

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

957A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
MAY 13 2010


SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 177, Item 316.
Last assessed to: Frontier Mining & Engineering Corporation.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries, Ltd., assignee for Kathleen Ely Incerti for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 806410005-2;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., assignee for Kathleen Ely Incerti in the amount of \$21,770.94, no sooner than ninety days from the date of this order, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court.

BACKGROUND: 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 March 12, 2007 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 2007. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on June 4, 2007, 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

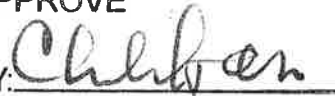
FURNISHED APPROVED COUNTY COUNSEL
 BY  DALE A. GARDNER
 DATE 05/13/10

| | | | | |
|-----------------------|-------------------------------|-------------|-------------------------|---------|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$21,770.94 | In Current Year Budget: | NO |
| | Current F.Y. Net County Cost: | \$0 | Budget Adjustment: | N/A |
| | Annual Net County Cost: | \$0 | For Fiscal Year: | 2009-10 |

| | | |
|--|----------------------------------|--------------------------|
| SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale | Positions To Be Deleted Per A-30 | <input type="checkbox"/> |
| | Requires 4/5 Vote | <input type="checkbox"/> |

C.E.O. RECOMMENDATION:

APPROVE

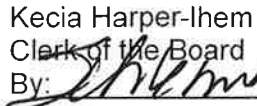
BY: 
Christopher M. Hans

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: June 8, 2010
 xc: Treasurer, Auditor

Kecia Harper-Ihem
 Clerk of the Board
 By: 
 Deputy

Prev. Agn. Ref.:

District: 4

Agenda Number:

9.22

ATTACHMENTS FILED
 WITH THE CLERK OF THE BOARD

Dept. Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

BOARD OF SUPERVISORS

Form 11:

Page 2

RECOMMENDED MOTION: (Continued)

The Treasurer-Tax Collector has received one claim for excess proceeds:

- 1) Claim from Global Discoveries, Ltd., assignee for Kathleen Ely Incerti based on an Assignment of Right to Collect Excess Proceeds dated March 25, 2008 and a Corporation Grant Deed recorded November 8, 1993 as Instrument No. 444028.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., assignee for Kathleen Ely Incerti be awarded excess proceeds in the amount of \$21,770.94. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.



GLOBAL DISCOVERIES, LTD.

1120 13th Street, Suite A, Modesto, CA 95354

Phone (209) 593-3900 or (800) 370-0372 • Fax (209) 549-9299 • www.globaldiscoveries.com

CLAIM SUMMARY

To: Riverside County Treasurer and Tax Collector

Assessors Parcel Number: 806410005-2
 Last Assessee: FRONTIER MINING & ENGINEERING CORP
 Sale Date: 3/12/2007
 Tax Sale Number: TC177
 Item Number: 316
 Default Number: 2001-806410005-0000
 Deadline Date: 5/3/2008

RECEIVED
 2009 APR 24 PM 2:41
 RIVERSIDE COUNTY
 TREAS - TAX COLLECTOR

Dear Treasurer/Tax Collector:

1. Claimant(s): Global Discoveries, Ltd.

The following proof of claim(s) for excess proceeds and documents are attached:

1. Corporation Grant Deed granting interest to Frontier Mining & Engineering Corporation as Document #444028, Recorded 11/8/1993.
2. Certificate of Dissolution of Frontier Mining & Engineering Corporation, showing Kathleen Incerti as Secretary
3. Declaration Re: Dissolution verifying that all assets have been distributed to Kathleen Ely Incerti
4. Marriage Certificate: Kathleen Ely becomes Kathleen Incerti aka Kathleen Ely Incerti
5. Assignment of Excess Proceeds signed by Kathleen Ely Incerti, as an individual and as Secretary of Frontier Mining and Engineering Corporation
6. Claim Form(s) signed by Global Discoveries
7. Photo ID for Kathleen Ely Incerti.

