

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

354  
A



**FROM:** Don Kent, Treasurer/Tax Collector

**SUBMITTAL DATE:**

JAN 09 2013

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 189, Item 284.

Last assessed to: Lovie A. Brown, Trustee

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Approve the claim from the City of San Jacinto for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 438442021-4;

(Continued on page two)

**BACKGROUND:** (Continued on page two)

Don Kent, Treasurer-Tax Collector

**FINANCIAL DATA**

Current F.Y. Total Cost:	\$ 13,470.68	In Current Year Budget:	NO
Current F.Y. Net County Cost:	\$ 0.00	Budget Adjustment:	N/A
Annual Net County Cost:	\$ 0.00	For Fiscal Year:	2012-13

**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:

Karen L. Johnson

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione  
Date: January 29, 2013  
xc: Treasurer, Auditor

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

Prev. Agn. Ref.:

District: 3/3

Agenda Number:

FORM APPROVED COUNTY COUNSEL  
BY:   
DALE A. GARDNER  
DATE: 1/9/13  
Department Concurrence

**BOARD OF SUPERVISORS**

Form 11:

Page 2

**RECOMMENDED MOTION:** (Continued)

- 2) Authorize and direct the Auditor-Controller to issue a warrant to the City of San Jacinto in the amount of \$13,470.68, 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)

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 15, 2011 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 18, 2011. 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 2, 2011, 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.

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

- 1) Claim from City of San Jacinto based on a Notice of Special Tax Lien recorded January 24, 1989 as Instrument No. 22840 and a Notice of Pending Action recorded February 3, 2011 as Instrument No. 2011-0055924..

Pursuant to Section 4675 (a) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that the City of San Jacinto be awarded excess proceeds in the amount of \$13,470.68. Since there are no other claimants the excess proceeds in the amount of \$53,027.20 will remain unclaimed. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.

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 189 Item 284 Assessment No.: 438442021-4

Assessee: BROWN, LOVIE A TR

Situs: 992 COMMONWEALTH AVE SAN JACINTO

Date Sold: March 15, 2011

Date Deed to Purchaser Recorded: May 18, 2011

Final Date to Submit Claim: May 21, 2012

RECEIVED  
2011 NOV -3 PM 1:25  
RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ ~~13,470.68~~ 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. 22940; recorded on January 24, 1987. A copy of this document is attached here to. 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.**

On January 31, 2011, pursuant to the Mello-Roos Community Facilities Act of 1982, (California Govt. Code section 53311, et. seq.), the City of San Jacinto, on behalf of CFD No. 2, filed a complaint to foreclose on special taxes secured by real property located within its geographical boundaries designated as APN 438-442-021-4. Liability in this case is established by statute. Special taxes, penalties, interest and administrative fees now due and owing to CFD No. 200-1 is \$10,484.68, and continue to accrue. The City has incurred \$1,782.00, in attorneys' fees and \$1,204.00 in costs in pursuing this action. A breakdown of this sum is attached to this claim.

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 1 day of November, 2011 at Riverside CA  
County, State

Debbie Vickery  
Signature of Claimant

Signature of Claimant

Debbie Vickery  
Print Name

Print Name

595 S. San Jacinto  
Street Address

Street Address

San Jacinto, CA 92583  
City, State, Zip

City, State, Zip

951 537 6380  
Phone Number

Phone Number

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

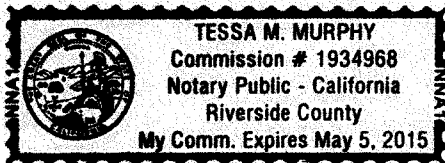
State of California

County of Riverside

On November 1, 2011 before me, Tessa M. Murphy, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Debbie Vickery  
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/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: Tessa M. Murphy  
Signature of Notary Public

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: Claim for excess Proceeds from sale of Tax-Defaulted Prop.

