

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



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

**SUBMITTAL DATE:**

JUL 28 2010

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 179, Item 207.  
Last assessed to: Celia Giron, a married woman.

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

- 1) Approve the claim from David S. Halper DBA Timezone, assignee for Celia Giron, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 663090076-3;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to David S. Halper DBA Timezone, assignee for Celia Giron in the amount of \$9,151.20, 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:	\$9,151.20	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:**

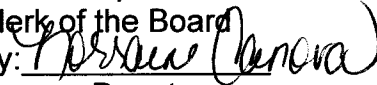
APPROVE  
BY:   
Christopher M. Hans

**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. REATTACHMENTS FILED WITH THE CLERK OF THE BOARD**

**Agenda Number:**

**9.81**

FORM APPROVED COUNTY COUNSEL  
BY:  DALE A. GARDNER  
DATE: 7/28/10  
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 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 David S. Halper DBA Timezone, assignee for Celia Giron based on an Assignment of Rights to Claim Excess Proceeds from Sale of Tax-Defaulted Property dated March 17, 2009 and a Quitclaim Deed recorded January 15, 1988 as Instrument No. 11477.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that David S. Halper DBA Timezone, assignee for Celia Giron be awarded excess proceeds in the amount of \$9,151.20. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.

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

To: Paul McDonnell, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC 179 Item 207 Assessment No.: 663-090-076-3

Assessee: Giron, Celia

Situs:

Date Sold: March 17th, 2008

Date Deed to Purchaser Recorded: May 12th, 2008

Final Date to Submit Claim: May 12th, 2009

RECEIVED  
2009 MAY 11 PM 1:27  
RIVERSIDE COUNTY  
TREAS - TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 9,640.00 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. 88-11477, recorded on 01/15/88. 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.

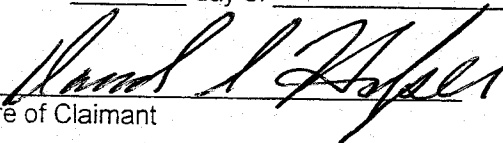
NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

- ASSIGNMENT OF RIGHTS TO CLAIM EXCESS PROCEEDS FROM SALE OF TAX DEFAULTED PROP.
- QUITCLAIM DEED (Document #88-11477) & ORIGINAL NOTICE OF SALE OF TAX DEF. PROP.
- ORIGINAL DELINQUENT SECURED PROPERTY TAX BILL & ORIGINAL COACHELLA VALLEY
- WATER DISTRICT BILL & COPY OF CALIFORNIA DRIVERS LICENSE FOR CELIA GIRON

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 28<sup>th</sup> day of APRIL, 2009 at RIVERSIDE, CA.  
County, State

  
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 Estates, CA 90274  
City, State, Zip

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

(310) 265-0220  
Phone Number

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

# Declaration of David S. Halper

I, David S. Halper, declare the following;

I present to the Riverside County Treasurer-Tax Collector the following documents;

I present to the Riverside County Treasurer-Tax Collector, "CLAIM FOR EXCESS PROCEEDS" form claiming the EXCESS PROCEEDS as the CLAIMANT by virtue of the attached notarized instruments titled, "ASSIGNMENT OF RIGHTS TO CLAIM EXCESS PROCEEDS FROM SALE OF TAX-DEFAULTED PROPERTY". I have been assigned the Rights, Title and Interest of Celia Giron, here forward, "GIRON". I declaring that Pursuant to Section 4675 of the California Revenue and Taxation Code, subsection (c), I have advised this Party of Interest of her right to file this claim on hers own behalf and have disclosed the amount to her as evidenced by the Instrument.

**This claim involves one parcel:**

**663-090-076-3 Sold March 17<sup>th</sup>, 2008**

**The Total amount of excess proceeds is approximately \$9,640.00**

The Parcel 663-090-076-3 was granted to "Celia Giron, a married woman," as evidenced by the *certified copy* of **QUITCLAIM DEED** recorded in the official records of the County of Riverside on January 15<sup>th</sup>, 1988 as recorded as **Document 88-11477**. Further evidence GIRON is the true and correct Party of Interest provided by this document is the mailing address noted on the upper left corner of the Quitclaim Deed. The noted address is 31663 Avenida LaPaloma in Cathedral City, CA 92234. GIRON currently lives at this address.

