

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS DATE: 7/14/15

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

757A



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

**SUBMITTAL DATE:**  
 JUL 14 2015

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 192, Item 649. Last assessed to: Dana F. Tyhanic and Arlene F. Tyhanic, husband and wife as joint tenants. District 3 [\$17,356] Fund 65595 Excess Proceeds from Tax Sale.

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

1. Approve the claim from Dana F. Tyhanic, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 456276045-5;  
 (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 March 20, 2012 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 11, 2012. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on June 6, 2012, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest.

(continued on page two)

*Don Kent*  
 Don Kent  
 Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 17,356	\$ 0	\$ 17,356	\$ 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 8/10/15*  
 Samuel Wong

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Tavaglione, Washington and Benoit  
 Nays: None  
 Absent: Ashley  
 Date: August 18, 2015  
 xc: Treasurer, Auditor

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

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

9-8

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

Departmental Concurrence

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

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 192, Item 649. Last assessed to: Dana F. Tyhanic and Arlene F. Tyhanic, husband and wife as joint tenants. District 3 [\$17,356] Fund 65595 Excess Proceeds from Tax Sale

**DATE:** JUL 14 2015

**PAGE:** Page 2 of 2

**RECOMMENDED MOTION:**

2. Deny the claim from Arlene F. Williams AKA Arlene F. Tyhanic;
3. Authorize and direct the Auditor-Controller to issue a warrant to Dana F. Tyhanic in the amount of \$17,356.40 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 Dana F. Tyhanic based on a Grant Deed recorded April 14, 2000 as Instrument No. 2000-139367.
2. Claim from Arlene F. Williams AKA Arlene F. Tyhanic based on a Grant Deed recorded April 14, 2000 as Instrument No. 2000-139367 and a Judgment and Decree of Dissolution of Marriage filed January 11, 2008.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Dana F. Tyhanic be awarded excess proceeds in the amount of \$17,356.40. The claim from Arlene F. Williams AKA Arlene F. Tyhanic be denied due to the Judgment and Decree of Dissolution of Marriage awarding the property to Dana F. Tyhanic on January 11, 2008. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants by certified mail.

**Impact on Citizens and Businesses**

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

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

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

18-30-013

Mr. Adrian: (Dept. Excess Proceeds)

Here is a copy of the Info. sent me by my sister. (I have original). This definitely verifies what I have told you I never received the notification of the May date I was to respond.

I will also be sending a copy of long period of time I was in hosp. for surgeries + recuperate time.

I ~~know~~ if same situation happened to you or your loved one you would be standing up for what is rightfully owed you! = like I Am

I am a disabled senior that has stood up for our country + I am a good citizen + neighbor.

I hope this can be rectified Non-Forced Legally?

Witnessed  
I Sent:  
Mar: Economu Inn

Signed: Dana F. Lyhanis

August 20, 2013

Dear Dana

About ~~two~~ years after Mom died, I sent 1/2 the many family photos in a big box to you in Hemet. They were of Mom, everyone - 1940 to 1990 - including Nana, Granddaddy Cummins, us as children, you, your children, Arlene, her children. I'm happy to send this color portrait of Mom and you in 1945 and I don't have a copy. I've also included a few more of her as a young woman, so please take care of these as all photos that I have/keep are for my own boys Jeff and John.

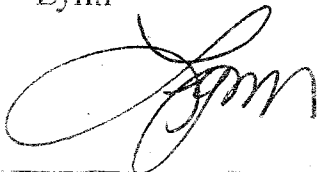
Last fall Valley Presbyterian Hospital notified me you came in off the street via ambulance in very bad shape and were being treated. I called hospital to check on you and when released, they wouldn't say to where you'd been sent to recuperate. Glad the doctors were able to help you and you got well enough to travel to Illinois.

You might want to contact Sean. His mother Lani passed away last March and always asks if I've heard from you:  
James Haag, 5

Also, a man called here about 4 months ago trying to find you regarding the auction/sale of Hemet mobile home for back taxes. The auction brought \$18,000 more than what you and Arlene owed with a May 11, 2013 deadline for you to personally claim your one-half (\$9,000). By law, I couldn't/can't represent you, so referred him to hospital as last known whereabouts. If you've not heard from anyone, suggest you contact Riverside County or the State of California and tell your story/explain your special circumstances - no address, in hospital with lengthy recuperation - plus you just heard about this after moving to/living in Illinois. Even after deadline, it might be worth making the effort/find out what you can do to get money owed you.

