

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

286 A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

OCT 01 2013

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 189, Item 347.
Last assessed To: Zaida C. Diaz Beltran. District 5/5 [\$3,583.23]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Zaida Diaz AKA Zaida C. Diaz Beltran, last assessed for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 528033026-3;

(continued on page two)

BACKGROUND:

Summary

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 15, 2011 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 18, 2011. 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 2, 2011, 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.

(continued on page two)

Don Kent
Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 3,583.23	\$ 0.00	\$ 3,583.23	\$ 0.00	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale	Budget Adjustment: NO
	For Fiscal Year: 13/14

C.E.O. RECOMMENDATION:

APPROVE

BY:
Karen L. Johnson

County Executive Office Signature

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: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: October 22, 2013
xc: Treasurer, Auditor

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

2013 OCT 12 PM 3:18
RECEIVED COUNTY CLERK'S OFFICE

Prev. Agn. Ref.: District: 5/5 Agenda Number:

9-8

UNWARRANTED COUNTY COUNSEL
BY: Dale A. Gardner 10/11/13
DATE: DALE A. GARDNER

Departmental Concurrence

- A-30
- 4/5 Vote
- Positions Added
- Change Order

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

FORM 11: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 189, Item 347.

Last Assessed To: Zaida C. Diaz Beltran.

DATE: OCT 01 2013

PAGE: Page 2 of 2

RECOMMENDED MOTION:

2. Authorize and direct the Auditor-Controller to issue a warrant to Zaida Diaz AKA Zaida C. Diaz Beltran in the amount of \$3,583.23, no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

BACKGROUND:

Summary (continued)

The Treasurer-Tax Collector has received one claim for excess proceeds:

1. Claim from Zaida Diaz AKA Zaida C. Diaz Beltran based on a Grant Deed recorded April 14, 2006 as Instrument No. 2006-0270390.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Zaida Diaz AKA Zaida C. Diaz Beltran be awarded excess proceeds in the amount of \$3,583.23 Supporting documentation has been provided. The Tax Collector requests approval of the above recommend motion.

Impact on Citizens and Businesses

Excess proceeds are being released to the last assessee of the property.

ATTACHMENTS (if needed, in this order):

Copies of the Excess Proceeds Claim form and supporting documentation are attached.

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

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 189 Item 347 Assessment No.: 528033026-3

Assessee: BELTRAN, ZAIDA C DIAZ

Situs: 51898 DATE AVE CABAZON

Date Sold: March 15, 2011

Date Deed to Purchaser Recorded: May 18, 2011

Final Date to Submit Claim: May 21, 2012

TREASURER-TAX COLLECTOR

MAY 21 2012

RECEIVED

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 3,583.23 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. _____; recorded on _____. A copy of this document is attached here to. 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 attache the Grand Deed of when this property was transfer to me, a copy of Contractor estimate of when I was going to build in the property. I Lost a lot of money in this property. I do deserve to receive all the credit I could get 3,583.23

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 17 day of May, 2012 at Riverside California
County, State

[Signature]
Signature of Claimant

Zaida Diaz
Print Name

48869 Maumee Ln
Street Address

Cabazon CA 92230
City, State, Zip

760-902-7936
Phone Number

Signature of Claimant

Print Name

Street Address

City, State, Zip

Phone Number

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO
AND MAIL TAX STATEMENTS TO

Name ZAIDA DIAZ
Address P.O. Box 799
City, State Zip Cabazon CA 92230

Title Order No.
Escrow No.

DOC # 2006-0270390

04/14/2006 08:00A Fee:16.00

Page 1 of 4

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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	1		4			<input checked="" type="checkbox"/>			
					6				66
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

GRANT DEED

C
CC

22

THE UNDERSIGNED GRANTOR(S) DECLARE(S):

DOCUMENTARY TRANSFER TAX is \$ 0.00 CITY TAX is \$ 0.00

computed on the full value of the property conveyed, or

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

Realty not sold

Unincorporated area City of _____, and

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

hereby GRANT(S) to Zaida C. Diaz Beltran

Cabazon Riverside

the following described real property in the city of ^, County of ^, State of California:

As shown in Exhibit "A" attached hereto and made a part hereof

A.P.N. 528033026-3

Dated: April 10, 2006

Juan Cabral

STATE OF CALIFORNIA

COUNTY OF Riverside } ss.

On April 10, 2006 before me, the undersigned, a Notary Public in and for said State, personally appeared Juan Cabral

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(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.

WITNESS my hand and official seal.

Terry Martinez
NOTARY SIGNATURE
Terry Martinez, Notary Public

NOTARY'S NAME (typed or legibly printed)

Terry Martinez, Notary Public

Notary Stamp or Seal



California
Civil Code 1189

(a) Any certificate of acknowledgment taken within this state shall be in the following form:

State of California

County of Riverside

On April 10, 2006 before me, Terry Martinez, Notary Public personally
(here insert name and title of the officer)
appeared Juan Cabral 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(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.

WITNESS my hand and official seal.

