

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

125A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

AUG 08 2012

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 182, Item 248.
Last assessed to: Marilyn Charles.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Nationwide Asset Recovery Services, agent for Marilyn J. Charles AKA Marilyn Charles, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 601440029-0;

(Continued on page two)

BACKGROUND: (Continued on page two)


Don Kent, Treasurer-Tax Collector

**FINANCIAL
DATA**

Current F.Y. Total Cost: \$ 15,648.24
Current F.Y. Net County Cost: \$ 0.00
Annual Net County Cost: \$ 0.00

In Current Year Budget: NO
Budget Adjustment: N/A
For Fiscal Year: 2012-13

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale

Positions To Be Deleted Per A-30 ☐
Requires 4/5 Vote ☐

C.E.O. RECOMMENDATION:

APPROVE

BY:


Karen L. Johnson


County Executive Office Signature

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

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Ashley 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 25, 2012
xc: Treasurer, Auditor

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

Prev. Agn. Ref.:

District: 4/4

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.24

FORM APPROVED COUNTY COUNSEL
DATE 8/8/12
DALE A. GARDNER
Departmental Concurrence

BOARD OF SUPERVISORS

Form 11:

Page 2

RECOMMENDED MOTION: (continued)

- 2) Authorize and direct the Auditor-Controller to issue a warrant to Nationwide Asset Recovery Services, agent for Marilyn J. Charles AKA Marilyn Charles in the amount of \$15,648.24, 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)

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 16, 2009 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 5, 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 June 4, 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 Nationwide Asset Recovery Services, agent for Marilyn J. Charles AKA Marilyn Charles based on an Authorization for Agent to Collect Excess Proceeds dated April 2, 2009, a Grant Deed recorded June 24, 1994 as Instrument No. 257850 and an Affidavit – Death of Joint Tenant recorded January 31, 1995 as Instrument No. 031240.

Pursuant to Section 4675 (a) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that Nationwide Asset Recovery Services, agent for Marilyn J. Charles AKA Marilyn Charles be awarded excess proceeds in the amount of \$15,648.24. 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)

RECEIVED
2009 JUN 11 AM 10:28
RIVERSIDE COUNTY
TREAS - TAX COLLECTOR

To: Paul McDonnell, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC: TC 182 Item: 248 Assessment No.: 601-440-029

Assessee(s): Marilyn Charles

Situs: None

Date Sold: March 16, 2009

Date Deed to Purchaser Recorded: 5/5/2009

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of **\$16,178** (approx.) 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. 257850 recorded on 6/24/1994. 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.

Owner by Deed

Documents Attached: Deed, Copy of the ID; Affidavit - Death of Joint Tenant (031240; 1/31/95)

If the property is held in Joint Tenancy and the sale process has severed this Joint Tenancy, and all Joint Tenants 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 2nd day of April, 2009 at Frederick, North Carolina
County, State

Marilyn J. Charles
Signature of Claimant

Marilyn J. Charles

146 Sawhorse Dr.
Mooresville, NC 28115-5789

(704) 660-0592

SCO 8-21 (1-99)

Order No.
Escrow No.
Loan No.

257850

WHEN RECORDED MAIL TO:

Rudolph J. Carreon
209 Summit View
Calimesa, CA 92320

RECEIVED FOR RECORD
AT 800 O'CLOCK

JUN 24 1994

SPACE ABOVE THIS LINE FOR CLERK'S USE

MAIL TAX STATEMENTS TO:

SAME AS ABOVE

DOCUMENTARY TRANSFER TAX \$ None

Computed on the consideration or value of property conveyed OR
Computed on the consideration or value less liens or encumbrances
remaining at time of sale

Signature of Deedman or Agent determining law Firm Name

APN: 601-440-029

GRANT DEED

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

RUDOLPH J. CARREON, a widower

hereby GRANT(S) to

RUDOLPH J. CARREON, a widower & MARILYN CHARLES, an unmarried woman as joint tenants

the real property in the City of unincorporated area of Indio
County of Riverside

State of California, described as

The Southeast Quarter of the Northeast Quarter of the Southeast Quarter of
Section 23, Township 5 South, Range 8 East, San Bernardino Base and Meridian,
10 acres more or less.

