

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

551A



FROM: Don Kent, Treasurer/Tax Collector

SUBMITTAL DATE:

JUN 29 2015

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 182, Item 93. Last assessed to: Homes 4 Less, Inc. District 5 [\$9,984]. Fund 65595 Excess Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Homes 4 Less, Inc. for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 351083004-6;

(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 16, 2009 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 05, 2009. 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 4, 2009, 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

Don Kent
 Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 9,984	\$ 0	\$ 9,984	\$ 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: 15/16

C.E.O. RECOMMENDATION:

APPROVE

BY: *Samuel Wong* 7/13/15
 Samuel Wong

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
 Nays: None
 Absent: None
 Date: July 21, 2015
 xc: Treasurer, Auditor

Kecia Harper-Ihem
 Clerk of the Board

By: *Kecia Harper-Ihem*
 Deputy

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

Prev. Agn. Ref.:

District: 5

Agenda Number:

9-6

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

FORM 11: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 182, Item 93. Last assessed to: Homes 4 Less, Inc. District 5 [\$9,984]. Fund 65595 Excess Proceeds from Tax Sale.

DATE: JUN 29 2015

PAGE: Page 2 of 2

RECOMMENDED MOTION:

2. Authorize and direct the Auditor-Controller to issue a warrant to Homes 4 Less, Inc. in the amount of \$9,984.46, 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 one claim for excess proceeds:

1. Claim from Homes 4 Less, Inc. based on a Grant Deed recorded January 28, 2004 as Instrument No. 2004-0059635.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that Homes 4 Less, Inc. be awarded excess proceeds in the amount of \$9,984.46. 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.

Impact on Citizens and Businesses

Excess proceeds are being released to the last assessee of the property.

ATTACHMENTS (if needed, in this order):

A copy of the Excess Proceeds Claim form and supporting documentation are attached.

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

To: Don Kent, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC 182 Item 93 Assessment No.: 351083004-6

Assessee: HOMES 4 LESS

Situs:

Date Sold: March 16, 2009

Date Deed to Purchaser Recorded: May 5, 2009

Final Date to Submit Claim: May 5, 2010

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$9,084.40 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. 2004-0059635, recorded on Jan 28, 2004. 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.

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 17 day of July, 2009 at San Bernardino, CA
County, State

Signature of Claimant

Signature of Claimant

Jose Aquino
Print Name

Print Name

11299 Foothill Blvd
Street Address

Street Address

Fontana, CA 92335
City, State, Zip

City, State, Zip

909-357-9000
Phone Number

Phone Number

RECEIVED
2009 AUG -7 AM 9:48
RIVERSIDE COUNTY
TREAS - TAX COLLECTOR

RECORDING REQUESTED BY:

AND WHEN RECORDED, MAIL TO:

NAME HOMES 4 LESS, INC.

STREET ADDRESS 1835 VIA MIRALESTE#161

CITY PALM SPRINGS, CA 92262
STATE
ZIP

DOC # 2004-0059635

01/28/2004 08:00A Fee:7.00
Page 1 of 1 Doc T Tax Paid
Recorded in Official Records
County of Riverside

Gary L. Orso
Assessor, County Clerk & Recorder



M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		1			✓			
					3				DP
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

ASSESSOR'S PARCEL NO.: 351-083-004

TITLE ORDER NO.:

ESCROW NO.:

The undersigned Grantor(s) declare(s) that the DOCUMENT TRANSFER TAX IS:

\$ _____ County \$ _____ City

- ☒ computed on the full value of the interest of property conveyed, or
☐ computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale
☐ OR transfer is EXEMPT from tax for the following reason:

GRANT DEED

DTT 27.50 TRA 054

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

hereby GRANT(S) to HOMES 4 LESS, INC.

Unincorporated area
all that real property situated in the ~~City~~ OF CANYON LAKE
County of RIVERDIDE, State of California, described as: LOT 91 OF QUAIL VALLEY
HOMES TRACT, AS SHOW BY MAP ON FILE IN BOOK 35, PAGE 19 OF MAPS,
RECORDS OF RIVERSIDE COUNTY.

AKA: CASA BONITA
CANYON LAKE (VACANT LAND)

Dated DECEMBER 10, 2003

STATE OF CALIFORNIA,)
COUNTY OF San Bernardino) ss.

