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



FROM: COUNTY EXECUTIVE OFFICE

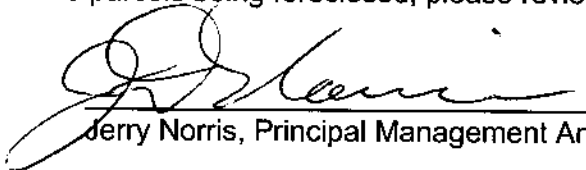
SUBMITTAL DATE:
 July 17, 2007

SUBJECT: Authorization of Judicial Foreclosure Action – Assessment Districts

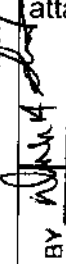
RECOMMENDED MOTION: That the Board approve and adopt the following resolutions authorizing foreclosure action on certain real properties in those Assessment Districts identified below, such action being in accordance with resolutions previously approved by the Board regarding the sale and issuance of bonds for each District and collection of delinquent special assessments:

- Reso. No. 2007-345 for Reassessment Dist No. 161R (Winchester Properties) 3rd District
- Reso. No. 2007-346 for Assessment Dist No. 167 (North Palm Springs) 5th District
- Reso. No. 2007-347 for Assessment Dist No. 168 (Rivercrest) 3rd District

BACKGROUND: The Board adopted resolutions providing for the formation and subsequent sale and issuance of limited obligation improvement bonds or refunding bonds (collectively, the "Bonds") for each of the Assessment Districts identified above and authorizing the levy of special assessments to repay said Bonds. The resolutions authorizing the sale and issuance of the Bonds approved Fiscal Agent Agreements that contained covenants with the Bondholders regarding the collection of the annual special assessment installments and the initiation of action in Superior Court to foreclose on any parcel for failure to pay the annual assessment installments. For a list of the parcels being foreclosed, please review the Exhibit A's attached to each resolution.


 Jerry Norris, Principal Management Analyst

FORM APPROVED
 COUNTY COUNSEL

JUL 23 2007
 BY  Dale A. Gardner

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	06/07

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: 
 County Executive Office Signature Dean Deines

Dep't Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: District: 3rd & 5th Agenda Number: **3.16 a-c**

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3 **RESOLUTION NO. 2007-345**

4 **RESOLUTION OF THE COUNTY OF RIVERSIDE**
5 **ORDERING THAT ACTION BE BROUGHT IN SUPERIOR COURT**
6 **TO FORECLOSE ON CERTAIN REAL PROPERTY**
7 **FOR DEFAULT OF PAYMENT OF SPECIAL ASSESSMENTS OF**
8 **REASSESSMENT DISTRICT NO. 161R (WINCHESTER PROPERTIES)**
9 **OF THE COUNTY OF RIVERSIDE**

10 **WHEREAS**, the Board of Supervisors of the County of Riverside (respectively, the "Board" and
11 the "County"), on behalf of Reassessment District No. 161R (Winchester Properties) of the County ("the
12 District"), by Resolution No. 2001-25 that was adopted on January 23, 2001, authorized the issuance and
13 sale of three series of limited obligation refunding bonds (collectively, the "Bonds") pursuant to the terms
14 of three Fiscal Agent Agreements each dated as of February 1, 2001, by and between the County and U.S.
15 Bank Trust National Association, as Fiscal Agent, (collectively, the "Fiscal Agent Agreements") to refund
16 three series of limited obligation improvement bonds that had previously been issued and sold to finance
17 the construction of certain improvements within the District; and

18 **WHEREAS**, the County, by the terms of the Fiscal Agent Agreements, covenanted to timely
19 initiate foreclosure proceedings against any parcel within the District for default in payment of the special
20 assessment levied to repay the principal and interest on the above Bonds.

21 **NOW, THEREFORE BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by
22 the Board of Supervisors of the County of Riverside, in regular session assembled on July 31, 2007 that:

23 1. The parcels within the District, listed on the attached Exhibit "A" are delinquent for the
24 amounts shown as of the date shown.

25 2. Pursuant to Government Code Section 8833 of the California Streets and Highways Code, the
26 Auditor-Controller of the County, in cooperation with the County Executive Office and the Special
27 Counsel, as designated below, is to:

28 a.) cause the Treasurer-Tax Collector of the County to be credited upon the current tax roll
with the amounts of the delinquent assessment installments to be sued upon, including applicable
penalties, interest, and cost, and is to be relieved of further duty in regard thereto; and

1 b.) request that the Treasurer-Tax Collector of the County cause all inquiries regarding
2 payment of the delinquent assessment installments to be forwarded to the Special Counsel.

