

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS DATE: 1/11/16

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

138A



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

**SUBMITTAL DATE:**  
**JAN 11 2016**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 197, Item 120. Last assessed to: Jose Gutierrez and Valorie S. Gutierrez, husband and wife as joint tenants. District 5 [\$0].

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

- Deny the claim from Lake Hemet Municipal Water District, for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 421090031-4;  
 (continued on page two)

**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 August 20, 2013 public auction sale. The deed conveying title to the purchasers at the auction was recorded October 2, 2013. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on October 30, 2013 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.  
 (continued on page two)

  
 Don Kent  
 Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

<b>SOURCE OF FUNDS:</b>	<b>Budget Adjustment:</b> N/A
	<b>For Fiscal Year:</b> 15/16

**C.E.O. RECOMMENDATION:** APPROVE  
 BY: Samuel Wong  
 County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

- Positions Added
- Change Order
- A-30
- 4/5 Vote

Prev. Agn. Ref.: \_\_\_\_\_ District: 5 Agenda Number: \_\_\_\_\_

9-18

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

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 197, Item 120. Last assessed to: Jose Gutierrez and Valorie S. Gutierrez, husband and wife as joint tenants. District 5 [\$0].

**DATE:** JAN 11 2016

**PAGE:** Page 2 of 3

**RECOMMENDED MOTION:**

2. Deny the claim from The Guerrini Law Firm, attorney for Reliance Finance Company;
3. Deny the claim from Jerome M. Yalon, Jr, attorney for Discover Bank, issuer of the Discover Card;
4. Deny the claim from Mickey Jew, Esq, attorney for Sunnyside Estates Homeowners Association;
5. Deny the claim from George L. Cohn, attorney for Livingston Financial, LLC;
6. Deny the claims, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.
7. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$2,106.67 to the county general fund pursuant to Revenue and Taxation Code Section 4674.

**BACKGROUND:**

**Summary (continued)**

Revenue and Taxation Code 4676 (b) states that the county shall make reasonable effort to obtain the name and last known mailing address of the parties of interest. Then, if the address of the party of interest cannot be obtained, the county shall publish notice of the right to claim excess proceeds in a newspaper of general circulation in the county as per Revenue and Taxation Code 4676 (c). The Treasurer-Tax Collector's Office has made it a policy to take the following actions to locate the rightful party of the excess proceeds.

- Examined title reports to notify all parties of interest attached to the parcel.
- Researched all last assessee's through the County's Property Tax System for any parties of interest.
- Used Accurint (people finder) to notify any new addresses that may be listed for our parties of interest.
- Advertised in newspapers for three consecutive weeks in the Desert Sun, Palo Verde Valley Times and the Press Enterprise referring any parties of interest to file a claim for the excess proceeds.
- Sent out a certified mailing within 90 days as required by Revenue and Taxation Code 4675.

According to Revenue and Taxation Code 4675 (a) Any party of interest in the property may file with the county a claim for the excess proceeds, in proportion to his or her interest held with others of equal priority in the property at the time of the sale, at any time prior to the expiration of the one year following the recordation of the Tax Collector's deed to the Purchaser, which was recorded on October 2, 2013.

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

1. Claim from Lake Hemet Municipal Water District based on a Statement of Lien recorded June 17, 2008 as Instrument No. 2008-0327945.
2. Claim from The Guerrini Law Firm, attorney for Reliance Finance Company based on an Abstract of Judgment recorded May 12, 2010 as Instrument No. 2010-0217963.
3. Claim from Jerome M. Yalon, Jr, attorney for Discover Bank, issuer of the Discover Card based on an Abstract of Judgment recorded August 5, 2010 as Instrument No. 2010-0368640.
4. Claim from Mickey Jew, Esq, attorney for Sunnyside Estates Homeowners Association based on a Notice of Delinquent Assessment/Lien recorded July 8, 2010 as Instrument No. 2010-0321172
5. Claim from George L. Cohn, attorney for Livingston Financial, LLC based on an Abstract of Judgment recorded February 10, 2011 as Instrument No. 2011-0065462.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that the claims from Lake Hemet Municipal Water District, The Guerrini Law Firm, attorney for Reliance Finance Company, Jerome M. Yalon, Jr, attorney for Discover Bank, issuer of the Discover Card, Mickey Jew, Esq, attorney for Sunnyside Estates Homeowners Association and George L. Cohn, attorney for Livingston Financial, LLC be denied since the liens filed are not against our assessees. Since there are no other claimants, the unclaimed excess proceeds in the amount of \$2,106.67 will be transferred to the county general fund. 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**

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 197, Item 120. Last assessed to: Jose Gutierrez and Valorie S. Gutierrez, husband and wife as joint tenants. District 5 [\$0].

**DATE:** JAN 11 2016

**PAGE:** Page 3 of 3

**Impact on Citizens and Businesses**

Excess proceeds are being transferred to the county general fund.

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

Copies of the Excess Proceeds Claim forms and supporting documentation are attached.

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

**To: Don Kent, Treasurer-Tax Collector**

**Re: Claim for Excess Proceeds**

TC 197 Item 120 Assessment No.: 421090031-4

Assessee: GUTIERREZ, JOSE & VALORIE S

Situs:

Date Sold: August 20, 2013

Date Deed to Purchaser Recorded: October 2, 2013

Final Date to Submit Claim: October 2, 2014

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 256.30 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. 2008-0327946, recorded on 6/17/2008. A copy of this document is attached here to. 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.**

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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 8 day of November, 2013 at Riverside, CA  
County, State

Jeannie Baker  
Signature of Claimant  
Jeannie Baker Clo Lake  
Print Name  
Hemet Municipal Water Dist.  
Street Address  
26385 Fairview Ave.  
City, State, Zip  
Hemet, CA 92544  
Phone Number  
951 658-3241 x243

\_\_\_\_\_  
Signature of Claimant  
\_\_\_\_\_  
Print Name  
\_\_\_\_\_  
Street Address  
\_\_\_\_\_  
City, State, Zip  
\_\_\_\_\_  
Phone Number

40

DOC # 2008-0327945

06/17/2008 08:00A Fee:NC

Page 1 of 1

Recorded in Official Records  
County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



**Please Record And Return To:**  
Lake Hemet Municipal Water District  
P.O. Box 5039  
Hemet, CA 92544-0039

**In the Matter of the Lien of  
Lake Hemet Municipal Water District  
Upon the Real Property of:**

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM 701

NAME: GUTIERREZ, Jose and Odilon  
ADDRESS: 42835 Seal Rock  
CITY, STATE: Hemet, CA 92544



◆ STATEMENT OF LIEN ◆

This is to certify, pursuant to Chapter 335 of Statutes of 1979-1980, that Lake Hemet Municipal Water District claims a lien upon all real property owned by the following named person within Riverside County, for delinquent charges, penalty and interest, in the amounts hereinafter set forth:

NAME: GUTIERREZ, Jose and Odilon  
SERVICE ADDRESS: 42835 Seal Rock  
Hemet, CA 92544

Amount of Delinquency: \$~~131~~.33  
Late Penalty: \$ -0-  
Processing fee: \$ 20.00

Total: \$151.33 plus clsg bill \* see att'd acct history

I certify that the foregoing is true and correct.

