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



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE: MAR 0 3 2011

SUBJECT: Rescission of Tax Deed to Purchaser of Tax-Defaulted Property, Sale No. TC170 Items 1020 and 1021. Date of Sale March 16, 2004.

RECOMMENDED MOTION: That the Board of Supervisors:

- Rescind the tax sale for assessment numbers 954060002-0 and 954060003-1 in accordance with Section 1) 3731 of the California Revenue and Taxation Code;
- 2) Direct the Tax Collector to prepare and execute a Rescission of Tax Deed to Purchaser of Tax-Defaulted
- 3) Direct the Auditor/Controller to refund the purchase price of \$122,119.75,as well as the 2004-2005, 2005-2006, 2006-2007, 2007-2008 and 2008-2009 current taxes paid in the amount of \$8,343.60; to the purchaser Richard W. Moore
- Direct the County-Clerk Recorder to record the Rescission of Tax Deed without charge. 4)

BACKGROUND: (Continued on page two)

Don Kent, Treasurer-Tax Collector

\$130,463.35 In Current Year Budget: **Current F.Y. Total Cost:** NA **FINANCIAL Current F.Y. Net County Cost:** \$ **Budget Adjustment:** 0 NA 2010-11 DATA **Annual Net County Cost:** For Fiscal Year: \$ Positions To Be SOURCE OF FUNDS: 10000-1400100000, 65010-1300100000, 65310-**Deleted Per A-30** 1300100000, 65315-1300100000 and 65595-1400100000 Requires 4/5 Vote C.E.O. RECOMMENDATION: **APPROVE**

Karen L. Johnson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, 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

Navs:

None

Absent:

None

Date:

March 22, 2011

Treasurer, Auditor, Recorder

Kecia Harper-Ihem Clerk of the Board

Dep't Recomm. Per Exec. Ofc.:

nental Concurrence

FORM APPROVED COUNTY COUNS

Policy

Consent

Policy

X

Consent

Prev. Agn. Ref.:

Agenda Number:

WITH THE CLERK OF THE BOARD

BOARD OF SUPERVISORS Form 11:

Page 2

BACKGROUND: (Continued)

On March 16, 2004, at the Tax Collector's public auction of tax-defaulted parcels, the properties described in the Tax Deed's attached hereto and incorporated by reference were sold to Richard W. Moore for \$121,985.00, plus Documentary Transfer Tax of \$134.75. In addition, Richard W. Moore paid the current 2004-2005 taxes in the amount of \$14,859.78, the 2005-2006 taxes in the amount of \$1,882.46, the 2006-2007 taxes in the amount of \$1,899.98, the 2007-2008 taxes in the amount of \$1,935.58 and the 2008-2009 taxes in the amount of \$1,967.20.

On May 11, 2005 Richard W. Moore was issued two county warrants for roll changes on the assessments in the amounts of \$5,063.66 and \$9,137.74 which cleared on August 1, 2005.

The Treasurer-Tax Collector's office received information that the deed originally transferring title to Tayco, last assessee through a Corporation Quitclaim Deed recorded December 10, 1991 as Instrument No. 426987 is invalid pursuant to a court order, therefore making the Tax Deed's to Purchaser recorded May 20, 2004 as Instrument No.(s) 2004-0381425 and 2004-0381429 void.

On February 10, 2011 Richard W. Moore consented to the rescission and attached is a copy with his notarized signature.

DOC # 2004-0381425 05/20/2004 08:00A Fee:7.00 Page 1 of 1 Doc T Tax Paid Recorded in Official Records County of Riverside RICHARD W. MOORE 2517 S. SANTA FE VISTA, CA 92083 Gary L. Orso Assessor, County Clerk & Recorder TRA 013-005 Paul McDonnell, Tax Collector Doc. Trans. Tax - computed on full value of property conveyed \$ 48.40 Kasen Brandton M TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY On which the legally levied taxes were a lien for Fiscal Year AM 1997-1998 and for nonpayment were duly declared to be in default 1998-954060002-0000 This deed, between the Tax Collector of RIVERSIDE County ("SELLER") and RICHARD W. MOORE, A MARRIED MAN AS HIS SOLE & SEPARATE PROPERTY 05/20/04 ("PURCHASER") conveys to the PURCHASER free of all encumbrances of any kind existing before the sale, except those referred to in §3712 of the Revenue and Taxation Code, to the real property described herein which the SELLER sold to the PURCHASER at a public auction held on MARCH 16, 2004

TAYCO, described as follows:

NO TAXING AGENCY objected to the sale.

