

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



**ITEM: 19.4  
(ID # 22782)**

**MEETING DATE:**  
Tuesday, May 21, 2024

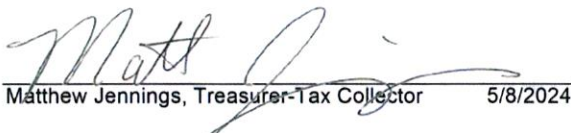
**FROM :** TREASURER-TAX COLLECTOR:

**SUBJECT:** TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 214, Item 753. Last assessed to: Glen Eddie Kelley. District 4. [\$2,220-Fund 65595 Excess Proceeds from Tax Sale]

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

1. Approve the claim from Home & Business Tax Refund, Agent for Glenn Eddie Kelley AKA Glen Eddie Kelley, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcel 723053010-7;
2. Deny the claim from Benjamin Kelley for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcel 723053010-7; and
3. Authorize and direct the Auditor-Controller to issue a warrant to Home & Business Tax Refund, Agent for Glenn Eddie Kelley AKA Glen Eddie Kelley in the amount of \$2,220.64, 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.

**ACTION:Policy**

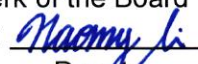
  
Matthew Jennings, Treasurer-Tax Collector 5/8/2024

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Spiegel, Washington and Perez  
Nays: None  
Absent: Gutierrez  
Date: May 21, 2024  
xc: Tax Collector

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 2,220	\$ 0	\$ 2,220	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale.</b>			<b>Budget Adjustment:</b>	N/A
			<b>For Fiscal Year:</b>	23/24

**C.E.O. RECOMMENDATION:** Approve

**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 June 4, 2019 public auction tax sale. The deed conveying title to the purchasers at the auction was recorded August 13, 2019. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on August 27, 2019, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of Parties of Interest Reports, Assessor's and Recorder's records, as well as other, various research methods used to obtain current mailing addresses for these parties of interest.

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

1. Claim from Home & Business Tax Refund, Agent for Glenn Eddie Kelley AKA Glen Eddie Kelley based on an Authorization for Agent to Collect Property Tax Refund notarized August 12, 2020 and an Order on Amended and Second Final Account, Report, Petition for Final Distribution, For Allowance of Statutory Attorney's Fees and Executor's Commissions and Amendment Thereto recorded May 29, 2002 as Instrument No. 2002-287850.
2. Claim from Benjamin Kelley based on an Order on Amended and Second Final Account, Report, Petition for Final Distribution, For Allowance of Statutory Attorney's Fees and Executor's Commissions and Amendment Thereto recorded May 29, 2002 as Instrument No. 2002-287850.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Home & Business Tax Refund, Agent for Glenn Eddie Kelley AKA Glen Eddie Kelley be awarded excess proceeds in the amount of \$2,220.64. The claim from Benjamin Kelley be denied since he was not a titleholder and therefore, not a party of interest at the time of the sale. 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.

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

**Impact on Residents and Businesses**

Excess proceeds will be released to the last assessee of the property.

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

**ATTACHMENT A. Claim Home**

**ATTACHMENT B. Claim Kelley**

  
Cesar Bernal, PRINCIPAL MGMT ANALYST 5/10/2024

  
Aaron Gettis, Chief of Deputy County Counsel 4/14/2024

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 214 Item 753 Assessment Number: 723053010-7

Assessee: KELLEY, GLEN EDDIE

Situs:

Date Sold: June 4, 2019

Date Deed to Purchaser Recorded: August 13, 2019

Final Date to Submit Claim: August 13, 2020

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 2,220.64 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 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 11<sup>th</sup> day of August, 2020 at San Bernardino California  
County, State

  
Signature of Claimant

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

Angel Rioslaban  
Print Name

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

10799 Pepper St  
Street Address

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

Adelanto CA 92301  
City, State, Zip

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

760-486-7852  
Phone Number

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

excessrecovery@yahoo.com  
Email Address

\_\_\_\_\_  
Email Address

excessrecovery@yahoo.com

RECEIVED  
2020 AUG 19 PM 5:04  
RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR  
POST MARKED TIMELY

AUTHORIZATION FOR AGENT TO COLLECT PROPERTY TAX REFUND

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor's claim as the rightful claimant must be provided at the time this document is filed with the Treasurer-Tax Collector.

As the rightful claimant, I, the undersigned, do hereby make Home & Business Tax Refund my agent to apply for and collect the property tax refund which you are holding and to which I am entitled. I understand that I AM NOT SELLING MY RIGHT TO THE REFUND, but merely naming an agent for collection purposes for my convenience.

I also understand that the total of the property tax refund available is \$ 2,220.64 and that I have a right to file a claim for this refund on my own, without the help of an agent. For valuable consideration received my agent is appointed to act on my behalf.

Eddie  
(Signature of Rightful Claimant)

GLENN EDDIE KELLEY  
(Name Printed)

20428 CURREN PL.  
(Address)

STATE OF CALIFORNIA Washington )ss.  
COUNTY OF Skagit

MOUNT VERNON WA 98274  
(City/State/Zip)

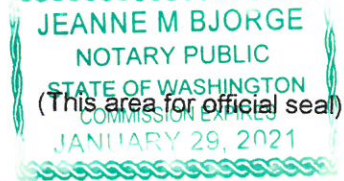
360 708-8311  
(Area Code/Telephone Number)

On Aug 10, 2020, before me, Jeanne M Bjarge, personally appeared Glenn Kelley, 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 forgoing paragraph is true and correct.

