

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

316



**FROM:** Don Kent  
Treasurer-Tax Collector

**SUBMITTAL DATE:**  
A DEC 2 2009

**SUBJECT:** Proposed Sale of Tax-Defaulted Land to Jurupa Area Recreation and Park District by Agreement of Sale Number 4354.

**RECOMMENDED MOTION:** Move that the Board of Supervisors approve the sale of tax-defaulted parcel 183030047-2 to Jurupa Area Recreation and Park District, and authorize the Chairman of the Board to sign the Agreement and have it returned to the Treasurer/Tax Collector for transmittal to the State Controller.

**BACKGROUND:** Sales to public agencies of this type of properties, subject to a recorded Notice of Power to Sell for non-payment of taxes as required by law, are provided for pursuant to Chapter 8 of the California Revenue and Taxation Code, Section 3771 et. seq. The Agreement of Sale, including Exhibit "A" through Exhibit "D", is attached. These exhibits include a Resolution from Jurupa Area Recreation and Park District.

**INFORMATION:** Parcel numbers 183030047-2 are located outside city limits in Supervisor John F. Tavaglione's District.

(continued on page two)

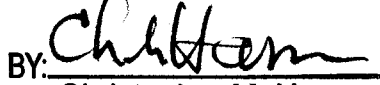
FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 12/2/09  
DATE: 12/2/09  
Departmental Concurrence



Don Kent  
Treasurer-Tax Collector

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2009-2010

<b>SOURCE OF FUNDS:</b>	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 Christopher M. Hans

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

Prev. Agn. Ref.: | District: 2 | Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

3.24

**BOARD OF SUPERVISORS**

**Form 11:**

**Page 2**

**BACKGROUND:** (Continued)

The purchase price of \$2,332.77 was determined pursuant to Section 3793.1 of the Revenue and Taxation Code, State of California, which represents the full redemption. The purchase price includes the cost of advertising, pursuant to Section 3793.1 (a) of the California Revenue and Taxation Code.

Please note that even after approval by the Board of Supervisors and authorization by the State Controller, the right of redemption on this property remains until the effective date of the Agreement of Sale. A copy of the assessor's maps numbered 183-03 pertaining to the parcel attached for reference.

Copy to: John F. Tavaglione's, Supervisor, 2nd District  
Pam Walls, County Counsel

## AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY

This Agreement #4354 is made this 26th day of June, 2009, by and between the Board of Supervisors of Riverside County, State of California, and the Jurupa Area Recreation and Park District ("PURCHASER"), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

On October 14, 2008 Jurupa Area Recreation and Park District applied to purchase the subject property (Exhibit "A").

The real property situated within said County, hereinafter set forth and described in Exhibit "B" attached hereto and made a part hereof, is tax-defaulted and is subject to the Power of Sale by the Tax Collector (Exhibit "C") of said County for the nonpayment of taxes, pursuant to provisions of law.

A certified copy of the Resolution authorizing the purchase of the property by Jurupa Area Recreation and Park District is attached as Exhibit "D".

It is mutually agreed as follows:

1. That as provided by Section 3800 of the Revenue and Taxation Code, the cost of giving notice of this Agreement shall be paid by the PURCHASER, and
2. That the PURCHASER agrees to pay the sum of **\$ 2,332.77** for the real property described in Exhibit "A" within 14 days after the date this Agreement becomes effective. Upon payment of said sum to the Tax Collector, the Tax Collector shall execute and deliver a deed conveying title of said property to PURCHASER.
3. That the PURCHASER agrees to use the parcels(s) for public purpose under the following intent: Open-space preservation and expansion of the Jim Real Memorial Trail System.
4. That, if said purchaser is a taxing agency as defined in Revenue and Taxation Code, any other agency that receives its revenue share under the provisions of Division 1, part 8, Chapter 3 of the Revenue and Taxation Code, it will not share in the distribution of the payment required by the Agreement as defened by 3791 and 3720 of the Revenue and Taxation Code.
5. If the indented schedule and effective date of agreement is delayed, the purchase price amount will be increased accordingly.

