

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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

JUL 12 2010

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 179, Item 46.
Last assessed to: Stephen M. Denning and Jeannie Denning, husband and wife as joint tenants.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries, Ltd., assignee for Stephen M. Denning and Jeannie Denning, last assesseees for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 347150029-5;
- 2) Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., assignee for Stephen M. Denning and Jeannie Denning in the amount of \$43,022.04, 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: (Continued on page two)



Don Kent, Treasurer-Tax Collector

FINANCIAL DATA	Current F.Y. Total Cost:	\$43,022.04	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010-11

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

- Policy
- Policy
- Consent
- Consent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Buster 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: September 14, 2010
xc: Treasurer, Auditor

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

Dept's Recomm.:
Per Exec. Ofc.:

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

District: 5

Agenda Number:

9.66

FORM APPROVED COUNTY COUNSEL
BY:  7/12/10
DALE A. GARDNER
Deputy Auditor-Controller

BOARD OF SUPERVISORS

Form 11:

Page 2

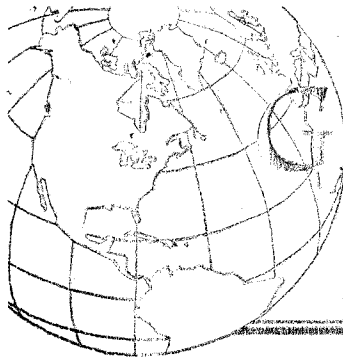
BACKGROUND: (Continued)

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 17, 2008 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 12, 2008. 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 9, 2008, 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.

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

- 1) Claim from Global Discoveries, Ltd., assignee for Stephen M. Denning and Jeannie Denning based on an Assignment of Right to Collect Excess Proceeds dated June 17, 2008 and a Quitclaim Deed recorded July 18, 1980 as Instrument No. 130240.

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 Stephen M. Denning and Jeannie Denning be awarded excess proceeds in the amount of \$43,022.04. 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: 347-150-029-5
 Last Assessee: DENNING STEPHEN M & JEANNIE
 Sale Date: 3/17/2008
 Tax Sale Number: TC179
 Item Number: 46
 Deadline Date: 5/12/2009

RECEIVED
 2008 JUL -7 AM 8:01
 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. Quitclaim Deed quitclaiming interest to Stephen M Denning and Jeannie Denning, husband and wife as Joint Tenants as Document# 130240, Recorded in Riverside County on 07-18-1980.
2. Assignment of Excess Proceeds signed by Stephen M. & Jeannie Denning
3. Declaration of one and the same Person for Stephen M. Denning.
4. Declaration of one and the same Person for Jeannie Denning.
5. Claim Form(s) signed by Global Discoveries
6. Photo ID for Stephen M. & Jeannie Denning

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

- One warrant in the amount of \$43,022.04 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, at (209) 593-3913, 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).



RECORDING REQUESTED BY
Stephen M. Denning and Jeannie Denning
 WHO WISH RECORD THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO

NAME: Stephen M. & Jeannie Denning
 ADDRESS: F. O. Box 648
 CITY: Lake Elsinore, Ca., 92330

130240

RECEIVED FOR RECORD
 JUL 18 1980

RECORDED & OFFICIAL FILED
 AT RIVERSIDE COUNTY, CALIFORNIA

File Date No. _____ Page No. _____ SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

THE UNDERSIGNED GRANOR(S) DECLARE(S)
 DOCUMENTARY TRANSFER TAX IS NONE
 computed on full value of property conveyed, or
 computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, William L. Denning and Beulah M. Denning, husband and wife as joint tenants hereby remise, release and forever quitclaim to Stephen M. Denning and Jeannie Denning, husband and wife as joint tenants

the following described real property in the unincorporated area
 County of Riverside, State of California:

The Northerly 90 Ft. of the North half of the South half of the Westerly half of the Westerly half of Groves 37 to 44, both inclusive, in Forest 3 of the Elsinore Eucalyptus Tract, as shown by map on file in Book 6 page 75 Maps, records of Riverside County, California, EXCEPTING THEREFROM THE SOUTHERLY 24 FT. THEREOF.

This deed is to correct the legal Description on Deed Recorded July 27, 1977 #143119

Dated July 17, 1980

William L. Denning
 William L. Denning

STATE OF CALIFORNIA
 COUNTY OF Riverside

Beulah M. Denning
 Beulah M. Denning

On July 17, 1980 before me, the undersigned, a Notary Public in and for said State, personally appeared WILLIAM M. DENNING and BEULAH M. DENNING

known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that they executed the same.



Shirley M. Haygood

WITNESS my hand and official seal.

Signature Shirley M. Haygood

(This area for official notarial seal)

MAIL TAX STATEMENTS TO _____ NAME _____ ADDRESS _____ ZIP _____

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DEED, QUITCLAIM, WOLCOTT FORM 790 REV. 3-76

See standard form covers most about problems in the deed instructions. Before you sign, read it, and in all blanks, and make changes and get in your instructions. Contact a lawyer if you want the form a lawyer's job before.