WITNESS my hand and official seal.

Jeanne M Bjarge  
(Signature of Notary)



I, the undersigned, certify under penalty of perjury that I have disclosed to the rightful claimant, the full amount of property tax refund available and ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN, WITHOUT THE HELP OF AN AGENT.

Angel M. Riosoboy  
(Signature of Agent)

Angel M. Riosoboy  
(Name Printed)

10799 Pepper St  
(Address)

STATE OF CALIFORNIA )ss.  
COUNTY OF \_\_\_\_\_

Del Norte CA 92301  
(City/State/Zip)

On \_\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, 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.

WITNESS my hand and official seal.

\_\_\_\_\_  
(Signature of Notary)

See Attached Notarial Certificate (This area for official 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.

State of California  
County of SAN BERNARDINO

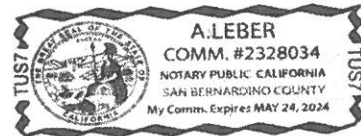
On August 12 2020 before me, A. LEBER, NOTARY PUBLIC  
(insert name and title of the officer)

personally appeared Angel M. Rios Labay  
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  (Seal)



PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

DILL AND SHOWLER

AND WHEN RECORDED MAIL TO:

SCOTT SHOWLER, ESQ.

DILL AND SHOWLER

411 Brookside Avenue

Redlands, CA 92373

Attn: #3040.3

DOC # 2002-287850<sup>4</sup>

05/28/2002 08:00A Fee:48.00

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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ORDER ON AMENDED AND SECOND FINAL ACCOUNT, REPORT, PETITION FOR FINAL DISTRIBUTION, FOR ALLOWANCE OF STATUTORY ATTORNEY'S FEES AND EXECUTOR'S COMMISSIONS AND AMENDMENT THERETO (Probate Code Sections 10800 et seq., 10900 et seq.)

Title of Document

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THIS AREA FOR

RECORDER'S

USE ONLY

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3.00 Additional Recording Fee Applies)

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1 SCOTT SHOWLER, ESQ. - SBN 051570  
DILL AND SHOWLER  
2 Attorneys at Law  
411 Brookside Avenue  
3 Redlands, California 92373  
Telephone: (909) 793-2377  
4  
5 Attorneys for Petitioner,  
Glenn H. Choate

FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

APR 03 2002

L. HOOGENDYK

JAF  
APR 03 2002  
PG

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8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 DESERT JUDICIAL DISTRICT  
10 IN AND FOR THE COUNTY OF RIVERSIDE

11 ESTATE OF: ) Case No. INP015954  
12 NANA DELL KELLEY aka )  
NANA KELLEY, ) ORDER ON AMENDED AND SECOND  
13 Decedent. ) FINAL ACCOUNT, REPORT,  
14 ) PETITION FOR FINAL  
15 ) DISTRIBUTION, FOR ALLOWANCE  
16 ) OF STATUTORY ATTORNEY'S FEES  
AND EXECUTOR'S COMMISSIONS  
17 ) AND AMENDMENT THERETO  
(Probate Code §10800 et  
18 ) (seq., §10900 et seq.)  
Date: February 27, 2002  
Time: 8:30 a.m.  
Dept: 202

19 Petitioner, Glenn H. Choate, executor of the will of Nana Dell  
20 Kelley, deceased, having heretofore submitted his Amended and  
21 Second Final Account, Report, Petition for Final Distribution, For  
22 Allowance of Statutory Attorney's Fees, and Executor's Commissions,  
23 and Amendment to Amended Second and Final Account, etc., and the  
24 matter coming on regularly for hearing, the court finds:  
25 1. Due and proper notice of the hearing on the petition has  
26 been given as required by law.  
27 2. The allegations of the petition are true and all acts and  
28 transactions of the executor of the will of Nana Dell Kelley,

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1 deceased, during the period of the report are approved.

2 3. Nana Dell Kelley aka Nana Kelley died testate on March 17,  
3 1998 at Palm Desert, County of Riverside, State of California,  
4 being at the time of her death, a resident of the City of Palm  
5 Desert, County of Riverside.

6 4. Glenn H. Choate was appointed executor of the Will of Nana  
7 Kelley and Letters Testamentary were issued on May 26, 1998 with  
8 full authority to administer the estate under the Independent  
9 Administration of Estates Act. The executor has at all times  
10 performed the duties of executor for decedent's Will and his  
11 authority under the act has not been revoked.

12 5. Notice of Petition to Administer the estate of Nana Kelley  
13 was published on May 1, 2, and 8, all in the year 1998, and an  
14 affidavit showing such publication was filed with the above-  
15 entitled court on May 14, 1998.

16 6. No independent action has been taken by the Petitioner  
17 during this accounting period.

18 7. No creditors claims have been filed and the time for  
19 filing such claims has expired.

20 8. Notice to the Director of Health Services was given and  
21 the Director's notice stating they will not file a claim was filed  
22 with this court on July 16, 1998.

