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





FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

JUN 2 9 2015

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 196, Items 478 and 479. Last assessed to: Juan Jose Pena and Benita S. Pena, husband and wife as joint tenants. District 4 [\$68,039] Fund 65595 Excess Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:

Approve the claims from Lemuel S. Bonilla and Rosa Linda Stern, Co-Successor Trustees of the Benita S. Pena Revocable Living Trust dated February 26, 2001 for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcels 611233012-7 and 611233013-8; (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 April 29, 2013 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 20, 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 July 17, 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

Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 68,039	\$ 0	\$ 68,039	\$0	
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent Policy 🛚
SOURCE OF FUND	DS: Fund 65595 l	Excess Proceeds fro	om Tax Sale	Budget Adjustr	nent: N/A
				For Fiscal Year	: 15/16
C.E.O. RECOMME	NDATION:	APPROVE	Al alve		
County Executive	Office Signatu	BY: Armul re Samue	el Wong		

MINUTES OF THE BOARD OF SUPERVISORS

On a unanimous	motion of Supervisor Ashley, s s vote, IT WAS ORDERED tha	seconded by Supervisor Be at the above matter is appro	enoit and duly carried by oved as recommended.
Ayes: Nays: Absent: Date: xc:	Jeffries, Tavaglione, Washi None None July 21, 2015 Treasurer, Auditor	ngton, Benoit and Ashley	Kecia Harper-Ihem Clerk of the Board By: Clerk Deputy

Positions Added

Charige Order

District: 4

Agenda Number:

9-54

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

FORM 11: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 196, Items 478 and 479. Last assessed to: Juan Jose Pena and Benita S. Pena, husband and wife as joint tenants. District 4 [\$68,039] Fund 65595 Excess Proceeds from Tax Sale.

DATE: JUN 2 9 2015 **PAGE:** Page 2 of 3

RECOMMENDED MOTION:

- 2. Deny the claims from Ruben S. Bonilla, heir to the Estate of Benita S. Pena;
- 3. Deny the claims from Richard Pena, heir to the Estate of Benita S. Pena;
- 4. Deny the claims from Elizabeth Ann Vaughan, heir to the Estate of Benita S. Pena;
- 5. Authorize and direct the Auditor-Controller to issue a warrant to Lemuel S. Bonilla and Rosa Linda Stern, Co-Successor Trustees of the Benita S. Pena Trust dated February 26, 2001 in the amount of \$68,039.83, 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 ten claims for excess proceeds:

- Claims from Lemuel S. Bonilla and Rosa Linda Stern, Co-Successor Trustees of the Benita S. Pena Revocable Living Trust dated February 26, 2001 based on a Corrected Trustee's Deed Upon Sale recorded February 1, 1999 as Instrument No. 039358, the Benita S. Pena Revocable Living Trust dated February 26, 2001, the death certificate of Juan Jose Pena, and the death certificate of Benita Soto Pena.
- 2. Claims from Ruben S. Bonilla, heir to the Estate of Benita S. Pena based on a Corrected Trustee's Deed Upon Sale recorded February 1, 1999 as Instrument No. 039358, the Benita S. Pena Revocable Living Trust dated February 26, 2001, the death certificate of Juan Jose Pena, and the death certificate of Benita Soto Pena.
- 3. Claims from Richard Pena, heir to the Estate of Benita S. Pena based on a Corrected Trustee's Deed Upon Sale recorded February 1, 1999 as Instrument No. 039358, the Benita S. Pena Revocable Living Trust dated February 26, 2001, the death certificate of Juan Jose Pena, and the death certificate of Benita Soto Pena.
- 4. Claims from Elizabeth Ann Vaughan, heir to the Estate of Benita S. Pena based on a Corrected Trustee's Deed Upon Sale recorded February 1, 1999 as Instrument No. 039358, the Benita S. Pena Revocable Living Trust dated February 26, 2001, the death certificate of Juan Jose Pena, and the death certificate of Benita Soto Pena.

Pursuant to Section 4675 (a) & (f) of the California Revenue and Taxation Code, it is the recommendation of this office that Lemuel S. Bonilla and Rosa Linda Stern, Co-Successor Trustees of the Benita S. Pena Revocable Living Trust dated February 26, 2001 be awarded excess proceeds in the amount of \$68,039.83. The claim from Ruben S. Bonilla, heir to the Estate of Benita S. Pena be denied since the funds are being distributed to the Co-Successor Trustees of the estate. The claim from Richard Pena, heir to the Estate of Benita S. Pena be denied since the funds are being distributed to the Co-Successor Trustees of the estate. The claim from Elizabeth Ann Vaughan, heir to the Estate of Benita S. Pena be denied since the funds are being distributed to the Co-Successor Trustees of the estate. 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.

BACKGROUND:

Summary (continued)

TOTAL		\$68,039.83
EP 196	Item 479	\$15,409.84
EP 196	Item 478	\$52,629.99

Impact on Citizens and Businesses

Excess proceeds are being released to the Co-Successor Trustees of the last assessee of the property.

ATTACHMENTS (if needed, in this 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. 196, Items 478 and 479. Last assessed to: Juan Jose Pena and Benita S. Pena, husband and wife as joint tenants. District 4 [\$68,039] Fund 65595 Excess Proceeds from Tax Sale.

DATE: JUN 2 9 2015 **PAGE:** Page 3 of 3

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

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

10: Don Kent, Treasurer-Tax Collector			An. 9
Re: Claim for Excess Proceeds		E P	AN A
TC 196 Item 478 Assessment No.: 611233012-7		S-TA	3 0
Assessee: PENA, JUAN JOSE & BENITA S		SS SS	ω <u>111</u>
Situs:			YIS ANII:
Date Sold: April 29, 2013		E COLLECTOR	: 59
Date Deed to Purchaser Recorded: June 20, 2013		Aprilade	
Final Date to Submit Claim: June 20, 2014			
I/We, pursuant to Revenue and Taxation Code Se \$52,639,99 from the sale of the above mentioned property owner(s) [check in one box] at the time Recorder's Document No6/1330/2-7; recorded I/We are the rightful claimants by virtue of the attach hereto each item of documentation supporting the claim	ed real property. I/We were the lie to of the sale of the property as is ev on 12/6/1978 A copy of this coped assignment of interest. I/We have	enholder(s), ridenced by F document is a	Riverside Count
NOTE: YOUR CLAIM WILL NOT BE CONSIDERED	UNLESS THE DOCUMENTATION IS	ATTACHED	
BIRTH CERT. NOT AV	PICABIE		
If the property is held in Joint Tenancy, the taxsale prohave to sign the claim unless the claimant submits proclaimant may only receive his or her respective portion of	oof that he or she is entitled to the \hat{t} of the claim.		
I/We affirm under penalty of perjury that the foregoing is Executed this $\mathcal{O}\mathcal{E}$ day of $\mathcal{M}\mathcal{A}\mathcal{A}$, 2		a n	
Executed this <u>U8</u> day of <u>INH 7</u> , 2	County, State	<u></u>	
Signature of Claimant	Signature of Claimant		
Lemuel S. Bonilla Print Name 1247 G. PALM AVE.	Print Name	·	
Street Address	Street Address		
$\frac{\int R ANGE, CA 92866}{\text{City, State, Zip}}$	City, State, Zip		
(7/4) 538 - 4723 Phone Number	Phone Number	SCO 8-2	1 (1-99)

THE

BENITA S. PENA

REVOCABLE LIVING TRUST

My living trust agreement, dated February 26, 2001, is between BENITA S. PENA as Settlor and BENITA S. PENA as my initial Trustee.

All references to "my trust" or "trust" in this agreement, unless otherwise stated, shall refer to this living trust agreement and the trusts created hereunder. All references to "Trustees" shall refer to my initial Trustee or my successors in Trust.

ARTICLE 1 THE NAME OF MY TRUST

For convenience, my living trust shall be known as:

THE BENITA S. PENA REVOCABLE LIVING TRUST

For purposes of beneficiary designations, transfers directly to my trust, and formal correspondence, my trust shall be referred to as:

BENITA S. PENA as Trustee under THE BENITA S. PENA REVOCABLE LIVING TRUST, and any amendments thereto, dated February 26, 2001.

ARTICLE 2 MY FAMILY

I am not married at this time.

