

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



136A

FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:
AUG 08 2012

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 176, Item 505.
Last assessed to: U.S. Lands Incorporated, a Delaware corporation.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Deny the claim from David S. Halper DBA Timezone, agent for Wayne Sines, Successor in Interest of U.S. Lands Incorporated, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 859080016-9;
- 2) Deny the claim, 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:	\$ 0	In Current Year Budget:	NO
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
Annual Net County Cost:	\$ 0	For Fiscal Year:	2012-13


SOURCE OF FUNDS:

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:


Karen L. Johnson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Ashley 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 25, 2012
xc: Treasurer

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

Prev. Agn. Ref.:

District: 4/4

Agenda Number:

9.13

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FORM APPROVED COUNTY COUNSEL

BY:  DATE: 8/8/12

Departmental Concurrence

☒ Policy

☒ Policy

☐ Consent

☐ Consent

Dep't Recomm.:

Per Exec. Ofc.:

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 13, 2006 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 3, 2006. 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 5, 2006, 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 David S. Halper DBA Timezone, agent for Wayne Sines, Successor in Interest of U.S. Lands Incorporated based on an Agent Agreement/Authority to Act dated July 8, 2006 and a Grant Deed recorded June 13, 1960 as Instrument No. 52428.

Pursuant to Section 4675 (a) & (c) of the California Revenue and Taxation Code, it is the recommendation of this office that David S. Halper DBA Timezone, agent for U.S. Lands Incorporated be denied since at the time the claim was filed and at all relevant times since the corporation was forfeited which deprives it of all rights, privileges, and powers and it has no right or authority to file an administrative claim for the excess proceeds. Since there are no other claimants the excess proceeds in the amount of \$12,391.86 will remain unclaimed. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.

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

To: Paul McDonnell, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC Item Assessment No.:
176 505 859-080-016-9

Assessee:
Situs: US Lands Inc.

Date Sold:
March 13th 2006
Date Deed to Purchaser Recorded:
May 3rd 2006
Final Date to Submit Claim:
May 3rd 2007

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$12,391.86 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. _____; recorded on _____. 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.

AGENT AGREEMENT/ AUTHORITY TO ACT form

GRANT DEED BK 2713 PG 23 recorded Jun 13th, 1960

US LANDS, INC. corporate info on order from Sec of State

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tentants 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 8TH day of JANUARY, 2007 at RIVERSIDE, CALIFORNIA
County, State

Signature of Claimant

Signature of Claimant

David S. Halper DBA Timezone
Print Name Agent for Wayne Sines

Print Name

904 Silver Spur Rd #363
Street Address

Street Address

Rolling Hills Estates, CA 90274
City, State, Zip

City, State, Zip

310-265-0220
Phone Number

Phone Number

RECEIVED
RIVERSIDE COUNTY
TREASURER/TAX COLLECTOR

07 JAN -9 AM 11:36

RECEIVED



AGENT AGREEMENT/AUTHORITY TO ACT

I (we), **Wayne Sines, Sucessor in Interest of US Lands Inc**, a party of interest*, (hereafter "SINES") hereby engage the services of **David S. Halper DBA Timezone**, located at 904 Silver Spur Rd., #363, Rolling Hills Estates, CA 90274 (hereafter "AGENT"), as of this 8th day of JULY, 2006.

SINES hereby irrevocably retains and employs AGENT for the sole purpose of enforcing, collecting and/or distributing undistributed, unclaimed, undelivered tenders, funds or excess proceeds (hereafter "CLAIM") IN THE APPROXIMATE AMOUNT OF **\$12,907.00**. These funds are in reference to Assessors Parcel Number (APN) 859-080-016-9.

I (We), **Wayne Sines**, have been advised that I (we) have the right to file this CLAIM on my (our) own behalf, without representation. Therefore, this Agreement appoints AGENT to collect and distribute the aforementioned CLAIM. SINES IS NOT SELLING HIS RIGHT TO THIS CLAIM, but merely naming AGENT for SINES's assistance in collecting the CLAIM.