Document Date: 11/1/11 Number of Pages: 2

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Individual

Partner —  Limited  General

Attorney in Fact

Trustee

Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Individual

Partner —  Limited  General

Attorney in Fact

Trustee

Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER

Top of thumb here



DOC # 2011-0055924

02/03/2011 03:56P Fee:NC

Page 1 of 6

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder

PLEASE COMPLETE THIS INFORMATION  
RECORDING REQUESTED BY:  
Attorneys for City of San Jacinto



AND WHEN RECORDED MAIL TO:  
Victor L. Wolf  
BEST BEST & KRIEGER LLP  
400 Mission Square  
3750 University Avenue  
P.O. Box 1028  
Riverside, CA 92502  
Attorneys for City of San Jacinto

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**NOTICE OF PENDING ACTION**

City of San Jacinto, on behalf of Community Facilities District No. 2

v. Lovie Brown, et al.

Riverside County Superior Court Case No. RIC 1101387

Title of Document



TRA: \_\_\_\_\_

DTT: \_\_\_\_\_

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3:00 Additional Recording Fee Applies)

1 VICTOR L. WOLF, Bar No. 110107  
2 MARK F. LOVELL, Bar No. 246652  
3 BEST BEST & KRIEGER LLP  
3750 University Avenue  
4 P.O. Box 1028  
5 Riverside, California 92502  
6 Telephone: (951) 686-1450  
7 Telecopier: (951) 686-3083

EXEMPT FROM RECORDING FEES  
PURSUANT TO GOVERNMENT  
CODE SECTION 27383

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9 Attorneys for Plaintiff, City of San Jacinto, a  
10 municipal corporation, on behalf of Community  
11 Facilities District No. 2, a California community  
12 facilities district

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

CITY OF SAN JACINTO, a municipal  
corporation, on behalf of COMMUNITY  
FACILITIES DISTRICT No. 2, a  
California community facilities district,

Plaintiff,

v.

LOVIE A. BROWN, TRUSTEE OF THE  
REVOCABLE LIVING TRUST OF  
LOVIE ANNETTE BROWN; THE  
REVOCABLE LIVING TRUST OF  
LOVIE ANNETTE BROWN; and DOES 1  
through 50, inclusive,

Defendants.

Case No.: RIC 1101387

Judge: John D. Molloy

NOTICE OF PENDING ACTION



2011-0055924  
02/03/2011 03:56P  
2 of 6

1 NOTICE IS HEREBY GIVEN that an action has been commenced in the Superior Court  
2 of California, in and for the County of Riverside, by the above-named plaintiff against the above-  
3 named defendants. The purpose of the action is to foreclose a lien securing payment of  
4 delinquent special taxes levied by the City of San Jacinto, a municipal corporation ("City"), on  
5 behalf of Community Facilities District No. 2, a California community facilities district. The real  
6 property referred to and affected by this foreclosure proceeding is situated in the City of San  
7 Jacinto, County of Riverside, State of California, and the complete legal description of the  
8 affected property is set forth in Exhibit "1," attached hereto and incorporated herein by reference  
9 as though set forth here in full. The names of the owners and those who may have an interest in  
10 the property are set forth below:

<u>Claimants</u>	<u>Interest</u>
Lovie A. Brown, Trustee of the Revocable Living Trust of Lovie Annette Brown	Property Owner
The Revocable Living Trust of Lovie Annette Brown	Unknown

16 The lienholder is the above-referenced plaintiff, City of San Jacinto, on behalf of  
17 Community Facilities District No. 2002-1. The lien secures payment of special taxes on property  
18 located within the boundaries of the District.

20 Dated: January 31, 2011

BEST BEST & KRIEGER LLP

22 By: 

23 MARK F. LOVELL

24 Attorneys for Plaintiff

25 City of San Jacinto, a municipal corporation, on  
26 behalf of Community Facilities District No. 2, a  
27 California community facilities district



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LEGAL DESCRIPTION

LOT 104 OF TRACT 24052, IN THE CITY OF SAN JACINTO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 239, PAGES 63 THROUGH 68, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

END OF LEGAL DESCRIPTION-

APN: 438-442-021-4



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02/03/2011 03:56P  
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LEGAL DESCRIPTION

LOT 104 OF TRACT 24052, IN THE CITY OF SAN JACINTO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 239, PAGES 63 THROUGH 68, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

END OF LEGAL DESCRIPTION-

APN: 438-442-021-4



2011-0055924  
02/03/2011 03:56P  
4 of 6

**PROOF OF SERVICE**

STATE OF CALIFORNIA – COUNTY OF RIVERSIDE

I am employed in the County of Riverside, State of California. I am over the age of 18 and not a party to the within action; my business address is 3750 University Avenue, Riverside, California 92502.