The names, birth dates and addresses of my children are:

- 1. LEMUEL BONILLA, whose birthdate is October 1, 1943, whose address is 1247 E. Palm, Orange, California 92666; and
- 2. RUBEN BONILLA, whose birthdate is January 5, 1942, whose address is 78-54 Via Melodia, La Quinta, California 92253; and

- 3. JOHN PENA, whose birthdate is October 16, 1954, whose address is 51910 Avenida Navarro, La Quinta, California 92253; and
- 4. R. LINDA STERN, whose birthdate is June 21, 1957, whose address is 32215 Fall River Road, Trabuco Canyon, California 92679; and
- 5. RICHARD PENA, whose birthdate is March 3, 1962, whose address is 21122 Briarwood, Trabuco Canyon, California 92679; and
- 6. ELIZABETH HAAS, whose birthdate is November 15, 1963, whose address is 49035 Serenata Court, La Quinta, California 92253.

All reference to my children in this agreement are to these children.

ARTICLE 3 TRUSTEES

- 3.1 <u>Initial Trustee</u>. I have retained the right to act as my own Trustee so long as I am physically and mentally capable.
- 3.2 <u>Successor Trustee</u>. When I become unable to serve as Trustee, by reason of death or incapacity, I appoint the following to act as Successor Co-Trustee:
- 1. LEMUEL BONILLA, whose address is 1247 E. Palm, Orange, California 92666; or
- 2. JOHN PENA, whose address is 51910 Avenida Navarro, La Quinta, California 92253; or
- 3. R. LINDA STERN, whose address is 32215 Fall River Road, Trabuco Canyon, California 92679.
- 3.3 <u>Trustees</u>. References in the Trust to "Trustee or Trustees" shall include me or my Successor Trustees.

Where two or more individuals are appointed to serve as Successor Trustees, they shall serve together while both are able, qualified and willing to do so. If either shall become unable, unqualified or unwilling to serve, the other shall serve alone as Successor Trustee.

If, during the term of this Trust, any single Successor Trustee shall become unable, unqualified or unwilling to continue as a Trustee, the next appointed Successor Trustee(s) shall succeed to the office of Trustee.

The exercise by any Trustee of the discretionary powers herein granted with respect to the allocation or distribution of property or gifts and making adjustment with

and administration of the various trusts contained in this agreement shall be determined by reference to the laws of the state in which this trust is then currently being administered.

- f. <u>Duplicate Originals</u>. This agreement may be executed in several counterparts; each counterpart shall be considered a duplicate original agreement.
- g. <u>Severability</u>. If any provision of this agreement is declared by a court of competent jurisdiction to be invalid for any reason, such invalidity shall not affect the remaining provisions of this agreement. The remaining provisions shall be fully severable, and this agreement shall be construed and enforced as if the invalid provision had never been included in this agreement.
- 12.8 Interpretation of Trust. If a question arises regarding the interpretation of this Trust or any part thereof, my Trustee is authorized to accept and act upon the written opinion of Lloyd Copenbarger & Associates, the law firm who prepared the Trust. If the firm, or a successor, is no longer active, then the attorney for my Trustee shall be empowered to interpret the Trust. An attorney from whom an interpretation has been requested may consider any evidence which comes to the attorney's attention and which seem, in the attorney's opinion, to have a bearing upon the interpretation, whether or not such evidence is or would be admissible in court.

SIGNING

Ratification and Execution by Settlor

I certify that I have read the foregoing Trust Agreement and that it correctly states the terms and conditions under which the Trust Estate is to be held, managed, and disposed of by my Trustee. I approve the Trust Agreement in all particulars and request that my Trustee execute it.

EXECUTED on February 26, 2001, in Riverside County, California.

BENITÁ S. PENA

Settlor

APPROVED:

- 28 -

Ratification and Execution by Trustee

I certify that:

- I am named as Trustee in the foregoing Trust Agreement;
- 2. I have read the foregoing Trust Agreement and it correctly sets forth the terms and conditions under which my Trustee named in it shall hold, administer and distribute the Trust Estate described in it; and
 - I confirm, ratify, and approve such Trust Agreement.

EXECUTED on February 26, 2001, in Riverside County, California.

BENITA S. PENA

Trustee

STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

On February 26, 2001, before me, LARRY COPENBARGER, Notary Public, personally appeared BENITA S. PENA, 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 to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary's Signature

(Seal)

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MY NEW CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA COUNTY OF RIVERSIDE SS.

This is a true and exact reproduction of the document officially registered and placed on the nthe office of the County of Riverside, Department of Health

Feb 20, 2013

X Cameron Kasso.

SSUED DY Gameron Karson, M.D., Health Origes
SSUED RIVERSIDE COUNTY, CALIFORNIA

This copy not valid unless prepared on engraved morder displaying seal and signature of Registrar DATE ISSUED

1 2 5 4 2 1 * REGISTRAR OF VITAL STATISTICS



STAVIDEDECAMPORDEDICA

CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

CERTIFICATE OF DEATH

IIA 39633004456

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CERTIFIED COPY OF VITAL RECORDS

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ided on file in the office of the County of Riverside, Assessor-Cou

LARRY W. WARD
ASSESSOR-COUNTY CLERK-RECORDER
RIVERSIDE COUNTY, CALIFORNIA

County Clark Recorder





STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

3 05 1996 **0**37443

AFFIDAVIT TO AMEND A RECORD 2

32-35 443300456

DESERTION OF PETAL DEATH OF PARTICULAR OF ALTERATIONS

20033001456

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CERTIFIED COPY OF VITAL RECORDS

This is a trie and exact reproduction of the document officially registered and placed on file in the office of the County of Riverside Assessor-County Clerk-Recorder.

ATE ISSUED IN ZO ZO

LARRY W. WARD
ASSESSOR-COUNTY CLERK-RECOPDER
BIVERSIDE COUNTY CALIFORNIA

BIVERSIDE COUNTY CALIFORNIA

BI Assessor County Clerk-Recorder



	AND WHEN RECORDED MAIL THIS DEED AND, LINLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO
3.7 3.79	AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:
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7. C	Mr. and Mrs. Juan Jose Pens
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	SPACE ABOVE THIS LITTE FOR RECORDER'S USE
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3,40	
7.2	THE UNDERSIGNED GRANTOR (4) DECLARE(4) DOCL MENTARY TRANSFER TAX (6 \$ 82.50
	Computed on full value of property conveyed, or computed on full value less value of liens or cocumbrances remaining at time of sale, and
1	
	ERNEST R. DUNCAN and EDNA A. DUNCAN, bushand and wife, and
I	RAYHOND M. WHITE and MERLE E. WHITE, husband and wife
1	
555	For a Valuable Consideration, the receipt of which is hereby acknowledged, hereby GRANT(s)
15	To JUAN JOSE PENA and BENITA S. PENA, husband and wife as joint tenants
2	
8	all that real property situated in the County of Riverside State of California, described as follows: **BLOCK #** Lots 13, 14 and 15 of Wilson's First Addition to Indio as per map on file— in Book 10 page 41 of Maps.
	Lots 13, 14 and 15 of Wilson's First Addition to India as per see of first Addition to India
	Lots 13, 14 and 15 of Wilson's First Addition to India as per see of first Addition to India
	Lots 13, 14 and 15 of Wilson's First Addition to India as per see of first Addition to India
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	Lots 13, 14 and 15 of Wilson's First Addition to India as per see of first Addition to India
	Lots 13, 14 and 15 of Wilson's First Addition to Indio as per map on file- in Book 10 page 41 of Maps.
	Lots 13, 14 and 15 of Wilson's First Addition to Indio as per map on file- in Book 10 page 41 of Maps. Dated November 7, 1978 Emath Dancar
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INQSITUS 72926 GRAPEVINE

PARC NO 628-094-004-3

August 8, 2001

ASMT NBR 628094004-3

TRA 018-006

SITUS

72926 GRAPEVINE ST PALM DESERT 92260

ASSESSEE PENA

JUAN J

PENA

BENITA S

ID DATA LOT 4 BLK D3 MB 021/081 PALM DESERT UNIT 3

AND

Property located at the northwest corner of Fargo(100' frontage) and Hwy 111(150' frontage) consisting of apprx. 15,000 sq. ft. .

APN 611-233-012-7(lots 13 & 14) & APN 661-233-013-8(lot 15).

Recorded in Book 10, Page 41 of Riverside County Recorder's Map.

