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

2053

FROM: TREASURER-TAX COLLECTOR::

SUBMITTAL DATE: August 16, 2016

SUBJECT:

Recommendation for Distribution of Excess Proceeds for Tax Sale No. 203, Item

622. Last assessed to: Antonia Soto. District 4 [\$31,872]. Fund 65595 Excess

Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:

 Approve the claim from Norma Carrillo, heir to the Estate of Antonia Soto, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 768391005-5;

 Approve the claim from Gloria Duco, heir to the Estate of Antonia Soto, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 768391005-5;

3. Approve the claim from Lawrence Soto, heir to the Estate of Antonia Soto, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated

with parcel 768391005-5;

4. Authorize and direct the Auditor-Controller to issue warrants to Norma Carrillo, heir to the Estate of Antonia Soto in the amount of \$10,624.24, Gloria Duco, heir to the Estate of Antonia Soto in the amount of \$10,624.24 and Lawrence Soto, heir to the Estate of Antonia Soto in the amount of \$10,624.23, 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.

Don Kent, Treasurer-Tax Collector 10/14/2016

COCKOL OF TONDO	1 4114 65555	LAC	733 F	IOCEEUS IIOIII IAX	Sale	For Fiscal Year:	16/17
SOURCE OF FUNDS:	Fund 65595	Eve	see D	roceeds from Tay	مادی	Budget Adjustme	ent: No
NET COUNTY COST		\$	0	\$	0	\$0	\$ 0
COST	\$	31,	872	\$	0	\$ 31,872	\$ 0
FINANCIAL DATA	Current Fisc	al Year	:	Next Fiscal Yea	r:	Total Cost:	Ongoing Cost

C.E.O. RECOMMENDATION: APPROVE

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes:

Jeffries, Tavaglione, Washington and Ashley

Nays: Absent: None Benoit

Date:

November 1, 2016

XC:

Treasurer

9-17

Kecia Harper-Ihem

Clerk of the Board

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

Page 2 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.

The Treasurer-Tax Collector has received three claims for excess proceeds:

- Claim from Norma Carrillo, heir to the Estate of Antonia Soto based on a Joint Tenancy Grant Deed recorded June 7, 1957 as Instrument No. 41669, an Affidavit-Death of Joint Tenant recorded February 28, 1963 as Instrument No. 20451, an Affidavit for Collection of Personal Property Probate Code 13101 dated March 29, 2016 and the death certificate of Antonia Lopez Soto.
- Claim from Gloria Duco, heir to the Estate of Antonia Soto based on a Joint Tenancy Grant Deed recorded June 7, 1957 as Instrument No. 41669, an Affidavit-Death of Joint Tenant recorded February 28, 1963 as Instrument No. 20451, an Affidavit for Collection of Personal Property Probate Code 13101 dated April 2, 2016 and the death certificate of Antonia Lopez Soto
- Claim from Lawrence Soto, heir to the Estate of Antonia Soto based on a Joint Tenancy Grant Deed recorded June 7, 1957 as Instrument No. 41669, an affidavit-Death of Joint Tenant recorded February 28, 1963 as Instrument No. 20451, an Affidavit for Collection of Personal Property Probate Code 13101 dated April 2, 2016 and the death certificate of Antonia Lopez Soto.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Norma Carrillo, heir to the Estate of Antonia Soto be awarded excess proceeds in the amount of \$10,624.24, Gloria Duco, heir to the Estate of Antonia Soto be awarded excess proceeds in the amount of \$10,624.24 and Lawrence Soto, heir to the Estate of Antonia Soto be awarded excess proceeds in the amount of \$10,624.23. 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 Residents and Businesses