Chapter

954060002-0 Assessor's Parcel Number

\$43,752.00

THAT PORTION OF PARCEL 2 OF PARCEL MAP 26766, AS SHOWN BY MAP ON FILE IN BOOK 176, PAGE 55-59 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, LYING EAST OF THE TEMECULA RANCHO LINE.

, Revenue and Taxation Code, for the sum of

State of California Executed on County MARCH 16, 2004 By RIVERSIDE

pursuant to a statutory power of sale in accordance with the provisions of Division 1, Part 6,

In accordance with law, the SELLER, hereby grants to the PURCHASER that real

property situated in said county, State of California, last assessed to

On 5-19-194, before me, Gary L. Orso, Assessor, Clerk-Recorder, Mad McDonnell personally know me to be the Treasurer and Tax Collector for Riverside County and the person who subscribed to the within instrument in his capacity as the County Tax Collector, and that by his signature on the instrument executed the instrument on behalf of the County of Riverside.

WITNESS my hand and official seal.

GARY L. ORSO Assessor, Clerk-Recorder

§§3708 & 3804 R&T Code

TDL 8-19 (6-97)

RICHARD W. MOORE 2517 S. SANTA FE VISTA, CA 92083	05/20/2004 08:000 Fee:7.00 Page 1 of 1 Doc T Tax Paid Recorded in Official Records County of Riverside			
	Assessor, County Clerk & Recorder	3		
	M S U PAGE SIZE DA PCOR NOCOR SMF MISC.	1		
	A R L COPY LONG REFUND NCHG EXAM	4		
TRA 013-039 Doc. Trans. Tax - computed on full value of property of	Paul McDonnell, Tax Collector	2		
On which the legal	SER OF TAX-DEFAULTED PROPERTY by levied taxes were a lien for Fiscal Year 1997-1998 AM	S		
and for nonpay	ment were duly declared to be in default 1998-954060003-0000			
This deed, between the Tax Collector of RIVERSI	DE County ("SELLER") and	 20/0		
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RIVERSIDE County MARCH 16, 2004 By State of California WITNESS my hand and official seal. GARY L. ORSO Assessor, Clerk-Recorder

§§3708 & 3804 R&T Code

TDL 8-19 (6-97)

Return to
DON Kent
County Treasurer-Tax Collector
P.O. Box 12005
Riverside, California 92502-2205

RESCISSION OF TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY Which was declared to be tax-defaulted for Fiscal Year <u> 1998-954060003-0000</u> 19 97 - 19 98 under Default Number Assessor's Parcel Number <u>954060003-1</u>..... By resolution of the Board of Supervisors of _ RIVERSIDE County in conjunction with the written consent of both the purchaser at tax sale and the legal advisor of sald county, the sale held in accordance with Chapter ______ of Part 6 of Division 1 of the Revenue and Taxation Code has been rescinded. Therefore, in accordance with Section 3731 of the Revenue and Taxation Code, that Tax Deed to the Purchaser of Tax-Defaulted Property, recorded 05/20/2004 under Instrument Number 2004-0381429 in Volume ___, Page ___ of Official Records of said county is hereby rescinded. Said tax deed is hereby declared to be null and void as though never issued and all provisions of law relating to tax-defaulted property shall apply to said property. The undersigned purchaser at the sale acknowledges that the rescission of the tax deed referred to herein releases any and all interest in and to said property acquired by said tax deed. RICHARD W. MOORE, Purchaser X DEED I This instrument executed in conjunction with a resolution by the Board of Supervisors, which was approved by the county legal advisor and consented to by the purchaser at tax sale. I have compared the same with the records of the county and I hereby rescirid the tax deed described herein. State of California County Executed on Don Kent TAX COLLECTOR , before me, Larry W. Ward, Assessor, Clerk-Recorder, personally appeared Don Kent, Treasurer and Tax Collector for Riverside County, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signaturen the instrument the person, or the entity upon behalf of which the person 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. Larry W. Ward, Assessor, Clerk Recorder Seal Depuly