23 9. All debts of the decedent and of the estate and all  
24 expenses of administration have been paid except the remaining  
25 statutory attorney fees and the executor's commission for services  
26 rendered, the sum of \$4,701.41 due the Estate of Nana Dell Kelley  
27 from the A. Glen Kelley Estate to equalize for payments on the  
28 Miller note received by the A. Glen Kelley Estate, and the sum of

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1 \$17,934.67 due the Estate of A. Glen Kelley from this estate to  
2 equalize for payments on the Berry note received by this estate.

3       These two notes were secured by deeds of trust in which  
4 decedent held a 50% community property interest and her predeceased  
5 husband, A. Glen Kelley, held a 50% community property interest.  
6 A majority of the payments on the Miller note were made to the  
7 personal representative of the Estate of A. Glen Kelley and  
8 payments on the Berry note were made to Petitioner as Executor of  
9 the Estate of Nana Dell Kelley. Accordingly, Petitioner, as  
10 Executor of the Estate of Nana Dell Kelley, is holding funds for  
11 the benefit of the Estate of A. Glen Kelley, and Gayle Marie Davis,  
12 as Administrator CTA of the Estate of A. Glen Kelley, is holding  
13 funds for the benefit of the Estate of Nana Dell Kelley.

14       The estate is solvent and is ready to close.

15       10. Petitioner filed three (3) inventories in this proceeding  
16 designated as: 1) "Partial No. 1" filed on October 23, 1998 showing  
17 the value of decedent's estate to be \$450,835.09; 2) "Final"  
18 inventory filed on October 15, 1999 showing real estate appraised  
19 at \$350,000.00 and; 3) "Supplemental" inventory filed on October  
20 15, 1999 of an unimproved lot appraised at \$3,000.00.

21       On May 5, 1999, this court made an order determining that the  
22 community property of inventoried assets of decedent and her  
23 predeceased husband, A. Glen Kelley, included only five items which  
24 are: (1) Condo in Palm Springs, (2) 32311 Dunlap, Yucaipa ✓  
25 property, (3) 32351 Dunlap, Yucaipa property ✓ (4) Miller note, and  
26 (5) Berry note. Therefore, one-half (50%) of these five assets is  
27 the community property interest of the Estate of A. Glen Kelley,  
28 Case No. INP 017573. This adjustment is reflected in Petitioner's

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1 Amendment to Status Report, First Account Current, etc. filed on  
2 November 2, 1999. As set forth in the Amendment to Status Report,  
3 etc., the property on hand as of the end of that accounting period  
4 was the sum of \$415,110.66. This adjustment is further reflected  
5 in the Property on Hand Distribution, Schedule "D", attached to the  
6 accounting.

7 11. All estate, individual, personal, real property and other  
8 taxes due by reason of the death of the decedent, if any, have been  
9 paid.

10 The Franchise Tax Board Clearance Certificate is not required  
11 as, after payment of statutory attorney's fees, payment of  
12 Executor's commission, the residue distributable to the out-of-  
13 state beneficiaries will be less than \$100,000.00 each.

14 No inheritance or gift tax is due.

15 12. Petitioner has performed all the duties required of him as  
16 Executor with respect to the administration of the estate of Nana  
17 Dell Kelley aka Nana Kelley and the estate is ready for  
18 distribution.

19 13. Pursuant to the provisions of decedent's Last Will and  
20 Testament and the Agreement Among Beneficiaries, the original of  
21 which is attached to the Second and Final Account filed with the  
22 court on March 19, 2001, distribution of decedent's estate and any  
23 other property not now known or discovered should be made as  
24 follows:

25	Gayle Marie Davis	X	20% residue
26	6820 96th Street NE		
	Marysville, WA 98270		
27	Glen Eddie Kelley	X	20% residue
28	2201 N. Laventure, #2		
	Mount Vernon, WA 98273		

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1		
2	Sammie Lee Kelley X	20% residue
3	33772 Eglon Road NE	
4	Kingston, WA 98346	
5		
6	Alice Suzanne Ware X	20% residue
7	18340 Osprey Court X	
8	Mount Vernon, WA 98273	
9		
10	Joshua Kelley X	1.42857% residue
11	1111 S. 10th Street, #2 X	
12	Mount Vernon, WA 98273	
13		
14	Amy Kelley X	1.42857% residue
15	2201 N. Laventure, #2 X	
16	Mount Vernon, WA 98273	
17		
18	Micah Kelley X	1.42857% residue
19	2201 N. Laventure, #2 X	
20	Mount Vernon, WA 98273	
21		
22	Benjamin Kelley X	1.42857% residue
23	Post Office Box 2297 X	
24	Vineyard Haven, MA 02568	
25		
26	Matthew Kelley X	1.42857% residue
27	1007 SE 15th Avenue, #5 X	
28	Portland, OR 97214	
29		
30	Sammie Lee Kelley, Guardian X	1.42857% residue
31	of Ashley Kelley, Minor X	
32	33772 Eglon Road NE X	
33	Kingston, WA 98346	
34		
35	Sammie Lee Kelley, Guardian X	1.42857% residue
36	of Asia Kelley, Minor X	
37	33772 Eglon Road NE X	
38	Kingston, WA 98346	
39		
40	Duane Hawk X	1.42857% residue
41	5916 Wilmont X	
42	Bremerton, WA 98312	
43		
44	Jamie Hawk X	1.42857% residue
45	6820 96th Street NE X	
46	Marysville, WA 98720	
47		
48	Bryan Hawk X	1.42857% residue
49	6820 96th Street NE X	
50	Marysville, WA 98720	
51		
52	Preston Hawk X	1.42857% residue
53	6820 96th Street NE X	
54	Marysville, WA 98720	
55		



