

**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. 181, Item 71.
Last assessed to: John Treadwell Beecher and Lori Kay Beecher, Joint Tenants w/ROS

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from John Treadwell Beecher and Lori K. Beecher AKA Lori Kay Beecher, last assessees for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with assessment 010590192-7;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to John Treadwell Beecher and Lori K. Beecher AKA Lori Kay Beecher in the amount of \$3,483.55, 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

FINANCIAL DATA	Current F.Y. Total Cost:	\$3,483.55	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: 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

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

Consent Policy
 Consent Policy

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

Prev. Agn. Ref. ATTACHMENTS FILED District: 4 Agenda Number:

9.89

WITH THE CLERK OF THE BOARD

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 November 17, 2008 public auction sale. The deed conveying title to the purchasers at the auction was recorded January 15, 2009. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on February 5, 2009, 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 John Treadwell Beecher and Lori K. Beecher AKA Lori Kay Beecher based on a Grant Deed recorded December 2, 1993 as Instrument No. 481438.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that John Treadwell Beecher and Lori K. Beecher AKA Lori Kay Beecher be awarded excess proceeds in the amount of \$3,483.55. 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: Don Kent, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC 181 Item 71 Assessment No.: 010590192-7

Assessee: BEECHER, JOHN TREADWELL & LORI KAY

Situs:

Date Sold: November 17, 2008

Date Deed to Purchaser Recorded: January 15, 2009

Final Date to Submit Claim: January 15, 2010

RECEIVED
2010 FEB 23 PM 12:12
RIVERSIDE COUNTY
TREASURER & TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 3038.94 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. 010590192-7; recorded on 1-15-09. 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.

Grant + Deed
Letter from Demelle Bauerman w/ cancelled check
Tax bill (with incorrect address)

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 14 day of February, 2009 at Hennepin, Minnesota
County, State

John T Beecher
Signature of Claimant

Lori K Beecher
Signature of Claimant

JOHN TREADWELL BEECHER
Print Name

Lori K Beecher
Print Name

6620 PARKWOOD RD
Street Address

6620 Parkwood Road
Street Address

EDINA MN 55436
City, State, Zip

Edina MINNESOTA 55436
City, State, Zip

952 9330928
Phone Number

952 9330928
Phone Number

- (b) Non-exclusive rights of ingress, egress, use and enjoyment, subject to the provisions of the Declaration of Covenants, Conditions and Restrictions (Desert Springs Villas Condominiums) recorded on November 14, 1989 as Instrument No. 396933, in the Office of the County Recorder of Riverside County, as amended (the "Condominium Declaration"), over the Common Area (as defined in the Condominium Declaration) of Lot 2 of the Tract.
- (c) Non-exclusive rights of possession over all Exclusive Use Common Areas located on Lot 2 of the Tract, as shown on the Condominium Plan.
- (d) All those certain easements referred to in Paragraphs 11.1 through 11.7, inclusive, of the Condominium Declaration.

EXCEPTING FROM SAID PARCEL 1 THE FOLLOWING:

ALL OIL, GAS AND OTHER PETROLEUM AND MINERAL SUBSTANCES IN AND UNDER ALL OF SAID FOREGOING LANDS DESCRIBED IN PARCELS 1 THROUGH 5 INCLUSIVE, WITH THE RIGHT TO MINE, EXCAVATE, DRILL FOR, REMOVE AND SELL THE SAME, ALL OF WHICH RIGHTS ARE LIMITED TO THAT PORTION OF THE LANDS LYING BELOW A DEPTH OF 500.00 FEET MEASURED FROM THE SURFACE OF SAID LANDS, WITHOUT THE RIGHT TO GO UPON OR USE THE SURFACE OF SAID LANDS, AS RESERVED BY PLAZA INVESTMENT COMPANY, A CALIFORNIA GENERAL PARTNERSHIP, AND WILLIAM BONE, A MARRIED MAN, AS HIS SOLE AND SEPARATE PROPERTY, IN DEED RECORDED AUGUST 4, 1983 AS INSTRUMENT NO. 157881, OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL 2:
Unit 9207, as shown on the Condominium Plan.