If all or any portion of any individual parcel listed in Exhibit "A" is redeemed prior to the effective date of this Agreement, this Agreement shall be null and void as to that individual parcel. This Agreement shall also become null and void and the right of redemption restored upon the PURCHASER'S failure to comply with the terms and condition of this Agreement. Time is of the essence.

The undersigned hereby agree to the terms and conditions of this Agreement and are duly authorized to sign for said agencies.

ATTEST:

JURUPA AREA RECREATION AND PARK DISTRICT  
(Purchaser)  
  
(Seal)

By *Dan Rodriguez*  
(Signature and Title)  
**GENERAL  
DAN RODRIGUEZ, MANAGER**  
(Print)

ATTEST:

BOARD OF SUPERVISORS

KECIA HAPER-IHEM  
Clerk to the Board of Supervisors

By \_\_\_\_\_  
Deputy  
  
(Seal)

By \_\_\_\_\_  
Chairman of the Board of Supervisors

FORM APPROVED COUNTY COUNSEL  
BY: *Dale A. Gardner* 12/2/09  
DALE A. GARDNER DATE

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code the governing body of the City of \_\_\_\_\_ hereby agrees to the sale price as provided in this Agreement.

ATTEST:

CITY OF:

\_\_\_\_\_  
Deputy  
  
(Seal)

By \_\_\_\_\_  
Mayor

This Agreement was submitted to me before final execution by the Board of Supervisors and I have compared the same with the records of RIVERSIDE County relating to the real property described therein.

*Don Kent*  
Don Kent, Riverside County Treasurer

Pursuant to the provisions of Sections 3775 and 3795 of the Revenue and Taxation Code, the Controller agrees to the sale price therein before set forth and approves the foregoing Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

JOHN CHIANG, CALIFORNIA STATE CONTROLLER

By \_\_\_\_\_  
PATRICIA L QUINN, CHIEF  
BUREAU OF TAX ADMINISTRATION

EXHIBIT "A"  
PURCHASE APPLICATION

## Application to Purchase Tax-Defaulted Property from County

This application must be completed by an eligible purchasing entity to commence purchase of tax-defaulted property by agreement sale from the county under applicable provisions of the California Revenue and Taxation Code. Complete the following sections and supply supporting documentation. Completion of this application does not guarantee purchase approval.

### A. Purchaser Information

1. Name of Organization: Jurupa Area Recreation and Park District
2. Corporate Structure – check the appropriate box below and provide the corresponding information:
  - Nonprofit – provide Articles of Incorporation
  - Public Agency – provide mission statement (if redevelopment agency or special district, provide jurisdiction map)

### B. Purchasing Information

Determine which category the parcel falls under and then check the appropriate box as it relates to the purchasing entity's corporate structure and the intended use of the parcel: (Note: From the six choices, check only one)

#### Category A: Parcel is currently scheduled for a Chapter 7 tax sale

- Purchase by tax agency/revenue district to preserve its lien
- Purchase by State, county, revenue district, special district, or redevelopment agency for public purpose
- Purchase by nonprofit for low-income housing or to preserve open space

#### Category B: Parcel is *not* currently scheduled for a Chapter 7 tax sale

- Purchase by taxing agency for public purpose
- Purchase by State, county, revenue district, special district, or redevelopment agency for public purpose
- Purchase by nonprofit for low-income housing or to preserve open space

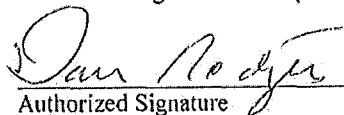
### C. Property Detail

Provide the following information. If you need more space for any of the criteria, consolidate the information into a separate "Exhibit" document and attach it to this application:

1. County where the parcel(s) is located: Riverside
2. List each parcel by Assessor's Parcel Number: 174-020-001, 175-051-001, 182-242-009, 182-244-006, 183-030-047
3. State the purpose and intended use for *each* parcel: Please see attached

### D. Acknowledgement Detail

Provide the signature of the purchasing entity's authorized officer

  
Authorized Signature

General Manager  
Title

October 14, 2008  
Date

EXHIBIT A

AGF-16 (SCO 8-16)