Upon approval, claimant(s) request that the Treasurer and Tax Collector issue its warrant(s) as follows:

- One warrant in the amount of \$21,770.94 or 100% of the claimant's share of the excess proceeds made payable to Global Discoveries, Ltd. and mailed to P.O. Box 1748, Modesto, California 95353-1748.

Please address questions regarding the attached claim(s) to Jed Byerly, Chief Operating Officer, toll-free at (800) 370-0372, Extension 113, or e-mail to jed@globaldiscoveries.com.

The Client(s) and the staff of Global Discoveries, Ltd., thank you in advance for your timely review and approval of the attached claim(s).



BOOK 12 PAGE 11

INTERNAL REVENUE STAMPS

GENERAL

CORPORATION GRANT DEED

Attix L.R. 5-8

PRODUCTOS Y SERVICIOS, S.A.

a corporation organized under the laws of the Republic of Panama for a valuable consideration, hereby GRANT to

FRONTIER MINING & ENGINEERING CORPORATION

The following described Real Property

All of our rights, titles, and interests in real property, known and unknown, of every kind and description, wherever the same may be situated, either in the State of California or within any other state or territory of the United States of America, or within the District of Columbia, or elsewhere, which is owned by Productos Y Servicios, S.A., or in which Productos Y Servicios, S.A., have or claim to have an interest or ownership in same.

IN WITNESS WHEREOF, said Corporation has caused its corporate name and seal to be affixed to this deed by its Vice President and Assistant Secretary, thereunto duly authorized.

Dated June 27, 1967

STATE OF CALIFORNIA COUNTY OF Los Angeles

William L. Parker By

Vice President and Secretary

PRODUCTOS Y SERVICIOS, S.A.

Teresa Kishalonis

On June 27, 1967, the Undersigned, a Notary Public in and for said County and State, personally appeared William L. Parker and Teresa Kishalonis, Vice President and Assistant Secretary of the Corporation that executed the within instrument known to me to be the persons who executed the within instrument on behalf of the Corporation herein named, and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Marie Hilliard Notary Public in and for said County and State My commission expires 6/30/68

RECORDER'S OFFICE stamp with fields for ORDER No., ESCROW No., and a notary seal for Marie Hilliard, Notary Public for California, Los Angeles County.

11 08 03

NOT RECORDED COPY FILED 1965

8802570051

FILED

CERTIFICATE OF DISSOLUTION

SEP 13 1988

atm

Michael J. ...
SECRETARY OF STATE

We, the President and Secretary of Frontier Mining and Engineering Corporation, in accordance with the requirements of the General Corporation Law of the State of Delaware and in order to obtain the dissolution of said corporation, as provided by said law,

DO HEREBY CERTIFY AS FOLLOWS:

1. The registered office of Frontier Mining and Engineering Corporation in the State of Delaware is at 1102 West Street in the City of Wilmington and in the County of New Castle, and the agent in charge thereof, upon whom process may be served, is Colonial Charter Company.

2. The dissolution of said Frontier Mining and Engineering Corporation has been duly authorized in accordance with the provisions of Section 275 of the General Corporation Law of the State of Delaware, there being attached hereto the consent of stockholders.

3. The following is a list of the names and resident addresses of the directors of the said corporation:

JoAnn Romeyn
91 George Street
Cotati, California 94928

Wilma Ely
777 Charlotte Lane
Santa Barbara, California 93105

Kathleen Incerti
777 Charlotte Lane
Santa Barbara, California 93105

4. The following is a list of the names and resident addresses of the officers of the corporation:

President - Wilma Ely,
777 Charlotte Lane
Santa Barbara, California 93105

Secretary - Kathleen Incerti
Treasurer - 777 Charlotte Lane
Santa Barbara, California 93105

FRONTIER MINING AND ENGINEERING CORPORATION

BY: Wilma Ely
President

ATTEST: Kathleen Incerti
Secretary

DATE: 8-19-88

DECLARATION RE: DISSOLUTION
OF FRONTIER MINING AND ENGINEERING CORPORATION

I, Kathleen Ely Incerti do hereby declare:

1. I am over the age of 18 and a resident of Santa Barbara County, CA. The facts set forth herein are true of my own personal knowledge. If called to testify as a witness in a judicial proceeding, I could, and would, testify truthfully and competently thereto.
2. Frontier Mining and Engineering Corporation has been dissolved, per the Certificate of Dissolution. All the assets have been distributed to me personally.

