

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

551 A

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



**SUBMITTAL DATE:
 NOV 03 2014**

FROM: Don Kent, Treasurer/Tax Collector

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 195, Item 179. Last assessed to: Anthony S. Dorchak and Pamela A. Dorchak, Husband and Wife, as Joint Tenants w/ROS. District 4/4 [\$2,807] Fund 65595 Excess Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Anthony S. Dorchak, last assessed for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 010691172-1;

(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 February 4, 2013 public auction sale. The deed conveying title to the purchasers at the auction was recorded April 1, 2013. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on April 24, 2013, 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

Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 2,807	\$ 0	\$ 2,807	\$ 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 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, 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: 4/4 Agenda Number:

9-36

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

FORM 11: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 195, Item 179. Last assessed to: Anthony S. Dorchak and Pamela A. Dorchak, Husband and Wife, as Joint Tenants w/ROS. District 4/4 [\$2,807] Fund 65595 Excess Proceeds from Tax Sale.

DATE: NOV 03 2014

PAGE: Page 2 of 2

RECOMMENDED MOTION:

2. Approve the claim from Pamela A. Dorchak, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 010691172-1;
3. Authorize and direct the Auditor-Controller to issue warrants to Anthony S. Dorchak in the amount of \$1,403.65 and Pamela A. Dorchak in the amount of \$1,403.65, 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 two claims for excess proceeds:

1. Claim from Anthony S. Dorchak based on a Grant Deed recorded July 12, 2001 as Instrument No. 2001-322400.
2. Claim from Pamela A. Dorchak based on a Grant Deed recorded July 12, 2001 as Instrument No. 2001-322400.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Anthony S. Dorchak be awarded excess proceeds in the amount of \$1,403.65 and Pamela A. Dorchak be awarded excess proceeds in the amount of \$1,403.65. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.

Impact on Citizens and Businesses

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

ATTACHMENTS (if needed, in this order):

A copy of the Excess Proceeds Claim form and supporting documentation is 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 195 Item 179 Assessment No.: 010691172-1

Assessee: DORCHAK, ANTHONY S & PAMELA A

Situs:

Date Sold: February 4, 2013

Date Deed to Purchaser Recorded: April 1, 2013

Final Date to Submit Claim: April 1, 2014

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 3000.00 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. 2001-322400; recorded on 7/12/01. 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.

- Title _____
- Copy of letter _____
- _____
- _____

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 27th day of MARCH, 2014 at PRIM DESERT RIVERSIDE CA
County, State

Pamela A. Dorchak
Signature of Claimant

Anthony S. Dorchak
Signature of Claimant

PAMELA A. DORCHAK
Print Name

Anthony S. Dorchak
Print Name

2705 W 65th PLACE
Street Address

13300 Wildflower St.
Street Address

DENVER CO 80221
City, State, Zip

Broomfield, CO 80020
City, State, Zip

720-319-4618
Phone Number

303-264-9406
Phone Number

Recording Requested By
First American Title Company

DOC # 2001-322400

07/12/2001 08:00A Fee: 12.00
Page 1 of 3 Doc T Tax Paid
Recorded in Official Records
County of Riverside

Gary L. Orso
Assessor, County Clerk & Recorder



ANTHONY S. & PAMELA A. DORCHAK
8204 ACOMA ST
DENVER, CO 80221

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(2)

MAIL TAX STATEMENTS TO:

ANTHONY S. & PAMELA A. DORCHAK
8204 ACOMA ST

DENVER, CO 80221

DOCUMENTARY TRANSFER TAX \$ 20.90

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.

AK

APN: 653-360-018
TRA: 018-081

Donna Vadala
Signature of Declarant or Agent
determining tax.

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, MARRIOTT OWNERSHIP RESORTS, INC., a Delaware corporation, hereby GRANTS to ANTHONY S. DORCHAK AND PAMELA A. DORCHAK, HUSBAND AND WIFE, as Joint Tenants w/ROS, the following described real property in the County of Riverside, State of California:

See Exhibit A attached hereto and incorporated herein by this reference.