C. Property Detail

3. State the purpose and intended use for each parcel:

APN	ACRES	GENERAL DESCRIPTION	INTENDED USE
174020001-3	162.72	Jurupa Mountain parcel	Mountains preservation efforts.
175051001-6	House (sfu)	House on 2361 Rorimer	Office Annex
182242009-6	2.05	Vacant Parcel	Neighborhood Park
182244006-9	1.46	Vacant Parcel	Neighborhood Park
183030047-2	.51	End or beginning of trail	Continuance of existing trail

EXHIBIT A

PAGE 2

EXHIBIT "B"  
LEGAL DESCRIPTION  
MAPS

AGREEMENT 4354  
JURUPA AREA RECREATION AND PARK DISTRICT

OUTSIDE CITY

Parcel Number: 183030047-2  
Situs Address: NONE  
Last Assessed to: Popejou, Clifford  
.....Purchase Price \$2,332.77

Assessment number: 183030047-2  
TRA 099-100  
Default Number: 1997-183030023-0000  
First Year Delinquent: 1996-1997

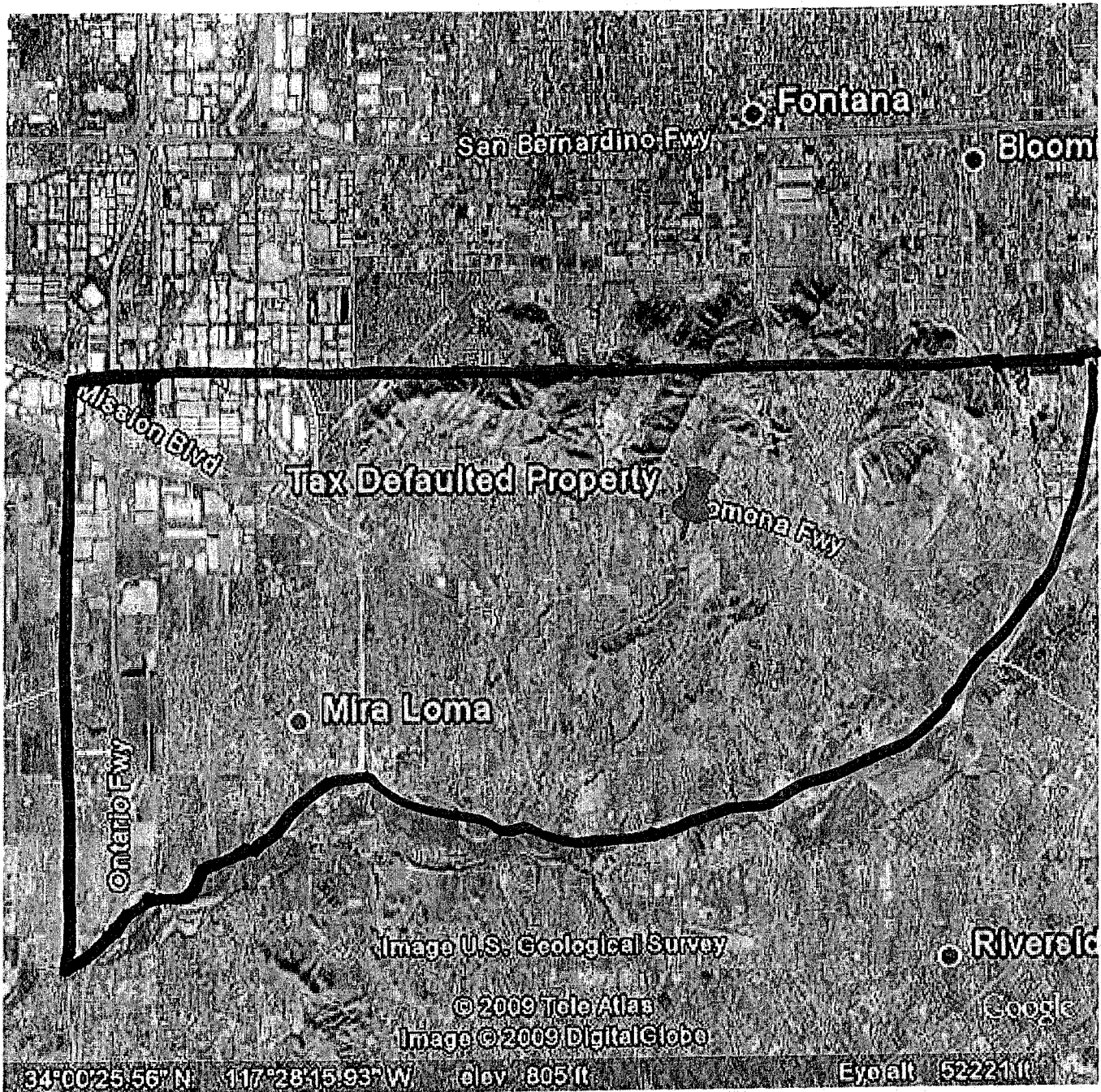
Legal Description.....