Jeannie Baker; Administrative Assistant  
Lake Hemet Municipal Water District

Document Date: June 13, 2008  
Account No. 8-7-250-2

**LAKE HEMET MUNICIPAL WATER DISTRICT**

**CUSTOMER ACCOUNT HISTORY**

**08-07-0250-2 Ernestina Gutierrez**      Route : 807-2450      Meter Size: 062  
**Service: 42835 Seal Rock**                      Wter Flat: \$0.00      Meter No. : 70803230  
**Hemet, CA 92544**

Home Ph: n/a                                      PRN: 145594              Rate Code: 10-S20-NS UM  
Mail: n/a    Water CCF: \$2.1720      Ref Charge: \$0.00  
    Sewer : \$50.02              Addl Cont : 0.00  
DL #: n/a    Bill St : DCB              Elevation :  
St Date: 12-13-05                              EDU's : 1.00              Zone Chge : \$0.0000  
Cl Date: 07-16-08      Owner ONLY      Dep Balance : \$ 0.00      Xconnect :  
Status : Closed                              WO on File      Dep Refund : -\$100.00 applied to closing bill  
Comment: Owner

**Account Balance: \$256.30**

Date	Days	Desc	Read	Cons	Wtr/Chg	City/Chg	Misc/Chg	Total	Balance
11-08-13		Fees For Processing Liens					40.00	<b>40.00</b>	<b>256.30</b>
07-21-08	49	Cbill 437400	26	64.03	0.00		-57.06	6.97	<b>216.30</b>
(Deposit applied to closing bill <100.00>)									
07-15-08		Reconnect Disconnect Fee					60.00		<b>209.33</b>
07-10-08		Doorhanger Fee					15.00		<b>149.33</b>
06-24-08		Delinquent Charge					3.00		<b>134.33</b>
05-28-08	63	Bill 434800	32	78.70	0.00		52.63	131.33	<b>131.33</b>
04-11-08		Pymt				<119.50>			<b>0.00</b>
03-26-08	57	Bill 431600	25	65.89	0.00		50.61	116.50	<b>119.50</b>
02-25-08		Pymt				<118.49>			<b>3.00</b>
02-22-08		Delinquent Charge					3.00		<b>121.49</b>
01-29-08	63	Bill 429100	28	70.26	0.00		48.23	118.49	<b>118.49</b>
12-17-07		Pymt				<144.21>			<b>0.00</b>
11-27-07	63	Bill 426300	41	92.53	0.00		51.68	144.21	<b>144.21</b>
10-16-07		Pymt				<164.82>			<b>0.00</b>
09-25-07	62	Bill 422200	51	110.33	0.00		54.49	164.82	<b>164.82</b>
08-21-07		Pymt				<175.13>			<b>0.00</b>
07-25-07	62	Bill 417100	56	119.23	0.00		55.90	175.13	<b>175.13</b>
06-15-07		Pymt				<140.09>			<b>0.00</b>
05-24-07	58	Bill 411500	39	88.97	0.00		51.12	140.09	<b>140.09</b>
04-10-07		Pymt				<109.11>			<b>0.00</b>
03-27-07	57	Bill 407600	24	62.27	0.00		46.84	109.11	<b>109.11</b>
02-08-07		Pymt				<116.29>			<b>0.00</b>
01-31-07		(Deposit Received for reconnect 1/17/07 <100.00>)							
01-29-07	62	Bill 405200	28	69.39	0.00		46.90	116.29	<b>116.29</b>
01-17-07		Pymt				<207.15>			<b>0.00</b>
01-17-07		Credit/debit Handling Fee					5.05		<b>207.15</b>
01-17-07		Reconnect Disconnect Fee					60.00		<b>202.10</b>
01-10-07		Doorhanger Fee					15.00		<b>142.10</b>
12-22-06		Delinquent Charge					0.50		<b>127.10</b>
11-28-06	62	Bill 402400	33	78.29	0.00		48.31	126.60	<b>126.60</b>
10-30-06		Pymt				<143.59>			<b>0.00</b>
10-20-06		Delinquent Charge					0.50		<b>143.59</b>

09-27-06	63	Bill	399100	41	92.53	0.00	50.56	143.09	<b>143.09</b>
08-16-06		Pymt				<190.49>	0.00		
07-26-06	62	Bill	395000	64	133.47	0.00	57.02	190.49	<b>190.49</b>
06-14-06		Pymt				<112.18>			<b>0.00</b>
05-25-06	58	Bill	388600	26	65.83	0.00	46.35	112.18	<b>112.18</b>
04-17-06		Pymt				<116.29>			<b>0.00</b>
03-28-06	61	Bill	386000	28	69.39	0.00	46.90	116.29	<b>116.29</b>
02-14-06		Pymt				<91.17>			<b>0.00</b>
01-26-06	44	Bill	383200	24	57.06	0.00	34.11	91.17	<b>91.17</b>

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

RECEIVED  
2014 FEB 18 PM 4:55  
RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 197 Item 120 Assessment No.: 421090031-4

Assessee: GUTIERREZ, JOSE & VALORIE S

Situs:

Date Sold: August 20, 2013

Date Deed to Purchaser Recorded: October 2, 2013

Final Date to Submit Claim: October 2, 2014

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$6,241.24 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. 2010-0217963; recorded on 5/2/10. A copy of this document is attached here to. 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.

We do not have a physical copy of the recorded Abstract of Judgment. We are attaching a copy of the entered Judgment. Our claim amount includes accrued interest.