On Dec, 12, 2003, before me
Diana Tam, Notary Public, personally appeared

PAUL LEE

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

MAIL TAX

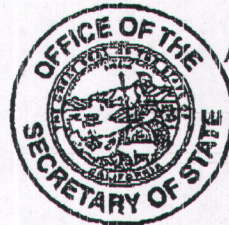
STATEMENTS TO: SAME AS ABOVE

VISTA HOMES, LLC
BY PAUL LEE, MANAGING MEMBER



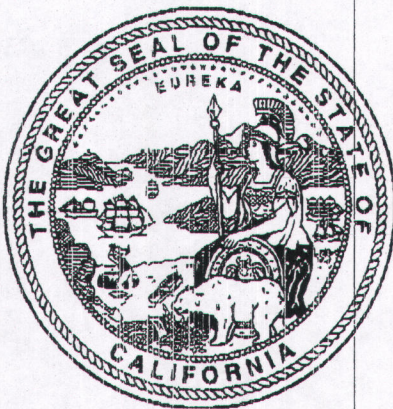
(This area for official notary seal)

State of California
Secretary of State



I, BRUCE McPHERSON, Secretary of State of the State of California, hereby certify:

That the attached transcript of 1 page(s) has been compared with the record on file in this office, 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

SEP 28 2005

BRUCE McPHERSON
Secretary of State

A0650774

**CERTIFICATE OF AMENDMENT OF
ARTICLES OF INCORPORATION**

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

SEP 21 2006

The undersigned certify that:

1. They are the president and the secretary, respectively, of **HOMES 4 LESS, INC.**, a California corporation.
2. Article I. of the Articles of Incorporation of this corporation is amended to read as follows:

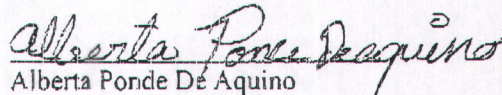
The name of this corporation is FIRST HOMES 4 LESS, INC.

3. The foregoing amendment of Articles of Incorporation has been duly approved by the board of directors.
4. The corporation has issued no shares.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

Date 9.20-06


Jose Aquino, President


Alberta Ponde De Aquino

State of California
Secretary of State

CERTIFICATE OF STATUS
DOMESTIC CORPORATION

I, BRUCE McPHERSON, Secretary of State of the State of California, hereby certify:

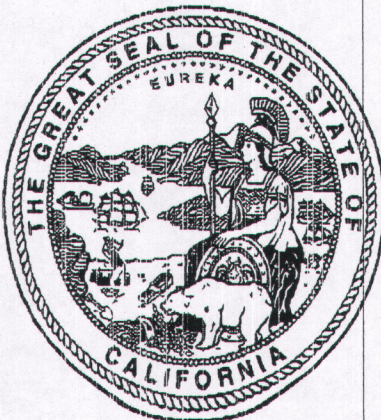
That on the 13th day of June, 2003, **FIRST HOMES 4 LESS, INC.** became incorporated under the laws of the State of California by filing its Articles of Incorporation in this office; and

That said corporation's corporate powers, rights and privileges are not suspended on the records of this office; and

That according to the records of this office, the said corporation is authorized to exercise all its corporate powers, rights and privileges and is in good legal standing in the State of California; and

That no information is available in this office on the financial condition, business activity or practices of this corporation.

IN WITNESS WHEREOF, I execute
this certificate and affix the Great Seal
of the State of California this day of
December 1, 2006.



BRUCE McPHERSON
Secretary of State

sk

OSP 05 94201

NP-25 (REV 03/31/05)

2517662

ARTICLES OF INCORPORATION
OF
HOMES 4 LESS, INC.

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

JUN 13 2003

KEVIN SHELLEY
Secretary of State

I

The name of this corporation is **HOMES 4 LESS, INC.**

II

The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, trust company business or the practice of a profession permitted to be incorporated by the California Corporations Code.

III

The name in the State of California of this corporation's initial agent for service of process is: **Harold I. Gould, A Professional Corporation.**

IV

This corporation is authorized to issue only one class of shares of stock; and the total number of shares which this corporation is authorized to issue is: 1,000.

V

The liability of the directors of the corporation for monetary damages shall be eliminated to the fullest extent permissible under California law.

VI

The corporation is authorized to provide indemnification of agents (as defined in Section 317 of the Corporations Code) for breach of duty to the corporation and its shareholders through bylaw provisions or through agreements with agents or both, in excess of the indemnification otherwise permitted by Section 317 of the Corporations Code, subject to the limits on such excess indemnification set forth in Section 204 of the Corporations Code.

Harold I. Gould

HAROLD I. GOULD



File #3348



State of California
Secretary of State

DISS STK

Domestic Stock Corporation
Certificate of Dissolution

There is no fee for filing a Certificate of Dissolution.
IMPORTANT - Read instructions before completing this form.

This Space For Filing Use Only

Corporate Name (Enter the name of the domestic stock corporation exactly as it is of record with the California Secretary of State.)

1. Name of corporation
FIRST HOMES 4 LESS, INC.

Required Statements (The following statements are required by statute and should not be altered.)