1 Adam Ware ✓ 1.42857% residue  
18340 Osprey Court  
2 Mount Vernon, WA 98273  
3  
4 Jared Ware ✓ 1.42857% residue  
18340 Osprey Court  
5 Mount Vernon, WA 98273  
6  
7 Levi Ware ✓ 1.42857% residue  
18340 Osprey Court  
8 Mount Vernon, WA 98273

9 The above-named beneficiaries to decedent's estate are the  
10 same beneficiaries (and the interests are the same) as those of the  
11 Estate of A. Glen Kelley, aka Arley Glen Kelley.

12 14. In accordance with the provisions of the Agreement Among  
13 Beneficiaries, distribution should be made as follows:

14 A. 50% Interest in Condominium to Gayle Marie Davis:

15 The decedent's 50% interest in the condominium located at  
16 41617 Woodhaven East, Palm Desert, CA 92211, shall be distributed  
17 to Gayle Marie Davis, including all fixtures, furnishings,  
18 appliances, equipment contained in said condominium at date of  
19 death value and all ancillary memberships (including but not  
20 limited to tennis and golf), subject to the further terms and  
21 conditions set forth in the said Agreement Among Beneficiaries.

22 B. Cash to Grandchildren:

23 The grandchildren, each entitled to 1.42857% of the  
24 residue of decedent's estate, shall receive cash.

25 C. Florida and Arizona Properties:

26 These properties are not subject to the jurisdiction of  
27 this Court; however, it has been determined to abandon these  
28 properties and not obtain transfer in the States of Florida and  
Arizona. Notwithstanding the intention of the beneficiaries to



1 abandon these properties, if it is later determined prudent to  
2 maintain them, the same will be distributed as set forth in the  
3 Agreement Among Beneficiaries, at no value.

4 D. Distribution of Remainder:

5 The balance of the residue consisting of cash and  
6 promissory notes, shall be distributed among the children of the  
7 decedent.

8 15. The property on hand for distribution in this estate is as  
9 follows:

10 a. Redlands Centennial Bank Account 218 E. ✓  
11 State Street, Redlands, CA 92373 in the sum of \$52,989.45;

12 b. Redlands Centennial Bank Account Time  
13 Certificate of Deposit in the sum of \$155,305.07;

14 c. Account Receivable due from the Estate of A. Glen Kelley  
15 to equalize note payments per the accounting in the Estate of A.  
16 Glen Kelley in the sum of \$4,701.41;

17 d. 1994 Dodge Caravan. Beneficiary, Sammie Lee Kelley, has  
18 taken possession of said vehicle with the consent of the other  
19 sibling beneficiaries and therefore, his portion of decedent's  
20 estate should be reduced in the amount of \$9,000 which is 100% of  
21 its value as inventoried;

22 e. Real property in the unincorporated area in the County of  
23 Riverside, State of California more particularly described as  
24 follows:

25 Lot 74, Tract 2185, as shown by map on file in Book 42  
26 pages 9 to 11 inclusive, of Maps, records of Riverside  
County, California.

27 Subject to covenants, conditions, restrictions,  
28 reservations, easements, rights and rights of way of  
record. APN: 723-053-010. X

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1 The beneficiaries have agreed that this undeveloped parcel  
2 of real property (known as the Salton Sea property) should be  
3 distributed 100% to Glen Eddie Kelley and therefore, his portion of  
4 decedent's estate should be reduced in the amount of \$3,000 which  
5 is 100% of its value as inventoried;

6 f. 1000 shares of Churchill Technology, Inc. with a 100%  
7 value of \$6.00 as inventoried;

8 g. One-half (50%) interest in the Miller note secured by deed  
9 of trust on property at 32271 and 32281 Dunlap Blvd., Yucaipa, CA  
10 92399;

11 h. One-half (50%) interest in the Berry Note secured by deed  
12 of trust on property at 32291 Dunlap Blvd., Yucaipa, CA 92399;

13 i. One-half (50%) interest in the Harold W. Anderson/Ronald  
14 Allison Note secured by deed of trust on property at 32351 Dunlap  
15 Blvd., Yucaipa, CA 92399;

16 j. One-half (50%) interest in the real property located at  
17 41617 Woodhaven East, Palm Desert, CA 92211 County of Riverside,  
18 State of California more particularly described as follows:

19 Parcel 1:

20 An undivided 1/60th interest in and to Lot 8 of Tract  
21 19299, as shown by Map on file in Book 136, pages 36 and  
22 37 of Maps, records of Riverside County, California;  
23 Except in therefrom Units 1-1 through 8-64 as shown upon  
24 the condominium plan recorded February 24, 1984 as  
25 Instrument No. 38253 of official records of Riverside  
26 County, California.

