

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



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

**SUBMITTAL DATE:**

**JUN 24 2010**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 179, Item 125.  
Last assessed to: Xuan Lan Quach, single woman.

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

- 1) Approve the claim from Xuan Lan Quach, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 448340008-1;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Xuan Lan Quach in the amount of \$7,564.08, 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:	\$7,564.08	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	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**

**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 WITH THE CLERK OF THE BOARD

**District: 3**

**Agenda Number:**

**9.73**

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 6/24/10  
DATE  
Departmental Concurrence

Dept's 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 17, 2008 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 12, 2008. 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 9, 2008, 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 Xuan Lan Quach based on a Tax Deed to Purchaser of Tax-Defaulted Property recorded June 22, 2001 as Instrument No. 2001-285648.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Xuan Lan Quach be awarded excess proceeds in the amount of \$7,564.08. 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 179 Item 125 Assessment No.: 448340008-1

Assessee: QUACH, XUAN LAN

Situs: NONE

Date Sold: March 17, 2008

Date Deed to Purchaser Recorded: May 12, 2008

Final Date to Submit Claim: May 12, 2009

TREASURER-TAX COLLECTOR

JUL 09 2008

RECEIVED

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ ALL 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. 2001-2P5648; recorded on 6-22-2001. 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.

I, XUAN LAN QUACH, ATTACHED A COPY OF "TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY"

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 9<sup>th</sup> day of JULY, 2008 at RIVERSIDE, CA  
County, State

Xuan Quach  
Signature of Claimant

XUAN LAN QUACH  
Print Name  
240 N. SIERRA VISTA ST  
Street Address  
MONTEREY PARK, CA 91755  
City, State, Zip  
(281) 701-2088  
Phone Number

\_\_\_\_\_  
Signature of Claimant  
\_\_\_\_\_  
Print Name  
\_\_\_\_\_  
Street Address  
\_\_\_\_\_  
City, State, Zip  
\_\_\_\_\_  
Phone Number

QUACH, XUAN LAN  
8417 KLINGERMAN ST  
ROSEMEAD, CA 91770

DOC # 2001-285648

06/22/2001 08:00A Fee:6.00  
Page 1 of 1 Doc T Tax Paid  
Recorded in Official Records  
County of Riverside  
Gary L. Orso  
Assessor, County Clerk & Recorder



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TRA 006-071

Doc. Trans. Tax - computed on full value of property conveyed \$ 2.20

Paul McDonnell, Tax Collector

*Raeon Brandtman*

Signature of Declarant

M  
DL

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

On which the legally levied taxes were a lien for Fiscal Year 1994-1995

and for nonpayment were duly declared to be in default 1995-441391007-0000

Default Number

This deed, between the Tax Collector of RIVERSIDE County ("SELLER") and  
QUACH, XUAN LAN, SINGLE WOMAN

("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 MAY 8, 2001 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 \$1,668.00

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 HERMOSA CONSTRUCTION CORP, described as follows:

441391007-9

Assessor's Parcel Number

IN THE CITY OF HEMET

LOT 7 IN TRACT 14871-1, AS SHOWN BY MAP ON FILE IN BOOK 116, PAGES 25 THRU 28 OF MAPS, RECORDS OF RIVERSIDE COUNTY.

State of California Executed on  
RIVERSIDE County MAY 8, 2001

By *Paul McDonnell*  
Tax Collector



On MAY 8, 2001, before me, GARY L. ORSO, personally appeared PAUL MCDONNELL, 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, 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.

GARY L. ORSO  
Assessor/County Clerk-Recorder

*Sandra Lloyd*  
Deputy