All else is well with me and mine. Hope same for you.

Lynn



10-18-013

To: Whomever:

Here Is The Copy Of The Recorded Document From The Riverside Co.

Assessors Office = #2000-139367.

April 14, 2000 My Ownership Of The Property Parcel.

And, I Of Course, Have My Copy.

Dana F. Tyhanic

Sincerely:

D. F. Tyhanic

Witnessed I Sent By:

Economy Inn

P.S. For Excess proceeds on Parcel

# 456276045-5

Recording Requested By  
First American Title Company

DOC # 2000-139367

04/14/2000 08:00A Fee:8.00

Page 1 of 1 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:

Dana F. Tyhanic  
Arlene F. Tyhanic  
911 Santa Teresa Way  
Hemet, CA 92545

2161401-3

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A.P.N.: 453-106-045 TRA #: 006004

Or

GRANT DEED

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DR

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS: COUNTY \$11.55

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 Hemet, and

FOR A VALUABLE CONSIDERATION, Receipt of which is hereby acknowledged,  
Verna E. Long, Trustee of The Verna E. Long Revocable Trust created by instrument dated April 27, 1992

hereby GRANT(S) to Dana F. Tyhanic and Arlene F. Tyhanic, Husband and wife as joint tenants

the following described property in the City of Hemet, County of Riverside State of California;

Lot 12 of Sierra Dawn Estates Unit No. 3-A of Tract No. 4049, as shown by map on file in Book 65, Page(s) 58-59,  
of Maps, in the Office of the County Recorder of said County.

Verna E. Long, Trustee of The Verna E.  
Long Revocable Trust created by  
instrument dated April 27, 1992

By: Verna E. Long, Trustee  
Verna E. Long, Trustee

Document Date: March 30, 2000

STATE OF CALIFORNIA )  
COUNTY OF Riverside )

On April 7, 2000 before me, Lorie D. Wells, Notary Public

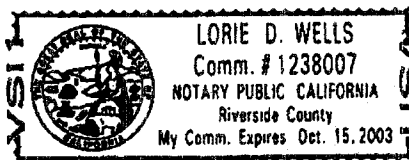
personally appeared Verna E. Long

~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature: Lorie D. Wells

Lorie D. Wells



this area for official notarial seal.

Mail Tax Statements to: SAME AS ABOVE or Address Noted Below

Da



[Redacted]

[Redacted]

[Redacted]



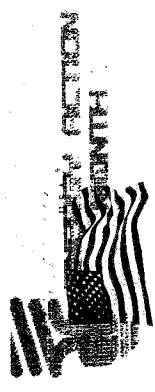
TREASURER-TAX COLLECTOR  
DATA / MAIL ROOM

SEP 04 2013

RECEIVED

Att: Mr. Adrian (Dept. Excess Proce  
Riverside Co. Treasurer)  
P.O. Box 12005 Riverside, CA  
92502

QUAD CITIES IL 612  
/ 21 OCT 2013 PM 2 T



Equality  
FOREVER

TREASURER-TAX COLLECTOR  
DATA / MAILROOM

OCT 23 2013

RECEIVED

Dor Kent  
Treasurer  
P.O. Box 12005  
Riverside, Ca. 92502-2205



Dana Tuhacic

Mr. ...  
Mr. ...  
Mr. ...

Talked with:  
Mr. Adriaan Potenciano

925022205



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

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 192 Item 649 Assessment No.: 456276045-5

Assessee: TYHANIC, DANA F & ARLENE F

Situs: 911 SANTA TERESA WAY HEMET

Date Sold: March 20, 2012

Date Deed to Purchaser Recorded: May 11, 2012

Final Date to Submit Claim: May 13, 2013

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ \_\_\_\_\_ 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. \_\_\_\_\_; recorded on \_\_\_\_\_. 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.