**EXHIBIT A**

I present to the Riverside County Treasurer-Tax Collector an *Original* **NOTICE OF SALE OF TAX DEFAULTED PROPERTY** dated January 29<sup>th</sup>, 2008. This Original Document provides further evidence GIRON is the true and correct Party of Interest. This document displays the same mailing address as noted on the upper left corner of the Quitclaim Deed. **EXHIBIT B**

I present to the Riverside County Treasurer-Tax Collector the Original **DELINQUENT SECURED PROPERTY TAX BILL** for Fiscal Year July 1, 2005 through June 30, 2006. Further evidence GIRON is the true and correct Party of Interest provided by this document is the mailing address noted. The noted address is 31663 Avenida LaPaloma in Cathedral City, CA 92234. GIRON currently lives at this address. **EXHIBIT C**

I present to the Riverside County Treasurer-Tax Collector the Original **COACHELLA VALLEY WATER DISTRICT BILL** dated November 11, 2008. Further evidence GIRON is the true and correct Party of Interest provided by this document is the mailing address noted. The noted address is 31663 Avenida LaPaloma in Cathedral City, CA 92234. GIRON currently lives at this address. **EXHIBIT D**

I present to the Riverside County Treasurer-Tax Collector a copy of CALIFORNIA DRIVERS LICENSE for Celia Ramona Giron, License #N5715922. **EXHIBIT E**

GIRON does not contest this sale of the fore mentioned property and accepts this sale by the Riverside County Treasurer Tax Collector as binding upon her. By virtue of the attached documentation, I am asking the Riverside County Treasurer Tax Collector and the County Board of Supervisors to approve this claim.

Furthermore, for the reasons stated and the documentation referenced above and attached hereto, I, David S. Halper, DBA TIMEZONE, hereby have the right to, and do claim, the EXCESS PROCEEDS resulting from the sale of this property referenced herein by the Riverside County Treasurer Tax Collector. Please make the checks payable to "**DAVID S. HALPER DBA TIMEZONE**" and mail to **904 Silver Spur Rd #363, Rolling Hills Estates, CA 90274**

I swear the foregoing is true and correct under the penalty of perjury under the laws of the State of California. Executed this 28<sup>th</sup> day of APRIL, 2009 at Temecula, California.

Signed,



David S. Halper  
904 Silver Spur Rd #363  
Rolling Hills Estates, CA 90274  
310-265-0220  
310-265-0221 Fax

**TO: OFFICE OF THE COUNTY TREASURER AND TAX COLLECTOR**

**ASSIGNMENT OF RIGHTS TO CLAIM EXCESS PROCEEDS FROM  
SALE OF TAX-DEFAULTED PROPERTY**

For valuable consideration, the undersigned Assignor(s) **Celia Giron** hereby assigns to Assignee(s) **David S. Halper DBA Timezone**, here forward ("AGENT") all rights, title and interest to collect 100% of the excess proceeds which I am entitled to claim for the property which was sold at the Riverside County, California, public auction of tax defaulted property, held on March 17<sup>th</sup>, 2008, and described as parcel number **663-090-076-3**. As the Assignor(s), I understand the amount of the excess proceeds eligible for distribution is approximately \$9,640.00, and as a party of interest I am entitled to \$9,640.00.

**DECLARATION**

I, Assignor(s) **Celia Giron**, declare the following to be true and correct with respect to my assignment of rights to claim excess proceeds to Assignee(s) **David S. Halper** for Parcel Number **663-090-076-3** from the public auction of tax-defaulted property held on May 12<sup>th</sup>-18<sup>th</sup>, 2007. I have been advised of my right to file a claim for excess proceeds on my own behalf. The parties have disclosed all facts to each other that each is aware of regarding the value of the rights being assigned as required by California Revenue and Taxation Code, Section 4675.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 17 day of March, 2009 at Cathedral City, California.

Signature Celia R. Giron

Name: **Celia Giron**

Address: **31663 Avenida La Paloma**

City/State/Zip Code: **Cathedral City, CA 92234-5218**

**NOTARY ACKNOWLEDGEMENT**

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

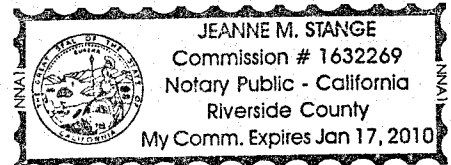
On March 17, 2009 before me, Jeanne M. Stange, Notary Public,

personally appeared \*\*\*\*\***Celia Giron**\*\*\*\*\* who 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.