Please provide me with a copy of the Grant Deed for each of the above noted properties, 72 926 Grapevine St. Palm Desert, Ca. and APN 611-233-012-7(lots 13 &14) & APN 661-233-013-8(lot 15) located in Indio, Ca..

I am enclosing a personal check for amount of \$40.00. Please let me know if it is insufficient. It is imperitive that I receive the documents as soon as possible.

Please send it to:

Benita Pena 72 926 Grapevine St. Palm Desert, Ca. 92260

Benita S. Pena

Ph. (760) 568 2229 (760) 564 4203

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RECORDING REQUESTED BY & WHEN RECORDED MAIL TO:

Law Offices of CHRISTOPHER D. KIERNAN 78-451 Highway 111 La Quinta CA 92253

FIECEIVED FOR RECORD

AT 8:00 AM FEB - 1 1999 ,

CORRECTED TRUSTEE'S DEED UPON SALE

The undersigned grantor declares:

The grantees herein were the foreclosing beneficiaries.

2. The amount of the unpaid debt together with cost was \$252,510.40. 3.

The amount paid by the grantee of the trustee's sale was \$252,510.40. 4.

The documentary transfer tax is NONE. 5.

Said property is in the City of India. County of Riverside.

RONALD R. EASTON, herein called "trustee", is the duly substituted trustee pursuant to an instrument recorded June 28, 1998 as Instrument No. 178070, recorded in the Official Records of Riverside County. California, and does hereby grant and confey, without warranty, express or implied, to JUAN JOSE PENA and BENITAS. PENA, husband and wife as joint tenants, herein called "grantee", all of its right, title, and interest in and to that certain property situated in the City of Indio, County of Riverside, State of California, and described as follows:

> Lots 13, 14, and 15 in Block 4 of Wilsons First Addition to Indio, County of Riverside as per map recorded in Book 10. Page 41 of Maps, in the office of the county Recorder of Riverside County.

Trustee states that:

This conveyance is made pursuant to the powers conferred upon the substituted trustee by that certain deed of trust dated August 23, 1984 and executed by FLORENCIO MENDEZ and PATRICIA MENDEZ, husband and wife, as trustor, and recorded December 6, 1984, in Book 1984 as Instrument No. 261093, Official Records of Riverside County. California, and after fulfillment of a condition specified in said deed of trust authorizing this conveyance.

Default occurred as set forth in a Notice of Default and Election to Sell which was recorded in the Office of the Recorder of said County.

All requirements of law regarding the mailing of copies of Notices of Default and related notices and the posting and publication of copies of the Notice of Sale have been

Said property was sold by said trustee at public auction on September 20, 1989 at the place named in the Notice of Sale in the County of Riverside, California, in which the property is situated. Grantee, being the highest bidder at such sale, became the purchaser of said property and paid therefor to said trustee in the amount bid, being \$252,510.40 in

11/1 SF

RIVERSIDE

Public Record

14.3

1.

lawful money of the United States, or by the satisfaction, pro tanto, of the obligations and secured by said deed of trust.

"NOTE:

This Corrected Trustee's Deed Upon Sale is being recorded to correct the two (2) errors in the original Trustee's Deed Upon Sale where the original Trustee erroneously stated the property was situate in Cathedral City. Mr. Easton is no longer in business and cannot be located to correct the errors himself. The property is, and always has been, located in the City of Indio and this Corrected Trustee's Deed Upon Sale corrects and amends only those two (2) errors.

Dated: January 22, 1999

CHRISTOPHER D. KIERNAN

STATE OF CALIFORNIA COUNTY OF RIVERSIDE)

On January 22, 1999, before me, K. SMITH, a Notary Public in and for said County and State, personally appeared CHRISTOPHER D. KIERNAN, 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 in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

K. SMITH sion# 1178010 lary Public - Cottornia Riversido Caunty My Camm, Espiros Apr 25, 2002

MITH, Notary Public

Public Record

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

Re:	Claim for	Excess Proc	eeds					
TC 196	item 478	Assessme	nt No.: 611233	012-7				
Assess	ee: PENA,	JUAN JOSE	& BENITA S					
Situs:								
Date S	old: April 29), 2013						
Date De	ed to Purch	naser Record	ed: June 20, 20	013				
Final Da	ate to Subm	it Claim: June	∋ 20, 2014					
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INQSITUS 72926 GRAPEVINE

August 8, 2001 628-094-004-3

PARC NO 6281094004-3 ASMT NBR

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72926 GRAPEVINE ST PALM DESERT 92260

SITUS J JUAN PENA ASSESSEE

S BENITA

LOT 4 BLK D3 MB 021/081 PALM DESERT UNIT 3 ID DATA

AND

Property located at the northwest corner of Fargo(100 frontage) and Hwy 111(150' frontage) consisting of apprx. 15,000 sq. ft. .

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I am enclosing a personal check for amount of \$40.00. Please let me know if it is insufficient. It is imperitive that I receive the documents as soon as possible.

Please send it to:

Benita Pena 72 926 Grapevine St. Palm Desert, Ca. 92260

Benita S. Pena

Ph. (760) 568 2229 (760) 564 4203 INQSITUS 72926 GRAPEVINE

628-094-004-3 PARC NO

6281094004-3

ASMT NBR

018-006

TRA SITUS 72926 GRAPEVINE ST PALM DESERT 92260

ASSESSEE

PENA

JUAN

S BENITA

August 8, 2001

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Benita S. Pena

Ph. (760) 568 2229 (760) 564 4203

THE

BENITA S. PENA

REVOCABLE LIVING TRUST

My living trust agreement, dated February 26, 2001, is between BENITA S. PENA as Settlor and BENITA S. PENA as my initial Trustee.

All references to "my trust" or "trust" in this agreement, unless otherwise stated, shall refer to this living trust agreement and the trusts created hereunder. All references to "Trustees" shall refer to my initial Trustee or my successors in Trust.

ARTICLE 1 THE NAME OF MY TRUST

For convenience, my living trust shall be known as:

THE BENITA S. PENA REVOCABLE LIVING TRUST

For purposes of beneficiary designations, transfers directly to my trust, and formal correspondence, my trust shall be referred to as:

BENITA S. PENA as Trustee under THE BENITA S. PENA REVOCABLE LIVING TRUST, and any amendments thereto, dated February 26, 2001.

ARTICLE 2 MY FAMILY

I am not married at this time.

The names, birth dates and addresses of my children are:

- 1. LEMUEL BONILLA, whose birthdate is October 1, 1943, whose address is 1247 E. Palm, Orange, California 92666; and
- 2. RUBEN BONILLA, whose birthdate is January 5, 1942, whose address is 78-54 Via Melodia, La Quinta, California 92253; and

and administration of the various trusts contained in this agreement shall be determined by reference to the laws of the state in which this trust is then currently being administered.

- f. <u>Duplicate Originals</u>. This agreement may be executed in several counterparts; each counterpart shall be considered a duplicate original agreement.
- g. <u>Severability</u>. If any provision of this agreement is declared by a court of competent jurisdiction to be invalid for any reason, such invalidity shall not affect the remaining provisions of this agreement. The remaining provisions shall be fully severable, and this agreement shall be construed and enforced as if the invalid provision had never been included in this agreement.
- 12.8 Interpretation of Trust. If a question arises regarding the interpretation of this Trust or any part thereof, my Trustee is authorized to accept and act upon the written opinion of Lloyd Copenbarger & Associates, the law firm who prepared the Trust. If the firm, or a successor, is no longer active, then the attorney for my Trustee shall be empowered to interpret the Trust. An attorney from whom an interpretation has been requested may consider any evidence which comes to the attorney's attention and which seem, in the attorney's opinion, to have a bearing upon the interpretation, whether or not such evidence is or would be admissible in court.

SIGNING

Ratification and Execution by Settlor

I certify that I have read the foregoing Trust Agreement and that it correctly states the terms and conditions under which the Trust Estate is to be held, managed, and disposed of by my Trustee. I approve the Trust Agreement in all particulars and request that my Trustee execute it.

EXECUTED on February 26, 2001, in Riverside County, California.

