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



2531

FROM: TREASURER-TAX COLLECTOR::

SUBMITTAL DATE: September 28, 2016

SUBJECT: Recommendation f

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

634. Last assessed to: Kathie A. Byron, Executrix of the Estate of W.R. Byron.

District 4 [\$19,842]. Fund 65595 Excess Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Kathie A. Byron, Executrix of the Estate of W.R. Byron, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 821190021-8;

2. Authorize and direct the Auditor-Controller to issue a warrant to Kathie A. Byron, Executrix of the Estate of W.R. Byron in the amount of \$19,842.25, 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.

Policy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost	
COST	\$ 19,842	\$0	\$ 19,842	\$0	
NET COUNTY COST	\$0	\$0	\$0	\$0	
SOURCE OF FUNDS:	Fund 65595 Excess Pro	Budget Adjus	stment: No		
	. and 00000 Ex00005 [10	For Fiscal Ye	ar: 16/17		

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

9-19

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 one claim for excess proceeds:

 Claim from Kathie A. Byron, Executrix of the Estate of W.R. Byron based on a Trustee's Deed Upon Sale recorded February 8, 2012 as Instrument No. 2012-0057893.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Kathie A. Byron, Executrix of the Estate of W.R. Byron be awarded excess proceeds in the amount of \$19,842.25. 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 Residents and Businesses

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

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Byron

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

To: Don Kent, Treasurer-Tax Collector	RECEIVED
Re: Claim for Excess Proceeds	2015 AUG -3 PM 2: 56
TC 203 Item 634 Assessment No.: 821190021-8	RIVERSIDE COUNTY
Assessee: BYRON, KATHIE A EXR	TREAS-TAX COLLECTOR
Situs:	
Date Sold: May 5, 2015	
Date Deed to Purchaser Recorded: June 18, 2015	
Final Date to Submit Claim: June 20, 2016	
Herolder of populities (140, 20 Sept 1 1/2) of the telephone	ne of the sale of the property as is evidenced by Riverside County on Object A copy of this document is attached hereto. Need assignment of interest. I/We have listed below and attached in submitted.
claimant may only receive his or her respective portion of I/We affirm under penalty of perjury that the foregoing is Executed this	of at Riverside, CA. County, State
Signature of Claimant	Signature of Claimant
Print Name 1858 Blythe Way Street Address Blythe, CA, 90005 City, State, Zip	Print Name
Street Address	Street Address
• • • • • • • • • • • • • • • • • • • •	City, State, Zip
160-912-987- 1760-321-85-94) Phone Number	Phone Number SCO 8-21 (1-99)

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Kathie A Byron 18581 Blythe Way Blythe, Ca 92225

DOC # 2012-0057893 02/08/2012 11:03A Fee:34.00

Page 1 of 4 Recorded in Official Records County of Riverside Larry W. Ward sor, County Clerk & Recorder



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APNs: 821-190-021-8; 821-210-012-1 & 821-210-008-8

TRUSTEE'S DEED UPON SALE_

808

The Undersigned grantor declares:

1) The Grantee herein was the foreclosing beneficiary

3)

The amount paid by the Grantee at the trustee's sale was(Credit Bid)......\$ 386,759.77

The Documentary transfer tax is NONE. (Credit Bid).....\$ -0-

and Donald McKay, Attorney at Law (herein called Trustee), as the duly appointed Trustee under the Deed of Trust hereinafter described, does hereby grant and convey, but without covenant or warranty, express or implied to

Kathie A Byron, Executrix of the Estate of W. R. Byron

(herein called Grantee), all of the right, title and interest in and to that certain property situated in the County of Riverside, State of California, described as follows:

LEGAL DESCRIPTION ATTACHED AS Exhibit "A" and made a part hereof.

RECITALS:

This conveyance is made pursuant to the powers conferred on the Trustee by that certain deed of trust dated January 10, 2006 and executed by MIKE KLOF, a married man as his sole and separate property, as Trustor, and recorded on January 20, 206 as Document No 2006-0046270 in the official records of Riverside County, California, and after fulfillment of the conditions specified in said deed of trust authorizing this conveyance.