2. A final franchise tax return, as described by California Revenue and Taxation Code section 23332, has been or will be filed with the California Franchise Tax Board, as required under the California Revenue and Taxation Code, Division 2, Part 10.2 (commencing with Section 18401). The corporation has been completely wound up and is dissolved.

Debts & Liabilities (Check the applicable statement. Note: Only one box may be checked.)

3. ☐ The corporation's known debts and liabilities have been actually paid.
☒ The corporation's known debts and liabilities have been paid as far as its assets permitted.
☐ The corporation's known debts and liabilities have been adequately provided for by their assumption and the name and address of the assumer is _____
☐ The corporation's known debts and liabilities have been adequately provided for as far as its assets permitted.
(Specify in an attachment to this certificate (incorporated herein by this reference) the provision made and the address of the corporation, person or governmental agency that has assumed or guaranteed the payment, or the name and address of the depository with which deposit has been made or other information necessary to enable creditors or others to whom payment is to be made to appear and claim payment.)
☐ The corporation never incurred any known debts or liabilities.

Assets (Check the applicable statement. Note: Only one box may be checked.)

4. ☒ The known assets have been distributed to the persons entitled thereto.
☐ The corporation never acquired any known assets.

Election (Check the "YES" or "NO" box, as applicable. Note: If the "NO" box is checked, a Certificate of Election to Wind Up and Dissolve pursuant to Corporations Code section 1901 must be filed prior to or together with this Certificate of Dissolution.)

5. The election to dissolve was made by the vote of all the outstanding shares. ☐ YES ☒ NO

Verification & Execution (If additional signature space is necessary, the dated signature(s) with verification(s) may be made on an attachment to this certificate. Any attachments to this certificate are incorporated herein by this reference.)

6. The undersigned constitute(s) the sole director or a majority of the directors now in office. I declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of my own knowledge.

03-14-12

Date

Signature of Director

Jose Aquino

Type or Print Name of Director

Signature of Director

Type or Print Name of Director

Signature of Director

Type or Print Name of Director

DISS STK (RLV 12/2010)

APPROVED BY SECRETARY OF STATE

Homes 4 Less, INC
16299 Foothill Blvd
Fontana, CA 92335
909-362-2223

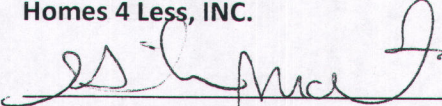
September 26, 2014

Riverside County Treasurer-Tax Collector
4080 Lemons St 4th Floor
Riverside, CA 92502

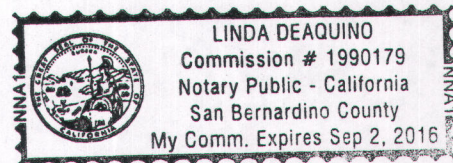
Re: APN: 351083004-6
Date sale: March 16, 2009

I, the undersigned, hereby authorized Jose Aquino, the original Beneficiary of the promissory note for the property APN # 351083004-6, to collect any excess of proceeds as of results of the tax sale occurred on March 16, 2009 in reference to the vacant lot APN No: 351083004-6.

Homes 4 Less, INC.

 9-26-2014

Estela Mata, Secretary Date



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

County of San Bernardino

}

On September 26, 2014

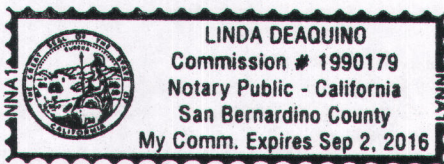
Date

before me, Linda DeAquino, Notary Public

Here Insert Name and Title of the Officer

personally appeared Estela Mata

Name(s) of Signer(s)



Place Notary Seal Above

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

Signature of Notary Public Linda DeAquino

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: Letter

Document Date: September 26, 2014

Number of Pages: 1

Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Individual

☒ Corporate Officer — Title(s): _____

☐ 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: _____

☐ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**

Top of thumb here

PROMISSORY NOTE

For value received, I, the undersigned, promise to pay to the order of Jose Aquino the principal sum of \$ 13,000 (Thirteen Thousand dollars) on October 30, 2017 (maturity date) with interest at the rate of 6% percent per year, interest payable until maturity date at which at the time all unpaid sums of principal and interest shall be due and payable.

Lot 91 of Quail Valley Homes Tract, as shown by map on file in Book 35, Page 19 of Maps, Records of Riverside County, APN: 351083004-6

This Note is subject to Section 2966 of the California Civil Code, which provides that the holder of this Note shall give written notice to the trustor, or his successor in interest, of prescribed information at least 90 and not more than 150 days before any balloon payment is due.

Homes 4 Less, INC.

Alberta Ponce 12-30-2003
Alberta Ponce, President Date