BENITÁ S. PENA

Settlor

APPROVED:

Attorney for Settlor

RECORDING REQUESTED BY AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN CELON, MAIL TAX STATEMENTS TO:	FOR RECORD 6 1978 OCLOCK AM. N. 1 TRIST CO. N. 2 TRIST CO. N. 2 TRIST CO. N. 2 TRIST CO. N. 3 TRIST CO. N. 4 TRIST CO. N. 4 TRIST CO. N. 5 TRIST CO. N. 6 TRIST CO. N. 6 TRIST CO. N. 6 TRIST CO. N. 7 TRIST CO. N. 7 TRIST CO. N. 6 TRIST CO. N. 7 TRIST CO. N. 7 TRIST CO. N. 6 TRIST CO. N. 7 TRIST CO. N. 7 TRIST CO. N. 6 TRIST CO. N. 7 TRIST CO. N. 8 TRIST CO.
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(Address - Number, Street, City, State, and Zip Code)

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S	Mr. and Mrs. Juan Jose Pena
K	Palm Desert, Ca. 92260
	SPACE ABOVE THIS LINE FOR RECORDER'S USE
	City of Indio (City or Unincorporated")
	Grant Deed
: :::: ·	THE UNDERSIGNED GRANTOR (6) DECLARE (6) DOCUMENTARY TRANSFER TAX (6 \$ 82.50
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47.0	
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エン	RAYHOND M. WHITE and MERLE E. WHITE, husband and wife
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COUNTY OF RIV

RIVERSIDE, CALIFORNIA



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CERTIFIED COPY OF VITAL RECORDS

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a rue-and exact reproduction of the document officially registered and on life in the office of the County of Riverside, Assessor County Clerk-Recorder

LARRY W WARD

ASSESSOR-COUNTY CLERK-RECORDER

RIVERSIDE COUNTY, CALIFORNIA County Clark-Records



RIVERSIDE, CALIFORNIA

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STATE OF CALIFORNIA COUNTY OF RIVERSIDE SS

CERTIFIED COPY OF VITAL RECORDS

This is a true and exact reproduction of the dozument officially registered and placed on file in the office of the County of Riverside, Department of Health.

Feb 20, 2013

Dicamono Reserved

REGISTRAN OF VITAL STATISTICS

DATE ISSUED

DATE

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

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CERTIFIED COPY OF VITAL RECORDS STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

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This is a true and exact reproduction of the document officially registered and placed on its in the office of the County of Riverside. Assessor County Clerk-Recorder

FEB Z 170;

ANNEANCE STREET

LARRY W. WARD
USSESSOR-COUNTY CLERK-RECORDER
RIVERSIDE COUNTY, CALIFORNIA
SOF COUNTY Clerk-Recorder



CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

- PART		TE RECORD TYPE OR PRI	NT IN BLACK IN	K ONLY	
NAME AS IT APPEARS ON RECORD	1. NAME—FIRST (GIVEN)	JOSE		PENA	
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	A SIGNATURE OF MIRST PERSON	TITLE RELATIONSHIP		TI 16 DATE SIGNED	-MM/DD/CCYY
PERSONS MUST SIGN	Hay Alm Vil	FUNERAL DIRECT	OR ·	06/19/1996	
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CERTIFIED COPY OF VITAL RECORDS STATE OF CALIFORNIA COUNTY OF RIVERSIDE

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This is a true and sact reproduction of the document officially registered and placed on illerin the office of the County of Alverside. Assesser-County Clerk-Recorder

DATE ISSUED FEB 7 1 7016

LARRY W WARD SOR-COUNTY CLERK-RECORDER ERBIDE COUNTY CALIFORNIA

DATE ISSUED FLD I THIS
This copy is not valid unless prepared on segraved botter displaying date.

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

Fo: Don Kent, Treasurer-Tax Collector	
Re: Claim for Excess Proceeds	
TC 196 Item 478 Assessment No.: 611233012-7	
Assessee: PENA, JUAN JOSE & BENITA'S	
Situs:	
Date Sold: April 29, 2013	st .
Date Deed to Purchaser Recorded: June 20, 2013	45
Final Date to Submit Claim: June 20, 2014	
\$\frac{52}{29}, \frac{7}{29}\$ from the sale of the above mentioned property owner(s) [check in one box] at the time Recorder's Document No. \frac{2559}{74} : recorded on the content of t	of the sale of the property as is evidenced by Riverside County on \(\subseteq \frac{1978}{\infty} \). A copy of this document is attached here to do assignment of interest. I/We have listed below and attached
NOTE: YOUR CLAIM WILL NOT BE CONSIDERED U	NLESS THE DOCUMENTATION IS ATTACHED.
	
	
have to sign the claim unless the claimant submits pro claimant may only receive his or her respective portion o I/We affirm under penalty of perjury that the foregoing is	true and correct.
Executed this <u>06</u> day of <u>June</u> . 2	0/4 at Riverside; CAlifornia
The Share the	County, State
Signature of Claimant	Signature of Claimant
Ruben S. Bonilla Print Name 76-540 Via Melodia Street Address La Quinta, Ca. 92253 City, State, Zip	Print Name
Street Address	Street Address
City, State, Zip	City, State, Zip
(76c) 564-4203 Phone Number	Phone Number

SCO 8-21 (1-99)



Benita S. Pena

Desert Presbyterian Church (15 years), and the stairs, never the elevator. Her faith was a La Iglesia Apostolica (35 years) in Indio, Palm Sunday school. She was a proud member of large part of her life and she loved teaching Volunteer and was known for always taking various occasions for being an Outstanding Medical Center. Benita was honored on and also served as a volunteer at Eisenhower She taught Spanish at local Senior Centers, Benita to serve her community as a Volunteer. driven, and extremely passionate about her and was working at Valley Date Garden by work. Upon retirement, it was important for went home to be with the Lord on January 25 Benita S. Pena, 89, of Palm Desert, Calif. husband Juan Pena. She was dedicated, became the Owner and Operator with her Café and Francis Café, where she eventually been a resident of the Coachella Valley for Benita moved to the U.S. in 1947 and has 2013. She was born June 29 1923 to Juan and Monday. Benita went on to work at Florence the last 66 years. She arrived on a Saturday Virginia Soto in Tamazula, Durango, Mexico

United Methodist Church (5 years) in Indio. Benita was an amazing Daughter, Sister, Wife, Mother. Grandmother, and friend. She loved

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

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LARRY W. WARD
ASSESSOR COUNTY CLERK-RECORDER
BIVERSIDE COUNTY, CALIFORNIA

s a true and, exact reproduction of the document officially registered and on file in the office of the Sounty of Riverside, Assesspr-County Clerk-Recorde,

LARRY W WARD

ASSESSOR-COUNTY CLERK-RECORD

DATE ISSUED

This copy is not valid unless prepared on agraved border displaying data, as I and signature of the Assessor-County Clerk-Recorder Principal and County Clerk-Recorder Principal



COUNTY OF RIVER RIVERSIDE, CALIFORNIA

CERTIFICATE OF DEATH 39633004456

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CERTIFIED COPY OF VITAL RECORDS STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

This is a true and exact reproduction of the document officially registered and placed on file in the office of the County of Riverside, Assessor-County Clerk-Recorder JUN 0 5-7011

DATE ISSUED
This copy is not valid miless prepared on engraved based applaying date scal and

LARRY W. WARD
ASSESSOR-COUNTY CLERK-RECORDER
RIVERSUSE COUNTY, CALIFORNIA
Assessor-County Clerk-Perovider.



COUNTY OF RIVERSI

RIVERSIDE, CALIFORNIA

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DATE ISSUED

LARRY W WARD
ASSESSOR-COUNTY CLERK-RECORDER
RIVERSINE COUNTY, CALIFORNIA



THE

BENITA S. PENA

REVOCABLE LIVING TRUST

My living trust agreement, dated February 26, 2001, is between BENITA S. PENA as Settlor and BENITA S. PENA as my initial Trustee.

All references to "my trust" or "trust" in this agreement, unless otherwise stated, shall refer to this living trust agreement and the trusts created hereunder. All references to "Trustees" shall refer to my initial Trustee or my successors in Trust.

ARTICLE 1 THE NAME OF MY TRUST

For convenience, my living trust shall be known as:

THE BENITA S. PENA REVOCABLE LIVING TRUST

For purposes of beneficiary designations, transfers directly to my trust, and formal correspondence, my trust shall be referred to as:

BENITA S. PENA as Trustee under THE BENITA S. PENA REVOCABLE LIVING TRUST, and any amendments thereto, dated February 26, 2001.

