

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

437A



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

**SUBMITTAL DATE:  
JUL 21 2014**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 192, Item 638. Last assessed to: Thomas E. Spears. District 3/3 [\$17,588] Fund 65595 Excess Proceeds from Tax Sale.

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

1. Approve the claim from State of California, Franchise Tax Board for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 446042001-9;
- (continued on page two)

**BACKGROUND:**

**Summary**

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 20, 2012 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 11, 2012. 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 6, 2012, 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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 17,588	\$ 0	\$ 17,588	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

**SOURCE OF FUNDS:** Fund 65595 Excess Proceeds from Tax Sale

**Budget Adjustment:** N/A  
**For Fiscal Year:** 14/15

**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 Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Stone and Ashley  
Nays: None  
Absent: Benoit  
Date: September 23, 2014  
xc: Treasurer, Auditor

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

Prev. Agn. Ref.:

District: 3/3

Agenda Number:

**9-18**

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 7/21/14  
DATE  
DALE A. GARDNER  
Departmental Concurrence

☐ A-30 ☐ Positions Added ☐ Change Order  
☐ 4/5 Vote

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

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 192, Item 638. Last assessed to: Thomas E. Spears. District 3/3 [\$17,588] Fund 65595 Excess Proceeds from Tax Sale.

**DATE:**

**PAGE:** Page 2 of 2

**RECOMMENDED MOTION:**

2. Approve the claim from Thomas Spears AKA Thomas E. Spears, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 446042001-9;
3. Authorize and direct the Auditor-Controller to issue warrants to State of California, Franchise Tax Board in the amount of \$1,501.50 and Thomas Spears AKA Thomas E. Spears in the amount of \$16,087.35, no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

**BACKGROUND:**

**Summary (continued)**

The Treasurer-Tax Collector has received two claims for excess proceeds:

1. Claim from State of California, Franchise Tax Board based on a Notice of State Tax Lien recorded August 11, 2010 as Instrument No. 2010-0376291;
2. Claim from Thomas Spears AKA Thomas E. Spears based on an Order Determining Succession to Real Property recorded on October 16, 2002 as Instrument No. 2002-575692.

Pursuant to Section 4675 (a) & (e) of the California Revenue and Taxation Code, it is the recommendation of this office that State of California, Franchise Tax Board be awarded excess proceeds in the amount of \$1,501.50 and that Thomas Spears AKA Thomas E. Spears be awarded excess proceeds in the amount of \$16,087.35. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants by certified mail.

**Impact on Citizens and Businesses**

Excess proceeds are being released to a lien holder and the last assessee of the property.

**ATTACHMENTS (if needed, in this order):**

Copies of Excess Proceeds Claim forms and supporting documentation are attached.



STATE OF CALIFORNIA  
FRANCHISE TAX BOARD  
COLLECTION ADVISORY TEAM, MS A-340  
PO BOX 2952  
SACRAMENTO CA 95812-2952

TC198-638

October 1, 2012 ✓

In Reply Refer To: 624:CAT:MJA

**CLAIM FOR EXCESS PROCEEDS**

**COUNTY OF RIVERSIDE  
P O BOX 12005  
RIVERSIDE CA 92502-2205**

**RECEIVED**  
2012 OCT -9 PM 4: 07  
RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR

Reference Number : 446042001-9  
Item : 638  
Taxpayer (s) : SPEARS, THOMAS E  
FTB Account Number: [REDACTED]

I, Deborah Barrett, am the Supervisor of the Collection Advisory Team of the State of California, Franchise Tax Board and am authorized to execute this claim on behalf of said Board.

The Franchise Tax Board hereby claims any or all of the excess proceeds resulting from the trustee sale or tax defaulted sale on March 20, 2012.

The claim is based on the fact that the Franchise Tax Board was a party in interest in the property at the time of sale and the following proof is submitted to establish rights to the excess proceeds:

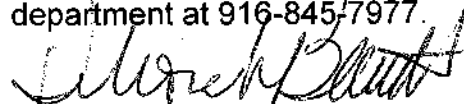
A Certificate of Tax Due and Delinquency reflecting the current tax indebtedness of Thomas E. Spears, Account Number [REDACTED]

A perfected and enforceable state tax lien arose upon all real property of Thomas E. Spears pursuant to Revenue and Taxation Code Section 19221.

The amount of the claim for the Franchise Tax Board is \$1,501.50, as of March 20, 2012.

I declare under penalty of perjury that the foregoing and attached supporting documents are true and correct.

If you have any questions regarding this claim, contact Matthew Andrade of this department at 916-845-7977.

  
Deborah Barrett, Supervisor  
Collection Advisory Team

[REDACTED]

[REDACTED]

**State of California  
Franchise Tax Board**

**Certificate of Tax Due and Delinquency**

Filed Pursuant to Part 10.2, Division 2, Revenue and Taxation Code

State of California     )  
                                  )  
County of Sacramento    )

The Franchise Tax Board certifies that:

The taxpayer is delinquent in payment of tax, penalties, and interest imposed upon the taxpayer under the provisions of the California Revenue and Taxation Code.

The name of the taxpayer, the last known address, and the amount of tax, penalties, and interest with reference to which the taxpayer is delinquent are as follows:

THOMAS E. SPEARS  
303 W ACACIA AVE  
HEMET, CA 92543

<b>Tax Year</b>	<b>Tax</b>	<b>Penalties</b>	<b>Interest</b>	<b>Fees</b>	<b>Payments</b>	<b>Total</b>
2000	\$589.00	\$213.49	\$595.01	\$183.00	\$79.00	\$1,501.50
<hr/>						
<b>Total</b>	<b>\$589.00</b>	<b>\$213.49</b>	<b>\$595.01</b>	<b>\$183.00</b>	<b>\$79.00</b>	<b>\$1,501.50</b>

Balance reflects the liened liability as of the date of the sale March 20, 2012.

The following Certificate(s) of Amount of Tax, Penalties, and Interest Due have been filed as follows:

Cert No. 10208-603549 recorded in Riverside County on August 11, 2010 for tax year 2000, under Instrument No.2010-0376291.