END RECORDED DOCUMENT DONALD D. SULLIVAN, COUNTY RECORDER

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 347-150-029-5, Tax Sale Number TC179, Item 46 sold at public auction on 3/17/2008. I understand that the total of excess proceeds available for refund is \$ 43,022.04+/-, 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.

Jeannie Denning 6/17/07
(Signature of Party of Interest/Assignor) (Date)
Tax ID/SS# [REDACTED]
Stephen M. Denning 6/17/08
(Signature of Party of Interest/Assignor) (Date)
Tax ID/SS# [REDACTED]

Jeannie Denning (Name Printed)
Stephen M. Denning (Name Printed)
4612 Verano Place (Address)
Irvine, CA 92617 (City/State/Zip)

STATE OF CALIFORNIA)ss.
COUNTY OF) (Area Code/Telephone Number)

On _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____ known to me (or proven 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.

WITNESS my hand and official seal.

(Signature of Notary)

SEE ATTACHED

(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)

Tax ID/SS# 77-0558969

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 _____, before me, the undersigned, a Notary Public in and for said State, personally appeared ***Jed Byerly*** known to me (or proven 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.

WITNESS my hand and official seal.

(Signature of Notary)

(This area for official seal)

[REDACTED]

[REDACTED]

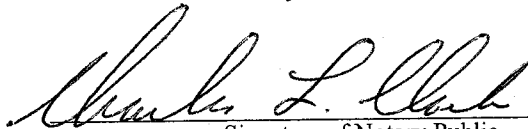
ALL-PURPOSE ACKNOWLEDGMENT CERTIFICATE

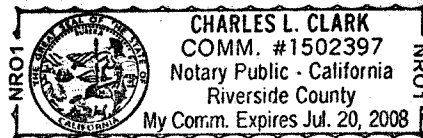
State of California
County of Riverside

On 17th June 2008 before me, Charles L. Clark, a notary public, personally appeared JEANNIE DENNING and STEPHEN M. DENNING proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons 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 of Notary Public



(seal)

ADDITIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Document title or description: ASSIGNMENT OF RIGHT
TO COLLECT EXCESS PROCEEDS

Document Pages: 1

Document Date: 17th June 2008

Global Discoveries (9843-145648)

CAPACITY CLAIMED BY THE SIGNER

Individuals

DECLARATION
OF ONE AND THE SAME PERSON

I, Stephen M. Denning, do hereby declare:

1. I am over the age of 18 and a resident of Lake Elsinore California. 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. I assigned the excess proceeds to Global Discoveries, Ltd., for Riverside County Assessors Parcel Number 347-150-029-5, on 06/17/2008.
3. I am one and the same person as Stephen Michael Denning, Stephen M. Denning and Stephen Denning.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 17th day of June, 2008, at Sun City, California

x Stephen M Denning
Stephen M. Denning

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

State of CA

County of RIVERSIDE

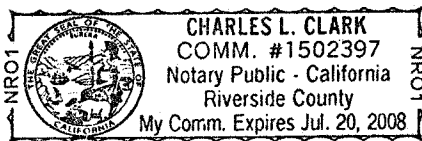
On JUNE 17, 2008 before me, CHARLES L. CLARK, NOTARY PUBLIC, personally appeared
(Date) (here insert name and title of the officer)

STEPHEN M. DENNING, 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.

Charles L. Clark (seal)
Signature of Notary Public



DECLARATION

OF ONE AND THE SAME PERSON

I, Jeannie Denning, do hereby declare:

1. I am over the age of 18 and a resident of Sun City, California. 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. I assigned the excess proceeds to Global Discoveries, Ltd., for Riverside County Assessors Parcel Number 347-150-029-5, on 06/17/2008.
3. I am one and the same person as Jeannie Lynn Denning, Jeannie L. Denning and Jeannie Denning.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 17th day of June, 2008, at Sun City, California.

x Jeannie Denning
Jeannie Denning
4612 Verano Place
Irvine, CA 92617

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

State of CA

County of RIVERSIDE

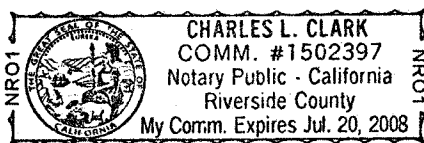
On JUNE 17, 2008 before me, CHARLES L. CLARK, NOTARY PUBLIC, personally appeared
(Date) (here insert name and title of the officer)

JEANNIE DENNING, 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.

Charles L. Clark (seal)
Signature of Notary Public



CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY

To: Riverside County Treasurer and Tax Collector

Assessor's Parcel No: 347-150-029-5
Tax Sale Number: TC179
Item Number: 46
Date of Sale: 3/17/2008

The undersigned claimant, Global Discoveries, Ltd., claims \$43,022.04+/- 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 23rd day of June, 2008 at Modesto, California.

By: [Signature]
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 6-23-2008 before me, Michelle Reynosa, 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.
[Signature] (seal)
Signature of Notary Public

