

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

057A 

FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUN 02 2014

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 189, Item 305.
Last assessed To: Monte Barker, a married man as his sole and separate property as to undivided 1/3 interest and Donna Smith Burton, a married woman as her sole and separate property as to an undivided 1/3 interest and Jackie Wayman, a married woman as her sole and separate property as to an undivided 1/3 interest all as tenants in common. District 3/3 [\$1,231] Fund 65595 Excess Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:

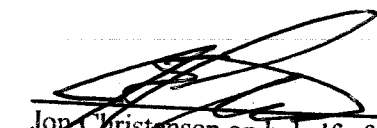
1. Approve the claim from Monte W. Barker AKA Monte Barker, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 463022004-5;
2. Approve the claim from Donna L. Smith-Burton AKA Donna Smith Burton, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 463022004-5;

(continued on page two)

BACKGROUND:

Summary

(continued on page two)


Jon Christensen on behalf of Don Kent,
Treasurer-Tax Collector

FORM APPROVED COUNTY COUNSEL
BY: DALE ADGARDNER CONCURRENCE DATE: 6/27/14

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 1,231	\$ 0	\$ 1,231	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale
Budget Adjustment: N/A
For Fiscal Year: 14/15

C.E.O. RECOMMENDATION: APPROVE
BY: Samuel Wong 7/6/14
County Executive Office Signature Samuel Wong

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: Jeffries
Date: July 15, 2014
xc: Treasurer, Auditor

Kecia Harper-Ihem
Clerk of the Board
By: Kecia Harper-Ihem
Deputy

A-30 Positions Added
4/5 Vote Change Order

Prev. Agn. Ref.: _____ District: 3/3 Agenda Number: _____

9-13

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 305.

Last Assessed To: Monte Barker, a married man as his sole and separate property as to undivided 1/3 interest and Donna Smith Burton, a married woman as her sole and separate property as to an undivided 1/3 interest and Jackie Wayman, a married woman as her sole and separate property as to an undivided 1/3 interest all as tenants in common. District 3/3 [\$1,231] Fund 65595 Excess Proceeds from Tax Sale.

DATE: JUN 02 2014

PAGE: Page 2 of 2

RECOMMENDED MOTION:

3. Approve the claim from Jackie Wayman, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 463022004-5;
4. Authorize and direct the Auditor-Controller to issue warrants to Monte W. Barker AKA Monte Barker in the amount of \$410.65, Donna L. Smith-Burton AKA Donna Smith Burton in the amount of \$410.65 and Jackie Wayman in the amount of \$410.64, 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)

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.

The Treasurer-Tax Collector has received three claims for excess proceeds:

1. Claim from Monte W. Barker AKA Monte Barker based on a Grant Deed recorded December 6, 1989 as Instrument No. 427281.
2. Claim from Donna L. Smith-Burton AKA Donna Smith Burton based on a Grant Deed recorded December 6, 1989 as Instrument No. 427281.
3. Claim from Jackie Wayman based on a Grant Deed recorded December 6, 1989 as Instrument No. 427281.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Monte W. Barker AKA Monte Barker be awarded excess proceeds in the amount of \$410.65, Donna L. Smith-Burton AKA Donna Smith Burton be awarded excess proceeds in the amount of \$410.65 and Jackie Wayman be awarded excess proceeds in the amount of \$410.64. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants by certified mail.

Impact on Citizens and Businesses

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

ATTACHMENTS (if needed, in this order):

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

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 305.

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PAGE: Page 2 of 2

RECOMMENDED MOTION:

3. Approve the claim from Jackie Wayman, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 463022004-5;
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Summary (continued)

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

ATTACHMENTS (if needed, in this order):

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

C57A 

FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
JUN 02 2014

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RECOMMENDED MOTION: That the Board of Supervisors:


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2. Approve the claim from Donna L. Smith-Burton AKA Donna Smith Burton, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 463022004-5;

(continued on page two)

BACKGROUND:

Summary

(continued on page two)


Jon Christensen on behalf of Don Kent,
Treasurer-Tax Collector

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner Concurrence 6/2/14 DATE

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 1,231	\$ 0	\$ 1,231	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale	Budget Adjustment: N/A
	For Fiscal Year: 14/15

G.E.O. RECOMMENDATION:

APPROVE

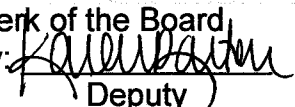
BY: 
Samuel Wong

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: Jeffries
Date: July 15, 2014
xc: Treasurer, Auditor

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

A-30
 Positions Added
 4/5 Vote
 Change Order

Prev. Agn. Ref.: | District: 3/3 | Agenda Number:

9-13

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

RECEIVED

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

2012 MAY 21 PM 4:48

TC 189 Item 305 Assessment No.: 463022004-5

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

Assessee: BARKER, MONTE & BURTON, DONNA SMITH & WAYMAN, JACKIE

Situs:

Date Sold: March 15, 2011

Date Deed to Purchaser Recorded: May 18, 2011

Final Date to Submit Claim: May 21, 2012

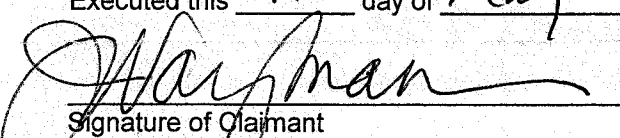
I/We pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$1231.94 from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 427281; recorded on 12-6-89. 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.

