

FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRIAMOS DATE

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

143A



FROM: Don Kent, Treasurer-Tax Collector

SUBMITTAL DATE:

JAN 11 2016

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 199, Item 333. Last assessed to: Fortino Lopez and Sofia Lopez, husband and wife as joint tenants. District 4 [\$0].

RECOMMENDED MOTION: That the Board of Supervisors:

- Deny the claim from Tom R. Normandin, attorney for Citizens Business Bank for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 641072028-4; (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 February 4, 2014 public auction sale. The deed conveying title to the purchasers at the auction was recorded March 21, 2014. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on April 22, 2014 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	

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

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

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: | District: 4 | Agenda Number:

9-23

Departmental Concurrence

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

FORM 11: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 199, Item 333. Last assessed to: Fortino Lopez and Sofia Lopez, husband and wife as joint tenants. District 4 [\$0].

DATE: JAN 11 2016

PAGE: Page 2 of 2

RECOMMENDED MOTION:

2. Deny the claim from Erin A. Maloney, Esq., for the Moreno Valley Ranch Community Association;
3. Deny the claims, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.
4. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$14,818.11 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 March 21, 2014.

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

1. Claim from Tom R. Normandin, attorney for Citizens Business Bank based on an Abstract of Judgment recorded January 23, 2012 as Instrument No. 2012-0026428.
2. Claim from Erin A. Maloney, Esq., for the Moreno Valley Ranch Community Association based on an Abstract of Judgment recorded March 27, 2013 as Instrument No. 2013-0146265.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Tom R. Normandin, attorney for Citizens Business Bank and Erin A. Maloney, Esq., for the Moreno Valley Ranch Community Association be denied since the liens filed are not associated with our last assessee. Since there are no other claimants the unclaimed excess proceeds in the amount of \$14,818.11 will be transferred to the county general fund. 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.

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

9115-006

TC 199 Item 333 Assessment No.: 641072028-4

Assessee: LOPEZ, FORTINO & SOFIA

Situs: 66058 HACIENDA AVE DESERT HOT SPRINGS 92240

Date Sold: February 4, 2014

Date Deed to Purchaser Recorded: March 21, 2014

Final Date to Submit Claim: March 23, 2015

RECEIVED
2014 JUL 17 PM 2: 29
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 93,648.40 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 2012-0026428; recorded on 01/23/2012. 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.

Judgment entered on October 31, 2011 in the sum of \$76,347.56
plus daily interest in the sum of \$20.92 from date of entry of
judgment through date of sale February 4, 2014 (827 days) \$17,300.84
equals \$93,648.40.

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 14th day of July, 2014 at Santa Ana, Orange County, CA
County, State

Signature of Claimant

By Tom R. No Ci
Signature of Claimant

TOM R. NORMANDIN, Attorney for Judgment Creditor

Print Name

CITIZENS BUSINESS BANK

Print Name

c/o PRENOVOST, NORMANDIN, BERGH & DAWE

Street Address

2122 North Broadway, Suite 200

Street Address

Santa Ana, CA 92706-2614

City, State, Zip

City, State, Zip

714-547-2444

Phone Number

Phone Number

9115-009

RECORDING REQUESTED BY
CITIZENS BUSINESS BANK

DOC # 2012-0026428

01/23/2012 09:12A Fee:21.00

Page 1 of 3

Recorded in Official Records
County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



WHEN RECORDED MAIL TO
NAME PRENOVOST, NORMANDIN,
BERGH & DAWE
MAILING 2122 North Broadway, Suite 200
ADDRESS

CITY, STATE Santa Ana, CA 92706-2614
ZIP CODE

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22

TITLE(S)

ABSTRACT OF JUDGMENT



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

Recording requested by and return to:

Tom Roddy Normandin, Bar No. 102265
PRENOVOST, NORMANDIN, BERGH & DAWE
2122 North Broadway, Suite 200

Santa Ana, CA 92706-2614
714-547-2444

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: CENTRAL DISTRICT

FOR RECORDER'S USE ONLY

PLAINTIFF: CITIZENS BUSINESS BANK

CASE NUMBER:

DEFENDANT: THE LOPEZ GROUP CONTRACTORS, INC.; STEVE C. LOPEZ, an individual; SOPHIA A. LOPEZ, an individual

RIC 10019660

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

THE LOPEZ GROUP CONTRACTORS, INC.
29971 Nuevo Road
Nuevo, CA 92567

- 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): The Lopez Group Contractors, Inc.
29971 Nuevo Road, Nuevo, CA 92567

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):
CITIZENS BUSINESS BANK, 701 N. Haven Ave.,
Ontario, CA 91764

5. Original abstract recorded in this county:

- a. Date:
- b. Instrument No.:

Date: December 28, 2011

TOM R. NORMANDIN

(TYPE OR PRINT NAME)