ARTICLE 2 MY FAMILY

I am not married at this time.

The names, birth dates and addresses of my children are:

- 1. LEMUEL BONILLA, whose birthdate is October 1, 1943, whose address is 1247 E. Palm, Orange, California 92666; and
- 2. RUBEN BONILLA, whose birthdate is January 5, 1942, whose address is 78-54 Via Melodia, La Quinta, California 92253; and

and administration of the various trusts contained in this agreement shall be determined by reference to the laws of the state in which this trust is then currently being administered.

- f. <u>Duplicate Originals</u>. This agreement may be executed in several counterparts; each counterpart shall be considered a duplicate original agreement.
- g. <u>Severability</u>. If any provision of this agreement is declared by a court of competent jurisdiction to be invalid for any reason, such invalidity shall not affect the remaining provisions of this agreement. The remaining provisions shall be fully severable, and this agreement shall be construed and enforced as if the invalid provision had never been included in this agreement.
- 12.8 Interpretation of Trust. If a question arises regarding the interpretation of this Trust or any part thereof, my Trustee is authorized to accept and act upon the written opinion of Lloyd Copenbarger & Associates, the law firm who prepared the Trust. If the firm, or a successor, is no longer active, then the attorney for my Trustee shall be empowered to interpret the Trust. An attorney from whom an interpretation has been requested may consider any evidence which comes to the attorney's attention and which seem, in the attorney's opinion, to have a bearing upon the interpretation, whether or not such evidence is or would be admissible in court.

SIGNING

Ratification and Execution by Settlor

I certify that I have read the foregoing Trust Agreement and that it correctly states the terms and conditions under which the Trust Estate is to be held, managed, and disposed of by my Trustee. I approve the Trust Agreement in all particulars and request that my Trustee execute it.

EXECUTED on February 26, 2001, in Riverside County, California.

BENITA S. PENA

Settlor

APPROVED:

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INQSITUS 72926 GRAPEVINE

628-094-004-3 PARC NO

August 8, 2001

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72926 GRAPEVINE ST PALM DESERT 92260

ASSESSEE PENA

JUAN

S BENITA

ID DATA

SITUS

PENA LOT 4 BLK D3 MB 021/081 PALM DESERT UNIT 3

AND

Property located at the northwest corner of Fargo(100' frontage) and Hwy 111(150' frontage) consisting of apprx. 15,000 sq. ft.

APN 611-233-012-7(lots 13 & 14) & APN 661-233-013-8(lot 15). Recorded in Book 10, Page 41 of Riverside County Recorder's Map.

Please provide me with a copy of the Grant Deed for each of the above noted properties, 72 926 Grapevine St. Palm Desert, Ca. and APN 611-233-012-7(lots 13 &14) & APN 661-233-013-8(lot 15) located in Indio, Ca..

I am enclosing a personal check for amount of \$40.00. Please let me know if it is insufficient. It is imperitive that I receive the documents as soon as possible.

Please send it to:

Benita Pena 72 926 Grapevine St. Palm Desert, Ca. 92260

Benita S. Pena

Ph. (760) 568 2229

(760) 564 4203

Ratification and Execution by Trustee

certify that:

- 1. I am named as Trustee in the foregoing Trust Agreement;
- 2. I have read the foregoing Trust Agreement and it correctly sets forth the terms and conditions under which my Trustee named in it shall hold, administer and distribute the Trust Estate described in it; and
 - 3. I confirm, ratify, and approve such Trust Agreement.

EXECUTED on February 26, 2001, in Riverside County, California.

BENITA S. PENA

Trustee

STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

On February 26, 2001, before me, LARRY COPENBARGER, Notary Public, personally appeared BENITA S. PENA, 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 to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

(Seal)

WITNESS my hand and official seal.

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ARMED FORCES OF THE UNITED STATES

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Oficina del Registro Civil de NOGAL MR. 3010PA MIKICO.

Municipalidad de NOGI BB

En nombre de la República Mexicana y como Oficial del Registro Civil de este lugar hago saber a los que la presente vieren y certifico ser cierto que en el libro No. _____I _se encuentra sentada un acta del teque es a mi cargo, a la_ nor siquiente; CF1C1MA DEL REGISTRO CIVIL EN TOG LES, SONORA REXECO.-Acta. No. 42 Nacimiento del Hino RUBEN NEPHTALI DIAZ BONILLA.-En la cuidad de Nogales, Conora a las doce horas del dia 17 de -Enero de mil novecientos cuaranta y dos ante la re del C. Oficial del Hegistro Civil que cuscribe, compareció el Ceñor Hubén Diaz Bonilla Martinez de nacionalidad mexicana originaria de Cananaa, Sonora y vecino de Mogales, Sphora con domicilio en Calle Liber-tad No. 350 de veirricustro años de edad, de estado civil casadocon ocupacion ministro Protestante, y presento para su registro a un niño vivo que nació en esta ciudad a las ocho y cuarenta v cinco del dia b de Enero de 1948 y a queen le pico por nombre y apellido RUBAY MEPHYALI DIAZ BONILLA. Es hijonlegitimo del compa-reciente y de la Senora Benita Soto de Diaz Bonillas de nacionali dad mexicana orig naria de ramozula purango, y vecina de nogales, Sonora con domicilo en calle libertad. No. 300 de dieciocho anos de edad, de neupación su hoger. Con neuelos paternos del nico registrado Gundalupa Díaz Bonilla y la Senora Benedicta M.de Díaz Bonilla domciliados on Calle Libertad No. 350. y abuelos maternos Juan Boto(finado)y la Era. Virginia Vda de Boto domiciliada en -Agua Prieta Bonora. Actuaron como testigos de este registro los Benores Macedorio Luliezy Manuel Bernal L. ambos Mayores da edad, el primero domiciliado en Calle Campillo No. 14 y el begundo domi ciliado en Elias Mo. 61. quienes portestan ser bierta la declaración del comparectente sobre su nacionalida. Laida la presente acts a 1 comparecience y testigos fueron conformes con su conteni do y firmeron los que Supieron hacerlo. Poy Fé. - El Oficial del Registro Civil José Ma. Retes. - Compareciente. - R. D. Bonillas. --Testigos: N. Rúñez.- Hanuel Bernal López. "Rubricas"

Y a solicitud del interesado extiendo la presente que es co pia rielmente compulsada de su priginal la que SIRFITICO AFFORI--ZO Y PIN O en la cuidad de logales, Bonca a los 19 dides del med de reptiembre de mil novec estes cuarante y cinco. 1945.

OLL BEGISTADO ON THE PROPERTY OF THE PROPERTY

HI Criciao del Registro divil.

(ILLE MOLLEMA

Tosé l. Liñeiro.

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		72 20 T	
TC 196 Item 478 Assessment No.: 611233012-7		MAR WERS	
Assessee: PENA, JUAN JOSE & BENITA S		XA N M	
Situs:		12 M B:	
Date Sold: April 29, 2013		AM 8: 38	
Date Deed to Purchaser Recorded: June 20, 2013		a C	- 2
Final Date to Submit Claim: June 20, 2014			
We, pursuant to Revenue and Taxation Code S \$ 52629-99 from the sale of the above mention X property owner(s) [check in one box] at the tin Recorder's Document No. 255974; recorded Y recorded	ne of the sale of the property as is ed on 12-6-1978. A copy of this hed assignment of interest. I/We have submitted.	llenholder(s), widenced by Riverside C document is attached he ave listed below and atta	ounty
	UNLESS THE DOCUMENTATION IS	S ATTACHED.	
If the property is held in Joint Tenancy, the taxsale property to sign the claim unless the claimant submits proclaimant may only receive his or her respective portion of I/We affirm under penalty of perjury that the foregoing is Executed this	of that he or she is entitled to the of the claim. s true and correct.	cy, and all Joint Tenants full amount of the claim,	will the
(1800-1800)	County, State		
Signature of Claimant	Signature of Claimant		$\overline{}$
Richald Pena	Print Name	<u> </u>	
2926 Grapevine 5T Street Address	Street Address		
City, State, Zip 2240	City_State, Zip		
760 -899 -/998 Phone Number			
none number	Phone Number	SCO 8-21 (1-99)	

