

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS  
 DATE: 6/29/15

Departmental Concurrence

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

611A



**SUBMITTAL DATE:**

**JUN 29 2015**

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

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 199, Item 257. Last assessed to: Devern Fleming, a single man. District 5 [\$24,755] Fund 65595 Excess Proceeds from Tax Sale.

**RECOMMENDED MOTION:** That the Board of Supervisors:  
 1. Approve the claim from Devern M. Fleming, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 473120031-5;  
 (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, 2014 public auction sale. The deed conveying title to the purchasers at the auction was recorded March 21, 2014. 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 22, 2014 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	\$ 24,755	\$ 0	\$ 24,755	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
<b>SOURCE OF FUNDS:</b> Fund 65595 Excess Proceeds from Tax Sale				<b>Budget Adjustment:</b> N/A	
				<b>For Fiscal Year:</b> 15/16	

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

BY: *Samuel Wong 7/13/15*  
 Samuel Wong

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

**Ayes:** Jeffries, Tavaglione, Washington, Benoit and Ashley  
**Nays:** None  
**Absent:** None  
**Date:** July 21, 2015  
**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: 5 Agenda Number: \_\_\_\_\_

**9-66**

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 199, Item 257. Last assessed to:  
Devern Fleming, a single man. District 5 [\$24,755] Fund 65595 Excess Proceeds from Tax Sale

**DATE:** JUN 29 2015

**PAGE:** Page 2 of 2

**RECOMMENDED MOTION:**

2. Authorize and direct the Auditor-Controller to issue a warrant to Devern M. Fleming in the amount of \$24,755.97 no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

**BACKGROUND:**

**Summary (continued)**

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

1. Claim from Devern M. Fleming based on a Grant Deed recorded July 10, 2007 as Instrument No. 2007-0447185.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Devern M. Fleming be awarded excess proceeds in the amount of \$24,755.97. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.

**Impact on Citizens and Businesses**

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

**ATTACHMENTS (if needed, in this order):**

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

# 2.

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

RECEIVED  
2015 FEB -3 AM 9:00  
RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR

To: Don Kent, Treasurer-Tax Collector  
Re: Claim for Excess Proceeds  
TC 199 Item 257 Assessment No.: 473120031-5  
Assessee: FLEMING, DEVERN  
Situs:  
Date Sold: February 4, 2014  
Date Deed to Purchaser Recorded: March 21, 2014  
Final Date to Submit Claim: March 23, 2015

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 31,000.00 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. 2007-0447-185 recorded on 07/10/2007. A copy of this document is attached hereto. 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.**

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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 27<sup>th</sup> day of January, 2015 at RIVERSIDE, CA  
County, State

Devern M Fleming  
Signature of Claimant

\_\_\_\_\_  
Signature of Claimant

DEVERN M. FLEMING  
Print Name

\_\_\_\_\_  
Print Name

22502 MOUNTAIN VIEW RD  
Street Address

\_\_\_\_\_  
Street Address

MORONGO VALLEY, CA. 92557  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

951-242-2140  
Phone Number

\_\_\_\_\_  
Phone Number

RECORDING REQUESTED BY:  
First American Title

AND WHEN RECORDED MAIL TO:

Devern Fleming  
22502 Mountain View Road  
Moreno Valley, Ca 92557

DOC # 2007-0447185

07/10/2007 08:00A Fee:20.00

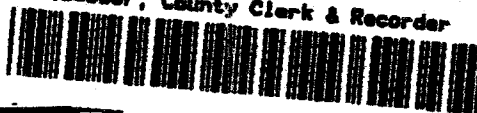
Page 1 of 2 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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Title Order No.: 2798816 -30

TRAF 1280-018

GRANT DEED

473-120-031-5

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$438.90

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale.
- Unincorporated area  City of Moreno Valley AND

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

Miguel Hernandez, a Single Man

hereby GRANT(s) to:

Devern Fleming, a single man

the real property in the City of Moreno Valley, County of Riverside, State of California, described as:  
Parcel 4 of Parcel Map 19875, as shown by map on file in Book 123, Page(s) 85 and 86, of Parcel Maps,  
Records of Riverside County.

Also Known as: VACANT LAND AP# 473-120-031, Moreno Valley, CA 92553  
AP#: 473-120-031

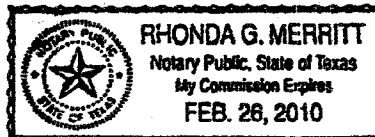
DATED May 22, 2007  
STATE OF CALIFORNIA Texas  
COUNTY OF Potter

*Miguel Hernandez*  
Miguel Hernandez

On May 24, 2007  
Before me, ~~Miguel Hernandez~~ Rhonda G. Merritt

A Notary Public in and for said State, personally appeared  
Miguel Hernandez

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 he/she/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 *Rhonda G. Merritt*

(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN BELOW; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE:

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