THAT PORTION OF SECTION 7, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 5 OF TRACT MAP NO. 18692, AS SHOWN BY MAP ON FILE IN BOOK 168 PAGE 97 AND 98 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA. SAID POINT ALSO BEING THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF CAMINO REAL AND THE NORTHERLY RIGHT OF WAY LINE OF THE NORTH RIVERSIDE AND JURUPA CANAL; THENCE SOUTHEASTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID NORTH RIVERSIDE AND JURUPA CANAL TO A POINT ON THE SOUTHERLY BOUNDARY OF LOT 54 OF LARSEN VILLA TRACT, UNIT 2, AS SHOWN BY MAP ON FILE IN BOOK 33, PAGE 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, SAID POINT BEING DISTANT 68.52 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 54; THENCE SOUTHEASTERLY TO A POINT ON THE NORTHERLY LINE OF LOT 6 OF TRACT MAP 25085-2, AS SHOWN BY MAP ON FILE IN BOOK 295 PAGES 7 THROUGH 9 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; SAID POINT BEING DISTANT 44.03 FEET FROM THE NORTHWEST CORNER OF SAID LOT 6 AS MEASURED ALONG THE NORTHERLY BOUNDARY THEREOF; THENCE NORTHWESTERLY ALONG THE SOUTHERLY RIGHT OF WAY OF THE NORTH RIVERSIDE AND JURUPA CANAL TO THE INTERSECTION OF WITH THE EASTERLY RIGHT OF WAY LINE OF CAMINO REAL; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE OF CAMINO REAL TO THE POINT OF BEGINNING