RIVERSIDE, CALIFORNIA CERTIFICATE OF DEATH 39633004456

	STATE FILE NUMBER	EACK MIC ONLY/NO PRABURES WHITEON VS/11 (REV. 7/93)	UTS OR ALTERATIONS	41.0
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INFORMANT	PALM DESERT	RTVERSIDE 27. MAILING AD	92260 47	CA .
INFORMANT	BENITA PENA-WIFE	72-926	GRAPEVINE PALM DESER	RT, CA. 92260
SPOUSE	BENITA 34 SAME OF FASHER PRIOT		SOTO	Marian Marian Maria
PARENT INFORMATION	TEODORO	32 Grout	PENA	34 WHYN STATE
	25 NAME OF MOTHER—FIRST	36 MOBLE	AMAREL	38 BRITH STATE
biseosmon(s)	99 DATE MEZDO/CCYY GO PLACE OF FIRM 05/17/1996 COACHELLA		925 AVE 52 COACHELLA,	MX.
FUNERAL DIRECTOR	3URIAL	12 BIGHTATURE OF ENDICHER	725 AVBT 32 COACHELLA,	CA.
LOCAL REGISTRAR	44 NAME OF FUNERAL DIRECTOR		UNE OF THE PROPERTY OF THE PRO	y vecit
MEMBI-MAN	FITZHENRY FUNERAL HOME	LIDE U HOSEITAL SPECIEV ONE	OS FACILITY OTHER THAN HISEPITAL	A 05/13/1996
PLACE OF DEATH	EISENHOWER MEDICAL CENTER		PA THOSE RES. OTHER	RIVERSIDE
,024,47	39-000 BOB HOPE DR.	4 보드 - 보		RANCHO MIRAGE
	107 DEATH WAS CAUSED BY SENTER ONLY DING CAU	HE PER LIMP FOR A B. C. MIG. (0)	TONE WITHOUT BY BEATH AND DEATH	TES X
4	MACUTE RESPIRATOR	Y ARREST	IMMED.	MEPERMAL NUMBER
	SUF TO (8) ACUTE ASPIRATION	OF SECRETION	6 WR.	109 SIOPSY PERFORMED
CAUSE OF DEATH	DUE TO KI DYSPHAGIA, SEVER	E WANTE	4 DAYS	110 AUTOPSY PERFORMED
)\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	DUE TO THE MASSIVE GEREBROV	ASCHLAR ACCIDENT	3	111 USES: IN DETERMONING CAUSE
No.	112 OTHER SIGNESSAM REPENDENT DIABETES	DEATH BUT JOY ACCRESS TO CAUSE ONE	5 DAYS	Asta Miles
	113. WAS OPERATION PERFORMED FOR ANY CONDITION	MALIEM 107 OF 112? # VES UST	TYPE OF OPERATION AND DAVE	
	NO 114 I CENTRY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE AND	118 SERVICE OF CHEST	PRE TOTAL TOTAL STATE OF THE PRESENCE OF THE P	117 DEE WHYPD/CLAY
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TION	06/10/1992 05/10/1996 - CERTIFY THAT IN THY OPINON DEATH DESCRIPTIONS AT THE HOUR DATE AND PLACE STATED (NOW	RICHARD C HVPD MCD	.39000 BOB HOPE DR. R	92270 ANCHO MIRAGE, CA.
	THE CAUSES STATED. 118. MANNER OF DEATH	Yes No		3. MACE OF WALLEY
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ATUROR GATA ORDERNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

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This is a true and exact reproduction of the document officially registered and placed on file in the office of the County of Riverside. Assessor-County Clerk-Recorder.

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ASSESSOR COUNTY CLERK-RECORDER
RIVERSIDE COUNTY CALIFORNIA

mater of the Assessor County Clerk Recorder

RIVERSIDE, CALIFORNIA

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CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA COUNTY OF RIVERSIDE

This is a true and exact reproduction of the document ortically ragistered and placed on file. In the office of the County of Riverside, Department of Health.

Feb 20. 2613

Feb 20, 2013

DATE ISSUED

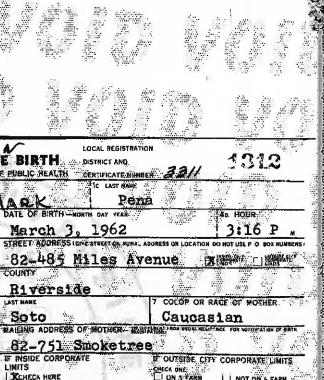
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RIVERSIDE COUNTY CALFORNIA

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

Rections 1812



RIVERSIDE, CALIFORNIA



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PLACE

e and exact reproduction of the document officially registered and in the office of the County of Riverside. Assessor-County Clerk-Recorder

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RIVERSIDE, CALIFORNIA

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DEPARTMENT OF PUBLIC HEALTH





CERTIFIED COPY OF VITAL RECORDS
STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

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	O Mr. and Mrs. Juan Jose Pens 10 72-926 Grapevine
26 J	17) Mr. and Mrs. Juan Jose Pens U Z Z Z
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), i	SPACE ABOVE THIS LIVE FOR RECORDER'S USE
	(City of India
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1	Grant Deed THE UNDERSIGNED GRANTOR (s) DECLARE(s)
	DOCUMENTARY TRANSFER TAY Le 82.50
	Contributed on full value of property conveyed, or Computed on full value less value of liens or encumbrances remaining at time of sale, and
	현재 강하다. 현대학자 발생활동을 보고 있는 사람들은 사람들은 사람들이 하는데 하는데 하는데 되었다.
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li	For a Valuable Consideration, the receipt of which is hereby acknowledged, hereby GEANTIST
9555	To JUAN JOSE PENA and BENITA S. PENA, husband and wife as joint tenants
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	Dated November 7, 1978
	Dated November 7, 1978 Ems. H. Duncan STATE OF CALIFORNIA
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INQSITUS 72926 GRAPEVINE

PARC NO 628-034-004-3

August 8, 2001

ASMT NBR 628094004-3

TRA 018-006

72926 GRAPEVINE ST PALM DESERT 92260

ASSESSEE PENA

SITUS

JUAN

DEMA

BENITA S

ID DATA LOT 4 BLK D3 MB 021/081 PALM DESERT UNIT 3

AND

Property located at the northwest corner of Fargo(100' frontage) and Hwy 111(150' frontage) consisting of apprx. 15,000 sq. ft. .

APN 611-233-012-7(lots 13 & 14) & APN 661-233-013-8(lot 15).
Recorded in Book 10, Page 41 of Riverside County Recorder's Map.

Please provide me with a copy of the Grant Deed for each of the above noted properties, 72 926 Grapevine St. Palm Desert, Ca. and APN 611-233-012-7(lots 13 &14) & APN 661-233-013-8(lot 15) located in Indio, Ca..

I am enclosing a personal check for amount of \$40.00. Please let me know if it is insufficient. It is imperitive that I receive the documents as soon as possible.

Please send it to:

Benita Pena 72 926 Grapevine St. Palm Desert, Ca. 92260

Bénita S. Pena

Ph. (760) 568 2229 (760) 564 4203

THE

BENITA S. PENA

REVOCABLE LIVING TRUST

My living trust agreement, dated February 26, 2001, is between BENITA S. PENA as Settlor and BENITA S. PENA as my initial Trustee.

All references to "my trust" or "trust" in this agreement, unless otherwise stated, shall refer to this living trust agreement and the trusts created hereunder. All references to "Trustees" shall refer to my initial Trustee or my successors in Trust.

ARTICLE 1 THE NAME OF MY TRUST

For convenience, my living trust shall be known as:

THE BENITA S. PENA REVOCABLE LIVING TRUST

For purposes of beneficiary designations, transfers directly to my trust, and formal correspondence, my trust shall be referred to as:

BENITA S. PENA as Trustee under THE BENITA S. PENA REVOCABLE LIVING TRUST, and any amendments thereto, dated February 26, 2001.

ARTICLE 2 MY FAMILY

I am not married at this time.

The names, birth dates and addresses of my children are:

- 1. LEMUEL BONILLA, whose birthdate is October 1, 1943, whose address is 1247 E. Palm, Orange, California 92666; and
- 2. RUBEN BONILLA, whose birthdate is January 5, 1942, whose address is 78-54 Via Melodia, La Quinta, California 92253; and

- 3. JOHN PENA, whose birthdate is October 16, 1954, whose address is 51910 Avenida Navarro, La Quinta, California 92253; and
- 4. R. LINDA STERN, whose birthdate is June 21, 1957, whose address is 32215 Fall River Road, Trabuco Canyon, California 92679; and
- 5. RICHARD PENA, whose birthdate is March 3, 1962, whose address is 21122 Briarwood, Trabuco Canyon, California 92679; and
- 6. ELIZABETH HAAS, whose birthdate is November 15, 1963, whose address is 49035 Serenata Court, La Quinta, California 92253.