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

Signature Jeanne M. Stange (Seal)



11477

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

NAME: CELIA GIRON  
 STREET ADDRESS: 31-663 Avenida LaPaloma  
 CITY: Cathedral City, CA 92234  
 STATE: CA

11477

RESERVED FOR RECORDING AT 600 OVELLON AVE

JAN 15 1988

Recorded in County Records of Riverside County, California

W. E. Elliott  
 Notary Public

This Order No. \_\_\_\_\_ Estrow No. \_\_\_\_\_

SPACE ABOVE THIS LINE FOR RECORDER'S USE

# QUITCLAIM DEED

DOCUMENTARY TRANSFER TAX \$ 60

computed on full value of property conveyed, or

computed on full value less value of liens and encumbrances remaining at the time of sale.

Signature of Declarant or Agent Determining Tax. \_\_\_\_\_ Firm Name \_\_\_\_\_

ALBERTO GIRON AND CELIA GIRON, Husband and Wife as joint tenants  
(print or type name of grantor(s))

the undersigned grantor(s), for a valuable consideration, receipt of which is hereby acknowledged, do hereby remise, release and forever quitclaim to CELIA GIRON, a married woman

the following described real property in the City of Desert Hot Springs  
 County of Riverside State of California:

See Exhibit A attached hereto

Assessor's parcel No. Parcel 19

Executed on December 19 87 at Palm Springs, California

Alberto Giron  
(or by sign)  
 ALBERTO GIRON

Celia Giron  
 CELIA GIRON

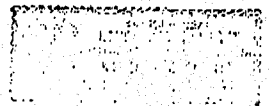
STATE OF CALIFORNIA } ss.  
 COUNTY OF RIVERSIDE

On this 3rd day of December in the year 19 87 before me, the undersigned, a Notary Public in and for said State, personally appeared ALBERTO GIRON and CELIA GIRON

\_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name \_\_\_\_\_ subscribed to the within instrument, and acknowledged to me that he executed it.

WITNESS my hand and official seal.

Linda Kay Elliott  
 Notary Public in and for said State.  
 LINDA KAY ELLIOTT



(This area for official notarial seal)

MAIL TAX STATEMENTS TO \_\_\_\_\_

NAME ADDRESS ZIP

11477

EXHIBIT "A"

That portion of Parcel 19, as shown by Record of Survey on file in Book 20 page 13 of Records of Survey, Records of Riverside County, California described as follows:

**BEGINNING** at a point on the Northerly line of said Parcel 19, distant Easterly thereon, 264.89 feet from the Northwest corner thereof;

**THENCE** Southerly and parallel with the Westerly line of said Parcel, 150 feet;

**THENCE** Easterly and parallel with the Northerly line of said Parcel, 70 feet, more or less to the Easterly line of said Parcel;

**THENCE** Northerly along the Easterly line of said Parcel, 150 feet to the Northeast corner thereof;

**THENCE** Westerly along the Northerly line of said Parcel, 70 feet, more or less, to the point of beginning.

**EXCEPTING** therefrom rights to 50 per cent of minerals, oils and gas, which lie more than 100 feet below the surface of the land, as reserved by Hollie Krantz, in Deed recorded May 12, 1965 as Instrument No. 54947 of Official Records of Riverside County, California.

END RECORDED DOCUMENT

County Administrative Center - 4th Floor  
4080 Lemon Street, P.O. Box 12005  
Riverside, CA 92502-2205  
(951) 955-3900  
(951) 955-3990 - Fax  
E-mail: [ttc@co.riverside.ca.us](mailto:ttc@co.riverside.ca.us)  
[www.countytreasurer.org](http://www.countytreasurer.org)

**COUNTY OF RIVERSIDE  
TREASURER AND TAX COLLECTOR**



**NOTICE OF SALE OF TAX-DEFAULTED PROPERTY**

JANUARY 29, 2008

GIRON, CELIA  
31663 AVENIDA LAPALOMA  
CATHEDRAL CITY, CA 92234

The records in this office indicate that you may have some interest in the property that is subject to tax sale. Please disregard this notice if you have no interest in the property described as follows:

OUTSIDE CITY  
663090076-3

LAST ASSESSED TO: GIRON, CELIA

**Unless a redemption of this Tax-Defaulted Property is received in the Tax Collector's Office on or before 5:00 p.m. on March 14, 2008, I will offer this property for sale to the highest bidder, beginning at 9:00 a.m. on Monday, March 17, 2008 at the Riverside Convention Center, 3443 Orange Street, in the City of Riverside, State of California.**

If this parcel remains unsold after the March 17, 2008 Public Auction, it may be reoffered within a 90-day period. If you wish to bid at the Tax Sale you must register prior to the Sale at the Tax Collector's office.

If this property is sold at public auction you have the right to claim excess proceeds remaining after the tax liens and costs have been satisfied. The amount you can claim is in proportion to your interest in the property with other claims of equal priority. To file a claim for excess proceeds, you must be a party of interest as defined in Section 4675 of the California Revenue and Taxation Code. Your claim for excess proceeds must be filed within one year of the recordation of the Tax Collector's deed to the purchaser.

The law protects parties of interest by requiring that any assignment of the right to claim excess proceeds to another party be made only by a dated, written document stating specifically that the right to claim the excess proceeds is being assigned and that each party to the transaction has informed the other of the value of the right being assigned.

If you have any questions about this notice or about filing a claim for excess proceeds, please contact the Tax Enforcement Unit at the above address.

Paul McDonnell  
Treasurer-Tax Collector

**PLEASE RETURN THIS STUB WITH YOUR PAYMENT TO:**

**COUNTY OF RIVERSIDE, TREASURER-TAX COLLECTOR, P.O. BOX 12005, RIVERSIDE, CA 92502-2205  
ATTN: TAX ENFORCEMENT**

IC 179 ITEM # 207

ASSESSMENT NUMBER 663090076-3

**Only cash or cashier's checks will be accepted for the redemption of this property. Please do not send cash through the mail.**

<u>AMOUNT REQUIRED TO REDEEM</u>	<u>IF PAID DURING</u>	<u>AND BEFORE 5 P.M. ON</u>
\$1,861.05	JANUARY 2008	JANUARY 31, 2008
\$1,904.62	FEBRUARY 2008	FEBRUARY 29, 2008
\$1,918.19	MARCH 2008	MARCH 14, 2008

**In the event it has been necessary to serve personal notice of the sale, pursuant to Revenue and Taxation Code Section 3704.7, a fee of \$100.00 will be added to the above redemption amount.**





**RIVERSIDE COUNTY  
DELINQUENT UNSECURED PROPERTY TAX BILL  
For Fiscal Year July 1, 2005 through June 30, 2006  
Offices in Riverside, Palm Springs and Temecula  
Website: www.countytreasurer.org E-mail: ttc@co.riverside.ca.us**

**PAUL McDONNELL, TREASURER**  
4080 Lemon St (1st Floor) Riverside, California  
(P.O. Box 12005, Riverside, CA 92502-2205)

**Telephone: (951) 955-3900  
or, from area codes 951 and 760 only  
toll free: 1 (877) RIVCOTX (748-2689)**

Property Data .19 ACRES IN POR PAR 19 RS 020/013

Address Owner, JANUARY 1, 2005 GIRON, CELIA

Bill Number 000451639	ASSESSMENT NUMBER 663090076-3
Tax Rate Area 061-056	Parcel Number 663090076-3

05/16/2006

GIRON, CELIA  
31663 AVENIDA LA PALOMA  
CATHEDRAL CITY, CA 92234-5218  
[Barcode]

**SEE REVERSE SIDE FOR  
IMPORTANT INFORMATION**

INSTALLMENT	STATUS	DELINQUENT AFTER	TAX	10% PENALTY	COST	TOTAL
1st		12/10/2005		78.19	81	\$86.00
2nd		04/10/2006		78.19	81\$20	\$106.00

**OUR RECORDS SHOW THAT THE CURRENT-YEAR TAXES ARE DELINQUENT  
ON THE PROPERTY DESCRIBED ABOVE.**

\$192.00  
**AMOUNT DUE**

**The Total Amount Due must be paid on or before** JUNE 30, 2006

After JUNE 30, 2006, if this delinquency is still unpaid, the property will be tax-defaulted, a \$15 redemption fee will be added and redemption penalties will accrue at 1 1/2% per month. (If this property already has unpaid prior-year taxes, this delinquency will be added to the redemption amount). If property taxes remain unpaid for 5 years after the original year of default, the property becomes subject to tax sale.