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 13<sup>th</sup> day of February, 2014 at Los Angeles, CA  
County, State

[Signature]  
Signature of Claimant

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

John D. Guerrini, The Guerrini Law Firm  
Print Name

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

1065, Mentor Ave, Suite 150  
Street Address

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

Pasadena, CA 91106  
City, State, Zip

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

626-229-9611  
Phone Number

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

21



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address) <b>JOHN D. GUERRINI (190972)</b> THE GUERRINI LAW FIRM 750 E. GREEN STREET, SUITE 200 PASADENA, CA 91101 6111 TELEPHONE NO. 626-229-9611 FAX NO (Optional) 626-229-9615 E-MAIL ADDRESS (Optional) ATTORNEY FOR (Name) <b>PLAINTIFF RELIANCE FINANCE COMPANY</b>	FOR COURT USE ONLY  <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE  <div style="font-size: 1.5em; font-weight: bold;">OCT 30 2009</div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>Riverside</b> STREET ADDRESS 4050 Main Street MAILING ADDRESS CITY AND ZIP CODE <b>Riverside, California 92501-3703</b> BRANCH NAME <b>Riverside Courthouse</b>	CASE NUMBER  RIC 534731
PLAINTIFF: <b>RELIANCE FINANCE COMPANY</b>  DEFENDANT: <b>LAURA B. GUTIERREZ, AN INDIVIDUAL; JOSE GUTIERREZ, AN IN</b>	
<div style="text-align: center; font-weight: bold;">JUDGMENT</div> <input checked="" type="checkbox"/> By Clerk <input checked="" type="checkbox"/> By Default <input type="checkbox"/> After Court Trial <input type="checkbox"/> By Court <input type="checkbox"/> On Stipulation <input type="checkbox"/> Defendant Did Not Appear at Trial	

**JUDGMENT**

1.  **BY DEFAULT**
  - a. Defendant was properly served with a copy of the summons and complaint.
  - b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
  - c. Defendant's default was entered by the clerk upon plaintiff's application.
  - d.  **Clerk's Judgment** (Code Civ. Proc., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
  - e.  **Court Judgment** (Code Civ. Proc., § 585(b)). The court considered
    - (1)  plaintiff's testimony and other evidence.
    - (2)  plaintiff's written declaration (Code Civ. Proc., § 585(d)).
  
2.  **ON STIPULATION**
  - a. Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
  - b.  the signed written stipulation was filed in the case.
  - c.  the stipulation was stated in open court      the stipulation was stated on the record.
  
3.  **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.
  - a. The case was tried on (date and time):  
before (name of judicial officer):
  - b. Appearances by:
 

<input type="checkbox"/> Plaintiff (name each):	<input type="checkbox"/> Plaintiff's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
<input type="checkbox"/> Defendant (name each):	<input type="checkbox"/> Defendant's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
  - c.  Defendant did not appear at trial. Defendant was properly served with notice of trial.
  - d.  A statement of decision (Code Civ. Proc., § 632)  was not  was requested.

PLAINTIFF: RELIANCE FINANCE COMPANY	CASE NUMBER RIC 534731
DEFENDANT: LAURA B. GUTIERREZ, AN INDIVIDUAL; JOSE GUTIE	

JUDGMENT IS ENTERED AS FOLLOWS BY:  THE COURT  THE CLERK

4.  **Stipulated Judgment.** Judgment is entered according to the stipulation of the parties.

5. **Parties.** Judgment is

a.  for plaintiff (name each): RELIANCE FINANCE COMPANY

c.  for cross-complainant (name each):

and against defendant (names): LAURA B. GUTIERREZ, AN INDIVIDUAL; JOSE GUTIERREZ, AN INDIVIDUAL

and against cross-defendant (name each):

Continued on Attachment 5a.

Continued on Attachment 5c.

b.  for defendant (name each):

d.  for cross-defendant (name each):

6. **Amount.**

a.  Defendant named in item 5a above must pay plaintiff on the complaint:

c.  Cross-defendant named in item 5c above must pay cross-complainant on the cross-complaint:

(1)	<input checked="" type="checkbox"/> Damages		\$	3,717.18
(2)	<input checked="" type="checkbox"/> Prejudgment interest at the annual rate of 10%		\$	397.80
(3)	<input type="checkbox"/> Attorney fees		\$	0.00
(4)	<input checked="" type="checkbox"/> Costs		\$	330.00
(5)	<input type="checkbox"/> Other (specify):		\$	0.00
(6)	<b>TOTAL</b>		\$	4,444.98

(1)	<input type="checkbox"/> Damages		\$	0.00
(2)	<input type="checkbox"/> Prejudgment interest at the annual rate of %		\$	0.00
(3)	<input type="checkbox"/> Attorney fees		\$	0.00
(4)	<input type="checkbox"/> Costs		\$	0.00
(5)	<input type="checkbox"/> Other (specify):		\$	0.00
(6)	<b>TOTAL</b>		\$	0.00

b.  Plaintiff to receive nothing from defendant named in item 5b.

Defendant named in item 5b to recover costs \$ 0.00  
 and attorney fees \$ 0.00

d.  Cross-complainant to receive nothing from cross-defendant named in item 5d.

Cross-defendant named in item 5d to recover costs \$ 0.00  
 and attorney fees \$ 0.00

7.  Other (specify):

Date: \_\_\_\_\_ JUDICIAL OFFICER

Date: **OCT 30 2009**  Clerk, by \_\_\_\_\_, Deputy

**CLERK'S CERTIFICATE (Optional)**

I certify that this is a true copy of the original judgment on file in the court.

Date: **OCT 30 2009**

Clerk, by \_\_\_\_\_, Deputy



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number):  
 Recording requested by and return to:  
 JOHN D. GUERRINI (190972)  
 THE GUERRINI LAW FIRM  
 750 E. GREEN STREET, SUITE 200  
 PASADENA, CA 91101  
 5774  
 626-229-9611

ATTORNEY FOR  JUDGMENT CREDITOR  ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Riverside  
 STREET ADDRESS: 4050 Main Street  
 MAILING ADDRESS:  
 CITY AND ZIP CODE: Riverside, California 92501-3703  
 BRANCH NAME: Riverside Courthouse

