

FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRIAMOS
DATE: 8/22/16

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

729
(2036)



**SUBMITTAL DATE:
AUG 22 2016**

FROM: Don Kent, Treasurer-Tax Collector

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 203, Item 524. Last assessed to: John Christopher Gonta, a married man as his sole and separate property. District 4 [\$68,821]. Fund 65595 Excess Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:


1. Approve the claim from John Christopher Gonta, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 642125008-6;
- (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 May 5, 2015 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 18, 2015. 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 22, 2015, 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	\$ 68,821	\$ 0	\$ 68,821	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale

Budget Adjustment: N/A

For Fiscal Year: 16/17

C.E.O. RECOMMENDATION:

APPROVE

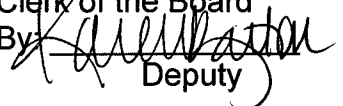
BY: 
Stephanie Pefsi

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Ashley 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: September 27, 2016
xc: Treasurer, Auditor

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

Prev. Agn. Ref.: | District: 4 | Agenda Number: **9-16**

- 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. 203, Item 524. Last assessed to: John Christopher Gonta, a married man as his sole and separate property. District 4 [\$68,821]. Fund 65595 Excess Proceeds from Tax Sale.

DATE: AUG 22 2016

PAGE: Page 2 of 2

RECOMMENDED MOTION:

2. Authorize and direct the Auditor-Controller to issue a warrant to John Christopher Gonta in the amount of \$68,821.16, 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 John Christopher Gonta based on a Grant Deed recorded February 29, 2012 as Instrument No. 2012-0090035.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that John Christopher Gonta be awarded excess proceeds in the amount of \$68,821.16. 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 is attached.

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

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 203 Item 524 Assessment No.: 642125008-6

Assessee: GONTA, JOHN CHRISTOPHER

Situs: 12960 AGUA CAYENDO RD DESERT HOT SPRINGS 92240

Date Sold: May 5, 2015

Date Deed to Purchaser Recorded: June 18, 2015

Final Date to Submit Claim: June 20, 2016

RECEIVED

2016 MAY -5 PM 3:04

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of ~~\$68,100.00~~ 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. 2012-0090035 recorded on 02/29/2012. 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.

Grant Deed Dated 02/29/2012 Doc # 2012-0090035
Divorce Judgment Dated 09/17/2014 STATE OF MICHIGAN

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 3rd day of MAY, 2016 at Monroe County, MI
County, State

[Signature]
Signature of Claimant

John Christopher Gonta
Print Name

105 E. Front #5
Street Address

Monroe MI 48161
City, State, Zip

134 625 7844
Phone Number

~~Signature of Claimant~~

~~Print Name~~

~~Street Address~~

~~City, State, Zip~~

~~Phone Number~~

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



**COUNTY OF RIVERSIDE
TREASURER-TAX COLLECTOR**

Palm Desert Office
38-686 El Cerrito Road
Palm Desert, CA 92211

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

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

July 22, 2015

GONTA, IRENE AKA GONTA, IRYNKA POPIEL
C/O POPIEL, JAMES
504 MANOR DR
PACIFICA, CA 94044

Re: EXCESS PROCEEDS FROM SALE OF TAX DEFAULTED PROPERTY

Assessment No.: 642125008-6 Item: 524
Situs Address: 12960 Agua Cayendo Rd Desert Hot Springs 92240
Assessee: Gonta, John Christopher
Date Sold: May 5, 2015
Date Deed to Purchaser Recorded: June 18, 2015
Final Date to Submit Claim: June 20, 2016

Dear Sir or Madame:

The property referenced above was declared subject to the Tax Collector's power of sale for non-payment of taxes and later sold. Parties of Interest, as defined in Section 4675 of the California Revenue and Taxation Code (e.g., the last assessee and any lienholders of record), have a right to file a claim for any excess proceeds that remain after the tax liens and the costs of the sale have been satisfied. Our records show that you may be a party of interest, and we are enclosing for your convenience a claim form and a return envelope. Please note that your claim must be filed within one year of the date the deed to the purchaser was recorded (shown above). By law, we cannot accept claims after one year from this recording date. Claims submitted will be evaluated by our legal counsel and awarded in accordance with state law. The submission of a claim merely initiates that review.