(Ref: SR*1235/50)

MARRIOTT OWNERSHIP RESORTS, INC.
a Delaware Corporation

Dated: JUL 03 2001



By: *Donna Vadala*
DONNA VADALA Manager of New Owner Administration

(Print Name and Title)

P.O. Box 24747
Lakeland, Florida 33802
(Corporate Seal)

STATE OF FLORIDA
COUNTY OF POLK

On JUL 03 2001 before me, **Nicole Curtis**, personally appeared **DONNA VADALA**, 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 same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

Nicole Curtis

Printed Name: **Nicole Curtis**

Notary Public, State of Florida

Commission No: **CC 906485**

Commission Expires: **01-30-04**



08.26.99 (SR.GRANT.DEED.CA)

7712355017

Exhibit A to Grant Deed

(Legal Description - Shadow Ridge, Phase 1, Lot 4, Bldg. 1200, Tract 28818-1)

A 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) 1235-P-50 .

PARCEL A:

An undivided One -fifty-second (1 /52nd) interest in Parcels 1 through 5, inclusive:

PARCEL 1:

An undivided 1/23 interest in Lot 4 of Tract No. 28818-1 as per map recorded in Book 289, Pages 15 through 26, inclusive, of Miscellaneous Maps, in the Office of the County Recorder of Riverside County, California ("the Tract").

EXCEPTING THEREFROM:

Units 1201, 1203, 1205, 1207, 1209, 1211, 1213, 1215, 1221, 1223, 1225, 1227, 1229, 1231, 1233, 1235, 1241, 1243, 1245, 1247, 1249, 1251, and 1253, inclusive, as shown on the Condominium Plan recorded on June 27, 2000, as Instrument No. 2000-246780 of Official Records in the Office of the County Recorder of Riverside County, California (the "Condominium Plan");

RESERVING THEREFROM:

(a) A non-exclusive easement for ingress, egress, use and enjoyment, subject to the provisions of the Condominium Declaration of Covenants, Conditions and Restrictions for Shadow Ridge recorded on June 27, 2000, as Instrument No. 2000-246778, of Official Records in the Office of the County Recorder of Riverside County, as amended from time to time (the "Condominium Declaration"), over the Common Areas (as defined in the Condominium Declaration) of Lot 4 of the Tract; and

(b) Non-exclusive rights of possession over all Limited Common Areas located on Lot 4 of the Tract, as shown on the Condominium Plan.

PARCEL 2:

Unit(s) 1235, as shown on the Condominium Plan.

PARCEL 3:

A non-exclusive easement for ingress, egress, use and enjoyment, subject to the provisions of the Condominium Declaration, over the Common Area of Lot 4 of the Tract as defined in the Condominium Declaration, as appurtenant to Parcels 1 and 2, above described.

PARCEL 4:

An exclusive right of possession and occupancy of the Limited Common Areas as defined in the Condominium Declaration and as shown therein as appurtenant to Parcels 1 and 2 above described.

PARCEL 5:

A non-exclusive easement and equitable right of use and enjoyment of (a) the "Master Association Property" as defined in that certain Master Declaration of Covenants, Conditions and Restrictions for Shadow Ridge recorded on June 27, 2000, as Instrument No. 2000-246777 of Official Records in the Office of the County Recorder of Riverside County (the "Master Declaration"), and (b) the Condominium Property, as defined in the Condominium Declaration, as appurtenant to Parcels 1 and 2, above.

RESERVING 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 Timeshare Declaration of Covenants, Conditions and Restrictions for Shadow Ridge dated June 27, 2000, and recorded June 27, 2000, as Instrument No. 2000-246779 of Official Records, in the Office of the County Recorder of Riverside County, California (the "Timeshare Declaration")].



ALSO RESERVING FROM SAID PARCEL A AND RESERVING UNTO GRANTOR, its successors and assigns, all those certain easements referred to in Paragraphs 3.5 and 3.6 of Article III of the Condominium Declaration and in Paragraph 2.9 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 Administrative Limited Common Areas and 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 in the:

= 0 Silver Season(s) = 0 Gold Season(s) = 1 Platinum Season(s)
= 0 Platinum Plus Season(s)

each "Use Year", all in accordance with the Timeshare Declaration, the Reservation Procedures and the Rules and Regulations of the Shadow Ridge 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, 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.