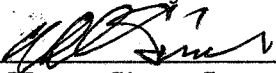
AGENT shall be paid a fee (hereafter "FEE"), from the proceeds as set forth in the FINDERS FEE AGREEMENT dated July 7th, 2006. In consideration for such fee, AGENT agrees to perform such services as are reasonably necessary to collect the CLAIM. The FEE shall include all AGENT's expenses. In the event of any dispute between SINES and AGENT, the prevailing party shall be entitled to recovery reasonable attorney's fees and costs. THIS AGREEMENT IS LIMITED TO THE ENFORCEMENT, COLLECTION AND DISBURSEMENT OF THE ABOVE REFERENCED CLAIM**.

SINES requests the allowable CLAIM to be paid immediately as set forth below:

Please remit to: **Timezone**, and mail to: **904 Silver Spur Road, No. 363, Rolling Hills Estates, CA 90274**.

Any modifications of this Agreement must be in writing signed by both parties.

X


Wayne Sines, Sucessor in Interest
3660 Heartwood Ln
Melbourne, FL 32934-8588

Date: 8 JULY 2006

NOTARY ACKNOWLEDGEMENT

State of California FLORIDA

County of BREVARD

On 7/8/06 before me, WAYNE H. SINES, JR., personally appeared _____

_____, personally known to me (or 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.

WITNESS my hand and official seal.

Signature  (Seal)



Paula J. McCormick
MY COMMISSION # DD184370 EXPIRES
May 9, 2007
BONDED THRU TROY FAIN INSURANCE, INC.

* As defined in section 4675 of the California Revenue and Taxation Code.

** In construing this instrument, and where the context so requires, the singular includes the plural.

52428

WHEN RECORDED MAIL TO

U. S. Lands, Inc.
129 S. State St.
Dover, Delaware

RECEIVED FOR RECORD

JUN 13 1960

Grantee

BOOK 2713 PAGE 23

Lands, Inc., Records of Riverside County, California

BOOK 2713 PAGE 23

3/2

SPACE ABOVE THIS LINE FOR RECORDER'S USE



Grant Deed

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

FLORENCE L. SPICER, formerly Florence L. Lempens, and DORWIN SPICER,
husband and wife,
hereby GRANT(S) to

U. S. LANDS INCORPORATED, a Delaware corporation

the following described real property in the
county of Riverside

state of California:

The Southeast Quarter of the Southeast Quarter of Section 29, Township 7 South,
Range 15 East, San Bernardino Base & Meridian.

Subject to conditions, covenants, restrictions, reservations, easements, and/or
rights of way of record.

Dated: May 28, 1960

Florence L. Spicer
Florence L. Spicer

Dorwin Spicer
Dorwin Spicer

STATE OF CALIFORNIA

COUNTY OF Los AngelesOn June 7, 1960

before me, the under-
signed, a Notary Public in and for said County and State, personally
appeared Florence L. Spicer &
Dorwin Spicer

known to me
as the person whose name is subscribed to the within
instrument and acknowledged that they executed the same
as their free and lawful act.

[Signature]
Notary Public in and for said County and State
My Commission Expires Oct 14, 1961
I am a Notary Public in and for said County and State
and my office is at 1000 Wilshire Blvd., Suite 1400, Los Angeles, California

any Title Order No. RS 3746

Exhibit No. _____

1689884
Statement and Designation

by

Foreign Corporation

DO NOT WRITE IN THIS SPACE

FILED

The Office of the Secretary of State
of the State of California

JUN 24 1991

March, Fred E.
Secretary of State

U.S. Lands Incorporated

(Name of Corporation)

a corporation organized and existing under the laws of Delaware
(Place or State of incorporation)

makes the following statements and designation:

1. The address of its principal executive office is 7137 Orizaba, El Paso, Texas 79912

(Insert complete address of principal executive office wherever located - Do not use Post Office Box)

2. The address of its principal office in the State of California is None

(Insert complete address of principal office in California - Do not use Post Office Box.)