The enclosed form is relatively simple and we must stress that most applicants will be able to fill it out without help. However, if you need help, please feel free to contact our office by mail, telephone or in person and we will help you without charge. You may telephone us at (951) 955-3336.

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 Jennifer Pazicni
Deputy

RECORDING REQUESTED BY
 Newcomb Law Group
 43460 Ridge Park Dr., #200, Temecula, CA
 AND WHEN RECORDED MAIL DOCUMENT AND
 TAX STATEMENT TO:

NAME John C. Gonta

STREET ADDRESS 105 E Front Street, Suite 44

CITY, STATE & ZIP CODE
 Monroe, MI 48161

TITLE ORDER NO. N/A

ESCROW NO. N/A

DOC # 2012-0080035
 02/29/2012

Customer Copy Label

The paper to which this label is
 affixed has not been compared
 with the recorded document

Larry W Ward
 County of Riverside
 Assessor, County Clerk & Recorder

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
T:							CTY	UNI	

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED

TRA: _____

APN: 642-125-008-6

The undersigned grantor(s) declare(s) Inter-Vivos Gift, Exempt §11930

DOCUMENTARY TRANSFER TAX \$ 0

- computed on full value of property conveyed, or
- computed on full value less liens and encumbrances remaining at time of sale.
- Unincorporated Area City of _____

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, I (We) Irene E. Gonta, an unmarried woman

(NAME OF GRANTOR(S))

hereby remise, release and grant to John Christopher Gonta, a married man as his sole and separate property

(NAME OF GRANTEE(S))

the following described real property in the City of Desert Hot Springs, County of Riverside, State of California

(Insert Legal Description)
 LOT 205 OF DESERT HOT SPRINGS ANNEX UNIT NO. 2, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 27, PAGE 96, 97 AND 98 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. Property Street Address: 12850 Agua Cayendo, Desert Hot Springs, CA, 92240.

DATED: 2/14/2012

Irene E. Gonta
 IRENE E. GONTA

STATE OF CALIFORNIA
 COUNTY OF Sacramento

On February 14, 2012 before me, Janice C. Sangl, notary public personally appeared
(here insert name and title of the officer)

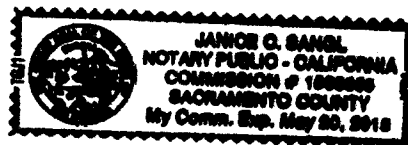
Irene E. Gonta

who 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.

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.

Signature Janice C. Sangl (SEAL)



MAIL TAX STATEMENT AS DIRECTED ABOVE



Department of Health
Herman Kiefer Health Complex
1151 Taylor
Detroit, Michigan 48208

Coleman A. Young, Mayor
City of Detroit

CERTIFICATE OF LIVE BIRTH

MICHIGAN DEPARTMENT OF HEALTH
Vital Records Section

Local File No. 2184

BIRTH No. 121-

If more than one child is born, separate entries must be made in order of birth.

1. DATE OF BIRTH a. (Month) Wayne b. (Day) Detroit		2. SEX OF BIRTH a. (Male) Male b. (Female) Female		3. RACE OF BIRTH a. (White) White b. (Black) Black c. (Hispanic) Hispanic d. (Other) Other	
4. CITY (If outside corporate limits, state COUNTY, and zip code)		5. STATE		6. COUNTY	
7. FULL NAME OF HOSPITAL OR INSTITUTION		8. ADDRESS		9. CITY AND STATE	
10. TYPE OF BIRTH a. (Normal) Normal b. (Cesarean) Cesarean c. (Stillborn) Stillborn		11. NAME OF FATHER		12. NAME OF MOTHER	
13. SEX OF CHILD		14. DATE OF BIRTH		15. TIME OF BIRTH	
16. NAME OF FATHER OF CHILD		17. NAME OF MOTHER		18. COLOR OF HAIR	
19. AGE (At time of this birth)		20. BIRTHPLACE (State or foreign country)		21. OCCUPATION	
22. FULL BIRTH NAME		23. BIRTHPLACE		24. COLOR OF HAIR	
25. AGE (At time of this birth)		26. BIRTHPLACE		27. OCCUPATION	
28. SIGNATURE OF CLERK		29. SIGNATURE OF REGISTRAR		30. DATE	

THIS CERTIFIES THAT THE ABOVE IS A TRUE COPY OF FACTS RECORDED ON THE RECORD OF THE PERSON NAMED HEREON, AS FILED AT THE DETROIT DEPARTMENT OF HEALTH.