24 Parcel No. 2:

25 Unit 2-19 as shown upon the condominium plan referred to  
26 in Parcel 1 above. APN: 632-102-019.

27 Pursuant to the Agreement Among Beneficiaries, the decedent's  
28 50% interest in the condominium located at 41617 Woodhaven East,

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1 Palm Desert, CA 92211 shall be distributed to Gayle Marie Davis at  
2 a value of \$75,000.00.

3 16. Petitioner is entitled to payment of \$3,068.10 for the  
4 remaining portion of his statutory fees for the estate. However,  
5 this sum should further be reduced by the two items of surcharge  
6 ordered by the court in its order of July 23, 2001 in the amounts  
7 of \$559.86 and \$200. The additional sum of \$2,308.24 should,  
8 therefore, be ordered paid to petitioner as the remaining payment  
9 of his statutory executor's fees in this matter.

10 17. Dill and Showler is entitled to payment of \$3,068.10 for  
11 the remaining portion of their statutory attorney's fees for  
12 ordinary services to the estate and that sum should be ordered paid  
13 to Dill and Showler.

14 18. No one has filed a request for special notice in this  
15 proceeding.

16 WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED as follows:

17 1. The Amended and Second Final Account, Report, Petition For  
18 Final Distribution, For Allowance of Statutory Attorney's Fees and  
19 Executor's Commissions and the Amendment to Amended Second and  
20 Final Account, etc. of Petitioner as Executor of the Will of Nana  
21 Dell Kelley are allowed and approved as filed;

22 2. All of the acts and proceedings of petitioner, as  
23 executor, are confirmed and approved;

24 3. Petitioner is authorized and directed to pay to himself,  
25 as Executor, the remaining portion of his statutory fees in the sum  
26 of \$2,308.24.

27 4. Petitioner is authorized and directed to pay to DILL AND  
28 SHOWLER, as attorneys, the remaining portion of their statutory

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1 attorney's fees for ordinary services rendered in this proceeding  
2 in the sum of \$3,068.10;

3 5. The property on hand is ordered distributed as stated in  
4 paragraphs 13, 14 and 15 herein;

5 6. That any other property hereafter discovered belonging to  
6 the decedent and/or the estate shall be distributed as set forth in  
7 paragraphs 13 and 14 herein.

8 DATED: 4/15/02

9 RWB FAL  
10 JUDGE OF THE SUPERIOR COURT

11 7. CASH TO BE DISTRIBUTED WITHIN 30 DAYS AND  
12 THE BALANCE OF THE ESTATE WITHIN 60 DAYS OF  
13 THIS ORDER.  
14 RIT



This must be in red to be a  
"CERTIFIED COPY"

Each document to which this certificate is attached  
is certified to be a full, true and correct copy of the  
original on file and of record in my office.

Superior Court of California  
County of Riverside  
José Octavio Guillén, Clerk

By *H. Parker*  
DEPUTY

Dated: 4-26-02



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Insurance available.\*  
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RETURN RECEIPT REQUESTED

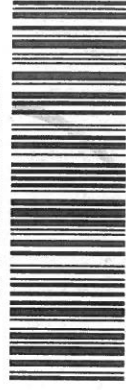
SHIP TO:

ATTN: PROPERTY TAX UNCLAIMED REFUNDS  
RIVERSIDE COUNTY TREASURER TAX COLLECTOR  
PO BOX 12005  
RIVERSIDE CA 92502-2205

TREASURER-TAX COLLECTOR

AUG 18 2020

RECEIVED  
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CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY

RECEIVED

2019 SEP 12 PM 5:21

RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 214 Item 753 Assessment Number: 723053010-7

Assessee: KELLEY, GLEN EDDIE

Situs:

Date Sold: June 4, 2019

Date Deed to Purchaser Recorded: August 13, 2019

Final Date to Submit Claim: August 13, 2020

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ ALL P<sup>roceeds</sup> mentioned to 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 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 3 day of September, 2019 at Dukes County, MA  
County, State

Benjamin Kelley  
Signature of Claimant

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

BENJAMIN KELLEY  
Print Name

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

P.O. Box 22917  
Street Address

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

Vineyard Haven MA 02568  
City, State, Zip

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

508 364 3421  
Phone Number

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

benleekelley@gmail.com  
Email Address

\_\_\_\_\_  
Email Address

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

DILL AND SHOWLER

AND WHEN RECORDED MAIL TO:

SCOTT SHOWLER, ESQ.

DILL AND SHOWLER

411 Brookside Avenue

Redlands, CA 92373

Attn: #3040.3

DOC # 2002-287850

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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ORDER ON AMENDED AND SECOND FINAL ACCOUNT, REPORT, PETITION FOR FINAL DISTRIBUTION, FOR ALLOWANCE OF STATUTORY ATTORNEY'S FEES AND EXECUTOR'S COMMISSIONS AND AMENDMENT THERETO (Probate Code Sections 10800 et seq., 10900 et seq.)