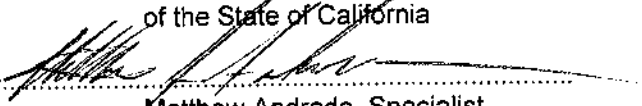
The taxpayer is indebted to the State of California in the above amount; no part of the indebtedness has been paid and the whole thereof is now due, owing and unpaid from the taxpayer to the State of California; the Franchise Tax Board has fully complied with all provisions of the Revenue and Taxation Code relating to the computation and levy of tax, penalties, and interest.

IN WITNESS WHEREOF the Franchise Tax Board has caused this Certificate to be executed in its name and on its behalf and its seal to be affixed by the undersigned, thereunto duly authorized.

Dated                   October 1, 2012

FRANCHISE TAX BOARD  
of the State of California

BY

  
Matthew Andrade, Specialist  
(916) 845-7977

Recording Requested by

STATE OF CALIFORNIA  
FRANCHISE TAX BOARD  
Sacramento CA 95812-2952

And When Recorded Mail to

Special Procedures Section  
PO BOX 2952  
Sacramento CA 95812-2952

DOC # 2010-0376291 ✓

08/11/2010 08:00A Fee:NC

Page 1 of 1

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



NOTICE OF STATE TAX LIEN ✓

030  
Q



FILED WITH: RIVERSIDE

CERTIFICATE NUMBER: 10208603549

The Franchise Tax Board of the State of California hereby certifies that the following named taxpayer(s) is liable under parts 10 or 11 of Division 2 of the Revenue and Taxation Code to the State of California for amount due and required to be paid by said taxpayer as follows:

Name of Taxpayer(s) : THOMAS E SPEARS

FTB Account Number : [REDACTED]

Social Security Number(s) : [REDACTED]

Last Known Address : 303 W ACACIA AVE ✓  
: HEMET CA 92543-4128

For Taxable Years : 2000

TAX	PENALTY	INTEREST	COLLECTION FEES	PAYMENTS	ADJUSTMENTS	* TOTAL
\$589.00	\$213.49	\$517.47	\$183.00	\$0.00	\$-79.00	\$1,423.96

Further interest and fees will accrue at the rate prescribed by law until paid; that the Franchise Tax Board of the State of California complied with all of the provisions of parts 10 or 11 of Division 2 of the Revenue and Taxation Code of the State of California in computing, levying, determining and assessing the tax; the said amounts are due and payable and have not been paid. Said lien attaches to all property and rights to such property now owned or later acquired by the taxpayer.

IN WITNESS WHEREOF, the Franchise Tax Board of the State of California has duly authorized the undersigned to execute this Notice in its name.

DATED: 07/30/10

FRANCHISE TAX BOARD  
of the State of California

Collection Bureau  
Telephone Number: (916) 845-4350

By:

\*Additional interest is accruing at the rate prescribed by law.

Authorized facsimile signature.

FTB 2030 V1 ARCS (REV 03-2008)

Public Record

==



Riverside County Treasurer-Tax Collector  
4080 Lemon St. • Riverside, CA 92501  
(951) 955-3900 Telephone (951) 955-3990 Fax

# Fax

To: Debbie Barrett

From: Jennifer Pacioni

Fax: 916 845-0137

Date: January 13, 2014

Phone:

Pages: 4

Re: 624: CAT: MJA

CC:

THOMAS E SPEARS [REDACTED]

☐ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle



[REDACTED]

JON CHRISTENSEN  
ASSISTANT TREASURER-TAX COLLECTOR

SUE BAUER  
SR. CHIEF DEPUTY TREASURER-TAX COLLECTOR

DEBBIE BASHE  
INFORMATION TECHNOLOGY OFFICER II

GIOVANE PIZANO  
INVESTMENT MANAGER



DON KENT  
TREASURER

GARY COTTERILL  
CHIEF DEPUTY TREASURER-TAX COLLECTOR

MATT JENNINGS  
CHIEF DEPUTY TREASURER-TAX COLLECTOR

MELISSA JOHNSON  
CHIEF DEPUTY TREASURER-TAX COLLECTOR

ADRIANNA GOMEZ  
ADMINISTRATIVE SERVICES MANAGER I

Dear Ms. Debbie Barrett,

January 13, 2014

I am in the process of working on your excess proceeds claim for file 624:CAT:MJA for Thomas E. Spears account # [REDACTED]. Would you please send me an undated statement of money currently owed up until the sale date of this property of March 20, 2012.

Please let me know if you have any questions. Thank you for your assistance.

Sincerely,

Jennifer Pazicni

Riverside County Treasurer-Tax Collector's Office

Tax Sale Operations/ Excess Proceeds Unit

951 955-3947

RIVERSIDE COUNTY TREASURER-TAX COLLECTOR

\*\*\*\*\*

4080 LEMON STREET, 4TH FLOOR ★ P.O. BOX 12005 ★ RIVERSIDE, CALIFORNIA 92502  
WWW.RIVERSIDETAXINFO.COM ★ (951) 955-3900 ★ 1 (877) 748-2689 ★ FAX (951) 955-3923

# TRANSACTION REPORT

P. 01

JAN-13-2014 MON 02:30 PM

FOR: RIV CO TREAS TAX COLL

951 955 3990

SEND

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
JAN-13	02:29 PM	919168450137	39"	4	FAX TX	OK	824	

TOTAL : 39S PAGES: 4



Riverside County Treasurer-Tax Collector  
4080 Lemon St. - Riverside, CA 92501  
(951) 955-3900 Telephone (951) 955-3990 Fax

## Fax

To: Debbie Barrett From: Jennifer Pacioni  
 Fax: 916 845-0137 Date: January 13, 2014  
 Phone: \_\_\_\_\_ Pages: 4  
 Re: 624: CAT: MJA CC: \_\_\_\_\_  
THOMAS E SPEARS \_\_\_\_\_  
☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

1



Riverside County Treasurer-Tax Collector  
4080 Lemon St. • Riverside, CA 92501  
(951) 955-3900 Telephone (951) 955-3990 Fax  
955-3947

## 2ND REQUEST

# Fax

To: Debbie BARRETT

From: Jennifer Pazić

Fax: 916 845-0137

Date: Feb 3, 2014

Phone:

Pages: 4

Re: 1024: CAT: MJA

CC:

THOMAS E SPEARS [REDACTED]

☒ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Ms. Barrett,

Mr. Spears is being evicted from his home and need his excess proceeds claim completed. In order to complete it would need an updated statement of money owed. Would you please process this request as soon as possible. If you have any questions, please give me a call.