All reference to my children in this agreement are to these children.

ARTICLE 3 TRUSTEES

- 3.1 <u>Initial Trustee</u>. I have retained the right to act as my own Trustee so long as I am physically and mentally capable.
- 3.2 <u>Successor Trustee</u>. When I become unable to serve as Trustee, by reason of death or incapacity, I appoint the following to act as Successor Co-Trustee:
- 1. LEMUEL BONILLA, whose address is 1247 E. Palm, Orange, California 92666; or
- 2. JOHN PENA, whose address is 51910 Avenida Navarro, La Quinta, California 92253; or
- 3. R. LINDA STERN, whose address is 32215 Fall River Road, Trabuco Canyon, California 92679.
- 3.3 <u>Trustees</u>. References in the Trust to "Trustee or Trustees" shall include me or my Successor Trustees.

Where two or more individuals are appointed to serve as Successor Trustees, they shall serve together while both are able, qualified and willing to do so. If either shall become unable, unqualified or unwilling to serve, the other shall serve alone as Successor Trustee.

If, during the term of this Trust, any single Successor Trustee shall become unable, unqualified or unwilling to continue as a Trustee, the next appointed Successor Trustee(s) shall succeed to the office of Trustee.

The exercise by any Trustee of the discretionary powers herein granted with respect to the allocation or distribution of property or gifts and making adjustment with

and administration of the various trusts contained in this agreement shall be determined by reference to the laws of the state in which this trust is then currently being administered.

- f. <u>Duplicate Originals</u>. This agreement may be executed in several counterparts; each counterpart shall be considered a duplicate original agreement.
- g. <u>Severability</u>. If any provision of this agreement is declared by a court of competent jurisdiction to be invalid for any reason, such invalidity shall not affect the remaining provisions of this agreement. The remaining provisions shall be fully severable, and this agreement shall be construed and enforced as if the invalid provision had never been included in this agreement.
- 12.8 Interpretation of Trust. If a question arises regarding the interpretation of this Trust or any part thereof, my Trustee is authorized to accept and act upon the written opinion of Lloyd Copenbarger & Associates, the law firm who prepared the Trust. If the firm, or a successor, is no longer active, then the attorney for my Trustee shall be empowered to interpret the Trust. An attorney from whom an interpretation has been requested may consider any evidence which comes to the attorney's attention and which seem, in the attorney's opinion, to have a bearing upon the interpretation, whether or not such evidence is or would be admissible in court.

SIGNING

Ratification and Execution by Settlor

I certify that I have read the foregoing Trust Agreement and that it correctly states the terms and conditions under which the Trust Estate is to be held, managed, and disposed of by my Trustee. I approve the Trust Agreement in all particulars and request that my Trustee execute it.

EXECUTED on February 26, 2001, in Riverside County, California.

BENITÀ S. PENA

Settlor

APPROVED:

Attorney for Settlor

Ratification and Execution by Trustee

I certify that:

- 1. I am named as Trustee in the foregoing Trust Agreement;
- 2. I have read the foregoing Trust Agreement and it correctly sets forth the terms and conditions under which my Trustee named in it shall hold, administer and distribute the Trust Estate described in it; and
 - 3. I confirm, ratify, and approve such Trust Agreement.

EXECUTED on February 26, 2001, in Riverside County, California.

BENITA S. PENA

Trustee

STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

On February 26, 2001, before me, LARRY COPENBARGER, Notary Public, personally appeared BENITA S. PENA, 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 to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary's Signature

(Seal)

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

July 17, 2013

PENA, JUAN JOSE & BENITA S C/O PENA, JUAN J 72926 GRAPEVINE ST PALM DESERT, CA 92260

Re: EXCESS PROCEEDS FROM SALE OF TAX DEFAULTED PROPERTY

Assessment No.: 611233012-7

Item: 478

Situs Address:

Assessee: Pena, Juan Jose & Benita S

Date Sold: April 29, 2013

Date Deed to Purchaser Recorded: June 20, 2013

Final Date to Submit Claim: June 20, 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 <u>most applicants will be able to fill it out without help</u>. 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

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

2014 APR -7 PM 3: 53

Don Kent, Treasurer-Tax Collector

To:

Re: Claim for Excess Proceeds	RIVERSIDE COUNTY
TC 196 Item 478 Assessment No.: 611233012-7	TREAS-TAX COLLECTOR
Assessee: PENA, JUAN JOSE & BENITA S	
Situs:	
Date Sold: April 29, 2013	
Date Deed to Purchaser Recorded: June 20, 2013	
Final Date to Submit Claim: June 20, 2014	
property owner(s) [check in one box] at the tin Recorder's Document No. 255 474 recorder	ne of the sale of the property as is evidenced by Riverside County of the last of interest. If the last is attached here to assignment of interest.
NOTE: YOUR CLAIM WILL NOT BE CONSIDERED	UNLESS THE DOCUMENTATION IS ATTACHED.
If the property is held in Joint Tenancy, the taxsale prohave to sign the claim unless the claimant submits proclaimant may only receive his or her respective portion of I/We affirm under penalty of perjury that the foregoing is	ocess has severed this Joint Tenancy, and all Joint Tenants will confirm the or she is entitled to the full amount of the claim, the of the claim.
21 1,	off at Riverside, Ca
(or al could be a like of the country of the count	County, State
Signature of Olaimapt	Signature of Claimant
Klazalatta A na Maral	
Print Name	Print Name
5500 Calle Sonora	
Street Address	Street Address
City, State, Zip	City, State, Zip
714-777-5500	
Phone Number	Phone Number SCO 8-21 (1-99)
	000 0-21 (1-99)

THE

BENITA S. PENA

REVOCABLE LIVING TRUST

My living trust agreement, dated February 26, 2001, is between BENITA S. PENA as Settlor and BENITA S. PENA as my initial Trustee.

All references to "my trust" or "trust" in this agreement, unless otherwise stated, shall refer to this living trust agreement and the trusts created hereunder. All references to "Trustees" shall refer to my initial Trustee or my successors in Trust.

ARTICLE 1 THE NAME OF MY TRUST

For convenience, my living trust shall be known as:

THE BENITA S. PENA REVOCABLE LIVING TRUST

For purposes of beneficiary designations, transfers directly to my trust, and formal correspondence, my trust shall be referred to as:

BENITA S. PENA as Trustee under THE BENITA S. PENA REVOCABLE LIVING TRUST, and any amendments thereto, dated February 26, 2001.

ARTICLE 2 MY FAMILY

I am not married at this time.

The names, birth dates and addresses of my children are:

- 1. LEMUEL BONILLA, whose birthdate is October 1, 1943, whose address is 1247 E. Palm, Orange, California 92666; and
- 2. RUBEN BONILLA, whose birthdate is January 5, 1942, whose address is 78-54 Via Melodia, La Quinta, California 92253; and

and administration of the various trusts contained in this agreement shall be determined by reference to the laws of the state in which this trust is then currently being administered.

- f. <u>Duplicate Originals</u>. This agreement may be executed in several counterparts; each counterpart shall be considered a duplicate original agreement.
- g. <u>Severability</u>. If any provision of this agreement is declared by a court of competent jurisdiction to be invalid for any reason, such invalidity shall not affect the remaining provisions of this agreement. The remaining provisions shall be fully severable, and this agreement shall be construed and enforced as if the invalid provision had never been included in this agreement.
- 12.8 Interpretation of Trust. If a question arises regarding the interpretation of this Trust or any part thereof, my Trustee is authorized to accept and act upon the written opinion of Lloyd Copenbarger & Associates, the law firm who prepared the Trust. If the firm, or a successor, is no longer active, then the attorney for my Trustee shall be empowered to interpret the Trust. An attorney from whom an interpretation has been requested may consider any evidence which comes to the attorney's attention and which seem, in the attorney's opinion, to have a bearing upon the interpretation, whether or not such evidence is or would be admissible in court.