AGREEMENT 4354  
JURUPA AREA RECREATION AND PARK DISTRICT

EXHIBIT B



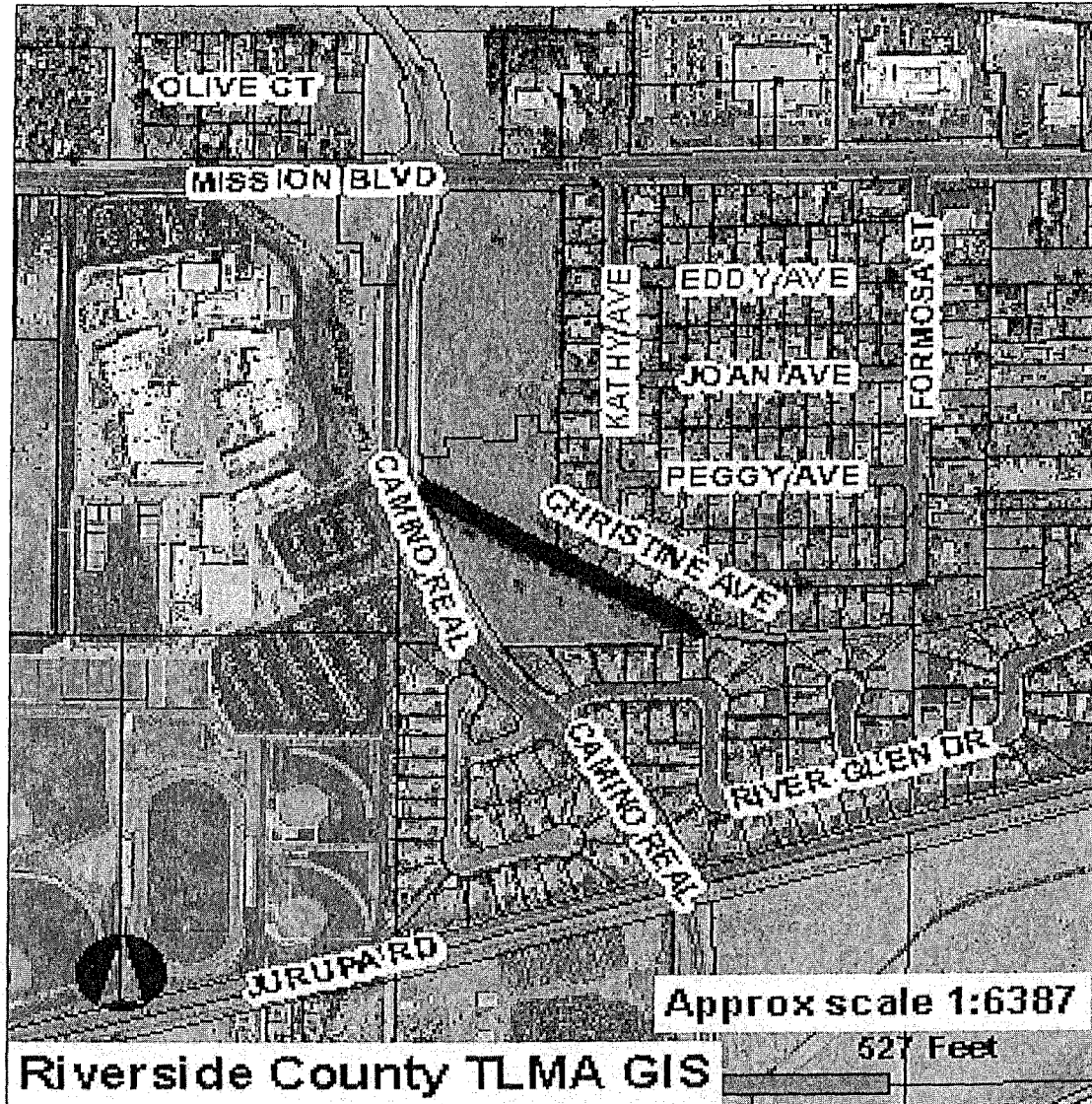
**BOUNDARY MAP OF THE JURUPA AREA RECREATION AND PARK DISTRICT (IN BOLDED BLACK) SHOWING LOCATION OF TAX-DEFAULTED PROPERTY (RED PIN)**

EXHIBIT B

PAGE 2



.51 ACRES



Selected parcel(s):  
183-030-047

LEGEND

SELECTED PARCEL

PARCELS

CITY BOUNDARY

**\*IMPORTANT\***

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

REPORT PRINTED ON...Tue Oct 14 13:23:43 2008

EXHIBIT B  
PAGE 4

THIS MAP WAS PREPARED FOR ASSISTANT COUNTY CLERK, AND LIABILITY IS ASSUMED FOR ACCURACY OF THE DATA SHOWN. COUNTY'S MAPS MAY NOT CORRELATE WITH LOCAL CITY-LEVEL OR STATEWIDE GIS DATA.