Dated June 15, 1994

STATE OF CALIFORNIA

COUNTY OF San Bernardino

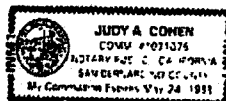
On June 20, 1994

before me,

Judy A. Cohen, Notary Public
personally appeared Rudolph J. Carreon

personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) 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 signa-
tures on the instrument the person(s) or the entity upon behalf of which
the person(s) acted, executed the instrument

Rudolph J. Carreon
Rudolph J. Carreon



AUTHORIZATION FOR AGENT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the applicant's claim as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS.

As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I(we), the undersigned, do hereby make **NATIONWIDE ASSET RECOVERY SERVICES** my(our) agent to apply for and collect the excess proceeds which you are holding and to which I(we) am(are) entitled from the sale of assessment number **601-440-029** sold at public auction on **March 16, 2009**. I(we) understand that I(we) AM(ARE) NOT SELLING MY(OUR) RIGHT TO THE REFUND, but merely naming an agent for collection purposes for my(our) convenience.

I(we) also understand that the total amount of excess proceeds available for refund is \$16,178 (approx.) , and that I(we) have a right to file a claim for this refund on my(our) own, without the help of an agent. For valuable consideration received my(our) agent is appointed to act on my(our) behalf.

Marilyn J. Charles
Marilyn J. Charles

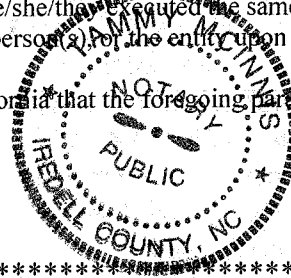
STATE OF NC)
COUNTY OF Iredell)

146 Sawhorse Dr.
Mooresville, NC 28115-5789
(704) 660-0592

On April 2nd 2009, before me, Tammy McInnis, personally appeared Marilyn J. Charles 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) for the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.
WITNESS my hand and Official Seal

Tammy McInnis March 9 2013
(Signature of Notary)



I, the undersigned, certify under penalty of perjury that I have disclosed to the above party of interest, pursuant to Section 4675 of the California Revenue and Taxation Code, the full amount of excess proceeds available and ADVISED HIM OF HIS RIGHTS TO FILE A CLAIM ON HIS OWN, WITHOUT THE HELP OF AN AGENT.

Randall D. Witte
(Signature of Agent)

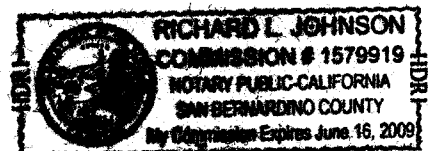
Randall D. Witte
NATIONWIDE ASSET RECOVERY SERVICES
17100 Bear Valley Rd. B-201
Victorville, CA 92395

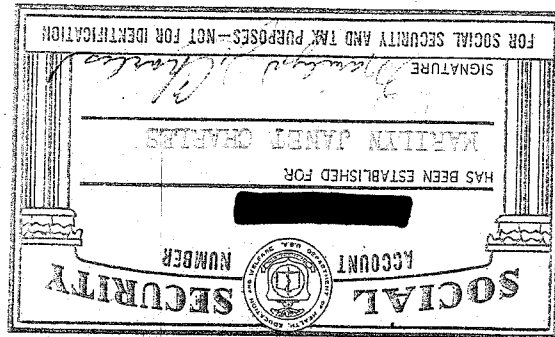
STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)

On 4/13/2009, before me, Richard L. Johnson, Notary Public, personally appeared, Randall D. Witte, 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 State of California that the foregoing paragraph is true and correct.
WITNESS my hand and Official Seal

[Signature]
(Signature of Notary)