PARCEL 3:
Non-exclusive rights of ingress, egress, use and enjoyment, subject to the provisions of the Condominium Declaration, over the Common Area of Lot 2 of the Tract as defined in the Condominium Declaration, as appurtenant to Parcels 1 and 2 above described.

PARCEL 4:
Exclusive rights of possession and occupancy of the patio(s) and balcony(ies) which adjoin the Units described in Parcel 2 above, and a non-exclusive right of possession and occupancy of the stairways leading to the Units, as shown on the Condominium Plan described in Parcel 1 above, said patio(s), balcony(ies) and stairways constituting Exclusive Use Common Areas as defined in the Condominium Declaration, as appurtenant to Parcels 1 and 2 above described.

PARCEL 5:
Non-exclusive easements and equitable rights of use and enjoyment of the "Master Association Property" as defined in that certain Master Declaration of Covenants, Conditions and Restrictions for Desert Springs Villas recorded on November 14, 1989 as Instrument No. 396932 in the Office of the County Recorder of Riverside County, as appurtenant to Parcels 1 and 2 above.

EXCEPTING FROM SAID PARCEL "A" AND RESERVING UNTO GRANTOR, its successors and assigns, (including all "Owners") the exclusive right to use and occupy said Parcel A during all "Use Periods" and "Service Periods" [as the quoted terms are defined in that certain Declaration of Covenants, Conditions and Restrictions for Desert Springs Villas dated November 13, 1989, and recorded November 14, 1989, as Instrument No. 396934, in the Office of the County Recorder of Riverside County, California (the "Timeshare Declaration")]. ALSO EXCEPTING FROM SAID PARCEL "A" AND RESERVING UNTO GRANTOR, its successors and assigns, all those certain easements referred to in Paragraphs 11.1 through 11.7, inclusive, of Article XI of the Condominium Declaration, and in Paragraph 2.5 of Article II of the Timeshare Declaration, together with the right to grant said easements to others.

PARCEL B:
The exclusive right and easement to use and occupy an "Assigned Unit" and use the "Common Areas" other than the Limited Common Areas not appurtenant to such Assigned Unit and the "Common Furnishings" therein during a "Use Period" for a maximum of seven (7) nights (the number of timeshare interests purchased in each season is indicated):

1 Red Season(s) _____ White Season(s) _____ Blue Season(s)

each "Use Year", all in accordance with the Timeshare Declaration and the Rules and Regulations of the Desert Springs Villas Timeshare Association (the "Association"). (All quoted terms shall have the definitions ascribed thereto in the Timeshare Declaration). SUBJECT TO non-delinquent real property taxes and assessments for the current fiscal year and all later years; and to all covenants, conditions, restrictions, reservations, exceptions, limitations, conditions, uses, rights, rights-of-way easements and other matters of record on the date hereof, including, without limitation, the Timeshare Declaration, the Condominium Declaration and the Master Declaration all of which are hereby incorporated by reference into the body of this instrument as if the same were fully set forth herein.

481438

CLOSING
Buildings A
Phase III

EXHIBIT A TO DEED
LEGAL DESCRIPTION

Timeshare Estate, as defined in Business and Professions Code 11003.5, being comprised of Parcels A and B and commonly referred to as Timeshare Interest Number(s) 9207-R-52

PARCEL A:
An undivided one -fifty-first (1 /51st) interest in Parcels 1 through 5, inclusive:

PARCEL 1:
An undivided 1/16th interest in and to Lot 2 of Tract No. 23904-4 as per map recorded in Book 207, Pages 95 through 96, inclusive, of Maps, in the Office of the County Recorder of Riverside County, California ("the Tract").