FOR RECORDER'S USE ONLY

PLAINTIFF: RELIANCE FINANCE COMPANY ✓  
 DEFENDANT: LAURA B. GUITERREZ, AN INDIVIDUAL; JOSE GUTIERREZ, AN INDIVIDUAL ✓

CASE NUMBER:  
 RIC 534731 ✓

**ABSTRACT OF JUDGMENT—CIVIL AND SMALL CLAIMS**  Amended

FOR COURT USE ONLY

1. The  judgment creditor  assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's  
 Name and last known address  
 ✓ LAURA B. GUITERREZ, AN INDIVIDUAL  
 500 HARDING  
 CORONA, CA 92879

b. Driver's license no. [last 4 digits] and state:  Unknown  
 c. Social security no. [last 4 digits]:  Unknown  
 d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address): LAURA B. GUITERREZ, AN INDIVIDUAL  
 ✓ 500 HARDING  
 CORONA, CA 92879

2.  Information on additional judgment debtors is shown on page 2.  
 3. Judgment creditor (name and address):  
 ✓ RELIANCE FINANCE COMPANY c/o The Guerrini Law Firm, 752 E. Green Street, #200, Pasadena, CA 91101

4.  Information on additional judgment creditors is shown on page 2.  
 5.  Original abstract recorded in this county:  
 a. Date:  
 b. Instrument No.:

Date: 01/21/2010  
 John D. Guerrini  
 (TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:  
 \$ 4,444.98  
 7. All judgment creditors and debtors are listed on this abstract.  
 8. a. Judgment entered on (date): 10/30/2009  
 b. Renewal entered on (date):  
 9.  This judgment is an installment judgment.

10.  An  execution lien  attachment lien is endorsed on the judgment as follows:  
 a. Amount: \$ 0.00  
 b. In favor of (name and address):



This abstract issued on (date):  
**MAR 11 2010**

11. A stay of enforcement has  
 a.  not been ordered by the court.  
 b.  been ordered by the court effective until (date):  
 12. a.  I certify that this is a true and correct abstract of the judgment entered in this action.  
 b.  A certified copy of the judgment is attached.  
 Clerk, by \_\_\_\_\_, Deputy

DOC # 2010-0217963  
05/12/2010 08:00A Fee:26.00

Page 1 of 3  
Recorded in Official Records  
County of Riverside  
Larry W. Ward  
Assessor, County Clerk & Recorder



WHEN RECORDED MAIL TO  
NAME THE GUERRINI LAW FIRM  
MAILING ADDRESS 750 E Green Street #200  
CITY, STATE Pasadena, CA  
ZIP CODE 91101

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
			3				9		
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
NOTICE SENT:							CTY	UNI	002

TITLE(S)

ABSTRACT OF JUDGMENT

(36)

M  
002

Legal Solutions & Plus LS-201

PLAINTIFF: RELIANCE FINANCE COMPANY	CASE NUMBER:
DEFENDANT: LAURA B. GUTERREZ, AN INDIVIDUAL; JOSE GUTIERREZ, AN INDIVIDUAL	RIC 534731

**NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:**

13. Judgment creditor (name and address):
14. Judgment creditor (name and address):

15.  Continued on Attachment 15.

**INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:**

16. Name and last known address

17. Name and last known address

JOSE GUTIERREZ, AN INDIVIDUAL  
 500 HARDING  
CORONA, CA 92879

Driver's license no. [last 4 digits] and state:

Unknown

Driver's license no. [last 4 digits] and state:

Unknown

Social security no. [last 4 digits]:

Unknown

Social security no. [last 4 digits]:

Unknown

Summons was personally served at or mailed to (address):

Summons was personally served at or mailed to (address):

500 HARDING  
CORONA, CA 92879

18. Name and last known address

19. Name and last known address

Driver's license no. [last 4 digits] and state:

Unknown

Driver's license no. [last 4 digits] and state:

Unknown

Social security no. [last 4 digits]:

Unknown

Social security no. [last 4 digits]:

Unknown

Summons was personally served at or mailed to (address):

Summons was personally served at or mailed to (address):

20.  Continued on Attachment 20.

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

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 197 Item 120 Assessment No.: 421090031-4

Assessee: GUTIERREZ, JOSE & VALORIE S

Situs:

Date Sold: August 20, 2013

Date Deed to Purchaser Recorded: October 2, 2013

Final Date to Submit Claim: October 2, 2014

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 11,461.52 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. 20100368640; recorded on August 05, 2010. A copy of this document is attached here to. 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 14 day of November, 2013 at Contra Costa, California  
County, State

Jerome M. Yalon  
Signature of Claimant  
JEROME M. YALON, JR., #84204

ATTORNEY for DISCOVER BANK  
Print Name CASE # RIC543368

700 Ygnacio Valley Rd.  
Street Address

WALNUT CREEK CA 94596  
City, State, Zip

(206) 602-1560  
Phone Number

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

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

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

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

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

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

BISHOP, WHITE, MARSHALL & WEIBEL, P.S.  
901 SUNVALLEY BOULEVARD, SUITE 220  
CONCORD, CA 94520

WHEN RECORDED MAIL TO:

BISHOP, WHITE, MARSHALL & WEIBEL, P.S.  
901 SUNVALLEY BOULEVARD, SUITE 220  
CONCORD, CA 94520

DOC # 2010-0368640

08/05/2010 08:00A Fee:26.00

Page 1 of 3

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAV	
NOTICE SENT							T:	CTY	UNI	

(THIS SPACE FOR RECC

# DOCUMENT TITLE

*He* **M**  
061

- ABSTRACT OF JUDGMENT
- ACKNOWLEDGMENT OF SATISFACTION OF JUDGMENT
- OTHER (SPECIFY): \_\_\_\_\_

*Certified*  
**COPY**

APR 05 2010

MAY 17 2010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and phone number):  
 Recording requested by and return to:  
 Barbara L. Bollero CSBA# 135189 Tel: 1-877-259-1016  
 Daniel L. Hembree CSBA# 247020 Hallie N. Bennett CSBA# 247407  
 Bishop White & Marshall, P.S.  
 1355 Willow Way, Suite 254, Concord, CA 94520  
 FILE #: DF901407

ATTORNEY FOR  JUDGMENT CREDITOR  ASSIGNEE OF RECORD

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF Riverside**  
 STREET ADDRESS: 4050 Main Street  
 MAILING ADDRESS:  
 CITY AND ZIP CODE: Riverside, CA 92501  
 BRANCH NAME: RIVERSIDE HISTORIC COURTHOUSE, WESTERN REGION