Thank you for all your help,

Jennifer Pazić  
951 955-3947

[REDACTED]



STATE OF CALIFORNIA

## FRANCHISE TAX BOARD

P.O. Box 2952

SACRAMENTO, CA 95812-2952

March 3, 2014

## FACSIMILE TRANSMITTAL COVER SHEET

## CONFIDENTIALITY NOTE:

This telecopy may contain confidential and/or legally privileged information and is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, the employee, or agent responsible for delivering this telecopy to the intended recipient, be advised that any copying, dissemination, distribution, unauthorized inspection, or disclosure of information from this telecopy is prohibited. Persons disclosing confidential information are subject to penalties under applicable law.

If you have received this telecopy in error, please notify the sender immediately by telephone and mail the entire facsimile message back to us at the address listed above.

Please deliver the following page(s)

**TO:** NAME : Jennifer  
FIRM/UNIT : Riverside County  
FAX NO. : 951-955-3990  
PHONE NO. : 951-955-3947  
RE : \_\_\_\_\_

**FROM:** NAME : M. ANDRADE - SPECIALIST  
FIRM/UNIT : COLLECTION ADVISORY TEAM  
FAX NO. : (916) 364-2738  
PHONE NO. : (916) 845-7977

Number of pages FAXED: 3 (includes this page)Hard copy: ☒ will follow  
☐ will not follow

If there are any problems or questions regarding this communication, please call (916) 845-7977

Comments:

RIVERSIDE COUNTY  
TREAS TAX COLLECTION

2014 MAR -4 PM 4:08

RECEIVED

**State of California  
Franchise Tax Board**

**Certificate of Tax Due and Delinquency**

Filed Pursuant to Part 10.2, Division 2, Revenue and Taxation Code

State of California     )  
                                  )  
County of Sacramento    )

The Franchise Tax Board certifies that:

The taxpayer is delinquent in payment of tax, penalties, and interest imposed upon the taxpayer under the provisions of the California Revenue and Taxation Code.

The name of the taxpayer, the last known address, and the amount of tax, penalties, and interest with reference to which the taxpayer is delinquent are as follows:

THOMAS E. SPEARS  
303 W ACACIA AVE  
HEMET, CA 92543

Tax Year	Tax	Penalties	Interest	Fees	Payments	Total
2000	\$589.00	\$213.49	\$595.01	\$193.00	\$79.00	\$1,511.50 (*)
2000			\$83.34			\$83.34
<b>Total</b>	<b>\$589.00</b>	<b>\$213.49</b>	<b>\$678.35</b>	<b>\$193.00</b>	<b>\$79.00</b>	<b>\$1,594.84</b>

(\*) Balance(s) reflect(s) the liabilities secured by a recorded or filed Notice of State Tax Lien as of the date of the trustee sale March 20, 2012. The current per diem on these liabilities is \$0.10.

The following Notice(s) of State Tax Lien have/has been recorded or filed:

Cert No. 10208-603549 recorded in Riverside County on August 11, 2010 for tax year 2000, under Instrument No.2010-0376291.

The taxpayer is indebted to the State of California in the above amount; no part of the indebtedness has been paid and the whole thereof is now due, owing and unpaid from the taxpayer to the State of California; the Franchise Tax Board has fully complied with all provisions of the Revenue and Taxation Code relating to the computation and levy of tax, penalties, and interest.

IN WITNESS WHEREOF the Franchise Tax Board has caused this Certificate to be executed in its name and on its behalf and its seal to be affixed by the undersigned, thereunto duly authorized.

Dated                    March 3, 2014

FRANCHISE TAX BOARD  
of the State of California

BY .....

Matthew Andrade, Specialist  
(916) 845-7977





STATE OF CALIFORNIA  
FRANCHISE TAX BOARD  
COLLECTION ADVISORY TEAM, MS A-240  
PO BOX 2952  
SACRAMENTO CA 95812-2952

March 3, 2014

In Reply Refer To:624:CAT:MJA

**CLAIM FOR EXCESS PROCEEDS**

COUNTY OF RIVERSIDE  
P O BOX 12005  
RIVERSIDE CA 92502-2205

Reference Number : 446042001-9  
Item # : 638  
Taxpayer (s) : SPEARS, THOMAS E  
FTB Account Number: [REDACTED]

I, Deborah Barrett, am the Supervisor of the Collection Advisory Team of the State of California, Franchise Tax Board and am authorized to execute this claim on behalf of said Board.

The Franchise Tax Board hereby claims any or all of the excess proceeds resulting from the trustee sale or tax defaulted sale on March 20, 2012. Pursuant to Government Code Section 6103, State of California Franchise Tax Board is exempt from payment of any fee for processing this claim.

The claim is based on the fact that the Franchise Tax Board was a party in interest in the property at the time of sale and the following proof is submitted to establish rights to the excess proceeds:

A Certificate of Tax Due and Delinquency reflecting the current tax indebtedness of Thomas E. Spears, Account Number [REDACTED]

A perfected and enforceable state tax lien arose upon all real property of Thomas E. Spears pursuant to Revenue and Taxation Code Section 19221.

The amount of the claim for the Franchise Tax Board is \$1,501.50, as of March 20, 2012

I declare under penalty of perjury that the foregoing and attached supporting documents are true and correct.

If you have any questions regarding this claim, contact Matthew Andrade of this department at 916-845-7977.

