

FORM APPROVED COUNTY COUNSEL 11/3/14  
 BY: GREGORY P. PRIAMOS DATE

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

541 A



**FROM:** Don Kent, Treasurer/Tax Collector

**SUBMITTAL DATE:**  
**'NOV 03 2014**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 192, Item 521. Last assessed to: Gilberto R. Cuen, a married man as his sole and separate property. District 1/1 [\$0]

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

1. Deny the claim from Melissa Karcher & Blaize Spellmeyer for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 378152032-9;  
 (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 20, 2012 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 11, 2012. 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 6, 2012, 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*

Don Kent  
 Treasurer-Tax Collector

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

**SOURCE OF FUNDS:**

Budget Adjustment: N/A

For Fiscal Year: 14/15

**C.E.O. RECOMMENDATION:**

**APPROVE**

BY: *Samuel Wong 12/2/14*  
 Samuel Wong

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Benoit and Ashley  
 Nays: None  
 Absent: Tavaglione  
 Date: December 9, 2014  
 xc: Treasurer

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

Prev. Agn. Ref.:

District: 1/1

Agenda Number:

9-26

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

Departmental Concurrence

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

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 192, Item 521. Last assessed to: Gilberto R. Cuen, a married man as his sole and separate property. District 1/1 [\$0]

**DATE: NOV 03 2014**

**PAGE:** Page 2 of 2

**RECOMMENDED MOTION:**

2. Deny the claim, 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 Melissa Karcher & Blaize Spellmeyer based on Grant Deed recorded July 16, 2004 as Instrument No. 2004-0554817.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Melissa Karcher & Blaize Spellmeyer be denied since they transferred their interest in the property through a Grant Deed recorded January 9, 2007 as Instrument No. 2007-0016638 to Gilberto R. Cuen. Since there are no other claimants, the excess proceeds in the amount of \$278.88 will remain unclaimed. 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**

Pursuant to Section 4673.1 (2) of the California Revenue and Taxation Code, since there were no other claimants the remaining unclaimed excess proceeds are being transferred to the Auditor's office for apportionment.

Pursuant to Section 4673.1 (2) of the California Revenue and Taxation Code, the remaining balance of the proceeds to be distributed under this section shall be distributed to each tax fund in an amount bearing the same proportion to the balance remaining as the tax rate for each fund bears to the total tax rate applicable to the property for the fiscal year preceding that in which the property was sold.

**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 192 Item 521 Assessment No.: 378152032-9

Assessee: KARCHER, MELISSA & SPELLMEYER, BLAIZE

Situs:

Date Sold: March 20, 2012

Date Deed to Purchaser Recorded: May 11, 2012

Final Date to Submit Claim: May 13, 2013

RECEIVED  
2012 JUN -3 AM 7:09  
RIVERSIDE COUNTY  
TREAS - TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 3000 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. 2004-0554817; recorded on 7/16/2004 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 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 28 day of June, 2012 at Los Angeles, CA  
County, State

Melissa Karcher  
Signature of Claimant

[Signature]  
Signature of Claimant

Melissa Karcher  
Print Name

Blaize Spellmeyer  
Print Name

19150 Topham St.  
Street Address

19150 Topham St.  
Street Address

Tarzana, CA 91356  
City, State, Zip

Tarzana, CA 91356  
City, State, Zip

818-389-9720  
Phone Number

818-406-5435  
Phone Number

AP

RECORDING REQUESTED BY:  
Diversified Title  
ORDER NO.:  
ESCROW NO.: 25041073-LJ

AND WHEN RECORDED MAIL TO:  
Melissa A. Karcher  
Blaise Spellmeyer  
17250 Debrask Avenue  
Lake Elsinore, CA 92530

DOC # 2004-0554817

07/16/2004 08:00A Fee:20.00  
Page 1 of 2 Doc T Tax Paid  
Recorded in Official Records  
County of Riverside  
Gary L. Orso  
Assessor, County Clerk & Recorder



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A.P.N. 378-152-033-0

**GRANT DEED**

**THE UNDERSIGNED GRANTOR(S) DECLARE(S) that documentary transfer tax is \$289.30**

- computed on full value of property conveyed, or
- computed on full value less liens or encumbrances remaining at time of sale
- City of Lake Elsinore

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**T**  
**LS**

**FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Lenora Watson, an unmarried woman**

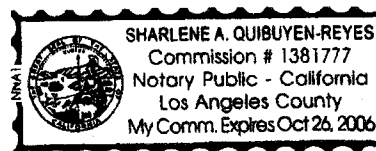
**hereby GRANT(S) to Melissa Karcher and Blaise Spellmeyer, wife and husband as joint tenants the following described real property in the City of Lake Elsinore, County of Riverside, State of California:**

DATED: ~June 21, 2004

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
On 01 JULY 2004 before me  
Sharlene Quiabuyen-Reyes  
Personally appeared  
LENORA WATSON

Lenora Watson  
Lenora Watson

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 Sharlene Quiabuyen-Reyes

(This area for official notary seal)

Grant Deed - Individual (290) 04-04

MAIL TAX STATEMENTS AS DIRECTED ABOVE

**DIVERSIFIED TITLE & ESCROW SERVICES COMPANY**

Order Number: M1700455-35

**Exhibit "A"**

**PARCEL 1:**

**THE WESTERLY ONE-HALF OF LOT 41 OF COUNTRY CLUB HEIGHTS TRACT, UNIT D, IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 17 PAGES 81 AND 82 OF MAPS, RECORDS OF SAID COUNTY.**

**PARCEL 2:**

**THE EASTERLY ONE-HALF OF LOT 41 OF COUNTRY CLUB HEIGHTS TRACT, UNIT D, IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 17 PAGES 81 AND 82 OF MAPS, RECORDS OF SAID COUNTY.**