FOR RECORDER'S USE ONLY

PLAINTIFF: DISCOVER BANK, ISSUER OF THE DISCOVER CARD  
 DEFENDANT: JOSE A GUTIERREZ

CASE NUMBER:  
 RIC543358

**ABSTRACT OF JUDGMENT—CIVIL AND SMALL CLAIMS**  Amended


FOR COURT USE ONLY

1. The  judgment creditor  assignee of record applies for an abstract of judgment and represents the following:
- a. Judgment debtor's
- Name and last known address
- JOSE A GUTIERREZ  
 19277 JOLORA AVE  
 CORONA CA 928814636
- b. Driver's license no. [last 4 digits] and state:  Unknown  
 c. Social security no. [last 4 digits]: xxx-xx-  Unknown
- d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address): JOSE A GUTIERREZ  
 19277 JOLORA AVE CORONA CA 928814636
2.  Information on additional judgment debtors is shown on page 2.
3. Judgment creditor (name and address):  
 DISCOVER BANK, ISSUER OF THE DISCOVER CARD  
 720 Olive Way, Suite 1301, Seattle, WA 98101

4.  Information on additional judgment creditors is shown on page 2.
5.  Original abstract recorded in this county:  
 a. Date:  
 b. Instrument No.:

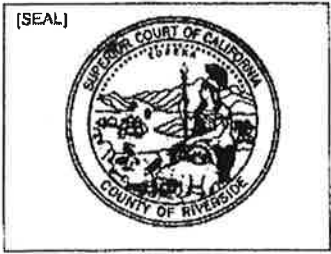
Date: March 25, 2010

Barbara L. Bollero CSBA# 135189 Daniel L. Hembree CSBA# 247020  
 Hallie N. Bennett CSBA# 247407  
 (TYPE OR PRINT NAME)

  
 (SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:  
 \$ 11,461.52 *JLB*
7. All judgment creditors and debtors are listed on this abstract.
8. a. Judgment entered on (date): March 09, 2010  
 b. Renewal entered on (date):
9.  This judgment is an installment judgment.

10.  An  execution lien  attachment lien is endorsed on the judgment as follows:  
 a. Amount: \$  
 b. In favor of (name and address):



This abstract issued on (date):  
 JUN 07 2010

11. A stay of enforcement has  
 a.  not been ordered by the court.  
 b.  been ordered by the court effective until (date):
12. a.  I certify that this is a true and correct abstract of the judgment entered in this action,  
 b.  A certified copy of the judgment is attached.
- Clerk, by *Joanne Bosny*, Deputy



PLAINTIFF: DISCOVER BANK, ISSUER OF THE DISCOVER CARD

CASE NUMBER:  
RIC543358

DEFENDANT: JOSE A GUTIERREZ

**NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:**

13. Judgment creditor (*name and address*):

14. Judgment creditor (*name and address*):

15.  Continued on Attachment 15.

**INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:**

16. Name and last known address

[ ] [ ]  
[ ] [ ]

Driver's license no. [last 4 digits]  
and state:

Unknown

Social security no. [last 4 digits]:

Unknown

Summons was personally served at or mailed to (*address*):

17. Name and last known address

[ ] [ ]  
[ ] [ ]

Driver's license no. [last 4 digits]  
and state:

Unknown

Social security no. [last 4 digits]:

Unknown

Summons was personally served at or mailed to (*address*):

18. Name and last known address

[ ] [ ]  
[ ] [ ]

Driver's license no. [last 4 digits]  
and state:

Unknown

Social security no. [last 4 digits]:

Unknown

Summons was personally served at or mailed to (*address*):

19. Name and last known address

[ ] [ ]  
[ ] [ ]

Driver's license no. [last 4 digits]  
and state:

Unknown

Social security no. [last 4 digits]:

Unknown

Summons was personally served at or mailed to (*address*):

20.  Continued on Attachment 20.

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

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 197 Item 120 Assessment No.: 421090031-4

Assessee: GUTIERREZ, JOSE & VALORIE S

Situs:

Date Sold: August 20, 2013

Date Deed to Purchaser Recorded: October 2, 2013

Final Date to Submit Claim: October 2, 2014

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 4111.60 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. 2010-0321172; recorded on 07/08/2010. A copy of this document is attached here to. 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.

Copy of Writ of Execution issued 9/27/2013 in the amount of  
\$4111.60 attached, Riverside County Superior Court Case# MC1100648.  
Debtor: Valerie Gutierrez aka Valorie S. Gutierrez aka Valerie  
Gutierrez.

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 4th day of November, 2013 at Encinitas, San Diego County, California  
County, State

Mickey Jew, Esq  
Signature of Claimant

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

Mickey Jew, Esq  
Attorney for Lienholder/Plaintiff

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

Sunnyside Estates Homeowners  
Peters & Freedman LLP Association  
191 Calle Magdalena #220

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

Encinitas CA 92024  
Street Address

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

760-436-3441  
City, State, Zip

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

Phone Number

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

Ref: 1477.3

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

DOC # 2010-0321172  
07/08/2010 08:00A Fee: 18.00  
Page 1 of 2  
Recorded in Official Records  
County of Riverside  
Larry W. Ward  
Assessor, County Clerk & Recorder

PETERS & FREEDMAN, L.L.P.  
43100 Cook Street Suite 202  
Palm Desert, California 92211  
(760) 773-4463  
Our File No. 1477.3  
Account No. 18



APN: 616-151-004

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
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						T:	CTY	UNI	800

19-



**NOTICE OF DELINQUENT ASSESSMENT/LIEN**

NOTICE IS HEREBY GIVEN that the Board of Directors of **Sunnyside Estates Homeowners Association** ("Association"), pursuant to the powers conferred upon it by that certain Declaration, as defined in the California Civil Code Section 1351, recorded in the Official Records, Riverside County Recorder, State of California, on June 18 1999, as File/Page No. 1999-271084, and California Civil Code Sections 1366 and 1367, levied assessments and other charges on that certain property located at **47800 Madison Street No 18 Indio, CA 92201**, Legally Described as **Lot 18 MB 115/018 Tract 16041 and Interest in Common Areas**, the record owner of which is **Valerie Gutierrez**.

1. The Association claims a lien imposed on the Property by this notice in the amount of **\$1,293.75** (see, attached itemized statement) currently due and owing, PLUS ANY ADDITIONAL ASSESSMENTS AND COSTS ACCRUED AND OWING AFTER THE DATE OF RECORDATION TO THE DATE OF SATISFACTION HEREOF, which includes the following: (a) assessments, late charges, interest and of collection costs in the amount of **\$993.75** currently due and owing as of **June 30, 2010**; and (b) attorneys' fees and costs in the amount of **\$300.00** as of **June 30, 2010**.