*Veronica Bogg for Deborah Barrett*  
Deborah Barrett, Supervisor  
Collection Advisory Team

1

2



STATE OF CALIFORNIA  
FRANCHISE TAX BOARD  
COLLECTION ADVISORY TEAM, MS A-240  
PO BOX 2952  
SACRAMENTO CA 95812-2952

March 3, 2014

In Reply Refer To:624:CAT:MJA

**CLAIM FOR EXCESS PROCEEDS**

**COUNTY OF RIVERSIDE  
P O BOX 12005  
RIVERSIDE CA 92502-2205**

**RECEIVED  
2014 MAR 11 AM 6:46  
RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR**

Reference Number : 446042001-9  
Item # : 638  
Taxpayer (s) : SPEARS, THOMAS E  
FTB Account Number: [REDACTED]

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*Veronica Bag for Deborah Barrett*  
Deborah Barrett, Supervisor  
Collection Advisory Team

1

2

**State of California  
Franchise Tax Board**

**Certificate of Tax Due and Delinquency**

Filed Pursuant to Part 10.2, Division 2, Revenue and Taxation Code

State of California     )  
                                  )  
County of Sacramento    )

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THOMAS E. SPEARS  
303 W ACACIA AVE  
HEMET, CA 92543

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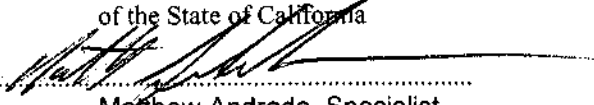
The taxpayer is indebted to the State of California in the above amount; no part of the indebtedness has been paid and the whole thereof is now due, owing and unpaid from the taxpayer to the State of California; the Franchise Tax Board has fully complied with all provisions of the Revenue and Taxation Code relating to the computation and levy of tax, penalties, and interest.

IN WITNESS WHEREOF the Franchise Tax Board has caused this Certificate to be executed in its name and on its behalf and its seal to be affixed by the undersigned, thereunto duly authorized.

Dated                    March 3, 2014

FRANCHISE TAX BOARD  
of the State of California

BY.....

  
Matthew Andrade, Specialist  
(916) 845-7977

FTB 1720 ARM DIV (NEW 11-2011)

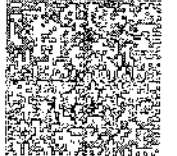
STATE OF CALIFORNIA  
**FRANCHISE TAX BOARD**  
PO BOX 942867  
SACRAMENTO CA 94267-0001  
624MKT A-540



HLXDSBB 92502



PRESORTED  
FIRST CLASS

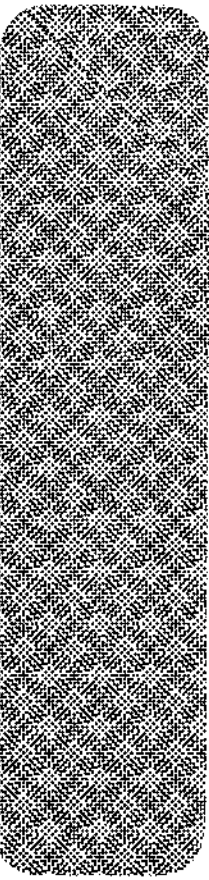


UNITED STATES POSTAGE  
02 1M \$00.374  
0004276931 OCT 03 2012  
MAILED FROM ZIP CODE 95827

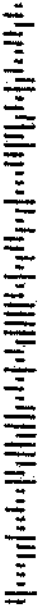
**TREASURER-TAX COLLECTOR**  
DATA / MAILROOM  
**OCT - 9 2012**  
**RECEIVED**

FTB 1720 ARM DIV (NEW 11-2011)

STATE OF CALIFORNIA  
**FRANCHISE TAX BOARD**  
PO BOX 942867  
SACRAMENTO CA 94267-0001



AALZSBB 92502



PRESORTED  
FIRST CLASS



UNITED STATES POSTAGE  
02 1M \$00.381  
0004269022 MAR 06 2014  
MAILED FROM ZIP CODE 95827

**TREASURER-TAX COLLECTOR**  
**MAR 10 2014**  
**RECEIVED**

**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 192 Item 638 Assessment No.: 446042001-9

Assessee: SPEARS, THOMAS E

Situs: 303 W ACACIA AVE HEMET

Date Sold: March 20, 2012

Date Deed to Purchaser Recorded: May 11, 2012

Final Date to Submit Claim: May 13, 2013 ✓

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 441 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 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.**

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If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tenants 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 6 day of MAY, 2013 at HEMET, CA.  
County, State

THOMAS SPEARS  
Signature of Claimant

\_\_\_\_\_  
Signature of Claimant

THOMAS SPEARS  
Print Name

\_\_\_\_\_  
Print Name

303 W. ACACIA AVE.  
Street Address

\_\_\_\_\_  
Street Address

HEMET, CA. 92543  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

951 445 2216  
Phone Number

\_\_\_\_\_  
Phone Number

DOC # 2002-575692

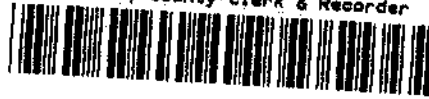
10/16/2002 08:00A Fee:18.00

Page 1 of 4

Recorded in Official Records  
County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



PLEASE COMPLETE THIS INFORMATION  
RECORDING REQUESTED BY:  
SWARNER & FITZGERALD

AND WHEN RECORDED MAIL TO:  
David B. Bowker  
SWARNER & FITZGERALD  
P.O. Box 827  
Riverside, CA 92502

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ORDER DETERMINING SUCCESSION TO REAL PROPERTY ✓  
(Estates \$100,000 or Less)



TITLE OF DOCUMENT

THIS AREA FOR  
RECORDER'S  
USE ONLY

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3.00 Additional Recording Fee Applies)



SEP 05 2002

DE-315

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <input checked="" type="checkbox"/> Recording requested by and return to:		TELEPHONE AND FAX NOS.:	FOR RECORDER'S USE ONLY
THOMAS E. SPEARS 303 W. Acacia Avenue Hemet, CA 92543			2002-575692 19/16/2002 08:08H 2 of 4
ATTORNEY FOR (Name): in propria persona			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE STREET ADDRESS: 4050 Main Street MAILING ADDRESS: P.O. Box 431 CITY AND ZIP CODE: Riverside, CA 92502 BRANCH NAME: City of Riverside			
MATTER OF (Name): ANNIE M. SPEARS,			
DECEDENT <input checked="" type="checkbox"/> ORDER DETERMINING SUCCESSION TO REAL PROPERTY (Estates \$100,000 or Less) <input type="checkbox"/> And Personal Property		CASE NUMBER: 082717 ✓	