SEP 07 2009

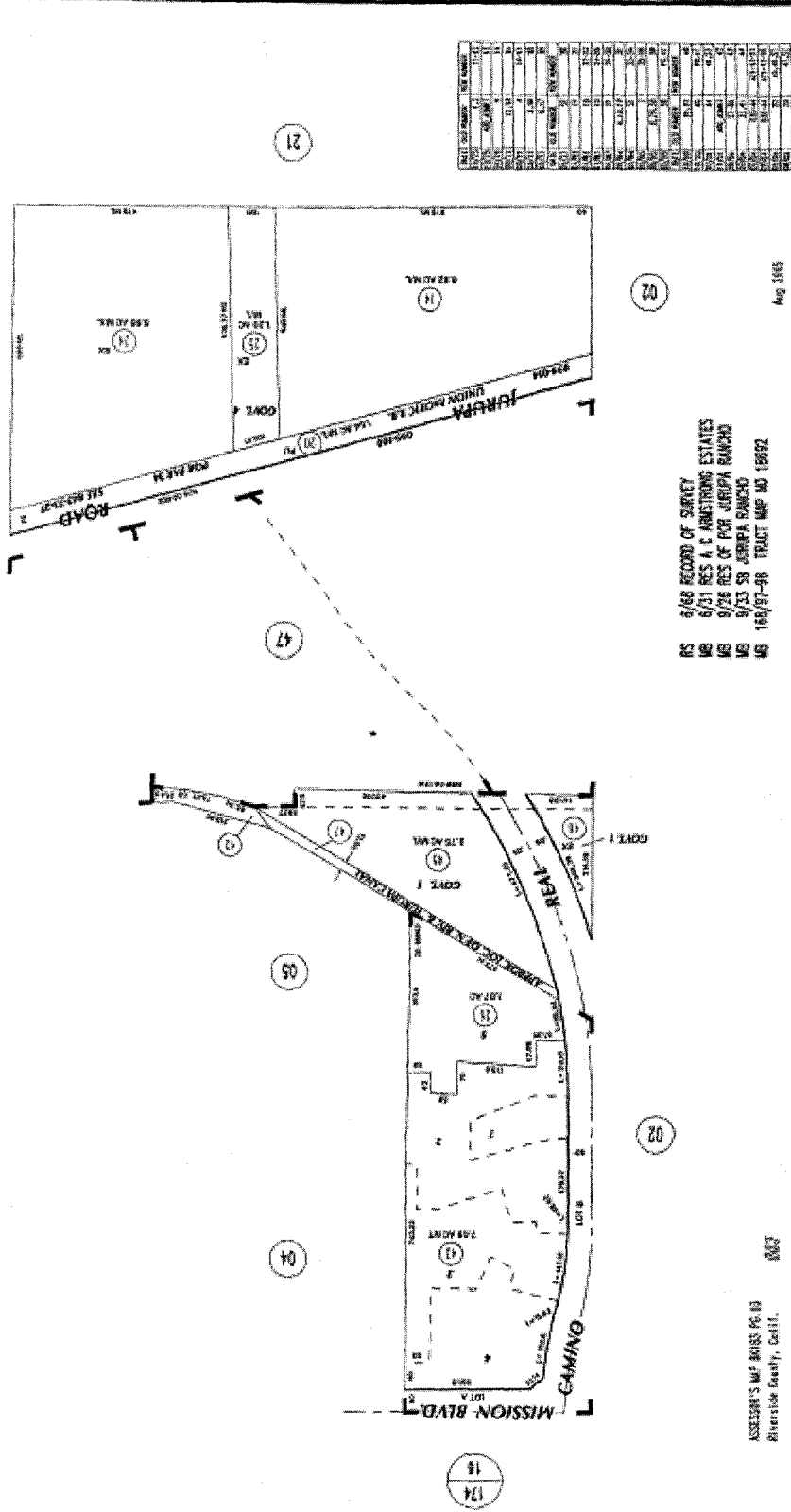
POR, PROTRACTED SEC. 7 T. 25., R. 5W

183-03

T.P.A. 099-414  
1-1-14  
089-100  
1-1-14



82



- RS 6/68 RECORD OF SURVEY
- MS 6/31 RES A.C. ARMSTRONG ESTATES
- MS 8/26 RES OF POR JERIPA RANCHO
- MS 8/23 SB JERIPA RANCHO
- MS 100/97-98 TRACT MAP NO 18992

ASSESSOR'S MAP BOOKS PG. 83  
Shasta County, Calif. 9607

Aug 2005

# EXHIBIT B PAGE 5

EXHIBIT "C"