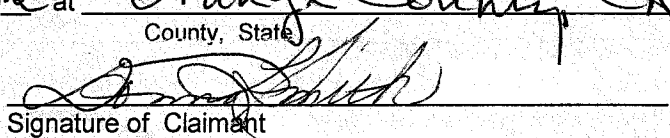
NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

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 11 day of May, 2012 at Orange County, CA
County, State


Signature of Claimant


Signature of Claimant

Jackie Wayman
Print Name

Donna L. Smith-Burton
Print Name

9353 Vista Serena
Street Address

Pob 281 San Geronimo, Ca 94963
Street Address

Cypress, CA 90630
City, State, Zip

6691 St Francis Drake B.
Forest Knolls, Ca 94933
City, State, Zip

914-812-1702
Phone Number

(415) 546-5426
Phone Number

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 305 Assessment No.: 463022004-5

Assessee: BARKER, MONTE & BURTON, DONNA SMITH & WAYMAN, JACKIE

Situs:

Date Sold: March 15, 2011

Date Deed to Purchaser Recorded: May 18, 2011

Final Date to Submit Claim: May 21, 2012

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 1231.94 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. 427281, recorded on 12-6-89. 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.

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 12 day of MAY, 2012 at ORANGE COUNTY, CA.
County, State

Monte W. Barker
Signature of Claimant

Signature of Claimant

MONTE W BARKER
Print Name

Print Name

24152 AMURRO DR.
Street Address

Street Address

MISSION VIEJO, CA. 92691
City, State, Zip

City, State, Zip

949-951-4740
Phone Number

Phone Number

RECORDING REQUESTED BY

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

NAME: Monte Barker
STREET ADDRESS: 24152 Amuro Drive
Mission Viejo, Calif. 92692
CITY, STATE, ZIP

427281

RECEIVED FOR RECORD

Min. Past 2 o'clock P.M.

DEC - 6 1989

Recorded in Official Records of Riverside County, California

William S. Stanley
Recorder

Fees \$

SPACE ABOVE THIS LINE FOR RECORDER'S USE

				ALL
				PTN.

Title Order No. _____

Escrow or Loan No. _____

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$ -0- CITY TAX \$ _____

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale,
- Unincorporated area: City of _____, and

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

Don G. Barker, an unmarried man

hereby GRANT(S) to

SEE ATTACHED EXHIBIT "A"

the following described real property in the

County of Riverside

State of California:

The Easterly rectangular 66 feet of the Westerly rectangular 132 feet of Villa Lot 67 and the Westerly rectangular 66 feet of Villa Lot 67, as shown by Map of Parsons Survey of the Town of Winchester, on file in Book 2, Page 11 of Maps, records of Riverside County, California, lying Southerly of the South Line of that certain Country road conveyed to the County of Riverside, by Deed recorded January 2, 1962 as instrument No. 6517, Official records.

Parcel # 46302209-5

463022005-6

Dated November 29, 1989

Don G. Barker

Don G. Barker

STATE OF CALIFORNIA }
COUNTY OF Los Angeles } S S

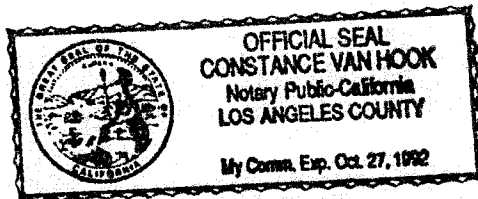
On November 29 1989 before me, the undersigned, a Notary Public in and for said State, personally appeared

Don G. Barker

_____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person _____ whose name is subscribed to the within instrument and acknowledged that he executed the same WITNESS my hand and official seal.

Signature

Constance Van Hook



(This area for official notarial seal)

EXHIBIT "A"

42728

Monte Barker, a Married man as his sole and separate property as to an undivided 1/3 interest and Donna Smith Burton, a Married woman as her sole and separate property as to an undivided 1/3 interest and Jackie Wayman, a Married Woman as her sole and separate property as to an undivided 1/3 interest all as Tenants In Common.

Don G. Barker

Don G. Barker