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

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Carrillo, Duco & Soto

RECEIVED CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY (SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS) 2016 APR 20 PM 3: 27 To: Don Kent, Treasurer-Tax Collector Re: Claim for Excess Proceeds TC 203 Item 622 Assessment No.: 768391005-5 Assessee: SOTO ANTONIA Situs: 52388 CALLE TECHA COACHELLA 92236 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 ,922.7/ from the sale of the above mentioned real property. I/We were the I lienholder(s), [X] 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 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. Attached please find our Affidavit for Collection of Personal Property and its accompanying exhibits. Our signatures are notarized therein. We are the decedent's natural children, Gloria Duco fka Gloria Soto, Lawrence Soto, and Norma Carrillo fka Norma Carrillo We all agree to an even apportionment of the excess proceeds. The funds may be distributed equally amongst us three. 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. Riverside . Grange, California County, State Please see attachments for 2 additional signatures. Signature of Claimant Signature of Claimant Gloria Duco **Print Name Print Name** 700 E. Lake Drive, Unit 126 Street Address Street Address Orange, CA 92866 City, State, Zip City, State, Zip 714/915-9256 Phone Number Phone Number

Please see attachments for 2 additional signatures.

Page _i_of_3

SCO 8-21 (1-99)

Attachment to Claim for Excess Proceeds from the Sale of Tax-Defaulted Property

Assessment No.: 768391005-5, Situs: 52388 Calle Techa, Coachella, CA 92236

I affirm under penalty of perjury that the foregoing is true and correct. Executed this 2nd day of March, 2016, at Riverside, Cation (County and State)

Signature of Claimant

Lawrence Soto

700 E. Lake Drive, Unite 126

Orange, CA 92866

Tel. 951/391-9892

Attachment to Claim for Excess Proceeds from the Sale of Tax-Defaulted Property

Assessment No.: 768391005-5, Situs: 52388 Calle Techa, Coachella, CA 92236

I affirm under penalty of perjury that the foregoing is true and correct.

Executed this <u>39</u> day of March, 2016, at <u>Armes buntly twas</u> (County and State)

Norma Carrillo

516 Laredo Street, Apt. C-3

Navasota, TX 77868

Tel. 936/419-6361

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



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

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

July 22, 2015

ANTONIA SOTO C/O MARSH, MOORE & COLOGNE, ATTORNEYS AT LAW P.O. BOX 1945 INDIO, CA 92202-1945

Re: EXCESS PROCEEDS FROM SALE OF TAX DEFAULTED PROPERTY

Assessment No.: 768391005-5

Item: 622

Situs Address: 52388 Calle Techa Coachella 92236

Assessee: Sota, Antonia 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,

Bv

DON KENT TREASURER-TAX COLLECTOR

Jennifer Pazient
Deputy

117-170(Rev. 5-03)

Joint Tenancy Grant Deed

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Attorneys at Law
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Maps of Riverside County, California SUBSCRIBED AND SWORN TO L CERTIFIED COPY DEATH ATTACHED (Notary algusture Bue)

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[See 805 - Correspond Code 1999)
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The undersigned certifies pursuant to Section	a 14307 of the Revenue and Texation Code that the lien	-1
imposed by the Inheritance Tax Laws of a described heretofore held by said decedent ar	at 14907 of the Revenue and Taxation Code that the lien the State of California on the real property bereinsforr ad	
Antonia Soto	as louis tenants, by	
that certain deed dated the 21st day of Ma	1957, and recorded the 7th day	
of June , 157 , in Box	ok 2100 , at page 235 of the Official Records	
of Riverside County, St	ate of California, and which said lien arose by virtue of	
the death of said decedent and the survivorsh as such joint tenant has been released.	ip of the mid Antonia Soto	-
Said real property is situate in the County of described as set forth in the deed hereinshow	Biverside , State of Celifornia, and is	
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Dated this 20th day of December	, 19.52	
STATE OF CALIFORNIA	Millian Go El	
County or Los Angeles	Inhericance Tax Appraises of Autorney	
On the 20th day of December		
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whose name is subscribed to the within instrument, and echnowledged to me that he executed the same		
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NELLIE M. SWART		
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AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY

L	VALUE AND COLLEGION OF PERSONAL PROPERTY
Th	ne undersigned state(s) as follows:
1.	Antonia Soto died 12/15/1970
	(DECEDENT) Please see Death Certificate attached hereto as Exhibit A DEATH)
	in the County of Riverside, State of California;
2.	At least 40 days have elapsed since the death of the decedent, as shown by the attached certified copy of the decedent's death certificate;
3.	No proceeding is now being or has been conducted in the State of California for administration of the decedent's estate;
4.	The current gross fair market value of the decedent's real and personal property in California, excluding the property described in section 13050 of the California Probate Code, does not exceed \$150,000.00;
5.	The following property is to be paid, transferred or delivered to the undersigned under the provisions of California Probate Code Section 13100 (please describe the property in below space):
	Excess proceeds from the sale of the following property: TC 203, Item 622, Assessment No.: 768391005-5, Situs:
	52388 Calle Techa, Coachella, California 92236, Date sold; May 5, 2015
6,	The successor(s) of the decedent, as defined in California Probate Code Section 13006, is/are:
	Gloria Duco fka Gloria Soto, Lawrence Soto, Norma Carrillo fka Norma Soto
	Please see Birth Certificates attached hereto as Exhibit B
7.	The undersigned (please check which box(s) applies):
	 Is successor(s) of the decedent to the decedent's interest in the described property, or Is authorized under California Probate Code Section 13051 to act on behalf of the successor(s) of the decedent with respect to the decedent's interest in the described property;
8.	No other person has a superior right to the interest of the decedent in the described property;
9.	The undersigned request that the described property be paid, delivered or transferred to the undersigned.
	Ve declare under penalty of perjury under the laws of the State of California that the foregoing is true and rrect.
A AI	2/ Sept 2.2016
	(DATE)
Glo	TIB DUCO (TYPE OR PRINT NAME OF PARTY MAKING DECLARATION) (SIGNATURE)
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	Cidenthus andieved on Attachment HIR

Signatures continued on Attachment "1

Page 1 of 2
Probate Code§§ 13100 - 13116
riverside.courts.ca.gov/local/ms/local/ms/actal/ms/ Page _/ of _//_

	NC-028
SHORT TITLE: Affidavit for Collection of Personal Property, Decedent	CASE NUMBER:
- Antonia Soto	Assessment No.: 768391005-5

ATTACHMENT (Number):]

(This Attachment may be used with any Judicial Council form.)

We declare under penalty of perjury under the laws of the State of California that the statements contained in the attached Affidavit for Collection of Personal Property re Decedent Antonia Soto are true and correct.

Lawrence Soto Law Dence Solo (Type or Print Name of Party Making Declaration)

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

(Add pages as required)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

Personally appeared Norma Carrillo
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 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 (Seal) LEE ANN EAVES Notary Public STATE OF TEXAS My Comm. Exp. 08-01-2018

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

Personally appeared Gloria Duco
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 he 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 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. P. CASTRO COMM. #2029075 Notary Public · California Riverside County My Comm. Expires June 15, 2017
Signature Pastuo (Seal)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

Personally appeared	Soto
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I certify under PENALTY OF PERJURY under to paragraph is true and correct.	the laws of the State of California that the foregoing
WITNESS my hand and official seal.	P. CASTRO COMM. #2029075 Notary Public · California G Riverside County My Comm. Expires June 15, 2017
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COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

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CERTIFIED COPY OF VITAL RECORD 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.

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STATE OF CALIFORNIA

COUNTY OF FRESNO

Dated 4/1/92

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Book 11 Page 20

William C. Greenwood, County Recorder, By Deputy R. Kodning III.