DESIGNATION OF AGENT FOR SERVICE OF PROCESS WITHIN THE STATE OF CALIFORNIA

3. (Use this paragraph if the process agent is a natural person.)

N/A

a natural person residing in the State of California, whose complete ☐ business ☐ residence address is

(Do not use Post office box)

is designated as its agent upon whom process directed to the corporation may be served within the State of California in the manner provided by law.

NOTE: Either the business address or the residence address must be given. Indicate which by check mark in proper box.

FORM TO BE COMPLETED ON REVERSE SIDE

4. (Use this paragraph if the process agent is a corporation. See instructions)

The Prentice-Hall Corporation System, Inc., a corporation
organized and existing under the laws of Delaware
is designated as agent upon whom process directed to the undersigned corporation may be served within the
State of California, in the manner provided by law.

NOTE: Before it may be designated by any foreign corporation as its agent for service of process, a
corporate agent must comply with Section 1505, California Corporations Code. (See instruction
2.)

5. The undersigned corporation hereby irrevocably consents to service of process directed to it upon
the agent designated above, and to service of process on the Secretary of State of State of California if the
agent so designated or the agent's successor is no longer authorized to act or cannot be found at the address
given.

U.S. Lands Incorporated

(Name of Corporation)



(Signature of corporate officer)

Wayne Sines, President

(Typed name and title of officer signing)

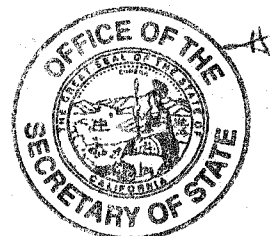
INSTRUCTIONS:

1. There must be annexed to this statement, a certificate by an authorized public official of the state or
place of incorporation of the corporation, to the effect that the corporation making the statement is an
existing corporation in good standing in that state or place. IF A NONPROFIT CORPORATION IS
TO BE QUALIFIED, the certificate must also indicate that the corporation is a nonstock, nonprofit
corporation.
2. No domestic corporation may be designated as agent for service of process unless it has filed with the
Secretary of State the certificate provided for by Section 1505, Corporations Code, and no foreign
corporation may be designated unless it has qualified for the transaction of intrastate business in
California and has filed with the Secretary of State of the State of California the certificate provided for
by Section 1505, California Corporations Code. A domestic or foreign corporation must be currently
authorized to engage in business in this State and be in good standing status on the records of the
Secretary of State of the State of California, in order to file a certificate pursuant to this section.

NOTE: A CORPORATION CANNOT ACT FOR ITSELF AS AGENT FOR SERVICE OF PROCESS.

3. If a corporation is required to qualify under a D.B.A. (name other than the true corporate name)
pursuant to Section 2106(b), Corporations Code, then in the first line of this statement set out the
correct corporate name, followed by "which will do business in California as
_____, " setting forth the D.B.A. in the space indicated. The
D.B.A. should not be set out in connection with the corporate name anywhere else in the statement.
4. If the corporation changes its name or if there are any changes in the information contained in this
statement, then the corporation must file an Amended Statement and Designation. A form may be
obtained from the Secretary of State.

State of California
Secretary of State



I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That the attached transcript of 3 page(s) was prepared by and in this office from the record on file, of which it purports to be a copy, and that it is full, true and correct.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

JAN 13 2007

A handwritten signature in cursive script that reads "Debra Bowen".

DEBRA BOWEN
Secretary of State



April 30, 2007

Desiree Taylor
Tax Defaulted Land Unit
Riverside County Tax Collector
P.O. Box 12005
Riverside, CA 92502-2205

RECEIVED
07 MAY - 1 PM 3:06
RIVERSIDE COUNTY
TREASURER/TAX COLLECTOR

RE; Tax sale TC 176/ Item #505 /APN 859-080-016-9

Dear Desiree,

Please find attached certified copies of documents filed with The California Secretary of State Pertaining to the claim for excess proceeds we have filed with your office. This supplement to the claim provides further substantiation that we are contract on behalf of and recovering for the correct and true Party of Interest.