1. Date of hearing: 10-10-02 Time: 8:45 a.m.  
Dept./Room: 1 Judge: STEPHEN D. CUNNISON
- THE COURT FINDS
2. All notices required by law have been given.
3. Decedent died on (date): 11-23-98
- a. ☒ a resident of the California county named above.  
b. ☐ a nonresident of California and left an estate in the county named above.  
c. ☐ intestate ☒ testate.
4. At least 40 days have elapsed since the date of decedent's death.
5. a. ☐ No proceeding for the administration of decedent's estate is being conducted or has been conducted in California.  
b. ☒ Decedent's personal representative has filed a consent to use the procedure provided in Probate Code section 13150 et seq.
6. The gross value of decedent's real and personal property in California, excluding property described in Probate Code section 13050, does not exceed \$100,000.
7. Each petitioner is a successor of decedent (as defined in Probate Code section 13006) and a successor to decedent's interest in the real ☐ and personal ☐ property described in item 9a because each petitioner is
- a. ☒ (will) a beneficiary who succeeded to the property under decedent's will.  
b. ☐ (no will) a person who succeeded to the property under Probate Code sections 6401 and 6402.

FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

OCT 10 2002  
S. OVERSTREET

## THE COURT FURTHER FINDS AND ORDERS

8. No administration of decedent's estate is necessary in California.
9. a. The following described real ☐ and personal ☐ property is property of decedent passing to each petitioner (give legal description of real property): ☒ described in Attachment 9a.

- b. Each petitioner's name and specific property interest ☒ is stated in Attachment 9b ☐ is as follows (specify):

10. ☐ Other (specify):

11. Number of pages attached: two (2)

☒ SIGNATURE FOLLOWS LAST ATTACHMENT

Form Approved by the  
Judicial Council of California  
DE-315 (Rev. January 1, 1998)  
Mandatory Use (1/1/2000)

ORDER DETERMINING SUCCESSION  
TO REAL PROPERTY  
(Probate)

Legal  
Solutions  
& Plus

Probate Code, § 13154

Public Record

Attachment 9a

1. the following described real property in the City of Hemet County of Riverside, State of California:

✓ The South 50 feet of Lots 1 and 2 in Block "B" of G. F. KEEPS SUBDIVISION as per map recorded in Book 6, page 65 of Maps, in the office of the Recorder of said County.

assessor's parcel no. 446-042-024

more commonly known as 315 S. Alessandro Street,  
CA

2. the following described real property in the said county of Riverside, state of California:

✓ LOT 1 of BLOCK "B" of G.F. KEEPS SUBDIVISION, as shown by MAP on file in BOOK 6, PAGE 65 of MAPS, RIVERSIDE COUNTY RECORDS, CALIFORNIA.

EXCEPTING THEREFROM THE SOUTH 50 FEET

assessor's parcel no. 446-042-001 ✓

more commonly known as 303 W. Acacia Avenue, Hemet,  
CA ✓

Attachment 9a

ORDER DETERMINING SUCCESSION TO REAL PROPERTY

Page 1 of 1




2602-575692  
18/16/2002 08:09A  
3 of 4

Public Record

Attachment 9b

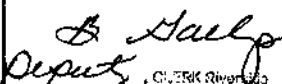
The petitioner's name is THOMAS E. SPEARS; the specific property interest of THOMAS E. SPEARS in each real property asset mentioned in Attachment 9a is a 100% interest.

DATED: 10-10-02

  
Hon. STEPHEN D. CUNNISON  
Judge of the Superior Court

This must be in red to be a  
"CERTIFIED COPY"

Each document to which this certificate is attached is certified to be a full, true and correct copy of the original on file and of record in my office.

  
Deputy Clerk  
CLERK, Riverside  
Superior Court, County of Riverside,  
State of California

Dated: OCT 10 2002



Certification must be in red to be a  
"CERTIFIED COPY"

Attachment 9b

ORDER DETERMINING SUCCESSION TO REAL PROPERTY

Page 1 of 1



2002-575692  
10/16/2002 08:59A  
4 of 4

1 THOMAS E. SPEARS  
2 303 W. Acacia Avenue  
3 Hemet, CA 92543

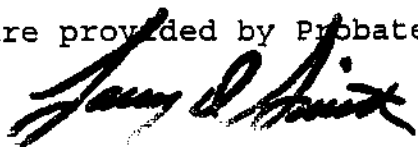
4 in propria persona

5  
6 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
7 FOR THE COUNTY OF RIVERSIDE

8 Estate of ) case no.  
9 )  
10 ANNIE M. SPEARS, ) CONSENT BY DECEDENT'S PER-  
11 ) SONAL REPRESENTATIVE TO  
12 ) USE OF PROCEDURE  
13 ) [Probate Code §13152(a)(5)  
14 Deceased. ) (B)]

15 LARRY D. SMITH, Public Administrator of Riverside County,  
16 acting summarily with respect to decedent's estate under Probate  
17 Code §§7660 et seq. (reference case no. 077421), hereby consents to  
18 use by THOMAS E. SPEARS of the procedure provided by Probate Code  
19 §13150 et seq.

20 DATED: 08-30-02

  
21 LARRY D. SMITH, Public Admin-  
22 istrator of Riverside County,  
23 acting summarily with respect  
24 to the estate of ANNIE M.  
25 SPEARS, deceased

26 Attachment 6b

27 PETITION TO DETERMINE SUCCESSION TO REAL PROPERTY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):  THOMAS E. SPEARS 303 W. Acacia Avenue Hemet, CA 92543 ATTORNEY FOR (Name): <u>in propria persona</u>	TELEPHONE AND FAX NOS.:  FOR COURT USE ONLY  <div style="text-align: center; font-size: 2em; font-weight: bold;">FILED</div> <div style="text-align: center;">SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE</div> <div style="text-align: center; font-size: 1.5em; font-weight: bold;">SEP 03 2002</div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE STREET ADDRESS: 4050 Main Street MAILING ADDRESS: P.O. Box 431 CITY AND ZIP CODE: Riverside, CA 92502 BRANCH NAME: City of Riverside	
MATTER OF (Name): ANNIE M. SPEARS,  <div style="text-align: right;">DECEDENT</div>	
<b>PETITION TO DETERMINE SUCCESSION TO REAL PROPERTY (Estates \$100,000 or Less)</b> <input type="checkbox"/> And Personal Property	CASE NUMBER: <div style="font-size: 2em; font-weight: bold;">082717</div> HEARING DATE: <u>10/10/02</u> DEPT.: <u>1</u> TIME: <u>8:45AM</u>