I declare under penalty of perjury that the foregoing is true and correct. Executed this
✓ 25 day of March, 2008, at Santa Barbara County, CA..

✓ Kathleen Ely Incerti

Kathleen Ely Incerti, as an individual
and as Secretary of Frontier Mining and Engineering Corporation

Marriage Certificate

State of California

County of SANTA BARBARA

I hereby Certify that on OCTOBER 1 1983
Month Day

at SANTA BARBARA California, under authority

of a license issued by the County Clerk of the County of Santa Barbara, I, the


undersigned, as a Minister, joined in marriage

KATHLEEN ELY and JOHN PHILIP INCERTI

in the presence of J. Benjamin Incerti residing at Boston, MA

California, and John Romeyn residing at Cotati, CA

California.


Officiant of Person Solemnizing Marriage

ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS.

As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby assign to GLOBAL DISCOVERIES, LTD. my right to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 806410005-2, Tax Sale Number TC177, Item 316 sold at public auction on 3/12/2007. I understand that the total of excess proceeds available for refund is \$ 21,770.94+/-, and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VALUABLE CONSIDERATION RECEIVED I HAVE SOLD THIS RIGHT OF COLLECTION (assignment) TO THE ASSIGNEE. I certify under penalty of perjury that I have disclosed to the assignee all facts of which I am aware relating to the value of this right I am assigning.

Kathleen Ely Incerti 3-25-08 (Signature of Party of Interest/Assignor) (Date)

Kathleen Ely Incerti, as an individual and as Secretary Frontier Mining and Engineering Corporation (Name Printed)

570-78-0272 (Tax ID/SS#)

1006 Claremont Road (Address)

Santa Barbara, CA 93105 (City/State/Zip)

STATE OF CALIFORNIA)ss. COUNTY OF Ventura)

(Area Code/Telephone Number)

On March 25, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared KATHLEEN ELY INCERTI Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to within instrument and acknowledged to me that he/she/they executed the same. 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 of Notary)



(This area for official seal)

I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest (assignor), pursuant to Section 4675 of the California Revenue and Taxation Code, all facts of which I am aware relating to the value of the right he is assigning, that I have disclosed to him the full amount of excess proceeds available, and that I HAVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT.

Jed Byerly (Signature of Assignee)

Jed Byerly, Chief Operating Officer (Name Printed)

77-0558969 (Tax ID/SS#)

Global Discoveries, Ltd. (Address)

STATE OF CALIFORNIA)ss. COUNTY OF Stanislaus)

P.O. Box 1748 Modesto, California 95353-1748 (City/State/Zip)

Phone: (209) 593-3913

On April 16, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared ***Jed Byerly*** who proved to me on the basis of Satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same. 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 of Notary)



(This area for official seal)

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY

To: Riverside County Treasurer and Tax Collector

Assessor's Parcel No: 806410005-2
Tax Sale Number: TC177
Item Number: 316
Default Number: 2001-806410005-0000
Date of Sale: 3/12/2007

The undersigned claimant, Global Discoveries, Ltd., claims \$21,770.94+/- or 100% of the claimant's share of the actual amount of excess proceeds from the sale of the property referenced above.

Global Discoveries, Ltd., claims its status as a party of interest pursuant to Section 4675 of the California Revenue and Taxation Code based upon the attached documentation:

Please refer to Claim Summary and attached Documents

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 16th day of April, 2008 at Modesto, California.

By: Jed Byerly
Jed Byerly, Chief Operating Officer
Global Discoveries, Ltd. Tax ID # 77-0558969
P.O. Box 1748
Modesto, CA 95353-1748
(209) 593-3913

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

State of California)

County of Stanislaus)

On April 16, 2008 before me, Linda J. Hunnel, Notary Public, personally appeared (Date)
(here insert name and title of the officer)
Jed Byerly, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Linda J. Hunnel (seal)
Signature of Notary Public