Signature Terry Martinez (Seal)



LEGAL DESCRIPTION

The land referred to herein is situated in the State of California,
County of Riverside, described as follows:

LOT(S) 80 OF CABAZON ESTATES NO. 3, AS SHOWN BY MAP ON FILE IN
BOOK 47 PAGE(S) 81 OF MAPS, RECORDS OF RIVERSIDE COUNTY,
CALIFORNIA.

End of Legal Description



Recorded and returned to the
County Clerk
RIVERSIDE, CALIFORNIA
JAN 10 1964
The County Clerk
County of Riverside, California
RIVERSIDE, CALIFORNIA

Continued on next page

Proposal

T & M Construction

140 East Stetson Avenue, #301
Hemet, CA 92543

*General Contractors
Manufactured Home Specialist*

Phone: (951) 672-0924
Fax: (951) 672-0926
E-mail: toddk@tmconstructions.com
Web Site: www.tmconstructions.c...
Contractor's License #668855

Date	Proposal #
1/20/2006	2005-383

Total Contract: \$21,420.
Job Site: Date St Cabazon 528-033-0263

Bill To:

Zaida Diaz
P.O. Box 799
Cabazon, Ca 92230

**ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED. ALL WORK TO BE COMPLETED IN A WORKMANLIKE MANNER ACCORDING TO STANDARD PRACTICES. ANY ALTERATIONS OR DEVIATIONS FROM SPECIFICATIONS BELOW INVOLVING EXTRA COSTS WILL BE EXCLUDED ONLY UPON WRITTEN ORDERS, AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THIS FORPOSAL/CONTRACT.

Terms: Client Contact: Zaida Diaz Client Phone: 951/485-2780 work

Deposit	Progress Payment	Progress Payment	Final Payment
10% On Acceptance Of Contract	40% When Home Is Delivered	40% When Utilities Are Comp...	10% On Acceptance Of Contract
Description			
Construct a 4' high x 60' long block wall along front property line. Construct a 5' high x 246' long brick wall along both sides of property and rear of property. Wall to be constructed out of 6x8x16 precision Block.			21,420.00

\$21,420.00

Note: This proposal may be withdrawn by us if not accepted within 15 days.

ACCEPTANCE OF CONTRACT

The above prices, specifications and conditions are satisfactory, and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. In the event it becomes necessary to refer said Proposal/Contract to an attorney, the undersigned agrees to pay attorney's and all cost incurred in the collection of monies due under said Proposal/Contract. This Contract does not include any damage or repairs to underground facilities not visible from the surface, or otherwise designated by the owner/contractor and stated in this agreement.

Does Not Include: County Fees, School Fees, Edison of Gas company Costs, Building Permits, Water Meter, Propane Tank. ***Customer to Provide T&M Construction all Documentation necessary to obtain permits for project. ***Customer to Provide pressurized water for the duration of the construction project. **ROCK CLAUSE:** Rock Removal and Associated Costs will be Considered "Extra Work" as Defined in Section 3-3 of the Standard Specification for Public Works Construction

SIGNATURE _____

Client: Zaida Diaz

Date _____

SIGNATURE _____

Contractor: Todd Kessler

Date _____

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
www.countytreasurer.org



**COUNTY OF RIVERSIDE
TREASURER-TAX COLLECTOR**

Palm Springs Office
997 E Tahquitz Canyon Way, Suite A
Palm Springs, CA 92262

Temecula Office
40935 County Center Drive, Suite C
Temecula, CA 92591

June 2, 2011

ZAIDA C. DIAZ BELTRAN
C/O ZAIDA DIAZ
P.O. BOX 799
CABAZON, CA 92230

Re: EXCESS PROCEEDS FROM SALE OF TAX DEFAULTED PROPERTY

Assessment No.: 528033026-3 Item: 347
Situs Address: 51898 Date Ave Cabazon
Assessee: Beltran, Zaida C Diaz
Date Sold: March 15, 2011
Date Deed to Purchaser Recorded: May 18, 2011
Final Date to Submit Claim: May 21, 2012

Dear Sir or Madame:

The property referenced above was declared subject to the Tax Collector's power of sale for non-payment of taxes and later sold. Parties of Interest, as defined in Section 4675 of the California Revenue and Taxation Code (e.g., the last assessee and any lienholders of record), have a right to file a claim for any excess proceeds that remain after the tax liens and the costs of the sale have been satisfied. Our records show that you may be a party of interest, and we are enclosing for your convenience a claim form and a return envelope. Please note that your claim must be filed within one year of the date the deed to the purchaser was recorded (shown above). By law, we cannot accept claims after one year from this recording date. Claims submitted will be evaluated by our legal counsel and awarded in accordance with state law. The submission of a claim merely initiates that review.

The enclosed form is relatively simple and we must stress that most applicants will be able to fill it out without help. However, if you need help, please feel free to contact our office by mail, telephone or in person and we will help you without charge. You may telephone us at (951) 955-3842.

If you prefer to have an agent file your claim for you, or if you should decide to sell your claim (often referred to as "assignment") so that the purchaser of the claim may receive the funds, please advise us and we will send the proper form.

Please note also that the statutory procedures and the County's internal procedures dictate that most claims will not be processed until at least twenty (20) months following the date of recordation of the tax deed.

Sincerely,

DON KENT
TREASURER-TAX COLLECTOR

By Susan Loera
Deputy