Default occurred as set forth in the Notice of Default and Election to Sell which was recorded in the Office of the Recorder of said County and such default existed at the time of sale.

All requirements of law regarding the mailing of copies of notices or the publication of a copy of the Notice of Default or the personal delivery of the copy of the Notice of Default and the posting and publication of the Notice of Sale have been complied with

Trustee, in compliance with said Notice of Trustee Sale and in exercise of the powers under said deed of trust, sold the herein described property at public auction on February 2, 2012. Grantee being the highest bidder at such sale, became the purchaser of said property for the amount of bid being \$1.00 in lawful money of the United States or by credit bid if the Grantee was the beneficiary of said deed of trust at the time of said Trustee's Sale.

Dated: Feb 3, 2012

Donald McKay, Trustee

STATE OF CALIFORNIA) so COUNTY OF RIVERSIDE)

On Public in and for said County and State, personally appeared Donald McKay 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 or she executed the same in his or her authorized capacity and that by his or her 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.

Notary's Signature

MARIA ALMARZA

Commission # 1902632

Notary Public - California

Riverside County

My Comm. Expires Sep 3, 2014

EXHIBIT A LEGAL DESCRIPTIONS REAL PROPERTY

Parcel 1:

Approximately 39.94 acres more or less located in Blythe, California and more particularly described as follows:

The East half of the East half of the Southeast quarter of Fractional Section 2, Township 6 South, Range 22 East, San Bernardino Base and Meridian, as shown by United States Governmental Survey.

Excepting therefrom that certain well site located as follows:

Commencing at the Southeast Corner of Fractional Section 2, Township 6 South, Range 22 East, San Bernardino Base & Meridian, according to the official plat thereof, thence North along the East line of said section, 522 feet, thence West and parallel to the North line of said Section, 100 feet to the point of beginning, thence North and parallel to the East line of said section, 50 feet, thence West and parallel to the North line of said section, 50 feet, thence South and parallel to the East line of said section, 50 feet, thence East and parallel to the North line of said section, 50 feet, thence East and parallel to the North line of said section, 50 feet to the true point of beginning.

Said Parcel is APN: 821-190-021-8

Parcel 2:

The East 250 feet of the South 100 feet of the Southwest quarter of the Southwest quarter of Section 1, Township 6 South, Range 22 East.

Commencing at the Southeast corner of the Southwest quarter of the Southwest quarter of Fractional Section 1, Township 6 South, Range 22 East, San Bernardino Meridian, according to the Official plat thereof, thence North and parallel to the West line of said section, 100 feet, thence West and parallel to the South line of thence West and parallel to the South line of said section, 250 feet, thence South and parallel to the West line of said section, 100 feet, thence East along the South line of said section, 250 feet to the true point of beginning.

Said land is also situated in the unincorporated area of Riverside County, California and in the Palo Verde Irrigation District.

Said Parcel is APN: 821-210-012-1

Parcel 3:

Approximately 75.74 acres more or less located in Blythe, California and more particularly described as follows:

The West 1/2 of the Southwest 1/4 of Fractional Section 1, Township 6 South, Range 22 East, San Bernardino Base and Meridian.

Excepting therefrom the Southerly 100 feet thereof.

Said Parcel is APN: 821-210-008-8

2012-8057893 92/99/2012 11:63A 4 of 4

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COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

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CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA COUNTY OF RIVERSIDE

DATE ISSUED ___

SS

This is a true and exact reproduction of the document off cially registered and placed on file in the office of County of Riverside, Department of Health.

03/30/1998

Hay Feldman MD.