3 3. The designated Special Counsel, Sherman & Feller, is directed to bring action in Superior
4 Court to foreclose against the parcels listed in Exhibit "A" for the amounts shown.

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8 PASSED and ADOPTED by the Board of Supervisors on July 31, 2007.

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By: _____
John Tavaglione,
Chairman of the Board of Supervisors

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ATTEST:
Nancy Romero,
Clerk of the Board

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By: _____
Deputy Clerk

FORM APPROVED
COUNTY COUNSEL

JUL 23 2007

BY *Dale A. Gardner*

Dale A. Gardner

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EXHIBIT "A"

AD 161 (WINCHESTER PROPERTIES)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
WILLIAM LO	913-350-002-7	Series A	December 10, 2006	\$718.19
		Series A	April 10, 2007	\$718.19
		Series B	December 10, 2006	\$1,382.05
		Series B	April 10, 2007	\$1,382.05
		Series C	December 10, 2006	\$435.70
		Series C	April 10, 2007	\$435.70
		Series A	December 10, 2005	\$696.79
		Series A	April 10, 2006	\$696.79
		Series B	December 10, 2005	\$1,298.96
		Series B	April 10, 2006	\$1,298.96
		Series C	December 10, 2005	\$428.49
		Series C	April 10, 2006	\$428.49
		Series A	December 10, 2004	\$712.37
		Series A	April 10, 2005	\$712.37
		Series B	December 10, 2004	\$1,299.14
		Series B	April 10, 2005	\$1,299.14
		Series C	December 10, 2004	\$431.68
		Series C	April 10, 2005	\$431.68

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3 **RESOLUTION NO. 2007-346**

4 **RESOLUTION OF THE COUNTY OF RIVERSIDE**
5 **ORDERING THAT ACTION BE BROUGHT IN SUPERIOR COURT**
6 **TO FORECLOSE ON CERTAIN REAL PROPERTY**
7 **FOR DEFAULT OF PAYMENT OF SPECIAL ASSESSMENTS OF**
8 **ASSESSMENT DISTRICT NO. 167 (NORTH PALM SPRINGS BUSINESS CENTER)**
9 **OF THE COUNTY OF RIVERSIDE**

10 **WHEREAS**, the Board of Supervisors of the County of Riverside (respectively, the "Board" and
11 the "County"), on behalf of Assessment District No. 167 (North Palm Springs Business Center) of the
12 County ("the District"), by Resolution No. 92-058 that was adopted on January 28, 1992, authorized the
13 issuance and sale of limited obligation improvement bonds (the "Bonds") pursuant to the terms of a Fiscal
14 Agent Agreement dated as of February 1, 1992, by and between the County and Bank of America
15 National Trust and Savings Association, as Fiscal Agent (the "Fiscal Agent Agreement") to finance the
16 construction of certain improvements within the District; and

17 **WHEREAS**, the County, by the terms of the Fiscal Agent Agreements, covenanted to timely
18 initiate foreclosure proceedings against any parcel within the District for default in payment of the special
19 assessment levied to repay the principal and interest on the above Bonds.

20 **NOW, THEREFORE BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by
21 the Board of Supervisors of the County of Riverside, in regular session assembled on July 31, 2007 that:

22 1. The parcels within the District, listed on the attached Exhibit "A" are delinquent for the
23 amounts shown as of the date shown.

24 2. Pursuant to Government Code Section 8833 of the California Streets and Highways Code, the
25 Auditor-Controller of the County, in cooperation with the County Executive Office and the Special
26 Counsel, as designated below, is to:

27 a.) cause the Treasurer-Tax Collector of the County to be credited upon the current tax roll
28 with the amounts of the delinquent assessment installments to be sued upon, including applicable
penalties, interest, and cost, and is to be relieved of further duty in regard thereto; and

b.) request that the Treasurer-Tax Collector of the County cause all inquiries regarding

1 payment of the delinquent assessment installments to be forwarded to the Special Counsel.

2 3. The designated Special Counsel, Sherman & Feller, is directed to bring action in Superior
3 Court to foreclose against the parcels listed in Exhibit "A" for the amounts shown.

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7 PASSED and ADOPTED by the Board of Supervisors on July 31, 2007.