1235-P-50

Page 2 of 2

07.28.00 (SR. EXHA. DEEDING. PHASE1. LOT4. BLDG-1200)



2001-322400
07/12/2001 08:00A
3 of 3

County Administrative Center- 4th Floor
4080 Lemon Street, P.O. Box 12005
Riverside, CA 92502-2205
(951) 955-3900
(951) 955-3990 - Fax



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

E-mail: ttc@co.riverside.ca.us
www.countytreasurer.org

**COUNTY OF RIVERSIDE
TREASURER-TAX COLLECTOR**

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

April 24, 2013

DORCHAK, PAMELA A
12465 W DAKOTA AVE APT 4E
LAKEWOOD, CO 80228-2563

Re: EXCESS PROCEEDS FROM SALE OF TAX DEFAULTED PROPERTY

Assessment No.: 010691172-1 Item: 179
Situs Address:
Assessee: Dorchak, Anthony S & Pamela A
Date Sold: February 4, 2013
Date Deed to Purchaser Recorded: April 1, 2013
Final Date to Submit Claim: April 1, 2014

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 Adrian Potenciano
Deputy

(See Claim Form on Reverse Side)

The California Revenue and Taxation Code, Section 4675, states in part (paraphrased):

For the purposes of this article, parties of interest and their order of priority are:

- (a) First, lienholders of record prior to the recordation of the tax deed to the purchaser in the order of their priority; and
- (b) Then, any person with title of record to all or any portion of the property prior to the recordation of the tax deed to the purchaser.

If you consider yourself to be a party of interest in the sale of tax-defaulted property as defined above, please fill out the reverse of this form stating how you have determined your status as a party of interest. If you need help in filling out the form, please contact our office by telephone at 951-955-3842, mail, or in person.

You must attach copies of documents to support your claim as follows:

1. In case (a), attach a copy of your trust deed or other evidence of lien or security interest, along with a statement under penalty of perjury setting forth the original amount of the lien or interest, the total amount of payments received reducing the original amount of the lien or interest, and the amount still due and payable as of the date of the sale of the tax defaulted property by the Tax Collector.
2. In case (b), attach copies of any other documents (e.g., deed, certified death certificate, will, court order, etc.) supporting your claim.

PLEASE NOTE: We cannot, by law, begin processing of claims until one year has passed from the date of the deed to the purchaser. In order to receive consideration by the Riverside County Board of Supervisors, claims must be filed **ON OR BEFORE THE EXPIRATION OF ONE YEAR** following the date of the recording of the deed to the purchaser. Please see the "Date Deed to Purchaser Recorded" appearing on the attached notice (Form 117-170). The Tax Collector will submit a recommendation to the County Board of Supervisors as to what disposition should be made on your claim. Following the Board's review, the claim will either be approved or denied. The Clerk of the Board of Supervisors will notify you of the action taken by the Board. Should the claim be approved, the Auditor-Controller will issue a County warrant in payment. By law, the Auditor-Controller cannot issue a warrant in payment of the approved claim until 90 days following the action taken by the Board.

MAIL COMPLETED FORMS TO:

Don Kent, Treasurer-Tax Collector
Post Office Box 12005
Riverside, CA 92502-2205

Attention: Excess Proceeds

From: Don Kent

13300 Wildflower St
Brownfield, CO

80020

TREASURER-TAX COLLECTOR

APR 01 2014

RECEIVED



1005



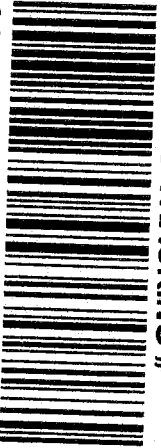
92502

U.S. POSTAGE
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PALM SPRINGS, CA
92264
MAR 28 '14
AMOUNT

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USPS TRACKING #



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Label 400 Jan. 2013
7690-16-000-7948

To: Don Kent, Treasurer - Tax Collector

PO Box 12005

Riverside, CA

92502-2205

ATTN: Excess Proceeds