DIVORCE DEGREE NAME PROOF  
DRIVERS LIC.  
SS CARDS - WILLIAMS - TYHANIC

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 1<sup>ST</sup> day of APRIL, 2013 at WEBSTER CO MISSOURI  
County, State

Arlene F. Williams  
Signature of Claimant

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

ARLENE F. WILLIAMS  
Print Name

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

5980 DUNCAN RD  
Street Address

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

MARSHFIELD, MO 65706  
City, State, Zip

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

573-855-9989  
Phone Number

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

417-714-1026

Recording Requested By  
First American Title Company

DOC # 2000-139367

04/14/2000 08:00A Fee:6.00  
Page 1 of 1 Doc T Tax Paid  
Recorded in Official Records  
County of Riverside  
Gary L. Orso  
Assessor, County Clerk & Recorder

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:  
Dana F. Tyhanic  
Arlene F. Tyhanic  
911 Santa Teresa Way  
Hemet, CA 92545



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A.P.N.: 453-106-045 TRA #: 006004

Or

GRANT DEED

6

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THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS: COUNTY \$11.55  
 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 Hemet, and

FOR A VALUABLE CONSIDERATION, Receipt of which is hereby acknowledged,  
 Verna E. Long, Trustee of The Verna E. Long Revocable Trust created by instrument dated April 27, 1992  
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By: Verna E. Long, Trustee  
 Verna E. Long, Trustee

Document Date: March 30, 2000

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 COUNTY OF Riverside )

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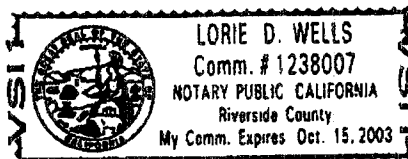
personally appeared Verna E. Long

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Lorie D. Wells

Lorie D. Wells



This area for official notarial seal.

IN THE CIRCUIT COURT OF PULASKI COUNTY, MISSOURI

FILED

JAN 11 2008

SHARLENE BEASLEY  
CLERK & EX. OFFICER  
RECORDS & DEEDS  
PULASKI COUNTY, MO

In Re the Marriage of: )  
)  
ARLENE FRANCES TYHANIC and )  
DANA FRANCES TYHANIC. )  
)  
ARLENE FRANCES TYHANIC, )  
SSN: [REDACTED] )  
Petitioner, )  
)  
vs. )  
)  
DANA FRANCES TYHANIC, )  
SSN: [REDACTED] )  
Respondent. )

Case No.: 07PU-CV01802

JUDGMENT AND DECREE OF DISSOLUTION OF MARRIAGE

Now on this 11<sup>th</sup> day of January, 2008, this matter comes on for hearing before the Circuit Court of Pulaski County, Missouri; Petitioner appears in person and by attorney, Lawrence E. Ray; Respondent fails to appear by pleading, but signed a waiver of service of summons and appearance; Petitioner announces ready for trial.

Upon this matter being submitted to the Court, the Court finds and determines that it has jurisdiction over the subject matter of this action and the parties hereto.

Upon hearing evidence adduced, the Court finds and determines that Petitioner has been a resident of the State of Missouri for more than ninety (90) days next immediately preceding the filing of this action; that more than thirty (30) days have elapsed since the filing of this action; that Petitioner's Social Security Number [REDACTED] that Petitioner is employable; that Respondent's Social Security Number is [REDACTED] that Respondent is disabled but has separate income; that there were no (0) children born of the parties; that Petitioner is not now pregnant; that there is no reasonable likelihood that the marriage

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

of the parties can be preserved and therefore, the marriage of the parties is irretrievably broken; that there is no need for maintenance for either party.


WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Court that the marriage of ARLENE FRANCES TYHANIC and DANA FRANCES TYHANIC is dissolved.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petitioner's former name is hereby restored to ARLENE FRANCES WILLIAMS.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petitioner is awarded the marital property consisting of 2000 Honda Civic, household goods, appliances and personal effects in her possession; Respondent is awarded the marital property consisting of 1972 Celebrity Mobile Home and lot located at 911 Santa Teresa Way, Hemet, Riverside County, California, household goods, appliances and personal effects in his possession; that Petitioner pay the debts of the marriage to Bank of America, Capital One and any and all debts she may have incurred since the date of separation; that Respondent pay any and all debts he may have incurred since the date of separation; and that each party indemnify and hold harmless the other on said debts.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petitioner and Respondent each receive any and all interest they have in their own pension, retirement, social security or disability benefits; that the costs of this action are taxed against Petitioner; that each party sign any and all documents necessary to effectuate orders of the court within thirty (30) days of the judgment and decree of dissolution of marriage.