SIGNING

Ratification and Execution by Settlor

I certify that I have read the foregoing Trust Agreement and that it correctly states the terms and conditions under which the Trust Estate is to be held, managed, and disposed of by my Trustee. I approve the Trust Agreement in all particulars and request that my Trustee execute it.

EXECUTED on February 26, 2001, in Riverside County, California.

BENITÁ S. PENA

Settlor

APPROVED:

	Number Number 318-9790_1d.
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સં	Palm Desert, Ca. 92260
3.3	SPACE ABOVE THIS LINE FOR RECORDER'S USE
	Grant Deed
	THE UNDERSIGNED GRANTOR O DECLARE (a) DOCUMENTARY TRANSFER TAX is 8 82.50
2014	Computed on full value of property conveyed, or computed on full value less value of liens or exemplyances remaining at time of sale, and
	ERNEST R. DUNCAN and EDNA A. DUNCAN, husband and wife, and
SH	RAYHOND M. WRITE and MERLE E. WHITE, husband and wife
. ,	For a Valuable Consideration, the receipt of which is hereby acknowledged, hereby GRANT(x)
55	To JUAN JOSE PENA and BENITA S. PENA, husband and wife as joint tenants
3	
389	all that real property situated in the County of Riverside State of California, described as follows: **Lots 13, 14 and 15 of Wilson's First Addition to Indio as per map on file- in Book 10 page 41 of Maps.
Oo	Lots 13, 14 and 15 of Wilson's First Addition to Indio as per map on file to Book 10
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Oo	Lots 13, 14 and 15 of Wilson's First Addition to Indio as per map on file- in Book 10 page 41 of Maps. Date-1 November 7, 1970 Ernest R. Duncan
Oo	Lots 13, 14 and 15 of Wilson's First Addition to Indio as per map on file- in Book 10 page 41 of Maps. Date-! November 7, 1970 Enset E. Duncan Ernest E. Duncan
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INQSITUS 72926 GRAPEVINE

PARC NO 628-094-004-3

August 8, 2001

ASMT NBR

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018-006

72926 GRAPEVINE ST PALM DESERT 92260

SITUS ASSESSEE

PENA

JUAN

J

nad gaccacck

PENA

BENITA S

ID DATA

LOT 4 BLK D3 MB 021/081 PALM DESERT UNIT 3

AND

Property located at the northwest corner of Fargo(100' frontage) and Hwy 111(150' frontage) consisting of apprx. 15,000 sq. ft.

APN 611-233-012-7(lots 13 & 14) & APN 661-233-013-8(lot 15).

Recorded in Book 10, Page 41 of Riverside County Recorder's Map.

Please provide me with a copy of the Grant Deed for each of the above noted properties, 72 926 Grapevine St, Palm Desert, Ca. and APN 611-233-012-7(lots 13 &14) & APN 661-233-013-8(lot 15) located in Indio, Ca..

I am enclosing a personal check for amount of \$40.00. Please let me know if it is insufficient. It is imperitive that I receive the documents as soon as possible.

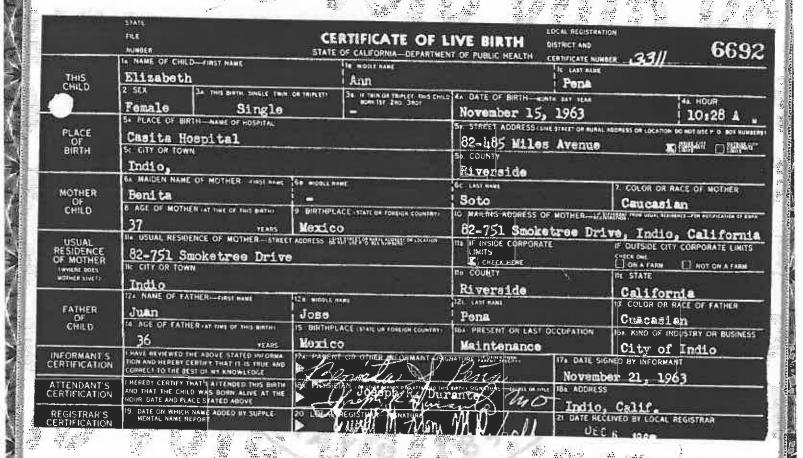
Please send it to:

Benita Pena 72 926 Grapevine St. Palm Desert, Ca. 92260

Benita S. Pena

Ph. (760) 568 2229 (760) 564 4203

RIVERSIDE, CALIFORNIA





CERTIFIED COPY OF VITAL RECORDS

* 0 3 4 3 5 8 4 0 3 *

This is a true and exact reproduction of the document officially registered and placed on file in the office of the County of Riverside, Assessor-County Clerk-Recorder.

DATE (SSUED LD / E/UH)
This copy is not valid unless prepased on engraved border displaying date, seal and signature of the DATE ISSUED

FED 2 1 2014

LARRY W WARD
ASSESSOR-COUNTY CLERK-RECORDER
RIVERSIDE COUNTY, CALIFORNIA



RIVERSIDE, CALIFORNIA

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RIVERSIDE, CALIFORNIA

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RIVERSIDE, CALIFORNIA

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CERTIFIED COPY OF VITAL RECORDS STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

* 0 3 4 3 5 8 4 1 5 *

This is a little end exact reproduction of the document officially registered and placed on file in the office of the Gounty of Riverside, Assessor-County Clerk-Recorder SATE ISSUED FEB 2 1 7014

This copy is not valid unless prepared on cognitive displaying date, seal and

LARRY W WARD

ASSESSOR-COUNTY CLERK-RECORDER
RIVERSIDE COUNTY CALIFORNIA



Ratification and Execution by Trustee

I certify that:

- 1. I am named as Trustee in the foregoing Trust Agreement;
- 2. I have read the foregoing Trust Agreement and it correctly sets forth the terms and conditions under which my Trustee named in it shall hold, administer and distribute the Trust Estate described in it; and
 - 3. I confirm, ratify, and approve such Trust Agreement.

EXECUTED on February 26, 2001, in Riverside County, California.

BENITA S. PENA

Trustee

STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

On February 26, 2001, before me, LARRY COPENBARGER, Notary Public, personally appeared BENITA S. PENA, 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 to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary's Signature

(Seal)

- 3. JOHN PENA, whose birthdate is October 16, 1954, whose address is 51910 Avenida Navarro, La Quinta, California 92253; and
- 4. R. LINDA STERN, whose birthdate is June 21, 1957, whose address is 32215 Fall River Road, Trabuco Canyon, California 92679; and
- 5. RICHARD PENA, whose birthdate is March 3, 1962, whose address is 21122 Briarwood, Trabuco Canyon, California 92679; and
- 6. ELIZABETH HAAS, whose birthdate is November 15, 1963, whose address is 49035 Serenata Court, La Quinta, California 92253.

All reference to my children in this agreement are to these children.

ARTICLE 3 TRUSTEES

- 3.1 <u>Initial Trustee</u>. I have retained the right to act as my own Trustee so long as I am physically and mentally capable.
- 3.2 <u>Successor Trustee</u>. When I become unable to serve as Trustee, by reason of death or incapacity, I appoint the following to act as Successor Co-Trustee:
- 1. LEMUEL BONILLA, whose address is 1247 E. Palm, Orange, California 92666; or
- 2. JOHN PENA, whose address is 51910 Avenida Navarro, La Quinta, California 92253; or
- 3. R. LINDA STERN, whose address is 32215 Fall River Road, Trabuco Canyon, California 92679.
- 3.3 <u>Trustees</u>. References in the Trust to "Trustee or Trustees" shall include me or my Successor Trustees.

Where two or more individuals are appointed to serve as Successor Trustees, they shall serve together while both are able, qualified and willing to do so. If either shall become unable, unqualified or unwilling to serve, the other shall serve alone as Successor Trustee.

If, during the term of this Trust, any single Successor Trustee shall become unable, unqualified or unwilling to continue as a Trustee, the next appointed Successor Trustee(s) shall succeed to the office of Trustee.

The exercise by any Trustee of the discretionary powers herein granted with respect to the allocation or distribution of property or gifts and making adjustment with

INSTRUCTIONS FOR FILING CLAIM

(See Claim Form on Reverse Side)

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

For the purposes of disarticle, 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 taken by the Board.

MAIL COMPLETED FORMS TO:

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

Attention: Excess Proceeds