That on February 1, 2011, I served the within: NOTICE OF PENDING ACTION on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows: SEE ATTACHED SERVICE LIST

/X/ (BY MAIL) I caused such envelope, as indicated on the attached service list, with postage thereon fully prepaid, to be placed in the United States mail at Riverside, California. I am readily familiar with the firm's business practice for collection and processing of correspondence for mailing with the U.S. Postal Service pursuant to which practice the correspondence will be deposited with the U.S. Postal Service this same day in the ordinary course of business (C.C.P. §1013(a); 2015.5).

/X/ (BY CERTIFIED MAIL) I caused such envelope, as indicated on the attached service list, with postage thereon fully prepaid, to be mailed via certified mail (C.C.P. § 405.22).

// (BY OVERNIGHT DELIVERY) I caused such envelope to be delivered via overnight delivery (U.P.S.) addressed as indicated on the attached service list for deposit and delivery by Best Best & Krieger LLP following ordinary business practices (C.C.P. §1013(c) and (d)).

// (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the addressee.

// (BY FACSIMILE) I caused such document to be served on all parties to this action via facsimile at the numbers indicated on the attached service list (C.C.P. §1012.5).

/X/ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

// (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed this 1<sup>st</sup> day of February 2011, at Riverside, California.

*Marion Brasfield*  
MARION BRASFIELD



2011-0055924  
02/03/2011 03:56P  
5 of 6

SERVICE LIST

Lovie A. Brown, Trustee of the Revocable Living Trust of Lovie Annette Brown  
992 Commonwealth  
San Jacinto, CA 92583

The Revocable Living Trust of Lovie Annette Brown  
992 Commonwealth  
San Jacinto, CA 92583

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6 of 6

Jan. 24.1989

Photographed By Ticon

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Recording Requested By

WHEN RECORDED RETURN TO:

DEPUTY CITY CLERK  
CITY OF SAN JACINTO  
P. O. BOX 488  
SAN JACINTO, CA 92383

NOTICE OF SPECIAL TAX LIEN

RECEIVED FOR RECORD  
AT 8:30 O'CLOCK A.M.

JAN 24 1989

Recorded in California Records  
of Riverside County, California

*William J. Brown*  
Recorder

Pursuant to the requirements of Section 3114.5 of the Streets and Highways Code and Section 53328.3 of the Government Code, the undersigned clerk of the legislative body of the CITY OF SAN JACINTO, STATE OF CALIFORNIA, HEREBY GIVES NOTICE that a lien to secure payment of a special tax which the City Council of the City of San Jacinto, County of Riverside, State of California, is authorized to annual levy a special tax for the following purpose:

To pay for certain public capital facilities, including the payment of principal and interest on bonds, said facilities generally described as the construction and/or acquisition of certain street improvements, including grading, paving, curbs, gutters and sidewalks, together with street lighting, drainage facilities, landscaping, sanitary sewer, water reservoir and pump facilities and utility facilities, together with appurtenances and appurtenant work, to serve the properties within the boundaries of the District.

Providing for certain services generally described as additional police and fire services needed to serve the residents and homeowners within the boundaries of the District.

The special tax is authorized to be levied within Community Facilities District No. 2, which has now been officially formed, and the lien of the special tax is a continuing lien which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied and cancelled in accordance with law or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate and method of apportionment of the authorized special tax is as shown on the attached, referenced and incorporated Exhibit "A", and the special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for ad valorem taxes. Conditions under which the obligation to pay the special tax may be prepaid and permanently satisfied and the lien of the special tax cancelled are as follows:

Any special tax may be prepaid and satisfied by the payment of the maximum present value of the special tax obligation.