Title of Document

THIS AREA FOR  
RECORDER'S  
USE ONLY

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3.00 Additional Recording Fee Applies)

ORIGINAL

(1:\rec\forms\m104001.pdf)

1 SCOTT SHOWLER, ESQ. - SBN 051570  
DILL AND SHOWLER  
2 Attorneys at Law  
411 Brookside Avenue  
3 Redlands, California 92373  
Telephone: (909) 793-2377  
4  
5 Attorneys for Petitioner,  
Glenn H. Choate

FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

APR 03 2002

L. HOOGENDYK

JAF  
APR 03 2002  
P

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
DESERT JUDICIAL DISTRICT  
IN AND FOR THE COUNTY OF RIVERSIDE

11 ESTATE OF: ) Case No. INP015954  
12 NANA DELL KELLEY aka )  
NANA KELLEY, ) ORDER ON AMENDED AND SECOND  
13 Decedent. ) FINAL ACCOUNT, REPORT,  
14 ) PETITION FOR FINAL  
15 ) DISTRIBUTION, FOR ALLOWANCE  
16 ) OF STATUTORY ATTORNEY'S FEES  
AND EXECUTOR'S COMMISSIONS  
AND AMENDMENT THERETO  
(Probate Code §10800 et  
(seq., §10900 et seq.)  
17 )  
18 ) Date: February 27, 2002  
Time: 8:30 a.m.  
Dept: 202

19 Petitioner, Glenn H. Choate, executor of the will of Nana Dell  
20 Kelley, deceased, having heretofore submitted his Amended and  
21 Second Final Account, Report, Petition for Final Distribution, For  
22 Allowance of Statutory Attorney's Fees, and Executor's Commissions,  
23 and Amendment to Amended Second and Final Account, etc., and the  
24 matter coming on regularly for hearing, the court finds:

- 25 1. Due and proper notice of the hearing on the petition has  
26 been given as required by law.
- 27 2. The allegations of the petition are true and all acts and  
28 transactions of the executor of the will of Nana Dell Kelley,

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1 deceased, during the period of the report are approved.

2 3. Nana Dell Kelley aka Nana Kelley died testate on March 17,  
3 1998 at Palm Desert, County of Riverside, State of California,  
4 being at the time of her death, a resident of the City of Palm  
5 Desert, County of Riverside.

6 4. Glenn H. Choate was appointed executor of the Will of Nana  
7 Kelley and Letters Testamentary were issued on May 26, 1998 with  
8 full authority to administer the estate under the Independent  
9 Administration of Estates Act. The executor has at all times  
10 performed the duties of executor for decedent's Will and his  
11 authority under the act has not been revoked.

12 5. Notice of Petition to Administer the estate of Nana Kelley  
13 was published on May 1, 2, and 8, all in the year 1998, and an  
14 affidavit showing such publication was filed with the above-  
15 entitled court on May 14, 1998.

16 6. No independent action has been taken by the Petitioner  
17 during this accounting period.

18 7. No creditors claims have been filed and the time for  
19 filing such claims has expired.

20 8. Notice to the Director of Health Services was given and  
21 the Director's notice stating they will not file a claim was filed  
22 with this court on July 16, 1998.

23 9. All debts of the decedent and of the estate and all  
24 expenses of administration have been paid except the remaining  
25 statutory attorney fees and the executor's commission for services  
26 rendered, the sum of \$4,701.41 due the Estate of Nana Dell Kelley  
27 from the A. Glen Kelley Estate to equalize for payments on the  
28 Miller note received by the A. Glen Kelley Estate, and the sum of

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1 \$17,934.67 due the Estate of A. Glen Kelley from this estate to  
2 equalize for payments on the Berry note received by this estate.

3       These two notes were secured by deeds of trust in which  
4 decedent held a 50% community property interest and her predeceased  
5 husband, A. Glen Kelley, held a 50% community property interest.  
6 A majority of the payments on the Miller note were made to the  
7 personal representative of the Estate of A. Glen Kelley and  
8 payments on the Berry note were made to Petitioner as Executor of  
9 the Estate of Nana Dell Kelley. Accordingly, Petitioner, as  
10 Executor of the Estate of Nana Dell Kelley, is holding funds for  
11 the benefit of the Estate of A. Glen Kelley, and Gayle Marie Davis,  
12 as Administrator CTA of the Estate of A. Glen Kelley, is holding  
13 funds for the benefit of the Estate of Nana Dell Kelley.

14       The estate is solvent and is ready to close.

15       10. Petitioner filed three (3) inventories in this proceeding  
16 designated as: 1) "Partial No. 1" filed on October 23, 1998 showing  
17 the value of decedent's estate to be \$450,835.09; 2) "Final"  
18 inventory filed on October 15, 1999 showing real estate appraised  
19 at \$350,000.00 and; 3) "Supplemental" inventory filed on October  
20 15, 1999 of an unimproved lot appraised at \$3,000.00.

21       On May 5, 1999, this court made an order determining that the  
22 community property of inventoried assets of decedent and her  
23 predeceased husband, A. Glen Kelley, included only five items which  
24 are: (1) Condo in Palm Springs, (2) 32311 Dunlap, Yucaipa ✓  
25 property, (3) 32351 Dunlap, Yucaipa property ✓ (4) Miller note, and  
26 (5) Berry note. Therefore, one-half (50%) of these five assets is  
27 the community property interest of the Estate of A. Glen Kelley,  
28 Case No. INP 017573. This adjustment is reflected in Petitioner's

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1 Amendment to Status Report, First Account Current, etc. filed on  
2 November 2, 1999. As set forth in the Amendment to Status Report,  
3 etc., the property on hand as of the end of that accounting period  
4 was the sum of \$415,110.66. This adjustment is further reflected  
5 in the Property on Hand Distribution, Schedule "D", attached to the  
6 accounting.

