

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS DATE: 10/1/15

Departmental Concurrence

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

637A



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

**SUBMITTAL DATE:**  
**OCT 01 2015**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 197, Item 203. Last assessed to: Filemon A. Rosales, an unmarried man as his sole and separate property. District 4 [\$8,574]. Fund 65595 Excess Proceeds from Tax Sale.

**RECOMMENDED MOTION:** That the Board of Supervisors:  
 1. Approve the claim from Filemon Rosales, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 680475013-0;  
 (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 August 20, 2013 public auction sale. The deed conveying title to the purchasers at the auction was recorded October 2, 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 October 30, 2013 to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest.  
 (continued on page two)

*Don Kent*  
 Don Kent  
 Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 8,574	\$ 0	\$ 8,574	\$ 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	
				For Fiscal Year: 15/16	

**C.E.O. RECOMMENDATION:**  
 APPROVE  
 BY: *Samuel Wong 10/26/15*  
 Samuel Wong  
 County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione 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: November 3, 2015  
 xc: Treasurer

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

Prev. Agn. Ref.: District: 4 Agenda Number:

**9-23**

- A-30
- Positions Added
- 4/5 Vote
- Change 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. 197, Item 203. Last assessed to: Filemon A. Rosales, an unmarried man as his sole and separate property. District 4 [\$8,574]. Fund 65595 Excess Proceeds from Tax Sale.

**DATE:** OCT 01 2015

**PAGE:** Page 2 of 2

**RECOMMENDED MOTION:**

2. Authorize and direct the Auditor-Controller to issue a warrant to Filemon Rosales in the amount of \$8,574.19, 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 Filemon Rosales based on a Grant Deed recorded January 18, 2006 as Instrument No. 2006-0037883.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Filemon Rosales be awarded excess proceeds in the amount of \$8,574.19. 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):**

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

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

RECEIVED

2014 APR 14 PM 3:42

RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 197 Item 203 Assessment No.: 680475013-0

Assessee: ROSALES, FILEMON A

Situs:

Date Sold: August 20, 2013

Date Deed to Purchaser Recorded: October 2, 2013

Final Date to Submit Claim: October 2, 2014

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 24,600.00 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. 12013-04963 recorded on AUG 20 2013. 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.

COPY OF GRANT DEED

DIVORCE NOT JOINT TENANT

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 4 day of \_\_\_\_\_, 2014 at \_\_\_\_\_ County, State

Filemon Rosales  
Signature of Claimant

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

FILEMON ROSALES  
Print Name

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

85041 CAIRO AVE  
Street Address

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

COACHELLA CAL. 92236  
City, State, Zip

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

760-218-3311  
Phone Number

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

DOC # 2006-0037883

01/18/2006 08:00A Fee:10.00

Page 1 of 2

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO AND MAIL TAX STATEMENTS TO

NAME Mr. Filemon A. Rosales

ADDRESS 85041 Cairo St.

CITY

STATE & ZIP Coachella, CA 92236



M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
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GRANT DEED

TITLE ORDER NO.

ESCROW NO.

APN NO.

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$

CITY TAX \$

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 Coachella city, and

13

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

MARTINA AGUIRRE



hereby GRANT(S) to

FILEMON A. ROSALES, an unmarried man as his sole and separate property

the following described real property in the County of Riverside

State of California:

See attached for legal description which is made a part herein.

Dated January 13, 2006

Martina Aguirre  
Martina Aguirre

STATE OF CALIFORNIA }  
COUNTY OF Riverside } ss.

On Jan. 13, 2006 before me, Mary J. Burns, Notary Public  
(here insert name and title of the officer), personally appeared Martina Aguirre

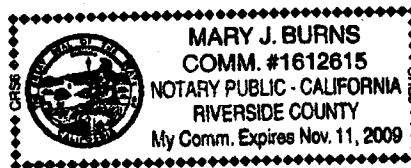
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the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

Mary J. Burns

DOCUMENT PROVIDED BY STEWART TITLE OF CALIFORNIA, INC.



Public Record

LEGAL DESCRIPTION

Parcel 1:

The North half of Lot No. 122 of Rancho Vista Estates, Unit No. 2 in the City of Cathedral City, in the said County, California, as shown by map on file in Book 22, page 39 of maps.

Parcel 2:

The South half of Lot 123 of Rancho Vista Estates No. 2, in the City of Cathedral City, Calif. as shown by map on file in Book 22 page 39 of maps, records of Riverside county, California.



2006-0037883  
01/18/2006 09:00A  
2 of 2

BENJAMIN U CARRANZA & MARICELA CARRANZA  
32255 AURORA VISTA RD.  
APT B  
CATHEDRAL CITY, CA 92234

DOC # 2013-0475318  
10/02/2013 11:52A Fee:28.00  
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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TRA 019-013

Doc. Trans. Tax - computed on full value of property conveyed \$ 27.50

Don Kent, Tax Collector

Signature of Declarant

28  
C  
026

### TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY

On which the legally levied taxes were a lien for Fiscal Year 2005-2006  
and for nonpayment were duly declared to be in default 2006-680475013-0000  
Default Number

This deed, between the Tax Collector of RIVERSIDE County ("SELLER") and BENJAMIN U CARRANZA & MARICELA CARRANZA, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHTS OF SURVIVORSHIP ("PURCHASER") conveys to the PURCHASER free of all encumbrances of any kind existing before the sale, except those referred to in §3712 of the Revenue and Taxation Code, to the real property described herein which the SELLER sold to the PURCHASER at a public auction held on AUGUST 20, 2013 pursuant to a statutory power of sale in accordance with the provisions of Division 1, Part 6, Chapter 7, Revenue and Taxation Code, for the sum of \$24,600.00.

NO TAXING AGENCY objected to the sale.

In accordance with law, the SELLER, hereby grants to the PURCHASER that real property situated in said county, State of California, last assessed to ROSALES, FILEMON A, described as follows:

Assessor's Parcel Number 680475013-0

IN THE CITY OF CATHEDRAL

SEE PAGE 2 ENTITLED "LEGAL DESCRIPTION"

State of California  
County of Riverside

Executed on  
AUGUST 20, 2013

By Don Kent  
Tax Collector

On September 27, 2013, before me, Larry W. Ward, Assessor, Clerk-Recorder, personally appeared Don Kent, Treasurer and Tax Collector for Riverside County, who 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 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.  
Larry W. Ward, Assessor, Clerk Recorder

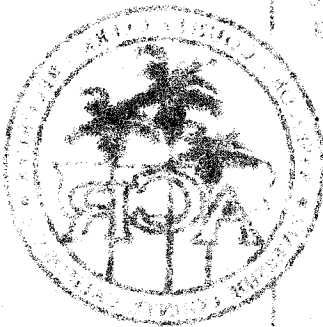
By: Sandy Terley Deputy Seal



LEGAL DESCRIPTION

THE SOUTH HALF OF LOT 123 OF RANCHO VISTA ESTATES NO. 2, IN THE CITY OF CATHEDRAL CITY, AS SHOWN BY MAP ON FILE IN BOOK 22, PAGE 39 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

680475013-0  
COPY



at the time of the recording of this instrument, the grantor was the legal owner of the property described herein and has the right to dispose of the same as he sees fit.

*[Signature]*

Witness my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

680475013-0  
COPY