Notice is further given that upon the recording of this notice in the Office of the County Recorder, the obligation to pay the special tax levy shall become a lien upon all non-exempt real property within the District in accordance with Section 3115.5 of the Streets and Highways Code.


The names of the owner(s) of the real property included within this Community Facilities District as they appear on the last secured assessment roll as of the date of recording of this Notice and the Assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included within this Community Facilities District are as set forth on the attached, referenced and incorporated Exhibit "B".

Reference is made to the boundary map of the Community Facilities District recorded at Book 26, Page 18, Document No. 387356, of Maps of Assessment and Community Facilities Districts in the Office of the County Recorder for the County of Riverside, State of California, which map is now the final boundary map of the Community Facilities District.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the following designated person:

BRIAN MCNABB  
DIRECTOR OF COMMUNITY DEVELOPMENT  
CITY OF SAN JACINTO  
P. O. BOX 488  
201 EAST MAIN STREET  
SAN JACINTO, CA 92383  
TELEPHONE: (714) 654-7337

DATED: January 19, 1989

  
DEBRA SHERMAN  
DEPUTY CITY CLERK  
CITY OF SAN JACINTO  
STATE OF CALIFORNIA

Jan. 24, 1989

Photographed By Ticor

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CITY OF SAN JACINTO  
COMMUNITY FACILITIES DISTRICT NO. 2

EXHIBIT "A"

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

The Resolution of Intention refers to this Exhibit for an explanation of the rate and apportionment of the special tax so as to allow each landowner or resident within the proposed district to estimate the maximum annual amount that would be required for payment. For particulars as to the rate and method of apportionment, see the following:

PROPERTY CATEGORIES AND MAXIMUM ANNUAL TAX

Taxable property categories and initial maximum annual taxes are as follows:

<u>PROPERTY CATEGORY</u>	<u>MAXIMUM ANNUAL TAX (FISCAL YEAR 1989-90)</u>
I. RESIDENTIAL UNIT	TAX "A": \$0.59 per square foot per year for developed area TAX "B": \$96.40 per dwelling unit
II. COMMERCIAL AND INDUSTRIAL	TAX "A": \$1.00 per square foot per year for developed area TAX "B": \$0.05 per square foot per year for developed area

RESIDENTIAL, COMMERCIAL AND INDUSTRIAL taxes shall be levied on all property upon the issuance of a building permit in the fiscal year next following the issuance of the building permit.

III. ACREAGE

The following acreage shall be that as shown on any approved tentative or final parcel map and/or subdivision map:

- A. APARTMENT UNIT: Not to exceed \$7500 per acre per year
- B. ANY OTHER RESIDENTIAL USE: Not to exceed \$6500 per acre per year
- C. COMMERCIAL AND INDUSTRIAL USE: Not to exceed \$7500 per year
- ALL OTHER ACREAGE NOT SHOWN ON A MAP: Not to exceed \$7500 per year

APPLICATION OF TAX

FIRST, each year determine the amount of money necessary to pay for all authorized facilities, services and bond obligation.

Jan. 24.1989

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Jan. 24. 1989

Photographed By Ticon

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SECOND, determine number of taxable RESIDENTIAL, COMMERCIAL AND INDUSTRIAL UNITS where building permits have been issued as of June 30th of any fiscal year and levy taxes not to exceed the annual maximum amount allowable.

THIRD, to the extent necessary to make payments for bond obligation and/or for authorized services, levy taxes on ACREAGE land not to exceed the maximum amounts allowable.

#### ESCALATION OF TAX

The above authorized taxes for are for fiscal year 1989-90, and are subject to annual increases as follows:

TAX "A" (RESIDENTIAL, COMMERCIAL AND INDUSTRIAL) shall be annually increased to reflect increases in the Construction Cost Index, but not less than 2% per year. Once property is subject to a building permit, the property and tax rate shall be subject to the annual increase not to exceed 2% per year.

TAX "B" (RESIDENTIAL, COMMERCIAL AND INDUSTRIAL) shall be annually increased to reflect increases in the Consumer Price Index.