1. **Petitioner** (name of each person claiming an interest): THOMAS E. SPEARS  
 requests a determination that the real property ☐ and personal property described in item 11 is property passing to petitioner and that no administration of decedent's estate is necessary.
2. **Decedent** (name): ANNIE M. SPEARS
  - a. Date of death: 11-23-98
  - b. Place of death (city, state): Hemet, CA
3. At least 40 days have elapsed since the date of decedent's death.
4. a. ☒ Decedent was a resident of this county at the time of death.  
 b. ☐ Decedent was not a resident of California at the time of death. Decedent died owning property in this county.
5. Decedent died ☐ intestate ☒ testate and a copy of the will and any codicil is affixed as Attachment 5
6. a. ☐ No proceeding for the administration of decedent's estate is being conducted or has been conducted in California.  
 b. ☒ Decedent's personal representative's consent to use the procedure provided by Probate Code section 13150 et seq. is attached as Attachment 6b.
7. Proceedings for the administration of decedent's estate in another jurisdiction
  - a. ☒ have not been commenced.
  - b. ☐ have been commenced ☐ and completed.  
 (Specify state, county, court, and case number):
8. The **gross value** of all real and personal property in decedent's estate located in California as shown by the *Inventory and Appraisal* attached to this petition, excluding the property described in Probate Code section 13050 (joint tenancy, property passing to decedent's spouse, etc.), does not exceed \$100,000. (Attach an *Inventory and Appraisal* (form DE-160) as Attachment 8.)
9. a. The decedent is survived by (check at least one box in each of items (1) - (3))
  - (1) ☐ spouse ☒ no spouse as follows: ☐ divorced or never married ☒ spouse deceased
  - (2) ☒ child as follows: ☒ natural or adopted ☐ natural adopted by a third party ☐ no child
  - (3) ☒ issue of a predeceased child ☐ no issue of a predeceased child
 b. Decedent ☐ is ☒ is not survived by a stepchild or foster child or children who would have been adopted by decedent but for a legal barrier. (See Prob. Code, § 6454.)
10. (Complete if decedent was survived by (1) a spouse but no issue (only a or b apply); or (2) no spouse or issue. Check the first box that applies.)
  - a. ☐ Decedent is survived by a parent or parents who are listed in item 14.
  - b. ☐ Decedent is survived by a brother, sister, or issue of a deceased brother or sister, all of whom are listed in item 14.
  - c. ☐ Decedent is survived by other heirs under Probate Code section 6400 et seq., all of whom also listed in item 14.
  - d. ☐ Decedent is survived by no known next of kin.
11. Attachment 11 contains (1) the **legal description** of decedent's real property and its Assessor's Parcel Number (APN) ☐ and personal property in California passing to petitioner and (2) decedent's interest in the property. (Attach the legal description of the real and personal property and state decedent's interest.)

(Continued on reverse)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):  THOMAS E. SPEARS 303 W. Acacia Avenue Hemet, CA 92543		TELEPHONE AND FAX NOS.:	FOR COURT USE ONLY
ATTORNEY FOR (Name): in propria persona			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE STREET ADDRESS: 4050 Main Street MAILING ADDRESS: P.O. Box 431 CITY AND ZIP CODE: Riverside, CA 92502 BRANCH NAME: City of Riverside			
ESTATE OF (Name): ANNIE M. SPEARS, x  DECEDENT			
NOTICE OF HEARING (Probate)			CASE NUMBER: 082717

This notice is required by law. This notice does not require you to appear in court, but you may attend the hearing if you wish.

1. NOTICE is given that (name): THOMAS E. SPEARS

(representative capacity, if any): petitioner

has filed (specify):\* PETITION TO DETERMINE SUCCESSION TO REAL PROPERTY (Estates \$100,000 or Less)

2. You may refer to the filed documents for further particulars. (All of the case documents filed with the court are available for examination in the case file kept by the court clerk.)
3. A HEARING on the matter will be held as follows:

a. Date: 10-10-02 Time: 8:45 a.m. Dept.: 1 Room:

b. Address of court ☒ shown above ☐ is: 4050 Main Street, Riverside, CA

\* Do not use this form to give notice of hearing of the petition for administration (see Probate Code, § 8100).

(Continued on reverse)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):  THOMAS E. SPEARS 303 W. Acacia Avenue Hemet, CA 92543  ATTORNEY FOR (Name): <u>in propria persona</u>	TELEPHONE AND FAX NOS.:	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE STREET ADDRESS: 4050 Main Street MAILING ADDRESS: P.O. Box 431 CITY AND ZIP CODE: Riverside, CA 92502 BRANCH NAME: City of Riverside		
ESTATE OF (Name): ANNIE M. SPEARS,  <input checked="" type="checkbox"/> DECEDENT <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR		
<b>INVENTORY AND APPRAISAL</b> <input type="checkbox"/> Partial No.: <input type="checkbox"/> Corrected <input checked="" type="checkbox"/> Final <input type="checkbox"/> Reappraisal for Sale <input type="checkbox"/> Supplemental <input checked="" type="checkbox"/> Property Tax Certificate		
		CASE NUMBER:  Date of Death of Decedent or of Appointment of Guardian or Conservator: 11-23-99

## APPRAISALS

- |  |                     |
|--|---------------------|
| 1. Total appraisal by representative, guardian, or conservator (Attachment 1): | \$ 8,544.66         |
| 2. Total appraisal by referee (Attachment 2):                                  | \$ 81,845.39        |
| <b>TOTAL:</b>  | <b>\$ 90,390.05</b> |

## DECLARATION OF REPRESENTATIVE, GUARDIAN, CONSERVATOR, OR SMALL ESTATE CLAIMANT

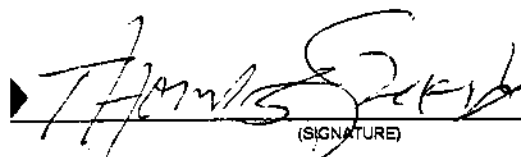
3. Attachments 1 and 2 together with all prior inventories filed contain a true statement of  
☒ all    ☐ a portion    of the estate that has come to my knowledge or possession, including particularly all money and all just claims the estate has against me. I have truly, honestly, and impartially appraised to the best of my ability each item set forth in Attachment 1.
4. ☐ No probate referee is required    ☐ by order of the court dated (specify):
5. **Property tax certificate.** I certify that the requirements of Revenue and Taxation Code section 480
- a. ☐ are not applicable because the decedent owned no real property in California at the time of death.
- b. ☒ have been satisfied by the filing of a change of ownership statement with the county recorder or assessor of each county in California in which the decedent owned property at the time of death.