EXCEPTING AND RESERVING FROM SAID PARCEL 1 THE FOLLOWING:

- (a) Units 9101, 9103, 9105, 9107, 9111, 9113, 9115, 9117, 9201, 9203, 9205, 9207, 9211, 9213, 9215 and 9217, as shown on that certain Condominium Plan recorded on November 14, 1989 as Instrument No. 396931 in the Office of the County Recorder of Riverside County, California (the "Condominium Plan");
- (b) Non-exclusive rights of ingress, egress, use and enjoyment, subject to the provisions of the Declaration of Covenants, Conditions and Restrictions (Desert Springs Villas Condominiums) recorded on November 14, 1989 as Instrument No. 396933, in the Office of the County Recorder of Riverside County, as amended (the "Condominium Declaration"), over the Common Area (as defined in the Condominium Declaration) of Lot 2 of the Tract.
- (c) Non-exclusive rights of possession over all Exclusive Use Common Areas located on Lot 2 of the Tract, as shown on the Condominium Plan.
- (d) All those certain easements referred to in Paragraphs 11.1 through 11.7, inclusive, of the Condominium Declaration.

EXCEPTING FROM SAID PARCEL 1 THE FOLLOWING:

ALL OIL, GAS AND OTHER PETROLEUM AND MINERAL SUBSTANCES IN AND UNDER ALL OF SAID FOREGOING LANDS DESCRIBED IN PARCELS 1 THROUGH 5 INCLUSIVE, WITH THE RIGHT TO MINE, EXCAVATE, DRILL FOR, REMOVE AND SELL THE SAME, ALL OF WHICH RIGHTS ARE LIMITED TO THAT PORTION OF THE LANDS LYING BELOW A DEPTH OF 500.00 FEET MEASURED FROM THE SURFACE OF SAID LANDS, WITHOUT THE RIGHT TO GO UPON OR USE THE SURFACE OF SAID LANDS, AS RESERVED BY PLAZA INVESTMENT COMPANY, A CALIFORNIA GENERAL PARTNERSHIP, AND WILLIAM BONE, A MARRIED MAN, AS HIS SOLE AND SEPARATE PROPERTY, IN DEED RECORDED AUGUST 4, 1983 AS INSTRUMENT NO. 157881, OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

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Unit 9207, as shown on the Condominium Plan.

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PARCEL 4:
Exclusive rights of possession and occupancy of the patio(s) and balcony(ies) which adjoin the Units described in Parcel 2 above, and a non-exclusive right of possession and occupancy of the stairways leading to the Units, as shown on the Condominium Plan described in Parcel 1 above, said patio(s), balcony(ies) and stairways constituting Exclusive Use Common Areas as defined in the Condominium Declaration, as appurtenant to Parcels 1 and 2 above described.

PARCEL 5:
Non-exclusive easements and equitable rights of use and enjoyment of the "Master Association Property" as defined in that certain Master Declaration of Covenants, Conditions and Restrictions for Desert Springs Villas recorded on November 14, 1989 as Instrument No. 396933 in the Office of the County Recorder of Riverside County, as appurtenant to Parcels 1 and 2 above.

EXCEPTING FROM SAID PARCEL "A" AND RESERVING UNTO GRANTOR, his successors and assigns, including all "Owners" the exclusive right to use and occupy said Parcel A during all "Use Periods" and "Service Periods" (as the quoted terms are defined in that certain Declaration of Covenants, Conditions and Restrictions for Desert Springs Villas dated November 13, 1989 and recorded November 14, 1989, as Instrument No. 396934, in the Office of the County Recorder of Riverside County, California (the "Timeshare Declaration")).
ALSO EXCEPTING FROM SAID PARCEL "A" AND RESERVING UNTO GRANTOR, his successors and assigns, all those certain easements



**RIVERSIDE COUNTY
UNPAID PRIOR-YEAR SECURED PROPERTY TAXES**

Offices in Riverside, Palm Springs and Temecula

To send us an e-mail, visit our Website: www.riversidetaxinfo.com

IMPORTANT INFORMATION ON REVERSE SIDE

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 .79 ACRES IN LOT 1 MB 272/029 TR 27570
A TIMESHARE ESTATE INTEREST MARRIOTT 9207R52
Address
Owner, BEECHER, JOHN TREADWELL & LORI KAY