The CATEGORY III ACREAGE TAX shall be annually increased to reflect increases in the Construction Cost Index.

#### TERM

The Final Land Use Tax "A" for Residential, Commercial and Industrial taxes, shall be levied for a period of 25 years from its initial levy.

The Final Land Use Residential Tax "B" shall be levied as long as necessary to pay for additional services.

The Acreage Tax shall be levied as long as necessary to make payment for services and payment on bond obligations.

#### DEFINITIONS

The "Construction Cost Index" shall be the Construction Cost Index for the City of Los Angeles, as adjusted annually, based upon available data as of June 30th of each year, as set forth in the Engineering News-Record (ENR), McGraw-Hill Construction Weekly.

The "Consumer Price Index" shall be the Los Angeles/Riverside Area - All Urban Consumer Price Index, published by the United States Bureau of Labor Statistics, as said data is available June 30th of each fiscal year.

"Developed Area" shall be all land as measured from outside walls, excluding garage, covered ways and overhangs, patios and additions.

"Fiscal Year" shall be July 1 through June 30.

\* \* \*

For all particulars relating to implementation, further interpretation, definitions, and all other particulars related to the method and apportionment of the tax, reference is made to the Report of Engineer as previously approved by this legislative body.

\* \* \* \* \*



CITY OF SAN JACINTO  
COMMUNITY FACILITIES DISTRICT NO. 2

EXHIBIT "B"

M E L L O   R O O S   N O .   2

ASSESSOR'S PARCEL NO.	OWNER'S NAME
433-200-010-1	PR EQUITIES LTD
433-200-011-2	PR EQUITIES LTD
433-200-012-3	PR EQUITIES LTD
433-200-013-4	PR EQUITIES LTD
433-200-014-5	PR EQUITIES LTD
433-200-015-6	PR EQUITIES LTD
433-200-016-7	PR EQUITIES LTD
433-200-017-8	PR EQUITIES LTD
433-200-019-0	PR EQUITIES LTD
433-200-020-0	HOWARD ROSE CO.
433-200-023-3	PR EQUITIES LTD
433-200-027-7	PR EQUITIES LTD
437-310-008-8	PR EQUITIES LTD
437-310-009-9	PR EQUITIES LTD
437-310-019-8	PR EQUITIES LTD
437-310-020-8	PR EQUITIES LTD
437-310-021-9	PR EQUITIES LTD
437-310-022-0	PR EQUITIES LTD

MELLO ROOS NO. 2

PAGE NO. 1

Jan. 24.1989

Photographed By Ticon

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**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

Indian Wells  
(760) 568-2611  
Irvine  
(949) 263-2600  
Los Angeles  
(213) 617-8100  
Ontario  
(909) 989-8584

3750 University Avenue, Suite 400, P.O. Box 1028, Riverside, CA 92502  
Phone: (951) 686-1450 | Fax: (951) 686-3083 | www.bbklaw.com

Sacramento  
(916) 325-4000  
San Diego  
(619) 525-1300  
Walnut Creek  
(925) 977-3300  
Washington, DC  
(202) 785-0600

**Evelyn F. Shackford**  
(951) 826-8225  
evelyn.shackford@bbklaw.com

November 2, 2011

Don Kent, Treasurer-Tax Collector  
Post Office Box 12005  
Riverside, CA 92502-2205

Re: City of San Jacinto, on behalf of Community Facilities District No. 2,  
etc. v. Lovie A. Brown, etc. et al. RIC 1101387  
APN: 438-442-021-4 / 992 Commonwealth Ave., San Jacinto CA  
Sale Date: March 15, 2011- Recording Date May 18, 2011 / Item 284

Dear Mr. Kent:

Please find enclosed an executed Claim for Excess Proceeds for APN 438-442-021-4 which is located within the boundaries of Community Facilities District No. 2. Further, I am including a copy of the Notice of Special Tax, which evidences a lien in favor of the City of San Jacinto, on behalf of Community Facilities District No. 2. I have also included a copy of the Notice of Pending Action for the above-referenced action.