COUNTY OF RIVERSIDE. RIVERSIDE, CALIFORNIA

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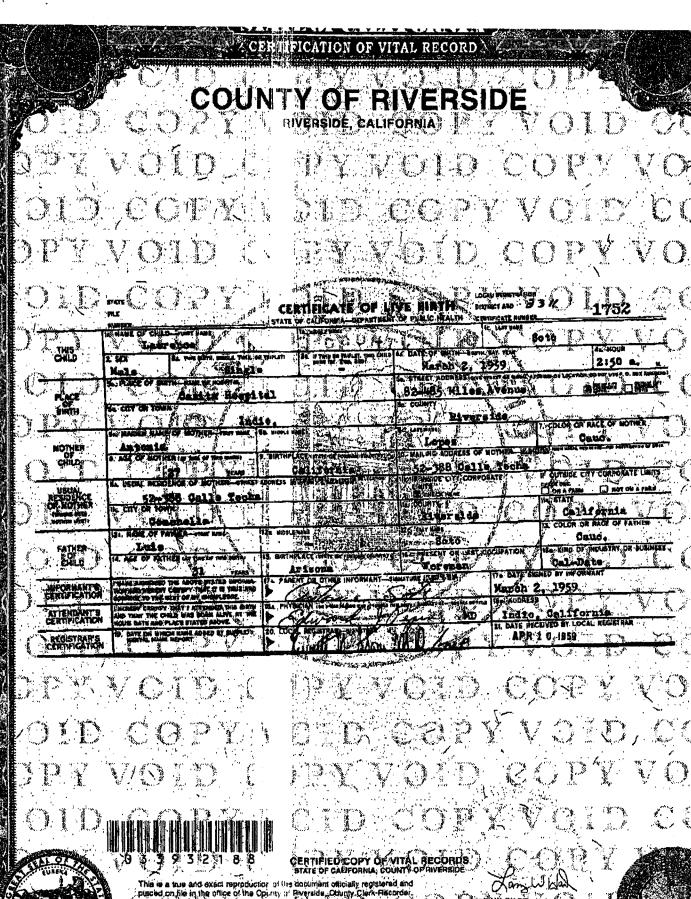


ORANGE COUNTY, CALIFORNIA ORANGE COUNTY, CALIFORNIA SHIRLEY B. PARRAGUIRRE, COUNTY CLERK , Revada, join in lawin Medlock No. D 351348 Ohis is to Certify that the undersigned did on the Boung of Canterhury Medding Ohmer Jas Beyns Clark County, Revada FÉ **₽**€ with their mutual consent, in the presence of Type or Fritt Difficial's Nature & Three Les Vegas, Nv. 89108 PIERRE H. DUCO GLORIA SOTO Type or Print Address of Official Type or Print City, State, Zip A

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August 31, 2016

Gloria Duco 700 E. Lake Drive, Unit 126 Orange, CA 92866

Re:

APN: 768391005-5

TC 203 Item 622

Date of Sale: May 5, 2015

To Whom It May Concern:

This office is in receipt of your claim for excess proceeds from the above-mentioned tax sale. The documentation you have provided is insufficient to establish your claim.

Please submit the necessary proof to establish your right to claim the excess proceeds. The document(s) listed below may assist the Tax Collector in making the determination.

Notarized Affidavit for Collection of Personal Property under California Probate Code 13100 Notarized Statement of different/misspelled Notarized Statement Giving Authorization to claim on behalf of Certified Death Certificate for Copy of Birth Certificates for	Copy of Marriage Certificate for Glorian Duco Original Note/Payment Book Updated Statement of Monies Owed (as of date of tax sale) Articles of Incorporation (if applicable Statement by Domestic Stock) Court Order Appointing Administrator Deed (Quitclaim/Grant etc)
	Other -

Please send in all documents within 30 days (October 3, 2016). If you should have any questions, please contact me at the number listed below.

Sincerely,

Jennifer Pazicni

Tax Sale Operations Unit

(951) 955-3336

(951) 955-3990 Fax

jpazicni@RivCoTTC.org