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

Date: 06-25-02

THOMAS E. SPEARS

(TYPE OR PRINT NAME; INCLUDE TITLE IF CORPORATE OFFICER)

  
 (SIGNATURE)

## STATEMENT ABOUT THE BOND

(Complete if required by local court rule)

6. ☐ Bond is waived, or the sole fiduciary is a corporate fiduciary or an exempt government agency.
7. ☐ Bond filed in the amount of: \$                      ☐ Sufficient    ☐ Insufficient
8. ☐ Receipts for: \$                      have been filed with the court for deposits in a blocked account at (specify institution and location):

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY OR PARTY WITHOUT ATTORNEY)

(Continued on reverse)

ESTATE OF (Name): ANNIE M. SPEARS, deceased

CASE NUMBER:

separate property

## INVENTORY AND APPRAISAL

ATTACHMENT NO: 2

(In decedents' estates, attachments must conform to Probate

Page: 1 of 1 total pages.

Code section 8850(c) regarding community and separate property.)

(Add pages as required.)

Item No.DescriptionAppraised value

1. the following described real property in the City of Hemet County of Riverside, State of California:

The South 50 feet of Lots 1 and 2 in Block "B" of G. F. KEEPS SUBDIVISION as per map recorded in Book 6, page 65 of Maps, in the office of the Recorder of said County.

assessor's parcel no. 446-042-024

more commonly known as 315 S. Alessandro Street,  
Hemet, CA-----

30,000.00

2. the following described real property in the said county of Riverside, state of California:

LOT 1 of BLOCK "B" of G.F. KEEPS SUBDIVISION, as shown by MAP on file in BOOK 6, PAGE 65 of MAPS, RIVERSIDE COUNTY RECORDS, CALIFORNIA.

EXCEPTING THEREFROM THE SOUTH 50 FEET

assessor's parcel no. 446-042-001

more commonly known as 303 W. Acacia Avenue,  
Hemet, CA-----

35,000.00

3. \$19,500.00 note dated 09-27-79, executed by DENVER DODD and ARLENE DODD and secured by deed of trust recorded JAN 9 1979 in Book 1979, Page 4885, in Official Records of Riverside County, California

principal balance----- 16,786.64

accrued interest----- 58.75

16,845.39

TOTAL: \$81,845.39



ESTATE OF (Name): ANNIE M. SPEARS, deceased

CASE NUMBER:

separate property

## INVENTORY AND APPRAISAL

ATTACHMENT NO: 1

(In decedents' estates, attachments must conform to Probate

Code section 8850(c) regarding community and separate property.)

Page: 1 of: 1 total pages.

(Add pages as required.)

Item No.	Description	Appraised value
1.	court settlement Standard Fire Insurance Company (Controller of CA Bureau of Unclaimed Property)--	
2.	Public Guardian's trust account	
	principal balance-----	
	interest-----	0
3.	savings account no. Guaranty Federal Bank F.S.B.-----	
4.	refund Guaranty Federal Bank-----	
TOTAL:		

1

2

3

4

5

6

7

Attachment 11

(1)

the legal description of decedent's real property and its assessor's parcel number(s)

1. the following described real property in the City of Hemet County of Riverside, State of California:

The South 50 feet of Lots 1 and 2 in Block "B" of G. F. KEEPS SUBDIVISION as per map recorded in Book 6, page 65 of Maps, in the office of the Recorder of said County.

assessor's parcel no. 446-042-024

more commonly known as 315 S. Alessandro Street,  
CA

2. the following described real property in the said county of Riverside, state of California:

LOT 1 of BLOCK "B" of G.F. KEEPS SUBDIVISION, as shown by MAP on file in BOOK 6, PAGE 65 of MAPS, RIVERSIDE COUNTY RECORDS, CALIFORNIA.

EXCEPTING THEREFROM THE SOUTH 50 FEET

assessor's parcel no. 446-042-001

more commonly known as 303 W. Acacia Avenue, Hemet,  
CA

Attachment 11

PETITION TO DETERMINE SUCCESSION TO REAL PROPERTY

(2)

decedent's interest in the property

decedent's interest in each real property asset mentioned hereinabove is a 100% interest

Attachment 11

PETITION TO DETERMINE SUCCESSION TO REAL PROPERTY

Attachment 14

<u>name and relationship</u>	<u>age</u>	<u>residence or mailing address</u>
HERMAN A. SPEARS, spouse	predeceased ANNIE in 1965	
THOMAS E. SPEARS, son	adult	303 W. Acacia Avenue Hemet, CA 92543
DONALD R. SPEARS, son	predeceased ANNIE in 1983	
TONY RAY SPEARS, grandson (child of DONALD)	adult	unknown to petitioner
SHERRY SPEARS, granddaugh- ter (child of DONALD)	adult	unknown to petitioner
EDDIE RAY SPEARS, grandson (child of DONALD)	adult	unknown to petitioner
GRACE CANDLAND, friend		predeceased ANNIE

Attachment 14

PETITION TO DETERMINE SUCCESSION TO REAL PROPERTY

Attachment 15

name

address

GRACE CANDLAND

predeceased ANNIE

BOARD OF DEACONS OF SOUTH-  
ERN BAPTIST CHURCH OF SAN  
JACINTO

841 E. Evans  
San Jacinto, CA 92583

LARRY D. SMITH, Public Administrator of Riverside County, while not named as executor in decedent's Will, is acting summarily with respect to decedent's estate under Probate Code §§7660 et seq. (reference case no. 077421); his address is 800 S. Redlands Avenue, Perris, CA 92570

Attachment 15

PETITION TO DETERMINE SUCCESSION TO REAL PROPERTY

JUL 05 2000

Receipt on \_\_\_\_\_ of a Will  
of A. M. SPEARS, deceased  
dated 1-24-90, pursuant to  
Sec. 820 Probate Code, is  
hereby acknowledged.