2. The name and address of the trustee authorized by the Association to enforce the lien by sale is **PETERS & FREEDMAN, L.L.P., 43100 Cook Street Suite 202, Palm Desert, California 92211. Peters & Freedman, L.L.P., is acting in the function as a debt collector, any information obtained will be used for that purpose.**

DATED: 7/2/10 **Sunnyside Estates Homeowners Association**  
BY: Christina Baine DeJardin  
Christina Baine DeJardin, as Trustee, Attorney and Authorized Representative for **Sunnyside Estates Homeowners Association**.

State of California )  
County of Riverside )

On July 16, 2010 before me, Renee Evans, a Notary Public, personally appeared Christina Baine DeJardin, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity (ies), and that by her 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 Renee Evans (seal)



**Case Balance**

Name: Valerie Gutierrez  
 Case #:  
 Balance: \$1,293.75  
 Account: 18  
 File #: 1477

Property Address: 47800 Madison Street No 18 Indio CA 92201  
 Property Lot/Unit:  
 Property County: Riverside  
 Assoc: Sunnyside Estates Homeowners Association  
 Mgmt: Self Managed

Mailing Address: 47800 Madison Street No 18 Indio CA 92201  
 Mailing Lot/Unit: N/A  
 Mailing County:  
 Status: Active - Created on 6/22/2010

Date	Type	Charge Code	Ref. #	Description	Charges	Credits	By
2/28/2010 6:26:21 PM	Beg. Bal.			(Beginning Balance)	\$0.00		JM
02/28/2010	Adjustment	MONTHLY DUES		Credit Balance		\$2.00	JM
03/01/2010	Charge	MONTHLY DUES			\$165.00		JM
03/16/2010	Charge	LATE			\$16.50		JM
03/30/2010	Charge	INTR			\$1.80		JM
04/01/2010	Charge	MONTHLY DUES			\$165.00		JM
04/16/2010	Charge	LATE			\$16.50		JM
04/30/2010	Charge	INTR			\$3.63		JM
05/01/2010	Charge	MONTHLY DUES			\$165.00		JM
05/16/2010	Charge	LATE			\$16.50		JM
05/18/2010	Charge	MANAGEMENT FEES		Management PreLien Letter Fee	\$50.00		JM
05/30/2010	Charge	INTR			\$5.48		JM
06/01/2010	Charge	MONTHLY DUES			\$165.00		JM
06/16/2010	Charge	LATE			\$16.50		JM
06/21/2010	Charge	MANAGEMENT FEES		Management Attorney Fees	\$100.00		JM
06/30/2010	Charge	INTR			\$8.84		JM
06/30/2010	Charge	LEGL		File Open & Senior Status	\$100.00		JM
06/30/2010	Charge	LEGL		Lien Prepared For Recording	\$300.00		JM
<b>Sub-Totals:</b>					\$1,295.75	\$2.00	
<b>Balance Due:</b>						\$1,293.75	



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address):

Mickey Jew 219710  
Peters & Freedman, L.L.P.  
191 Calle Magdalena, Suite 220  
Encinitas, CA 92024  
TELEPHONE NO.: (760) 436-3441 FAX NO.: (760) 436-3442  
E-MAIL ADDRESS: mjew@hoalaw.com

FOR COURT USE ONLY

ATTORNEY FOR (Name): Plaintiff SUNNYSIDE ESTATES HOA

ATTORNEY FOR  JUDGMENT CREDITOR  ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Riverside  
STREET ADDRESS: 3255 E. Tahquitz Canyon Way  
MAILING ADDRESS:  
CITY AND ZIP CODE: Palm Springs, CA 92262  
BRANCH NAME: Palm Springs Branch

PLAINTIFF: SUNNYSIDE ESTATES HOMEOWNERS ASSOCIATION

DEFENDANT: VALERIE GUTTIEREZ

WRIT OF  EXECUTION (Money Judgment)  POSSESSION OF  Personal Property  Real Property  SALE

CASE NUMBER:  
INC 1100648

Limited Civil Case  Small Claims Case  
 Unlimited Civil Case  Other

- 1. To the Sheriff or Marshal of the County of: Los Angeles  
You are directed to enforce the judgment described below with daily interest and your costs as provided by law.
- 2. To any registered process server: You are authorized to serve this writ only in accord with CCP 699.080 or CCP 715.040.

3. (Name): SUNNYSIDE ESTATES HOMEOWNERS ASSOCIATION

is the  judgment creditor  assignee of record whose address is shown on this form above the court's name.

4. Judgment debtor (name, type of legal entity stated in judgment if not a natural person, and last known address):

VALERIE GUTTIEREZ  
81-812 Dr. Correan  
Boulevard, Suite C  
Indio, CA 92201

9.  See next page for information on real or personal property to be delivered under a writ of possession or sold under a writ of sale.

10.  This writ is issued on a sister-state judgment.

11. Total judgment ..... \$ 3,217.44  
12. Costs after judgment (per filed order or memo CCP 685.090) ..... \$ 445.00  
13. Subtotal (add 11 and 12) ..... \$ 3,662.44  
14. Credits ..... \$  
15. Subtotal (subtract 14 from 13) ..... \$ 3,662.44  
16. Interest after judgment (per filed affidavit CCP 685.050) (not on GC 6103.5 fees) .. \$ 424.16  
17. Fee for issuance of writ ..... \$ 25.00  
18. Total (add 15, 16, and 17) ..... \$ 4,111.60

Additional judgment debtors on next page

19. Levying officer:

(a) Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) of ..... \$ 0.88

(b) Pay directly to court costs included in 11 and 17 (GC 6103.5, 68637; CCP 699.520(i)) ..... \$

5. Judgment entered on (date):  
May 31, 2012

6.  Judgment renewed on (dates):

7. Notice of sale under this writ

- a.  has not been requested.
- b.  has been requested (see next page).

8.  Joint debtor information on next page.

20.  The amounts called for in items 11-19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.

(SEAL)



Issued on (date): SEP 27 2013 Clerk, by C. Perez, Deputy

NOTICE TO PERSON SERVED: SEE NEXT PAGE FOR IMPORTANT INFORMATION.

PLAINTIFF: SUNNYSIDE ESTATES HOMEOWNERS ASSOCIATION

CASE NUMBER:

INC 1100648

DEFENDANT: VALERIE GUTTIEREZ

-Items continued from page 1-

21.  Additional judgment debtor (name, type of legal entity stated in judgment if not a natural person, and last known address):

Empty boxes for providing debtor information for item 21.