Paul D. Trujillo, Deputy-Coroner

Gzzy Földman M.D. Local Registrar RIVERSIDE COUNSY, CALIFORNIA REGISTRAR

VITAL
STATISTICS

This copy not valid unless propored on engraved border pisplaying scal and signature of Registrar



795954 AZZATELA

REQUESTED BY AND MAIL TO: TREASURER-TAX COLLECTOR STOP 1119 DON KENT TAX COLLECTOR RIVERSIDE, CAUFORNIA 92501 4000 LEMON ST-4TH FLOOR

C/O ANDRE DELOJE 2118 WILSHIRE BLVD #1142 8ANTA MONICA, CA 8D403

# 2015-0259704

60/10/2016 12:28 PM Fue: \$ 25.00

Page 1 of 2

recorded in Official Records
when Admirs
section County Clark-Records
second-County Clark-Records

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Doc. Trans. Tex - computed on full value of property conveyed \$ ____ TRA 003-090

Con Kept, Text Collector

55.55

# TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY

On which the legally levied taxes were a lien for Flecal Year and for nonpayment were duly declared to be in default. 2008-821190021-0000

This dised, between the Tax Oblector of RIYERSIDE County ("SELLER") and ADAD, LLQ ("PURCHASER") conveys to the PURCHASER free of all encumbrances of any kind existing before the sale, except those referred to in §3712 of the Revenus and Taxation Code, to the real property described therein which the SELLER sold to the PURCHASER at a public auction held on MAY 5, 2015 pursuant to a statutory power of sale in accordance with the provisions of Division 1, Part 8, Chapter 7. Revenue and Taxation Code, for the sum of \$50,100,00.

NO TAXING AGENCY objected to the sele.

California, lest seessed to EYRON KATHE A EXR, described as follows: in socordance with law, the SELLER, hereby grants to the PURCHASER that read property situated in said county, State of

Assessor's Parcel Number 821190021-8

MINE SOLICIES SERVICE

SEE PAGE 2 ENTITLED "LEGAL DESCRIPTION"

sourcent to which this certificate is attached, and not the A notary public or other officer completing this cardinate vertiles only the identity of the individual who signed the

State of California

Executed on MAY 8, 2018

On <u>Mary 26, 2015</u>, before me, Peter Adiens, Assessor, Clark-Recovier, personally appeared Don Kent, Treasmer and Tax Collector for Riversida County, who proved to me on the basis of satisfactory exidence to be the person whose name is exhausted to the within instrument and authorized person whose in the satisfactory exidence to be the satisfactory and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. County of Riverside Q) 

loodly under PENALTY OF PERJURY under the laws of the State of Coeffornia that the foregoing paragraph is true and correct

WITNESS my hand and official abel.

Pater Atlana, Assessor, Clerk Recorder

Sam

953709 & 3904 R&T Code



TOL 8-18 (\$-87)

Page 2

B21190021-8

# EGAL DESCRIPTION

THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF FRACTIONAL SECTION 2, TOWNSHIP 8 SOUTH, RANDE 22 EAST, SAN BERNARDINO BASE AND MERIDIAN, AS SHOWN BY UNITED STATES GOVERNMENTAL SURVEY.

BERNADINO BASE AND MERIDIAN;

THENCE NORTH ALONG THE SAST LINE OF SAID SECTION, \$22 FEET, THENCE WEST AND PARALLEL TO THE NORTH LINE OF SAID SECTION, 400 FRET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH AND PARALLEL TO THE CAST LINE OF SAID SECTION, 50 FEET,

THENCE WEST AND PARALLEL TO THE NORTH LINE OF SAID SECTION, 50 FEET,

THENCE SOUTH AND PARALLEL TO THE AUST LINE OF SAID SECTION, 50 FEET,

THENCE SOUTH AND PARALLEL TO THE AUST LINE OF SAID SECTION, 50 FEET,

THENCE SOUTH AND PARALLEL TO THE NORTH LINE OF SAID SECTION, 50 FEET, TO THE TRUE POINT OF BEGINNING. EXCEPTING THEREFROM THAT CERTAIN WELL SITE DESCRIBED AS FOLLOWS: CONMENCING AT THE SOUTHEAST CORNER OF FRACTIONAL SECTION 2, TOWNSHIP 8 SOUTH, RANGE 22 EAST, SAN