NOTICE OF POWER TO SELL TAX-DEFAULTED PROPERTY

AGREEMENT 4354  
JURUPA AREA RECREATION AND PARK DISTRICT

TREASURER-TAX COLLECTOR  
STOP 1110

DOC # 2002-455466

05/15/2002 08:08A Fee:NC

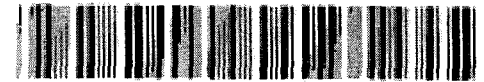
Page 1 of 1

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



M	S	J	PLAZ	SIZE	UA	FLOOR	WOODR	SWF	MISC	
	1		1							
								✓	CR	
A	R	I				COPY	LONG	PFUND	NCRS	EXAM

02512 RIVERSIDE COUNTY RECORD

### NOTICE OF POWER TO SELL TAX-DEFAULTED PROPERTY

Which, pursuant to law was declared to be Tax-Defaulted on  
for the nonpayment of delinquent taxes in the amount of  
for the fiscal year 1996-1997 . Default Number

JUNE 30, 1997

\$48.76

1997-183030023-0000

Notice is hereby given by the Tax Collector of RIVERSIDE County that pursuant to Revenue and Taxation Code §3691 the property described herein is subject to sale for nonpayment of taxes and will be sold unless the amount required to redeem the property is paid to the Tax Collector of said County before sale. The real property subject to this notice is assessed to  
**POPEJOY, CLIFFORD**

and is situated in said county, State of California, described as follows:

183030023-0

Assessor's Parcel Number

THAT PORTION OF LOT 4 IN SECTION 7, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP OF THE SUBDIVISION OF A PORTION OF THE JURUPA RANCHO ON FILE IN BOOK 9, PAGE 26 OF MAPS RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT, THENCE NORTH 88 DEGREES 53 MINUTES 30 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID LOT, 660.67 FEET, THENCE SOUTH 00 DEGREES 04 MINUTES 00 SECONDS WEST, 42.50 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 50 SECONDS WEST, 660.52 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT; THENCE NORTH 00 DEGREES 2 MINUTES 10 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT, 29.30 FEET TO THE POINT OF BEGINNING.

State of California Executed on  
RIVERSIDE County JULY 1, 2002

By Paul McDonnell  
Tax Collector

On JULY 1, 2002 before me, GARY L. ORSO, personally appeared PAUL MCDONNELL, personally known to me or 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 on the instrument, the person(s), or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

GARY L. ORSO  
Assessor/County Clerk-Recorder

Chris  
Deputy

EXHIBIT C



EXHIBIT "D"

RESOLUTION NUMBER 2006-04

MISSION STATEMENT

AGREEMENT 4354  
JURUPA AREA RECREATION AND PARK DISTRICT

RESOLUTION NO. 2008 - 23

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE JURUPA AREA RECREATION AND PARK DISTRICT OBJECTING TO THE PUBLIC SALE OF CERTAIN TAX DEFAULTED PROPERTY LYING WITHIN THE SERVICE AREA OF THE JURUPA AREA RECREATION AND PARK DISTRICT, OFFERING TO PURCHASE THE PROPERTY AND STATING PURPOSE FOR WHICH THE PROPERTY IS TO BE DEVOTED

WHEREAS: the Jurupa Area Recreation and Park District, a public agency created pursuant to Public Resources Code Section 5780, has determined that a certain tax-defaulted undeveloped parcel of property is within the Jurupa Area Recreation and Park District boundaries, and the Jurupa Area Recreation and Park District desires to purchase said parcel for public recreational purposes; AND

WHEREAS: the Riverside County Treasurer -Tax Collector has determined the purchase price for subject undeveloped parcel No. 183030047-2 may be acquired by the Jurupa Area Recreation and Park District for a sum of \$ 2,332.77 plus any other normal costs associated with the transfer and processing of the title to the Jurupa Area Recreation and Park District.