22.  Notice of sale has been requested by (name and address):

Empty boxes for providing notice of sale information for item 22.

23.  Joint debtor was declared bound by the judgment (CCP 989-994)

a. on (date):

a. on (date):

b. name, type of legal entity stated in judgment if not a natural person, and last known address of joint debtor:

b. name, type of legal entity stated in judgment if not a natural person, and last known address of joint debtor:

Empty boxes for providing joint debtor information for item 23.

c.  additional costs against certain joint debtors (itemize):

24.  (Writ of Possession or Writ of Sale) Judgment was entered for the following:

a.  Possession of real property: The complaint was filed on (date):

(Check (1) or (2)):

(1)  The Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.

(2)  The Prejudgment Claim of Right to Possession was NOT served in compliance with CCP 415.46.

(a) \$ \_\_\_\_\_ was the daily rental value on the date the complaint was filed.

(b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):

b.  Possession of personal property.

If delivery cannot be had, then for the value (itemize in 24e) specified in the judgment or supplemental order.

c.  Sale of personal property.

d.  Sale of real property.

e. Description of property:

NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying Notice of Levy (Form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will make a demand upon you for the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

▶ A Claim of Right to Possession form accompanies this writ (unless the Summons was served in compliance with CCP 415.46).

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

To: **Don Kent, Treasurer-Tax Collector**

Re: **Claim for Excess Proceeds**

TC 197 Item 120 Assessment No.: 421090031-4

Assessee: GUTIERREZ, JOSE & VALORIE S

Situs:

Date Sold: August 20, 2013

Date Deed to Purchaser Recorded: October 2, 2013

Final Date to Submit Claim: October 2, 2014

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 4,777.01 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. 2011-0065462 recorded on 2/10/11. A copy of this document is attached here to. 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.**

---

---

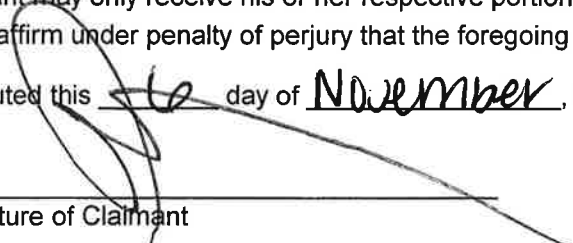
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---

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 6 day of November, 2013 at Los Angeles, CA  
County, State

Signature of Claimant   
Print Name George L. Cohn  
Street Address 2850 Artesia Blvd. Ste 201  
Redondo Beach CA 90278  
City, State, Zip  
Phone Number (310) 370-3730

Signature of Claimant \_\_\_\_\_  
Print Name \_\_\_\_\_  
Street Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Phone Number \_\_\_\_\_

This page is part of your document - DO NOT DISCARD



20101010580



Pages:  
0003

Recorded/Filed in Official Records  
Recorder's Office, Los Angeles County,  
California

07/23/10 AT 09:00AM

FEES:	30.00
TAXES:	0.00
OTHER:	0.00
PAID:	30.00



LEADSHEET



201007230010032

00002698885



002794899

SEQ:  
01

DAR - Counter (Hard Copy)



THIS FORM IS NOT TO BE DUPLICATED



RECORDING REQUESTED BY:  
GEORGE L. COHN, ATTORNEY AT LAW  
2850 ARTESIA BLVD., SUITE 201  
REDONDO BEACH CA 90278  
(9-49646-0)

WHEN RECORDED MAIL TO:

NAME George L. Cohn  
MAILING ADDRESS 2850 Artesia Blvd. #201  
P.O. Box 5000  
CITY, STATE ZIP CODE Redondo Beach, CA 90278



2

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**TITLE(S)**

ABSTRACT OF JUDGMENT

The following notice is pursuant to Federal law:  
**WE ARE ACTING AS A "DEBT COLLECTOR" AND ARE ATTEMPTING TO COLLECT DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

09-49646-0

EJ-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Check appropriate checkbox, include name and phone number)  
 (Print or type name, address and return to.)

George L. Cohn (310) 370-3730  
 Bar No. 92559  
 2850 Artesia Blvd., Suite 201  
 P.O. Box 5000 09-49646-0/AJ5  
 Redondo Beach, CA 90278-9200

ATTORNEY FOR  JUDGMENT CREDITOR  ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

REGISTRY ADDRESS 9355 Burton Way  
 MAILING ADDRESS 9355 Burton Way  
 CITY AND ZIP CODE Beverly Hills, CA 90210  
 DISTRICT NAME BEVERLY HILLS JUDICIAL DISTRICT JUDICIAL DISTRICT

FOR RECORDING USE ONLY

PLAINTIFF LIVINGSTON FINANCIAL, LLC  
 DEFENDANT DAVID S WEISS

CASE NUMBER  
 10C00953

**ABSTRACT OF JUDGMENT—CIVIL AND SMALL CLAIMS**  Amended

FOR COURT USE ONLY

1 The  judgment creditor  assignee of record applies for an abstract of judgment; and represents the following:

a. Judgment debtor's  
 Name and last known address:  
 \* DAVID S WEISS  
 8721 Santa Monica Blvd  
 Los Angeles, California 90069

b. Driver's license no. (last 4 digits) and state:  Unknown  
 c. Social security no. (last 4 digits):  Unknown  
 d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address): DAVID S WEISS  
 8721 Santa Monica Blvd Los Angeles, CA 90069

2  Information on additional judgment debtors is shown on page 2.

3 Judgment creditor (name and address):  
 LIVINGSTON FINANCIAL, LLC

c/o 2850 Artesia Blvd #201 Redondo Beach, CA 90278  
 Date: May 18, 2010  
 GEORGE L. COHN

4  Information on additional judgment creditors is shown on page 2.  
 5  Original abstract recorded in this county  
 a. Date:  
 b. Instrument No.

\_\_\_\_\_  
 SIGNATURE OF APPLICANT OR ATTORNEY

6 Total amount of judgment as entered or last renewed  
 \$ 23,390.94

7 All judgment creditors and debtors are listed on this abstract

8 a. Judgment entered on (date): April 29, 2010  
 b. Renewal entered on (date):

9  This judgment is an installment judgment.

10  An  execution lien  attachment lien is endorsed on the judgment as follows:  
 a. Amount \$  
 b. In favor of (name and address):

11 A stay of enforcement has  
 a.  not been ordered by the court  
 b.  been ordered by the court effective until (date):



This abstract issued on (date):  
**JUN 29 2010**

12 a.  I certify that this is a true and correct abstract of the judgment entered in this action.  
 b.  A certified copy of the judgment is attached.