# Will

CLERK-SUPERIOR COURT  
By G. L. HATHAWAY Deputy

OF

ANNIE M. SPEARS

# 007213

I, ANNIE M. SPEARS, a resident of Riverside County,  
California, declare this to be my Will.

FIRST: I revoke all wills and codicils that I have  
previously made.

SECOND: I declare that I am now a widow and that my  
husband, HERMAN A. SPEARS, died in 1965 while a resident of  
Riverside County, California.

THIRD: I have one (1) child living, whose name and  
present place of residence is: THOMAS E. SPEARS, Hemet,  
California. My son, DONALD R. SPEARS, died in 1983 leaving three  
(3) children, whose names are: TONY RAY SPEARS, SHERRY SPEARS,  
and EDDIE RAY SPEARS. I have no other deceased children. My  
son, THOMAS, is my adopted child.

FOURTH: It is my intention to dispose of all real and  
personal property which I have the right to dispose of by Will.  
I make the following gifts of money or property:

(1) If my estate does not pass through probate administration, I give the sum of EIGHT HUNDRED DOLLARS (\$800.00) to my friend, GRACE CANDLAND, of Homeland, California, if she survives me for thirty (30) days, and if she does not, the gift shall lapse. If my estate is probated, the gift shall lapse.

(2) I give the improved real property located at 315 Alessandro, Hemet, California, or any other real property in which I have an interest on the date of my death, to my son, THOMAS E. SPEARS, if he survives me for thirty (30) days, and if he does not, the gift shall lapse. I give said real property subject to any encumbrances on it at the time of my death, including any mortgage, security agreement, deed of trust, and real property taxes and assessments.

(3) I give all my jewelry, clothing, household furniture and furnishings, personal automobiles, and other tangible articles of a personal nature, or my interest in any such property, not otherwise specifically disposed of by this Will or in any other manner together with any insurance on the property to my son, THOMAS E. SPEARS, if he survives me for thirty (30) days, and if he does not, the gift shall lapse.

FIFTH: I give the residue of my estate as follows:

A. If my son, THOMAS E. SPEARS, survives me for thirty (30) days, I direct my Executor to utilize the entire residue of my estate to purchase an annuity to be calculated upon



the life expectancy of my son, THOMAS, and which annuity is to provide income to him for his lifetime.

B. If my son, THOMAS E. SPEARS, does not survive me for thirty (30) days, I give the residue of my estate in two (2) equal shares as follows:

ONE (1) share to the issue of my son, THOMAS E. SPEARS, who survive me for thirty (30) days, by right of representation; and

ONE (1) share to the issue of my son, DONALD R. SPEARS, who survive me for thirty (30) days, by right of representation.

In the event that either share is not effectively disposed of by the provisions of this Paragraph, it shall be added to the share that is effectively disposed of in this Paragraph.

In the event that any of my issue has not attained the age of twenty-five (25) on the date that the gift herein described accrues, I give such issue's share of my estate to my friend, GRACE CANDLAND, as Custodian for each individual until age twenty-five (25), the age for delivery of property to a minor under the California Uniform Transfers to Minors Act. If my friend, GRACE, shall for any reason fail to qualify or cease to act as Custodian, I appoint the designee selected by the Board of Deacons of Southern Baptist Church of San Jacinto, located at the

corner of San Jacinto Street and Esplanade in San Jacinto, California, as such Custodian in her place.

SIXTH: In the event that any provision of this Will is or is adjudged to be for any reason unenforceable, the remainder thereof, disregarding such provision, shall be carried into effect.

SEVENTH: I nominate my friend, GRACE CANDLAND, as Executor of this Will, to serve without bond. If my friend, GRACE, shall for any reason fail to qualify or cease to act as Executor, I nominate the designee selected by the Board of Deacons of Southern Baptist Church of San Jacinto, as Executor, to serve without bond. The term "my Executor" as used in this Will shall include any personal representative of my estate.

I authorize my Executor to sell at public or private sale, with or without notice, and to lease any property belonging to my Estate, subject only to such confirmation of court as may be required by law.

EIGHTH: As used in this Will, the term "issue" shall refer to lineal descendants of all degrees, shall include adopted persons, and shall not be limited to persons who were minors at the date of adoption.

NINTH: Except as otherwise provided in Article FIFTH, I intentionally omit to provide for the issue of my deceased son, DONALD R. SPEARS.

I subscribe my name to this Will this 24th day of January, 1990, at Hemet, California.

Annie M. Spears  
ANNIE M. SPEARS

On the date written below, ANNIE M. SPEARS declared to us, the undersigned, that this instrument, consisting of five (5) pages including the page signed by us as witnesses, was her Will and requested us to act as witnesses to it. She thereupon signed this Will in our presence, all of us being present at the same time. We now, at her request, in her presence and in the presence of each other, subscribe our names as witnesses.

Executed on January 24th, 1990, at Hemet, California. We declare under penalty of perjury that the foregoing is true and correct.

Marina M. Wolf residing at Hemet, California.

Ellie Sirocka residing at Hemet, California.

Thomas Deters  
303 W. ACACIA AVE.  
HEMET CA 92343

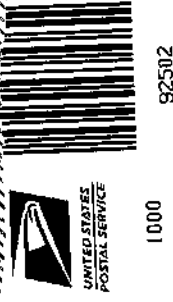
TREASURER-TAX COLLECTOR

MAY 07 2013

RECEIVED



Justice  
FOREVER



HEMET, CA  
92343  
MAY 06 2013  
AMOUNT

\$0.00  
00051983-14

Don Kent, Treasurer-Tax

Collector

P.O. Box 12005

Riverside, CA 92502-2205

Attn: Excess Proceeds

Mr. Poteructiono