<b>1</b> \$86.00	<b>2</b> \$106.00
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**PLEASE KEEP TOP PORTION FOR YOUR RECORDS  
(NO RECEIPTS WILL BE ISSUED - YOUR CANCELLED CHECK IS YOUR RECEIPT)**

**OFFICE LOCATIONS**

<b>RIVERSIDE</b> 4080 Lemon St 1st floor Riverside, CA	<b>PALM SPRINGS</b> 997 E. Tahquitz Canyon Way Suite A Palm Springs, CA	<b>TEMECULA</b> 40935 County Center Dr. Suite C Temecula, CA
(Walk-in only)	(Walk-in only)	(Walk-in only)

All locations open: 8:00 A.M. to 4:30 P.M.

**Make checks payable to  
and mail payments to**  
**Paul McDonnell**  
**Riverside County Treasurer**  
**P.O. Box 12005**  
**Riverside, CA 92502-2205**

# Coachella Valley Water District

PO BOX 5000  
 COACHELLA, CA 92236-5000  
 (760) 391-9600; www.cvwd.org

## BILL DETAIL

Total Consumption Charge	.94/100 cu.ft.	\$11.28
Service Charge		\$7.00

The amount due will be deducted from  
 your bank account on or after 12/03/08

## BILL SUMMARY

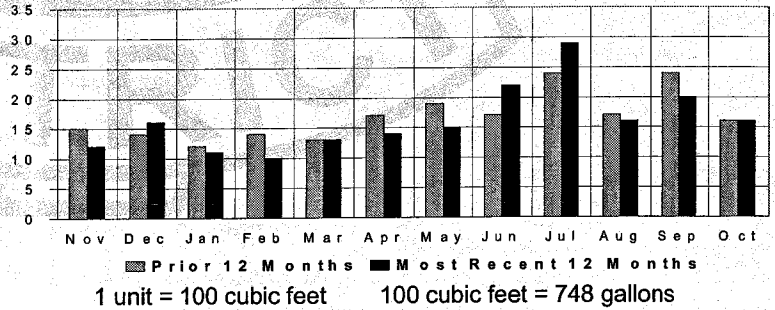
Customer Name: GIRON, ALBERTO  
 Service Address: 31-663 AVENIDA LA PALOMA  
 Account Number: 040516353703  
 Billing Date: 11/11/2008  
**Auto Debit - Do Not Pay \$18.28**

<b>Total for This Period</b>	<b>\$18.28</b>
<b>Auto Debit - Do Not Pay</b>	<b>\$18.28</b>

## ACCOUNT INFORMATION

Rate Class: 1-Residential  
 Days in Billing Cycle: 31  
 Meter Reading: 8064  
 Previous Reading: 8052  
 Water Use This Cycle: 12 (100 cu. ft.)  
 8976 gallons

## WATER USE HISTORY



Water Usage	This Year	Last Year
Nov	12	15
Oct	16	16
Sep	20	24

### Report broken pipes

Pick up the phone and report significant water losses from broken pipes and open hydrants to CVWD water service immediately for repair.

Please return this bottom stub with your payment. Make checks payable to CVWD.

Bill date: 11/11/2008; Cycle: 2



### Coachella Valley Water District

PO BOX 5000  
 COACHELLA, CA 92236-5000  
 (760) 391-9600; www.cvwd.org

Account Number	<b>040516353703</b>
Service Address	31-663 AVENIDA LA PALOMA
Total for This Period	\$18.28
<b>Auto Debit - Do Not Pay</b>	<b>\$18.28</b>
Due and Payable Upon Receipt	

AMOUNT INCLUDED \$

CUA1117A AUTO SCH 5-DIGIT 92234  
 7000005814 01.0016.0349 5814/1



GIRON, ALBERTO  
 31-663 AVENIDA LA PALOMA  
 CATHEDRAL CITY, CA 92234



Coachella Valley Water District  
 PO BOX 5000  
 COACHELLA, CA 92236-5000

04051635370300018281