JOHNA CLARKS  
 Clerk, by \_\_\_\_\_  
 D. MORSE  
 Deputy

PLAINTIFF: LIVINGSTON	CASE NUMBER: 10C00953
DEFENDANT: WEISS	

**NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:**

13. Judgment creditor (name and address):

14. Judgment creditor (name and address):

15.  Continued on Attachment 15

**INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:**

16. Name and last known address

17. Name and last known address

Driver's license no. [last 4 digits] and state:  Unknown

Driver's license no. [last 4 digits] and state:  Unknown

Social security no. [last 4 digits]:  Unknown

Social security no. [last 4 digits]:  Unknown

Summons was personally served at or mailed to (address):

Summons was personally served at or mailed to (address):

18. Name and last known address

19. Name and last known address

Driver's license no. [last 4 digits] and state:  Unknown

Driver's license no. [last 4 digits] and state:  Unknown

Social security no. [last 4 digits]:  Unknown

Social security no. [last 4 digits]:  Unknown

Summons was personally served at or mailed to (address):

Summons was personally served at or mailed to (address):

20.  Continued on Attachment 20.

RECORDING REQUESTED BY:  
**GEORGE L. COHN, ATTORNEY AT LAW**  
 2850 ARTESIA BLVD., SUITE 201  
 - REDONDO BEACH CA 90278 ✓  
 09-49640-0

WHEN RECORDED MAIL TO:

NAME: George L. Cohn  
 MAILING ADDRESS: 2850 Artesia Blvd. #201  
 P.O. Box 5000  
 CITY, STATE ZIP CODE: Redondo Beach, CA 90278

DOC # 2011-0065462 ✓

02/10/2011 08:00A Fee:21.00  
 Page 1 of 3

Recorded in Official Records  
 County of Riverside

Larry W. Ward  
 Assessor, County Clerk & Recorder



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**TITLE(S)**

ABSTRACT OF JUDGMENT ✓

**M**  
034

The following notice is pursuant to Federal law:  
**WE ARE ACTING AS A "DEBT COLLECTOR" AND ARE ATTEMPTING TO COLLECT DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

09-49640-0

REC'D SEP 10 2010

EJ-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number):  
Recording requested by and return to:

(310) 370-3730  
George L. Cohn Bar No. 92559  
2850 Artesia Blvd., Suite 201  
P.O. Box 5000 09-49640-0/AJ5  
Redondo Beach, CA 90278-9200

ATTORNEY FOR  JUDGMENT CREDITOR  ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

STREET ADDRESS: 4050 Main Street  
MAILING ADDRESS: 4050 Main Street  
CITY AND ZIP CODE: Riverside, CA 92501  
BRANCH NAME: RIVERSIDE CENTRAL DISTRICT JUDICIAL DISTRICT

FOR RECORDER'S USE ONLY

PLAINTIFF: LIVINGSTON FINANCIAL LLC ✓  
DEFENDANT: JOSEPH GUTIERREZ ✓

CASE NUMBER  
RIC536184 ✓

ABSTRACT OF JUDGMENT—CIVIL AND SMALL CLAIMS  Amended

FOR COURT USE ONLY

1. The  judgment creditor  assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address  
JOSEPH GUTIERREZ  
4288 Friesian Ln  
Riverside, California 92509

b. Driver's license no. (last 4 digits) and state:  Unknown

c. Social security no. (last 4 digits):  Unknown

d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address): JOSEPH GUTIERREZ  
4288 Friesian Ln Riverside, CA 92509

2.  Information on additional judgment debtors is shown on page 2.

4.  Information on additional judgment creditors is shown on page 2.

3. Judgment creditor (name and address):

5.  Original abstract recorded in this county:

LIVINGSTON FINANCIAL LLC

a. Date:  
b. Instrument No.:

c/o 2850 Artesia Blvd #201 Redondo Beach, CA 90278

Date: September 2, 2010  
GEORGE L. COHN

(SIGNATURE OF APPLICANT OR ATTORNEY)

(TYPE OR PRINT NAME)

6. Total amount of judgment as entered or last renewed:  
\$ 4,717.01

10.  An  execution lien  attachment lien is endorsed on the judgment as follows:

7. All judgment creditors and debtors are listed on this abstract.

a. Amount: \$  
b. In favor of (name and address):

8. a. Judgment entered on (date): August 19, 2010

b. Renewal entered on (date):

9.  This judgment is an installment judgment.

11. A stay of enforcement has

a.  not been ordered by the court.  
b.  been ordered by the court effective until (date):



This abstract issued on (date):  
SEP 20 2010

12. a.  I certify that this is a true and correct abstract of the judgment entered in this action.

b.  A certified copy of the judgment is attached.

Clerk, by [Signature], Deputy

Form Adopted for Mandatory Use  
Judicial Council of California  
EJ-001 (Rev. January 1, 2008)  
09-49640-0 AJ5

ABSTRACT OF JUDGMENT—CIVIL AND SMALL CLAIMS

Page 1 of 2  
Code of Civil Procedure, §§ 488-490,  
674, 700-100

American LegalNet, Inc.  
www.FormsWorkNow.com

PLAINTIFF: LIVINGSTON	CASE NUMBER: RIC536184
DEFENDANT: GUTIERREZ	

**NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:**

13. Judgment creditor (name and address):

14. Judgment creditor (name and address):

15.  Continued on Attachment 15.

**INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:**

16. Name and last known address

17. Name and last known address

Driver's license no. [last 4 digits] and state:  Unknown

Driver's license no. [last 4 digits] and state:  Unknown

Social security no. [last 4 digits]:  Unknown

Social security no. [last 4 digits]:  Unknown

Summons was personally served at or mailed to (address):

Summons was personally served at or mailed to (address):

18. Name and last known address

19. Name and last known address

Driver's license no. [last 4 digits] and state:  Unknown

Driver's license no. [last 4 digits] and state:  Unknown

Social security no. [last 4 digits]:  Unknown

Social security no. [last 4 digits]:  Unknown

Summons was personally served at or mailed to (address):

Summons was personally served at or mailed to (address):

20.  Continued on Attachment 20.