On or about June 24th, 1991, a STATEMENT AND DESIGNATION BY FOREIGN CORPORATION was filed by Wayne Sines, President. I have provided a Certified Copy of this reference document. Please note the address of 7137 Orizaba, El Paso, TX 79912 is referenced on this document. The Riverside County Tax Collector is aware of this address **EXHIBIT A**

I trust your office will request further documentation if necessary.

Regards,


David Halper



904 Silver Spur Rd. #363 • Rolling Hills Estates • CA 90274
Toll Free: 1-866-846-3966 • Phone: 1-310-265-0220 • Facsimile: 1-310-265-0221
www.timezone.net

Taylor, Desiree

From: Taylor, Desiree
Sent: Tuesday, July 29, 2008 11:56 AM
To: 'davidh@timezone.net'
Subject: TC176 Item505

David,

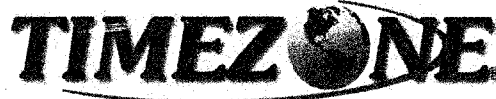
I am going to need the following documents to complete your claim.

- 1. *Articles of Incorporation***
- 2. *Statement of Domestic Stock***

Thank you,

Desiree D. Taylor

County of Riverside Treasurer-Tax Collector
Tax Enforcement Unit
951-955-3842 (phone)
951-955-3990 (fax)
Mail Stop #1110
ddtaylor@co.riverside.ca.us
<http://www.countytreasurer.org>



November 18, 2008

Desiree Taylor
County of Riverside
Treasurer-Tax Collector
Excess Proceeds Division
P.O. Box 12005
Riverside, CA 92502-2205

RECEIVED
2009 FEB 18 PM 12:49
RIVERSIDE COUNTY
TREAS - TAX COLLECTOR

RE: APN 859-080-016-9 / RIV TC176 / Item # 505

Dear Desiree,

Pursuant to your email requesting Articles of Incorporation and a Statement of Domestic Stock, please find attached the following documents that pertain to the above mentioned file:

- Certified Copy of Certificate for Renewal and Revival of Charter of US Lands Incorporated.

The above document is all that The Delaware Secretary of State has on record for US Lands Inc. Please note on page 3 it states "Wayne U. Sines the last and acting President of U.S. Lands Incorporated."

Delaware does not have a Statement of Domestic Stock for this corporation.

We have obtained a Corporate Resolution and have included the same as well.

Please let me know if you require any further documentation. Our office can be contacted at **1-310-265-0220**, and you can also reach us by email at support@timezone.net.

Sincerely,

David Halper



Member
The Southland



904 Silver Spur Rd. #363 • Rolling Hills Estates • CA 90274
Toll Free: 1-866-846-3966 • Phone: 1-310-265-0220 • Facsimile: 1-310-265-0221
www.timezone.net

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED ARE TRUE AND CORRECT COPIES OF ALL DOCUMENTS ON FILE OF "U. S. LANDS INCORPORATED" AS RECEIVED AND FILED IN THIS OFFICE.

THE FOLLOWING DOCUMENTS HAVE BEEN CERTIFIED:

CERTIFICATE OF RENEWAL, FILED THE NINTH DAY OF JANUARY, A.D. 1990, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CERTIFICATES ARE THE ONLY CERTIFICATES ON RECORD OF THE AFORESAID CORPORATION, "U. S. LANDS INCORPORATED".