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT State of California personally appeared Name(s) of Signer(s) 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/he/their authorized capacity(fes), and that by his/he/the/r signature(*) on the instrument the person of or the entity upon behalf of which the person of acted, executed the instrument. DAWNIE BUDVARSON commission # 1790372 I certify under PENALTY OF PERJURY under the laws otary Public - Colifornia of the State of California that the foregoing paragraph is San Diego County Comm. Expires Feb 2, 2012 true and correct. WITNESS my hand and official seal Signature Place Notary Seal Above OPTIONAL Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document. **Description of Attached Document** Title or Type of Document: Number of Pages: __ Document Date: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Signer's Name: □ Individual ☐ Individual ☐ Corporate Officer — Title(s): □ Corporate Officer — Title(s): _ ☐ Partner — Dumited ☐ General □ Partner — □ Limited □ General RIGHTTHUMBPRINT OF SIGNER RIGHT THUMBPRINT OF SIGNER ☐ Attorney in Fact ☐ Attorney in Fact Top of thumb here Top of thumb here □ Trustee □ Trustee □ Guardian or Conservator ☐ Guardian or Conservator ☐ Other:_ □ Other: __

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Signer Is Representing:

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Return to DON Kent County Treasurer-Tax Collector P.O. Box 12005 Riverside, California 92502-2205

	·	4,411			
RESCIS	SION OF TAX	DEED TO PUR	CHASER OF TA	X-DEFAULTED PROPERTY	
		to be tax-defa Default Numbe	ulted for Fiscal r	Year 1998-954060002-000	<u>0</u>
	Assessor's Parcel Number				
By resolution County in conjunction county, the sale held Code has been reso	in accordance	of Supervisors of en consent of be with Chapter _	of RIVER ooth the purchase 7 of Part 6 o	SIDE r at tax sale and the legal adv f Division 1 of the Revenue ar	lsor of said ad Taxation
Purchaser of Tax-D	Defaulted Prope of Official Reco as though neve	erty, recorded pords of said cou	<u>05/20/2004</u> unde Inty is hereby resc	nd Taxation Code, that Tax I r Instrument Number <u>2004-(</u> sinded. Said tax deed is hereb v relating to tax-defaulted pro	0381425 in by declared
RICHARD-W-MOORE, F	interest in and	to said proper	ty acquired by sai	d of Supervisors, which was a ale. I have compared the san	pproved by
State of California					
RIVERSIDE	County	(*	_ By		
	Executed on		Don Kent TAX COLLECTOR		
Collector for Riverside Co	unty, who proved to acknowledged to	to me on the basis me that he execute	of satisfactory eviden ad the same in his aut	ally appeared Don Kent, Treasurer roe to be the person whose name is horized capacity, and that by his signthe instrument.	aubscribed to
I certify under PENALTY correct.	OF PERJURY of	nder the laws of t	he State of Californi	a that the foregoing paragraph is	true and
WITNESS my hand a Larry W. Ward, Asse				ra. ∗	
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By:		<u> </u>		Seal	

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ээ3731 R & T Code

(7-08)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT State of California personally appeared Name(s) of Signer(s) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/axé subscribed to the within instrument and acknowledged to me that he/ske/thaly executed the same in his/har/thair authorized capacity(les), 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. DAWNIE BUDVARSON I certify under PENALTY OF PERJURY under the laws Commission # 1790372 of the State of California that the foregoing paragraph is Notary Public - California true and correct. son Diego County WITNESS my hand and official seal. Signature¹ Place Notary Seal Above OPTIONAL . Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document. **Description of Attached Document** Title or Type of Document: Number of Pages: __ Document Date: _ Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Signer's Name: _ ☐ Individual □ Individual ☐ Corporate Officer — Title(s):_ ☐ Corporate Officer — Title(s): □ Partner — □ Limited □ General ☐ Partner — ☐ Limited ☐ General ☐ Attorney in Fact ☐ Attorney in Fact Top of thumb here Top of thumb here □ Trustee ☐ Trustee ☐ Guardian or Conservator ☐ Guardian or Conservator ☐ Other:_ □ Other: _

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