Judgment and Decree of Dissolution of Marriage entered this 11<sup>th</sup> day of January,  
2008.

  
Judge  
Pulaski County, Missouri

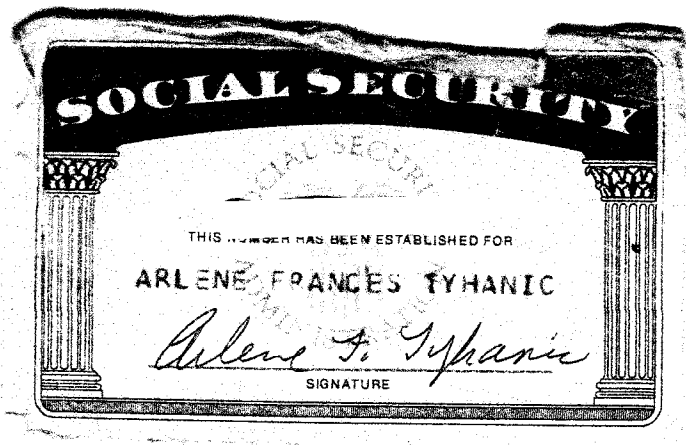
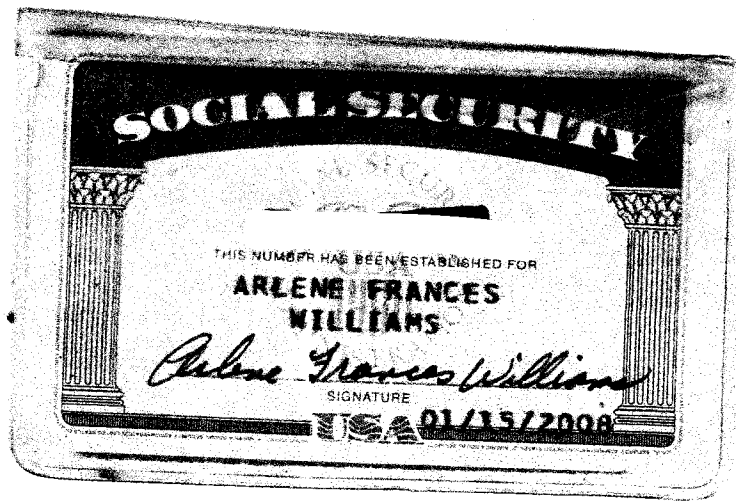
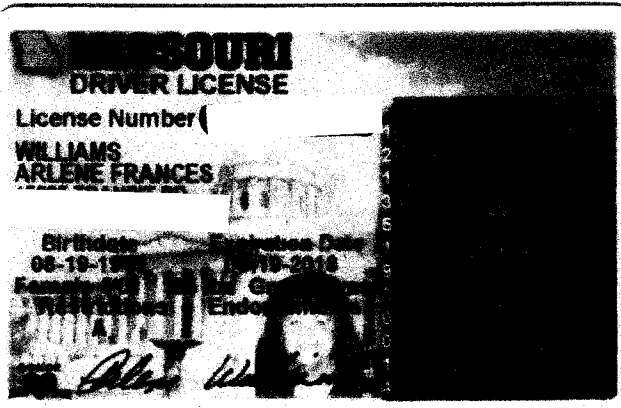
STATE OF MISSOURI    )  
                                  ) SS  
COUNTY OF PULASKI    )

I, Rachelle Beasley, Clerk of the Circuit Court for and within Pulaski County, Missouri, hereby certify that the above and foregoing is a true and correct copy of the Decree of Dissolution of Marriage rendered in the cause of ARLENE FRANCES TYHANIC, Petitioner vs. DANA FRANCES TYHANIC, Respondent, Case No.: 07PU-CV01802, as fully as the same appears on record and on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal of said office at my office in Waynesville, Pulaski County, Missouri on this 11<sup>th</sup> day of January, 2008.

Rachelle Beasley  
Circuit Clerk

BY: Shelley Comte  
Deputy Clerk





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