ASSESSMENT NUMBER
010590192-7
Parcel Number
624320043-8

10/01/2008 10

BEECHER, JOHN TREADWELL & LORI KAY
6130 ARCTIC WAY
EDINA MN 55436

UNPAID PRIOR-YEAR TAXES
(See Item #4 on reverse)
2000-010590192-0000
Tax-Default Year and Number

POWER TO SELL 2005

**THERE ARE UNPAID PRIOR-YEAR TAXES ON THE PROPERTY SHOWN ABOVE.
THE PARTICULAR UNPAID ASSESSMENT NUMBER(S) AND FISCAL YEAR(S) ARE:**

010590192-7 1999-2000 2001-2002 2002-2003 2003-2004 2004-2005 2005-2006
2006-2007 2007-2008

Deed ID - DE 9207.52.B

3038 97 11/30/08

wak 1

renewed for 3/23/09

Pay ONLY the amount shown for the month in which payment is being made and disregard all other amounts. Your payment must be postmarked no later than the last day of that month. (If property taxes remain unpaid for 5 years after the original default-year, the property becomes subject to tax sale.) Note: Current-year taxes are NOT included in these amounts.

\$

IF PAYING IN		PAY THIS AMOUNT	IF PAYING IN		PAY THIS AMOUNT
JULY	2008	\$2,931.35	JANUARY	2009	\$3,060.50
AUGUST	2008	\$2,952.87	FEBRUARY	2009	\$3,082.03
SEPTEMBER	2008	\$2,974.40	MARCH	2009	\$3,103.55
OCTOBER	2008	\$2,995.92	APRIL	2009	\$3,125.08
NOVEMBER	2008	\$3,017.45	MAY	2009	\$3,146.60
DECEMBER	2008	\$3,038.97	JUNE	2009	\$3,168.13

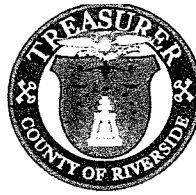
PLEASE KEEP TOP PORTION FOR YOUR RECORDS
(NO RECEIPTS WILL BE ISSUED - YOUR CANCELLED CHECK IS YOUR RECEIPT)

DON KENT
ASSISTANT TREASURER-TAX COLLECTOR

DEBBIE BASHE
INFORMATION TECHNOLOGY OFFICER

SUE BAUER
SR. CHIEF DEPUTY TREASURER-TAX COLLECTOR

JON CHRISTENSEN
SR. CHIEF DEPUTY TREASURER-TAX COLLECTOR



PAUL MCDONNELL
TREASURER

GARY COTTERILL
CHIEF DEPUTY TREASURER-TAX COLLECTOR

MATT JENNINGS
CHIEF DEPUTY TREASURER-TAX COLLECTOR

MELISSA JOHNSON
CHIEF DEPUTY TREASURER-TAX COLLECTOR

GIOVANE PIZANO
INVESTMENT MANAGER

December 30, 2008

LORI KAY BEECHER
JOHN T. BEECHER
6620 PARKWOOD RD
EDINA, MN 55436

RE: Check# 5883 Amount: \$3038.97
For Payment of Delinquent Property Tax Assessment # 010590192-7

Dear Mr. & Mrs. Beecher:

We are returning your check #5883 in the amount of \$3038.97 for payment of the delinquent taxes of the above-mentioned parcel.

This property was sold on November 17, 2008 at tax sale due to non-payment of over five years of delinquent taxes. We have money in the Office from the proceeds of the sale to be applied to the delinquent taxes.

If you have any questions regarding this matter please contact our office.

Sincerely,


Donnette Bowman
Donnette Bowman
Tax Enforcement

*Sandy Janley
951-955-3953*

LORI KAY BEECHER
JOHN T. BEECHER, M.D.
6620 PARKWOOD RD. PH. 952-933-0928
EDINA, MN 55436

17-115/910
0031499435

Date 12/1/08

Pay to the order of Riverside County \$ 3038⁹⁷
Three thousand three hundred eight and 97/100 Dollars 
M&I Marshall & Ilsley Bank Gold Rewards Account

*951
955.3900*

For 010590192-7 Low Beecher MP

RNIA 92502
51) 955-3923