

**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. 179, Item 212.  
Last assessed to: Kelvin Quach, a married man.

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

- 1) Approve the claim from Kelvin Quach, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 668360025-6;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Kelvin Quach in the amount of \$2,315.00, 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:	\$2,315.00	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

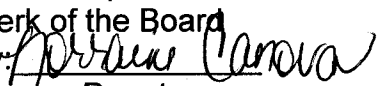
BY:   
Christopher M. Hans

**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 WITH THE CLERK OF THE BOARD

**Agenda Number:**

**9.83**

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

Policy  Policy   
Consent  Consent

Dep't 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 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 Kelvin Quach based on a Tax Deed to Purchaser of Tax-Defaulted Property recorded May 10, 2001 as Instrument No. 2001-204903.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Kelvin Quach be awarded excess proceeds in the amount of \$2,315.00. 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 212 Assessment No.: 668360025-6

Assessee: QUACH, KELVIN

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. 2001-204903; recorded on 05/10/2001. 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, KELVIN 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

  
Signature of Claimant

KELVIN HAI KIM QUACH  
Print Name

11510 MISTY ARCH LN  
Street Address

CYPRESS, TX 77433  
City, State, Zip

(281) 701-2088  
Phone Number

Signature of Claimant

Print Name

Street Address

City, State, Zip

Phone Number

KELVIN QUACH  
1801 W. MOSSBERG AVE  
W. COVINA, CA 91790

DOC # 2001-204903

05/10/2001 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



M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
A	R	L				COPY	LONG	REFUND	NCHG EXAM

TRA 061-082

Doc. Trans. Tax - computed on full value of property conveyed \$ 1.10

Paul McDonnell, Tax Collector

*Melissa Johnson*  
Signature of Declarant

### 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 1995-668360025-0000  
Default Number



This deed, between the Tax Collector of RIVERSIDE County ("SELLER") and  
KELVIN QUACH, A MARRIED MAN

("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 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 NO TAXING AGENCY objected to the sale.

MARCH 13, 2001

\$984.00

In accordance with law, the SELLER, hereby grants to the PURCHASER that real property situated in said county, State of California, last assessed to WALKER, HENRY, described as follows:

668360025-6

Assessor's Parcel Number

THE NORTHERLY 75 FEET OF THE WESTERLY 120 FEET OF THE SOUTHERLY 809.24 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SAN BERNARDINO BASE AND MERIDIAN; THENCE NORTHERLY ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17, NORTH 0 DEGREES 10 MINUTES 08 SECONDS WEST 1314.76 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE CONTINUING NORTH 0 DEGREES 10 MINUTES 08 SECONDS WEST 734.24 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 58 MINUTES 45 SECONDS EAST 120.00 FEET; THENCE NORTH 0 DEGREES 10 MINUTES 08 SECONDS WEST 75.00 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 45 SECONDS WEST 120.00 FEET; THENCE SOUTH 0 DEGREES 10 MINUTES 08 SECONDS EAST 75.00 FEET TO THE TRUE POINT OF BEGINNING.

UNINCORPORATED

State of California Executed on  
RIVERSIDE County MARCH 13, 2001 By Paul McDonnell  
Tax Collector



On MARCH 13, 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

*James A. Beaman*  
Deputy

§§3708 & 3804 R&T Code

TDL 8-19 (6-97)