(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
\$ 76,347.56

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): ~~October 28, 2011~~ Oct 28, 2011
b. Renewal entered on (date): October 31, 2011

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):

[SEAL]



This abstract issued on (date):

JAN 06 2012

- 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

PLAINTIFF: CITIZENS BUSINESS BANK	CASE NUMBER:
DEFENDANT: THE LOPEZ GROUP CONTRACTORS, INC.; STEVE C. LOPEZ, an individual; SOPHIA A. LOPEZ, an individual	RIC 10019660

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:

- | | |
|--|--|
| <p>16. Name and last known address</p> <p>STEVE C. LOPEZ, an individual
29971 Nuevo Road
Nuevo, CA 92567</p> <p>Driver's license no. [last 4 digits] and state: <input checked="" type="checkbox"/> Unknown</p> <p>Social security no. [last 4 digits]: <input checked="" type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p> <p>Steve C. Lopez
29971 Nuevo Road
Nuevo, CA 92567</p> | <p>17. Name and last known address</p> <p>SOPHIA A. LOPEZ, an individual
29971 Nuevo Road
Nuevo, CA 92567</p> <p>Driver's license no. [last 4 digits] and state: <input checked="" type="checkbox"/> Unknown</p> <p>Social security no. [last 4 digits]: <input checked="" type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p> <p>Sophia A. Lopez
29971 Nuevo Road
Nuevo, CA 92567</p> |
|--|--|

- | | |
|---|---|
| <p>18. Name and last known address</p> <p>Driver's license no. [last 4 digits] and state: <input type="checkbox"/> Unknown</p> <p>Social security no. [last 4 digits]: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p> | <p>19. Name and last known address</p> <p>Driver's license no. [last 4 digits] and state: <input type="checkbox"/> Unknown</p> <p>Social security no. [last 4 digits]: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p> |
|---|---|

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 199 Item 333 Assessment No.: 641072028-4

Assessee: LOPEZ, FORTINO & SOFIA

Situs: 66058 HACIENDA AVE DESERT HOT SPRINGS 92240

Date Sold: February 4, 2014

Date Deed to Purchaser Recorded: March 21, 2014

Final Date to Submit Claim: March 23, 2015

RECEIVED
2014 JUL 22 PM 3:59
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 12,617.15 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. 2013-0146265; recorded on 3/27/2013. 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.

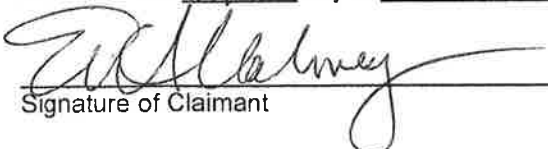
NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

Abstract of Judgment (2013-0146265, Recorded 3/27/10)

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 21st day of July, 2014 at Riverside, CA
County, State



Signature of Claimant

Signature of Claimant

Erin A. Maloney, Esq.

Print Name

Print Name

6820 Indiana Avenue, Suite 140

Street Address

Street Address

Riverside, CA 92506

City, State, Zip

City, State, Zip

(951) 342-7954

Phone Number

Phone Number

DOC # 2013-0146265
03/27/2013 12:49P Fee:41.00
Page 1 of 2

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



PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

FIORE, RACOBS & POWERS

AND WHEN RECORDED MAIL TO:

Flore, Racobs & Powers
A Professional Law Corporation
6820 Indiana Avenue, Suite 140
Riverside, CA 92506

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TRA:
DTT:

ABSTRACT OF JUDGMENT

42.50



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)

EJ-001

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

Recording requested by and return to: Fiore, Racobs & Powers
Erin A. Maloney (SBN 155485)
Fiore, Racobs & Powers
A Professional Law Corporation
6820 Indiana Avenue, Suite 140
Riverside, CA 92506
(951) 342-7954

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 92501-3703

BRANCH NAME: Riverside Judicial District

FOR RECORDER'S USE ONLY

PLAINTIFF: The Moreno Valley Ranch Community Association

CASE NUMBER:

DEFENDANT: Keith T. Chase; Salvador Cruz; Webster Family Trust; and Sophia Lopez; and Marjorie Pierce

RIC 10024209

ABSTRACT OF JUDGMENT—CIVIL Amended
AND SMALL CLAIMS

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

Sophia Lopez
17522 Calle De Amigos
Moreno Valley, CA 92551

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): Sophia Lopez
17522 Calle De Amigos, Moreno Valley, CA 92551

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):

The Moreno Valley Ranch Community Association, a California nonprofit mutual benefit corporation, c/o Fiore, Racobs & Powers, 6820 Indiana Avenue, Suite 140, Riverside, CA 92506

5. Original abstract recorded in this county:

a. Date:

b. Instrument No.:

Date: March 5, 2013

Erin A. Maloney

(TYPE OR PRINT NAME)



(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
\$ 10,339.77

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): January 8, 2013

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):

MAR 12 2013

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