JUL 13 1989

Gloria J. Harper
GLORIA J. HARPER
REGISTRAR, VITAL RECORDS
DETROIT DEPARTMENT OF HEALTH

COLEMAN A. YOUNG, MAYOR
CITY OF DETROIT

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF MONROE
FAMILY DIVISION

JOHN C. GONTA,

Plaintiff,

-vs-

CHARLOTTE M. GONTA,

Defendant.

FILE NO. 14-37288-DO

HON. MARK S. BRAUNLICH

DEFAULT JUDGMENT OF
DIVORCE

EDWARD F. SWINKEY, P28578
Churchill, Smith, Rice,
Swinkey & Kuhn, L.L.P.
Attorney for Plaintiff
9042 Lewis Ave., P.O. Box 490
Temperance, MI 48182
(734) 847-8080

CHARLOTTE M. GONTA
Defendant In Pro Per
1630 W. Lorain St., Apt. 202
Monroe, MI 48162

A TRUE COPY
Edward D. Swinkey
COUNTY CLERK

"At a session of said Court held in the Courthouse in the City of Monroe,
County of Monroe, on the 17 day of September, 2014."

PRESENT: HON. MARK S. BRAUNLICH, Circuit Judge, Family Division

WHEREAS, this matter having come upon the court's docket for the entry of a Default Judgment of Divorce, the Plaintiff and his counsel having been present in court and having held a hearing of all issues herein; with testimony having been presented establishing that there has been a breakdown of the marriage relationship to the extent that the objects of matrimony have been destroyed and there remains no reasonable likelihood that the marriage can be preserved, that the Defendant/wife is not now pregnant and there remains no minor child(ren) of the marriage.

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED as follows:

DIVORCE

IT IS HEREBY ORDERED AND ADJUDGED that the marriage between the parties shall be and the same is hereby dissolved, and a divorce from the bonds of matrimony between the parties is also ORDERED AND ADJUDGED.

IT IS FURTHER ORDERED AND ADJUDGED AS FOLLOWS:

SPOUSAL SUPPORT

IT IS FURTHER ORDERED AND ADJUDGED that neither party is entitled to alimony and that the same is hereby barred forever.

ATTORNEY FEES

IT IS FURTHER ORDERED AND ADJUDGED that each party shall be responsible for their own attorney fees.

INSURANCE

All rights of the Plaintiff in and to the proceeds of any policy or contract of life insurance, endowment or annuity upon the life of the Defendant in which Plaintiff was named or designated as beneficiary, or to which Plaintiff became entitled by assignment or change of beneficiary during the marriage or in anticipation thereof, whether such contract of policy was heretofore or shall hereafter be written or become effective, shall hereupon become and be payable to the estate of the Defendant or such named beneficiary as Defendant shall affirmatively designate.

All rights of the Defendant in and to the proceeds of any policy or contract of life insurance, endowment or annuity upon the life of the Plaintiff in which Defendant was named or designated as beneficiary, or to which Defendant became entitled by assignment or change of beneficiary during the marriage or in anticipation thereof, whether such contract of policy was heretofore or shall hereafter be written or become effective, shall hereupon become and be payable to the estate of the Plaintiff or such named beneficiary as Plaintiff shall affirmatively designate.

PROPERTY SETTLEMENT AND PROVISION IN LIEU OF DOWER

DOWER RELEASE:

The said Plaintiff shall pay to the said Defendant valuable consideration and that this provision made for said Defendant herein shall be in lieu of her dower in the lands of her husband and he shall hereafter hold his remaining lands free, clear, and discharged

from any such dower right or claim and said provision shall also be in full satisfaction of all claims that she may have in any lands which the said husband owns or may hereafter own, or in which he has or may hereafter have any interest.

PROPERTY:

All real and personal property of every kind and nature in the respective possession of each of the parties hereto shall be the sole and separate property of the possessor thereof, free and clear from any and all claims of the other. Each party shall assume any and all indebtedness on the items of property awarded to him or her and shall hold the other harmless from any liability thereof.