The attached summary of the special tax include the delinquent special taxes, penalties, interest, administrative fees, and attorneys' fees and costs incurred by the City in pursuing the above-reference foreclosure action up to the date of the sale . The delinquency information is provided by the financial consultant for the City of San Jacinto, NBS Government Finance Group. As you are aware, pursuant to Revenue & Taxation Code section 2192.1 the District's Lien enjoys the same priority as the ad valorem tax levied by the County. Further pursuant to Government Code Section 53356 et seq. the City is entitled to the attorneys' fees and costs incurred in pursuing the foreclosure action.

Should you have any questions, or require further documentation please call the undersigned at (951) 826-8225.

Sincerely,

Evelyn F. Shackford  
Paralegal for BEST BEST & KRIEGER LLP

**Taylor, Desiree**

**From:** Evelyn Shackford <Evelyn.Shackford@bbklaw.com>  
**Sent:** Thursday, August 30, 2012 3:45 PM  
**To:** Taylor, Desiree  
**Cc:** Vickery, Debbie  
**Subject:** City of San Jacinto v. Brown APN 438-442-021-4

Ms. Taylor, Pursuant to our telephone discussion, the amount of \$13, 470.68 as set forth in the City's Claim for Excess Proceeds is still due and owing the City of San Jacinto. Should you have further questions, please call me @ 951.826.8225. Also, do you happen to have an idea when this will be paid?

Thank You, Evelyn

**CLAIM**

APN	PREVIOUS PROPERTY OWNER	TAX YEAR	LEVY	PENALTY	INTEREST	ADMIN FEE	TC
438-442-021-4	LOVIE A. BROWN, TRUSTEE	04/10/2005	532.99	53.30	551.64	60.71	1,
	2963 COFFEEBERRY WAY	12/10/2005	543.25	54.33	464.48	71.42	1,
	SAN JACINTO, CA 92582	4/10/2006	543.25	54.33	464.48	71.42	1,
		12/10/2006	554.31	55.43	374.16	71.42	1,
		4/10/2007	554.31	55.43	374.16	71.42	1,
		12/10/2007	566.25	56.63	280.29	71.42	
		4/10/2008	566.25	56.63	280.29	71.42	
		4/10/2009	593.37	59.34	186.91	191.08	1,
		12/10/2009	596.84	59.68	80.57	227.16	
		4/10/2010	596.84	59.68	80.57	227.16	
<b>Account Subtotal:</b>			<b>5,647.</b>	<b>564.7</b>	<b>3,137.5</b>	<b>1,134.67</b>	<b>10</b>
			<b>66</b>	<b>8</b>	<b>7</b>		
Atty Fees							1,
Costs							1,
							1,

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Ms. Taylor, Pursuant to our telephone discussion, the amount of \$13, 470.68 as set forth in the City's Claim for E  
 Thank You, Evelyn

**CLAIM**

APN	S	PROPERT	TAX YEAR	LEVY	PENALTY	INTEREST	ADMIN FEE	TOTAL
438-442-021-4	.	BROWN, 1	04/10/2005	532.99	53.3	551.64	60.71	1,198.64
2963		COFFEEBERF	12/10/2005	543.25	54.33	464.48	71.42	1,133.48
SAN JACINTO, CA		#####		543.25	54.33	464.48	71.42	1,133.48
		#####		554.31	55.43	374.16	71.42	1,055.32
		#####		554.31	55.43	374.16	71.42	1,055.32
		#####		566.25	56.63	280.29	71.42	974.59
		#####		566.25	56.63	280.29	71.46	974.63
		#####		593.37	59.34	186.91	191.08	1,030.70
		#####		596.84	59.68	80.57	227.16	964.25
		#####		596.84	59.68	80.57	227.16	964.25
<b>Account Subtotal:</b>				<b>5,647.66</b>	<b>564.78</b>	<b>3,137.57</b>	<b>1,134.67</b>	<b>10,484.68</b>
<b>Atty Fees</b>								1,782.00
<b>Costs</b>								1,204.00
								<b>13,470.68</b>