NOW, THEREFORE, BE IT RESOLVED by the Jurupa Area Recreation and Park District Board of Directors as follows:

1. The Jurupa Area Recreation and Park District does hereby object to the tax-defaulted public sale of the .51 acre parcel of land, located in the service area of the Jurupa Area Recreation and Park District and described below:

- Assessor Parcel Number 183030047-2
- .51 acre parcel of undeveloped land

The purchase price established by the Riverside County Treasurer and Tax Collector, pursuant to the Tax Collector's Power of Sale, is \$ 2,332.77.

2. The Jurupa Area Recreation and Park District does hereby offer to purchase this parcel of land identified in section 1 above, from the Riverside County Treasurer -Tax Collector, and offers to enter into a Chapter 8 Agreement of Sale for said parcel of land with the Riverside County Treasurer -Tax Collector pursuant to the provisions of the California Revenue and Taxation Code, Chapter 8, Section 3371, et. seq. in such forms as the Riverside County Treasurer -Tax Collector shall specify.

EXHIBIT D

3. The Jurupa Area Recreation and Park District hereby certifies to the Riverside County Treasurer-Tax Collector that the public purpose for which the parcel of land will be devoted is as follows:

**Open-space preservation and expansion of the Jim Real Memorial Trail System** ✓

4. The General Manager of the Jurupa Area Recreation and Park District is hereby authorized to execute any and all such Chapter 8 Agreements of Sale to carry out the purpose of this Resolution, and to forthwith pay the Riverside County Treasurer-Tax Collector, the full purchase price therefore, as specified in section 1, together with all costs of giving notice pursuant to statute, in full recognition that such costs are in addition to, and not included within the purchase price.

In addition, the Jurupa Area Recreation and Park District agrees to pay publication costs incurred, even if the property is redeemed, and therefore not conveyed to the Jurupa Area Recreation and Park District, and to pay the full costs of Lot Book Reports, which the Jurupa Area Recreation and Park District further recognizes to be non-refundable fees.

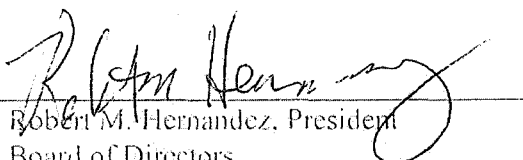
5. The General Manager of the Jurupa Area Recreation and Park District is further authorized to execute any and all other documents, agreements, and certifications required or desirable to consummate the purchase contemplated hereunder.


**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the Board of Directors of the Jurupa Area Recreation and Park District do hereby approve Resolution No. 2008 - 23

The foregoing Resolution No. 2008 - 23 was approved by the Board of Directors of the Jurupa Area Recreation and Park District at the Board Meeting held on the 13<sup>th</sup> day of November 2008 at 4810 Pedley Road, Riverside, California, on motion made by Director Stephen Anderson, seconded by Director Larry Riddle and carried by the following roll call vote:

Anderson Aye Hancock Aye Hernandez Aye Riddle Aye Schmidt Aye

NOTE: As of the date of this resolution, the Board consists of 4 Directors due to the resignation of Director Lee Parde.

  
Robert M. Hernandez, President  
Board of Directors  
Jurupa Area Recreation and Park District

  
Sheryl Schmidt, Secretary  
Board of Directors  
Jurupa Area Recreation and Park District

**EXHIBIT D**  
**PAGE 2**



# **Jurupa Area Recreation and Park District**

4810 Pedley Road ♦ Riverside, CA 92509 ♦ (951) 361-2090 ♦ Fax (951) 361-2095

[www.jarpd.org](http://www.jarpd.org)

## **THE MISSION OF THE JURUPA AREA RECREATION AND PARK DISTRICT IS:**

1. To provide and maintain safe park facilities
2. To provide positive and well-rounded recreational programs
3. To enhance the quality of life for all residents of the Jurupa Area

February 2, 2009

**EXHIBIT D**  
**PAGE 3**

**Board of Directors**

Stephen Anderson ♦ Brad Hancock ♦ Robert M. Hernandez ♦ Richard Lynch ♦ Larry Riddle

**General Manager**  
Dan Rodriguez