7 11. All estate, individual, personal, real property and other  
8 taxes due by reason of the death of the decedent, if any, have been  
9 paid.

10 The Franchise Tax Board Clearance Certificate is not required  
11 as, after payment of statutory attorney's fees, payment of  
12 Executor's commission, the residue distributable to the out-of-  
13 state beneficiaries will be less than \$100,000.00 each.

14 No inheritance or gift tax is due.

15 12. Petitioner has performed all the duties required of him as  
16 Executor with respect to the administration of the estate of Nana  
17 Dell Kelley aka Nana Kelley and the estate is ready for  
18 distribution.

19 13. Pursuant to the provisions of decedent's Last Will and  
20 Testament and the Agreement Among Beneficiaries, the original of  
21 which is attached to the Second and Final Account filed with the  
22 court on March 19, 2001, distribution of decedent's estate and any  
23 other property not now known or discovered should be made as  
24 follows:

25	Gayle Marie Davis	X	20% residue
26	6820 96th Street NE		
	Marysville, WA 98270		
27	Glen Eddie Kelley	X	20% residue
28	2201 N. Laventure, #2		
	Mount Vernon, WA 98273		

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1		
2	Sammie Lee Kelley	20% residue
3	33772 Eglon Road NE	
4	Kingston, WA 98346	
5	Alice Suzanne Ware	20% residue
6	18340 Osprey Court	
7	Mount Vernon, WA 98273	
8	Joshua Kelley	1.42857% residue
9	1111 S. 10th Street, #2	
10	Mount Vernon, WA 98273	
11	Amy Kelley	1.42857% residue
12	2201 N. Laventure, #2	
13	Mount Vernon, WA 98273	
14	Micah Kelley	1.42857% residue
15	2201 N. Laventure, #2	
16	Mount Vernon, WA 98273	
17	Benjamin Kelley	1.42857% residue
18	Post Office Box 2297	
19	Vineyard Haven, MA 02568	
20	Matthew Kelley	1.42857% residue
21	1007 SE 15th Avenue, #5	
22	Portland, OR 97214	
23	Sammie Lee Kelley, Guardian	1.42857% residue
24	of Ashley Kelley, Minor	
25	33772 Eglon Road NE	
26	Kingston, WA 98346	
27	Sammie Lee Kelley, Guardian	1.42857% residue
28	of Asia Kelley, Minor	
29	33772 Eglon Road NE	
30	Kingston, WA 98346	
31	Duane Hawk	1.42857% residue
32	5916 Wilmont	
33	Bremerton, WA 98312	
34	Jamie Hawk	1.42857% residue
35	6820 96th Street NE	
36	Marysville, WA 98720	
37	Bryan Hawk	1.42857% residue
38	6820 96th Street NE	
39	Marysville, WA 98720	
40	Preston Hawk	1.42857% residue
41	6820 96th Street NE	
42	Marysville, WA 98720	

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Adam Ware  
18340 Osprey Court  
Mount Vernon, WA 98273

1.42857% residue

Jared Ware  
18340 Osprey Court  
Mount Vernon, WA 98273

1.42857% residue

Levi Ware  
18340 Osprey Court  
Mount Vernon, WA 98273

1.42857% residue

The above-named beneficiaries to decedent's estate are the same beneficiaries (and the interests are the same) as those of the Estate of A. Glen Kelley, aka Arley Glen Kelley.

14. In accordance with the provisions of the Agreement Among Beneficiaries, distribution should be made as follows:

A. 50% Interest in Condominium to Gayle Marie Davis:

The decedent's 50% interest in the condominium located at 41617 Woodhaven East, Palm Desert, CA 92211, shall be distributed to Gayle Marie Davis, including all fixtures, furnishings, appliances, equipment contained in said condominium at date of death value and all ancillary memberships (including but not limited to tennis and golf), subject to the further terms and conditions set forth in the said Agreement Among Beneficiaries.

B. Cash to Grandchildren:

The grandchildren, each entitled to 1.42857% of the residue of decedent's estate, shall receive cash.

C. Florida and Arizona Properties:

These properties are not subject to the jurisdiction of this Court; however, it has been determined to abandon these properties and not obtain transfer in the States of Florida and Arizona. Notwithstanding the intention of the beneficiaries to



1 abandon these properties, if it is later determined prudent to  
2 maintain them, the same will be distributed as set forth in the  
3 Agreement Among Beneficiaries, at no value.

4 D. Distribution of Remainder:

5 The balance of the residue consisting of cash and  
6 promissory notes, shall be distributed among the children of the  
7 decedent.