0528016 8100H

080976102

You may verify this certificate online
at corp.delaware.gov/authver.shtml

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6866763

DATE: 09-23-08

CERTIFICATE FOR RENEWAL AND
REVIVAL OF CHARTER

OF

U. S. LANDS INCORPORATED

U. S. LANDS INCORPORATED, a corporation organized under the laws of Delaware, the certificate of incorporation of which was filed in the office of the Secretary of State on the 25th day of September, 1958, file no. 5280-16, the charter of which was voided for non-payment of taxes, now desires to procure a restoration, renewal and revival of its charter, and hereby certifies as follows:

1. The name of this corporation is U. S. Lands Incorporated.

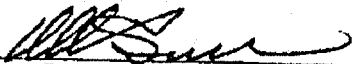
2. Its registered office in the State of Delaware is located at 1102 West Street, City of Wilmington, County of New Castle, and the name and address of its registered agent is Colonial Charter Company, 1102 West Street, Wilmington, DE, 19801.

3. The date when the restoration, renewal, and revival of the charter of this company is to commence is the 28th day of March, 1989, same being prior to the date of the expiration of the charter. This renewal and revival of the charter of this corporation is to be perpetual.

4. This corporation was duly organized and carried on the business authorized by its charter until the 1st day of March A.D., 1989, at which time its charter became inoperative and void for non-payment of taxes and this certificate for renewal and revival is filed by authority of the duly elected directors of the corporation in accordance with the laws of the State of Delaware.

IN TESTIMONY WHEREOF, and in compliance with the provisions of Section 312 of the General Corporation Law of the State of Delaware, as amended, providing for the renewal, extension and restoration of charters, Wayne U. Sines the last and acting President, and Wayne U. Sines, the last and acting Secretary of U. S. Lands Incorporated, have hereunto set their hands to this certificate this 31st day of October, 1989.

ATTEST:


Last and Acting President


Last and Acting Secretary

Colonial Charter Company

90003-19 sc

1102 WEST STREET
WILMINGTON, DELAWARE 19801
(302) 656-9850

January 5, 1990

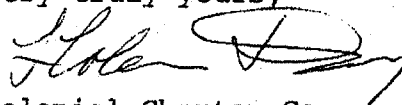
Secretary of State
Corporation Dept.
P.O.Box 898
Dover, DE 19901

Gentlemen/Mesdames,

5280-16 sc
void 3/1/89

Enclosed you will find a Certificate for Renewal and Revival of Charter for U. S. Lands, Incorporated, plus a check in the amount of \$169.61 for interest and penalties, and a check in the amount of \$40.00 for the filing fee.

Very truly yours,


Colonial Charter Company

LCD/lw
Enclosures

RECEIVED

JAN 9 1990

Division of Corporations

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
RECEIVED 09:00 AM 01/09/1990
900165022

US Lands Inc.

TO: THE TAX COLLECTORS OFFICE OF THE COUNTY OF RIVERSIDE

I, Wayne Sines (President), of US Lands Inc.,

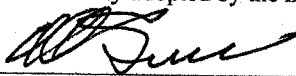
hereby certify that:

'RESOLVED, by the Board of Directors of US Lands Inc., that Wayne Sines, President, has entered into an agreement with David S. Halper, DBA Timezone to recover excess proceeds from the sale of real property by the Riverside County Tax Collector which occurred March 13th, 2006.

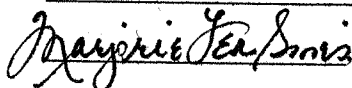
RESOLVED, by the Board of Directors of US Lands Inc., that Wayne Sines, President, is and has been authorized to execute any and all documents necessary to effect this recovery on behalf of the corporation.

These Resolutions are effective March 14th, 2006.

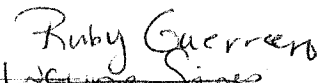
2. At a special meeting of the Board of Directors of US Lands Inc. the above resolutions were passed and unanimously adopted by the Directors of said Corporation.


Wayne Sines, President

ATTEST:

 Secretary

State of Florida
County of Brevard

On Nov. 12, 2008 before me, , personally

appeared *****Wayne Sines***** 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)