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10 By: _____
11 John Tavaglione,
Chairman of the Board of Supervisors

12 **ATTEST:**
13 Nancy Romero,
14 Clerk of the Board

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16 By: _____
Deputy Clerk

FORM APPROVED
COUNTY COUNSEL
JUL 23 2007
BY *Dale A. Gardner*
Dale A. Gardner

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EXHIBIT "A"

AD 167 (NO. PALM SPRINGS BUSINESS)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
WILLIAM WORZAK	666-402-013-0	N/A	December 10, 2006	\$878.62
			April 10, 2007	\$878.62
		N/A	December 10, 2005	\$951.98
			April 10, 2006	\$951.98
WILLIAM WORZAK	666-411-003-9	N/A	December 10, 2006	\$2,648.75
			April 10, 2007	\$2,648.75
WILLIAM WORZAK	666-422-001-1	N/A	December 10, 2006	\$878.62
			April 10, 2007	\$878.62

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3 **RESOLUTION NO. 2007-347**

4 **RESOLUTION OF THE COUNTY OF RIVERSIDE**
5 **ORDERING THAT ACTION BE BROUGHT IN SUPERIOR COURT**
6 **TO FORECLOSE ON CERTAIN REAL PROPERTY**
7 **FOR DEFAULT OF PAYMENT OF SPECIAL ASSESSMENTS OF**
8 **ASSESSMENT DISTRICT NO. 168 (RIVERCREST)**
9 **OF THE COUNTY OF RIVERSIDE**

10 **WHEREAS**, the Board of Supervisors of the County of Riverside (respectively, the "Board" and
11 the "County"), on behalf of Assessment District No. 168 (Rivercrest) of the County ("the District"), by
12 Resolution No. 2001-237 that was adopted on July 31, 2001, authorized the issuance and sale of limited
13 obligation improvement bonds (the "Bonds") pursuant to the terms of a Fiscal Agent Agreement dated as
14 of August 1, 2001, by and between the County and U.S. Bank Trust National Association, as Fiscal Agent
15 (the "Fiscal Agent Agreement") to finance the construction of certain improvements within the District;
16 and

17 **WHEREAS**, the County, by the terms of the Fiscal Agent Agreements, covenanted to timely
18 initiate foreclosure proceedings against any parcel within the District for default in payment of the special
19 assessment levied to repay the principal and interest on the above Bonds.

20 **NOW, THEREFORE BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by
21 the Board of Supervisors of the County of Riverside, in regular session assembled on July 31, 2007 that:

22 1. The parcels within the District, listed on the attached Exhibit "A" are delinquent for the
23 amounts shown as of the date shown.

24 2. Pursuant to Government Code Section 8833 of the California Streets and Highways Code, the
25 Auditor-Controller of the County, in cooperation with the County Executive Office and the Special
26 Counsel, as designated below, is to:

27 a.) cause the Treasurer-Tax Collector of the County to be credited upon the current tax roll
28 with the amounts of the delinquent assessment installments to be sued upon, including applicable
penalties, interest, and cost, and is to be relieved of further duty in regard thereto; and

b.) request that the Treasurer-Tax Collector of the County cause all inquiries regarding

1 payment of the delinquent assessment installments to be forwarded to the Special Counsel.

2 3. The designated Special Counsel, Sherman & Feller, is directed to bring action in Superior
3 Court to foreclose against the parcels listed in Exhibit "A" for the amounts shown.

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7 PASSED and ADOPTED by the Board of Supervisors on July 31, 2007.

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10 By: _____
11 John Tavaglione,
12 Chairman of the Board of Supervisors

12 **ATTEST:**
13 Nancy Romero,
14 Clerk of the Board

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16 By: _____
17 Deputy Clerk

FORM APPROVED
COUNTY COUNSEL

JUL 23 2007

BY Dale A. Gardner

Dale A. Gardner

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EXHIBIT "A"

AD 168 (RIVERCREST)

<u>Owner Name</u>	<u>APN</u>	<u>Series</u>	<u>Delinquent Date</u>	<u>Installment Amount</u>
MARY SMITH	549-512-030-9	N/A	December 10, 2006	\$354.40
			April 10, 2007	\$354.40
		N/A	December 10, 2005	\$352.82
			April 10, 2006	\$352.82
		N/A	December 10, 2004	\$435.16
			April 10, 2005	\$435.16