8 15. The property on hand for distribution in this estate is as  
9 follows:

10 a. Redlands Centennial Bank Account 218 E. ✓  
11 State Street, Redlands, CA 92373 in the sum of \$52,989.45;

12 b. Redlands Centennial Bank Account Time  
13 Certificate of Deposit in the sum of \$155,305.07;

14 c. Account Receivable due from the Estate of A. Glen Kelley  
15 to equalize note payments per the accounting in the Estate of A.  
16 Glen Kelley in the sum of \$4,701.41;

17 d. 1994 Dodge Caravan. Beneficiary, Sammie Lee Kelley, has  
18 taken possession of said vehicle with the consent of the other  
19 sibling beneficiaries and therefore, his portion of decedent's  
20 estate should be reduced in the amount of \$9,000 which is 100% of  
21 its value as inventoried;

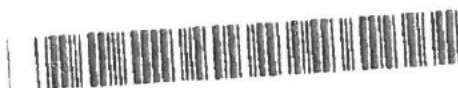
22 e. Real property in the unincorporated area in the County of  
23 Riverside, State of California more particularly described as  
24 follows:

25 Lot 74, Tract 2185, as shown by map on file in Book 42  
26 pages 9 to 11 inclusive, of Maps, records of Riverside  
County, California.

27 Subject to covenants, conditions, restrictions,  
28 reservations, easements, rights and rights of way of  
record. APN: 723-053-010. ✓

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1 The beneficiaries have agreed that this undeveloped parcel  
2 of real property (known as the Salton Sea property) should be  
3 distributed 100% to Glen Eddie Kelley and therefore, his portion of  
4 decedent's estate should be reduced in the amount of \$3,000 which  
5 is 100% of its value as inventoried;

6 f. 1000 shares of Churchill Technology, Inc. with a 100%  
7 value of \$6.00 as inventoried;

8 g. One-half (50%) interest in the Miller note secured by deed  
9 of trust on property at 32271 and 32281 Dunlap Blvd., Yucaipa, CA  
10 92399;

11 h. One-half (50%) interest in the Berry Note secured by deed  
12 of trust on property at 32291 Dunlap Blvd., Yucaipa, CA 92399;

13 i. One-half (50%) interest in the Harold W. Anderson/Ronald  
14 Allison Note secured by deed of trust on property at 32351 Dunlap  
15 Blvd., Yucaipa, CA 92399;

16 j. One-half (50%) interest in the real property located at  
17 41617 Woodhaven East, Palm Desert, CA 92211 County of Riverside,  
18 State of California more particularly described as follows:

19 Parcel 1:

20 An undivided 1/60th interest in and to Lot 8 of Tract  
21 19299, as shown by Map on file in Book 136, pages 36 and  
22 37 of Maps, records of Riverside County, California;  
23 Except in therefrom Units 1-1 through 8-64 as shown upon  
24 the condominium plan recorded February 24, 1984 as  
25 Instrument No. 38253 of official records of Riverside  
26 County, California.

24 Parcel No. 2:

25 Unit 2-19 as shown upon the condominium plan referred to  
26 in Parcel 1 above. APN: 632-102-019.

27 Pursuant to the Agreement Among Beneficiaries, the decedent's  
28 50% interest in the condominium located at 41617 Woodhaven East,

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1 Palm Desert, CA 92211 shall be distributed to Gayle Marie Davis at  
2 a value of \$75,000.00.

3 16. Petitioner is entitled to payment of \$3,068.10 for the  
4 remaining portion of his statutory fees for the estate. However,  
5 this sum should further be reduced by the two items of surcharge  
6 ordered by the court in its order of July 23, 2001 in the amounts  
7 of \$559.86 and \$200. The additional sum of \$2,308.24 should,  
8 therefore, be ordered paid to petitioner as the remaining payment  
9 of his statutory executor's fees in this matter.

10 17. Dill and Showler is entitled to payment of \$3,068.10 for  
11 the remaining portion of their statutory attorney's fees for  
12 ordinary services to the estate and that sum should be ordered paid  
13 to Dill and Showler.

14 18. No one has filed a request for special notice in this  
15 proceeding.

16 WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED as follows:

17 1. The Amended and Second Final Account, Report, Petition For  
18 Final Distribution, For Allowance of Statutory Attorney's Fees and  
19 Executor's Commissions and the Amendment to Amended Second and  
20 Final Account, etc. of Petitioner as Executor of the Will of Nana  
21 Dell Kelley are allowed and approved as filed;

22 2. All of the acts and proceedings of petitioner, as  
23 executor, are confirmed and approved;

24 3. Petitioner is authorized and directed to pay to himself,  
25 as Executor, the remaining portion of his statutory fees in the sum  
26 of \$2,308.24.

27 4. Petitioner is authorized and directed to pay to DILL AND  
28 SHOWLER, as attorneys, the remaining portion of their statutory

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1 attorney's fees for ordinary services rendered in this proceeding  
2 in the sum of \$3,068.10;

3 5. The property on hand is ordered distributed as stated in  
4 paragraphs 13, 14 and 15 herein;

5 6. That any other property hereafter discovered belonging to  
6 the decedent and/or the estate shall be distributed as set forth in  
7 paragraphs 13 and 14 herein.

8 DATED: 4/5/02

9 RWB Fel  
10 JUDGE OF THE SUPERIOR COURT

11 7. CASH TO BE DISTRIBUTED WITHIN 30 DAYS AND  
12 THE BALANCE OF THE ESTATE WITHIN 60 DAYS OF  
13 THIS ORDER.  
14 RT



This must be in red to be a  
"CERTIFIED COPY"

Each document to which this certificate is attached  
is certified to be a full, true and correct copy of the  
original on file and of record in my office.

Superior Court of California  
County of Riverside  
José Octavio Guillén, Clerk

By H. Rader  
DEPUTY

Dated: 4-26-02



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