERSIDE } ss  
On JANUARY 19, 1978 before me, the undersigned, a Notary Public in and for said State,  
personally appeared ILENE TALLENT

known to me to be the person - whose name IS subscribed to the within Instrument and acknowledged that she executed the same.

Witness my hand and official seal.



(Seal) Norma J. Foskett  
Notary Public in and for said State.

Title Order No. \_\_\_\_\_ Escrow or Loan No. \_\_\_\_\_

MAIL TAX  
STATEMENTS TO \_\_\_\_\_  
NAME ADDRESS ZIP

RECORDING REQUESTED BY

Ilene Tallent

WHEN RECORDED MAIL TO

L. Dee Tallent  
P.O. Box 25  
Avinger, Tx. 75630

366361

RECEIVED FOR RECORDING  
AT 2:00 O'CLOCK P.M.

OCT - 3 1990

Notary Public  
Fees \$

SPACE ABOVE THIS LINE FOR RECORDER'S USE

19E393C

# QUITCLAIM DEED

DOCUMENTARY TRANSFER TAX \$ NONE  
COMPUTED ON FULL VALUE OF PROPERTY CONVEYED.  
OR COMPUTED ON FULL VALUE LESS LIENS AND  
ENCUMBRANCES REMAINING AT TIME OF SALE  
*Ilene Tallent*  
Signature of Declarant or Agent determining tax Firm Name

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

do es hereby

REMISE, RELEASE AND FOREVER QUITCLAIM to

L. Dee Tallent (A single man)

the real property in the District of Cabazon County of Riverside  
State of California, described as:

SEE ADDENDUM TO QUITCLAIM DEED  
ATTACHED

Dated:

Sept. 10<sup>th</sup> 1990

*Ilene Tallent*

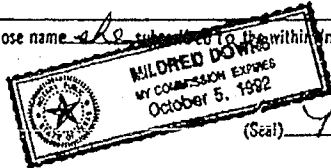
State of ~~TEXAS~~ TEXAS

County of CASS

On Sept. 10 - 1990 before me, the undersigned, a Notary Public in and for said State,  
personally appeared Ilene Tallent

known to me to be the person whose name she subscribed to the within instrument and acknowledged that  
executed the same.

Witness my hand and official seal.



(Seal) *Mildred Down*  
Notary Public in and for said State.

Title Order No. \_\_\_\_\_

Escrow or Loan No. \_\_\_\_\_

MAIL TAX

STATEMENTS TO

NAME

ADDRESS

ZIP

366361

ADDENDUM

Lot 1 528-081-001-9, lot 2 528-081-002-0, lot 5 528-061-009-5, lot 6 528-061-008-4, lot 8 528-061-006-2, lot 9 528-061-005-1, lot 10 528-061-004-0, lot 13 528-061-001-7, lot 14 528-051-005-0, lot 16 528-051-005-0, lot 20 528-052-002-0, lot 21 528-052-003-1, lot 22 528-052-004-2, lot 23 528-052-005-3, lot 24 528-062-001-0, lot 25 528-062-002-1, lots 26 & 27 528-062-002-1, lot 29 528-062-006-5, lot 30 528-062-007-6, lot 31 528-062-008-7, lot 37 528-062-014-2, lot 47 528-052-007-5, lot 50 528-052-010-7, lot 52 528-053-002-3, lot 55 528-053-005-6, lot 60 528-063-005-7, lot 63 528-063-008-0, lot 62 528-063-007-9, lot 69 528-063-014-5, lot 70 528-063-015-6, lot 71 528-063-016-7, lot 77 528-063-022-2, lot 79 528-053-007-8, lot 80 528-053-008-9 and lot 81 528-053-009-0 all of Tract # 3189 as recorded in book 53 pages 51 and 52 of Maps of Riverside County records.

Lot 4 528-101-004-3, lot 31 528-102-009-1, lot 32 528-102-010-1, lot 45 528-102-044-2, lot 56 528-102-033-2, lot 62 528-102-02707, lot 65 528-102-024-4, lot 66 528-102-023-3, lot 204 528-111-006-6, lot 217 528-112-005-8, lot 218 528-112-006-9, lot 219 528-112-007-0, lot 230& 231 lot 289 528-114-022-9, lots 298&9 528-131-031-0, lots 302&3 528-131-032-1, lot 338 528-043-003-3, lot 450 528-065-006-4, lot 477 528-065-022-8, lot 497 528-072-026-4, lot 500 528-072-023-1, lot 502 528-072-021-9, lot 658 528-122-006-0, lot 669 528-122-017-0, lot 671 528-134-002-3, lot 674 528-134-005-6, lot 675 528-134-006-7, lot 687 528-122-043-3, lot 688 528-122-044-4, lot 697 528-122-020-2, lot 698 528-122-019-2, lot 699 528-122-018-1, lot 704 528-134-026-5, lot 705 528-134-025-4, lot 787 528-142-001-7, lot 798 528-142-012-7, lot 800 528-142-014-9, lot 801 528-142-015-0, lot 811 528-153-003-3, lot 813 528-153-005-5, lot 814 528-153-006-6, lot 815 528-153-007-7, lot 816 528-153-008-8, lot 817 528-153-009-9, lot 818 528-153-010-9, lot 819 528-153-011-0, lot 820 528-153-012-1, lot 829 528-142-038-1, lot 830 528-142-037-0, lot 836 528-142-031-4, lot 837 528-142-030-3, lot 838 528-142-029-3, lot 839 528-142-028-2, lot 840 528-142-027-1, lot 841 528-142-026-0, lot 842 528-142-025-9, lot 848 528-153-025-3, lot 849 528-153-024-2, lot 850 528-153-023-1, lot 851 528-153-022-0, lot 852 528-153-021-9, lot 853 528-153-020-8, lot 854 528-153-019-8, lot 855 528-153-018-7, and lot 856 528-153-01706 all of Cabazon Estates number Two as recorded in book 41 pages 63 and 64 of Maps of Riverside County records.

Portion lot 67 528-161-040-1, and Portion lot 80 528-161-030-5 of Cabazon Estates as recorded in book 30 pgs. 58 & 59 of Maps of Riverside County records.

Government lot 6 528-240-001-0, Government lots 9,10,11,12 and the south east 1/4 of Section 23, township 3 south, range 2 east of San Bernardino Meridian as shown by United States Government survey, 528-240-005-4.

lot 128 528-176-003-4, lot 129 528-176-004-5, lot 130 528-176-005-6, lot 131 528-176-006-7, lot 132 528-176-007-8, lot 133 528-176-008-9 of Desert Highlands as recorded in book 42 page 39 of Maps of Riverside County records.

Signed for Identification 9-10-90 Ilene Tallent  
Ilene Tallent

STATE OF TEXAS  
COUNTY OF CASS

On 9-10-90 before me, the undersigned, a Notary Public in and for said State, personally appeared Ilene Tallent known to me to be person whose name she subscribed to the within instrument and acknowledged that she executed same.

Witness my hand and official seal Mildred Downs  
Notary Public in and for State