STATE OF NORTH CAROLINA DMV

Joseph E. S.
Commissioner of Motor Vehicles

DRIVER LICENSE



MARILYN JANET CHARLES
146 SAWHORSE DR
MOORESVILLE NC 28115-5789

class: C endors: None restr: None
issued: 02-04-2009 expires: 03-16-2014
sex: F ht: 5-10 eyes: HAZ hair: BLO race: ♥

birthdate: 03-16-1935 *Marilyn Janet Charles*

RECORDING REQUESTED BY

J. Terrence Moynihan

031240

RECEIVED FOR RECORD
AT 6:50 O'CLOCK

AND WHEN RECORDED MAIL TO:

Name Marilyn Charles
Street Address 209 Summit View
City Calimesa, CA 92320

JAN 31 1995

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Affidavit - Death of Joint Tenant

AJT 873.10

THIS FORM FURNISHED BY TRUSTORS SECURITY SERVICE

101010

State of California,

County of Riverside ss.

MARILYN CHARLES

of legal age, being first duly sworn, deposes and says:
That RUDOLPH JOSEPH CARREON the decedent mentioned in the attached certified copy of
Certificate of Death, is the same person as RUDOLPH J. CARREON
named as one of the parties in that certain Grant Deed dated June 15, 1994
executed by Rudolph J. Carreon, a widower
to RUDOLPH J. CARREON, a widower & MARILYN CHARLES, an unmarried woman,
as joint tenants, recorded as Instrument No. 257850 on June 24, 1994, in
book 1994 page 257850 of Official Records of Riverside
County, California, covering the following described property situated in the unincorporated area of
Indio, County of Riverside, State of California:

The Southeast Quarter of the Northeast Quarter of the Southeast Quarter
of Section 23, Township 5 South, Range 8 East, San Bernardino Base and
Meridian, 10 acres more or less.

Dated January 24, 1995

SUBSCRIBED AND SWORN TO before me

this 24th day of January, 1995

Signature Ruth A. Noble
Ruth A. Noble, Notary Public
Name (Typed or Printed)

Marilyn Charles
MARILYN CHARLES



Title Order No. _____ Escrow, Loan or Attorney File No. _____

601-440-029
ASSESSORS PARCEL NO.

COMM-27-03

1 31 95

THIS MICROFILM CERTIFICATED
1995 BY SECURITY UNION TITLE
INSURANCE COMPANY,
MICROGRAPHICS DIVISION

13195

THIS MICROFILM COPYRIGHTED
1986 BY SECURITY UNION TITLE
INSURANCE COMPANY,
MICROGRAPHICS DIVISION

COUNTY of SAN BERNARDINO

DEPARTMENT OF PUBLIC HEALTH
351 MT. VIEW AVENUE, SAN BERNARDINO, CALIFORNIA 92415-0010

CERTIFICATE OF DEATH

[illegible]

548537

STATE OF CALIFORNIA } SS
COUNTY OF SAN BERNARDINO }

DATE ISSUED

JAN 03 1995

This is a true and exact reproduction of the documents officially registered and placed
in the VITAL RECORDS SECTION, SAN BERNARDINO DEPARTMENT OF PUBLIC HEALTH.

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.

THOMAS J. PRENDERGAST, M.D.
COUNTY HEALTH OFFICER
REGISTRAR OF VITAL STATISTICS





NATIONWIDE ASSET RECOVERY LLC.

www.nationwideassetrecoveryservices.com

17100 Bear Valley Rd. B-201
Victorville, CA 92395

Phone: (760) 963-9434
Fax: (760) 243-1539
Toll Free FAX: (877) 541-6920

May 28, 2009

Paul McDonnell, Treasurer-Tax Collector
Attn: Excess Proceeds Department
PO Box 12005
Riverside, CA 92502-2205

RE: Excess Proceeds Claim for Marilyn J. Charles and Nationwide Asset Recovery Services,

AP# 601-440-029

To Whom It May Concern:

This Office represents Marilyn J. Charles and Nationwide Asset Recovery Services in their claim for excess proceeds from the sale of property sold at public auction on March 16, 2009. Please contact this office if additional information is required in the processing of their claim.

Sincerely,

Randall D. Witte
Claim Manager