DEBTS:

Each party shall be fully and solely responsible for any and all indebtedness incurred by them individually and shall hold the other party harmless therefrom.

PENSION

IT IS FURTHER ORDERED AND ADJUDGED that each party hereto is hereby awarded the interest which he or she may hold in any annuity, IRA, 401(k), retirement benefit or accumulated contributions or contingent rights in any pension or retirement system or retirement benefits presently vested in their respective names, free and clear of any and all claims of the other party hereto.

**RELEASE OF ATTORNEYS AND ACKNOWLEDGMENT
RELATIVE TO NO TAX ADVICE**

IT IS FURTHER ORDERED AND ADJUDGED that the Law Firm of Churchill, Smith, Rice, Swinkey & Kuhn, LLP, and its associates, are hereby released as attorneys of record for Plaintiff and Defendant in post-judgment proceedings, unless specifically hereinafter retained by the client for such post-judgment action.

IT IS FURTHER ORDERED AND ADJUDGED that each party acknowledges by signing his/her name approving this Judgment that he/she has not received accounting or tax advice from the Law Firm of Churchill, Smith, Rice, Swinkey & Kuhn, LLP and its associates.

ATTORNEY - CLIENT CLAUSE

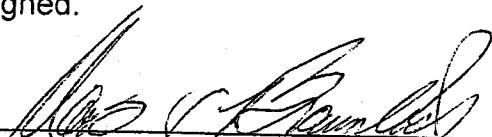
IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff and/or the Defendant, upon date of entry of this Judgment of Divorce, do hereby discharge their respective attorneys, and acknowledge that they are fully and completely satisfied with all legal services rendered by their respective attorneys concerning this matter, and Plaintiff and/or Defendant are satisfied that all fees and costs charged by their respective attorneys

were fair, just and reasonable.

MAILING OF COPIES OF ORDER

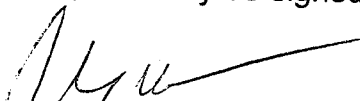
Immediately after the Court has signed the within Judgment, the person who prepared the Judgment shall file the original with the Monroe County Clerk and mail one copy each, via first class mail, to the Monroe County Friend of the Court, all other attorneys of record herein, and any party herein not represented by an attorney to that party's address as given above and also to the last address for that party on file in the Office of the Monroe County Friend of the Court. An Affidavit of such mailing shall immediately thereafter be filed herein. Each attorney of record herein, receiving a copy of the within Order, shall immediately mail a copy of said Order to his/her client.

Any party's signed and dated statement acknowledging receipt of a copy of this Order shall serve in place of mailing to that party, provided such statement is filed with the Clerk of this Court forthwith upon this Order being signed.




HON. MARK S. BRAUNLICH, P32926
Circuit Judge, Family Division
Presented for signature and signed
Sept. 17, 2014.


The foregoing Order is approved as to form and substance, and may be signed by the Court immediately.



JOHN C. GONTA
Plaintiff



EDWARD F. SWINKEY, P28578
Attorney for Plaintiff



Charlotte M. Gonta

PREPARED BY:
EDWARD F. SWINKEY, P28578
Churchill, Smith, Rice,
Swinkey & Kuhn, L.L.P.
Attorney for Plaintiff
9042 Lewis Avenue
P.O. Box 490
Temperance, MI 48182
(734) 847-8080

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

RECEIVED

To: Don Kent, Treasurer-Tax Collector

2015 SEP 21 AM 9: 20

Re: Claim for Excess Proceeds

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

TC 203 Item 480 Assessment No.: 611054007-0

Assessee: HARMON, STEPHEN M

Situs:

Date Sold: May 5, 2015

Date Deed to Purchaser Recorded: June 18, 2015

Final Date to Submit Claim: June 20, 2016

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 10,389.13 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. 2066-019972; recorded on 07-21-2006. 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.

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 28th day of July, 2015 at Outagamie County - Wisconsin
County, State

Stephen M. Harmon
Signature of Claimant

Signature of Claimant

Stephen M. Harmon
Print Name

Print Name

W 369 Garrity Road
Street Address

Street Address

Kaukauna, WI 54130
City, State, Zip

City, State, Zip

760-219-9693
Phone Number

Phone Number