

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS  
 DATE: 6/29/15

Departmental Concurrence

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

594A



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

**SUBMITTAL DATE:**

JUN 29 2015

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 196, Item 278. Last assessed to: Mc Coy Construction Company, a California Corporation. District 1 [\$37,725] Fund 65595 Excess Proceeds from Tax Sale.

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

1. Approve the claim from McCoy Construction Company, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 391480016-6.

(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 April 29, 2013 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 20, 2013. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on July 17, 2013 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	\$ 37,725	\$ 0	\$ 37,725	\$ 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
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: District: 1 Agenda Number:

9-49

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 196, Item 278. Last assessed to: Mc Coy Construction Company, a California Corporation. District 1 [\$37,725] 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 McCoy Construction Company in the amount of \$37,725.07 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 McCoy Construction Company based on a Grant Deed recorded January 30, 1987 as Instrument No. 27296.

Pursuant to Section 4675 (a) of the California Revenue and Taxation Code, it is the recommendation of this office that McCoy Construction Company be awarded excess proceeds in the amount of \$37,725.07. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.

**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-Tax Collector

Re: Claim for Excess Proceeds

TC 196 Item 278 Assessment No.: 391480016-6

Assessee: MCCOY CONST CO

Situs:

Date Sold: April 29, 2013

Date Deed to Purchaser Recorded: June 20, 2013

Final Date to Submit Claim: June 20, 2014

RECEIVED  
2014 JAN 15 PM 3:00  
RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ all 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. 27296; recorded on Jan. 30, 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.

- 1. Grant Deed recorded January 30, 1987, Doc. No. 27296

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 7 day of January, 2014 at Ventura, Co., Calif.  
McCoy Construction Company, a California Corporation, County, State

By: [Signature] Secretary  
Signature of Claimant Signature of Claimant

OSANE McCoy  
Print Name Print Name

5760 RISTA DR  
Street Address Street Address

Agaves Hills, Ca 91301  
City, State, Zip City, State, Zip

(805) 432-3544  
Phone Number Phone Number

up

Jan. 30, 1987

27296

RECORDING REQUESTED BY

Chicago

AND WHEN RECORDED MAIL THIS DEED AND UNLESS OTHERWISE SHOWN BELOW MAIL TAX STATEMENT TO:

27296  
Name  
Street Address  
City & State

MC COY CONSTRUCTION COMPANY  
23241 Ventura Blvd  
Suite 314  
Woodland Hills, Ca. 91364

MAIL TAX STATEMENTS TO

Name  
Street Address  
City & State

AS ABOVE

TITLE ORDER NO.

ESCROW NO.

PAID  
Doc Transfer Tax  
WILLIAM E. GENESEY  
Riv Co. C.T.A.R.

RECEIVED FOR RECORD  
AT 2:00 O'CLOCK P.M.

JAN 30 1987  
Notary Public  
of Riverside County, California  
William E. Genesey  
Recorder  
Fees \$

SURVEYORS  
Monument Fund  
\$10.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$ 553.30

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale.
- unincorporated area
- city of \_\_\_\_\_

AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, <sup>SURVIVING</sup>

LEE PAXTON JORDAN JR., AS TRUSTEE OF THE LEE AND JOAN JORDAN TRUST  
DATED FEBRUARY 19, 1982, upon the death of Joan P. Jordan

hereby GRANT(s) to

MC COY CONSTRUCTION COMPANY, a California Corporation

the following described real property in the  
County of Riverside, State of California:

as per the attached exhibit A made a part hereof;

Dated January 29, 1987

STATE OF CALIFORNIA  
COUNTY OF Riverside } SS  
On this 29th day of January, 1987, in the year 1987  
before me, the undersigned, a Notary Public in and for said State,  
personally appeared Lee Paxton Jordan, Jr.

\_\_\_\_\_ personally known to me  
(or proved to me on the basis of satisfactory evidence) to be the  
person whose name is subscribed to the within  
instrument, and acknowledged to me that he executed it.

WITNESS my hand and official seal.

Signature \_\_\_\_\_  
NOTARY PUBLIC IN AND FOR SAID STATE

*Lee Paxton Jordan, Jr.*  
Lee Paxton Jordan, Jr., Trustee

PAMELA WALKER  
NOTARY PUBLIC  
RIVERSIDE COUNTY  
CALIFORNIA  
My Commission Expires Oct. 10, 1987

(This area for official notarial seal)

9145004

EXHIBIT "A"

PARCEL 1: THAT PORTION OF THE NORTHEAST QUARTER AND OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, AS SHOWN BY UNITED STATES GOVERNMENT SURVEY WHICH LIES BETWEEN THE INTERSTATE FREEWAY RIGHTS OF WAY AND THE SANTA FE RAILROAD RIGHTS OF WAY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER DISTANT ALONG SAID SOUTH LINE NORTH 89 DEGREES 00 MINUTES 36 SECONDS WEST, 1174.32 FEET FROM A POST MARKING THE EAST QUARTER CORNER OF SAID SECTION 17; NORTH 12 DEGREES 31 MINUTES 15 SECONDS WEST 68.41 FEET; THENCE SOUTH 87 DEGREES 40 MINUTES 02 SECONDS WEST, 148.05 FEET; THENCE NORTH 54 DEGREES 42 MINUTES 07 SECONDS WEST, 980.55 FEET; THENCE NORTH 46 DEGREES 22 MINUTES 14 SECONDS WEST, 460.21 FEET; THENCE NORTH 51 DEGREES 58 MINUTES 55 SECONDS WEST, 202.12 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE ALONG SAID WEST LINE NORTH 1 DEGREES 21 MINUTES 13 SECONDS EAST, 455.69 FEET TO THE SANTA FE RAILROAD RIGHT OF WAY CONVEYED BY DEED RECORDED IN BOOK 732 PAGE 455 OF DEEDS, ET SEQ., RECORDS OF RIVERSIDE COUNTY; THENCE SOUTH 59 DEGREES 01 MINUTES 34 SECONDS EAST, 3053.55 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 00 MINUTES 36 SECONDS WEST TO THE POINT OF BEGINNING.

ALSO THAT PORTION OF THE SOUTHEAST QUARTER OF SAID SECTION 17 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER DISTANT ALONG SAID EAST LINE SOUTH 1 DEGREES 23 MINUTES 43 SECONDS WEST, 25.27 FEET FROM A POST MARKING THE EAST QUARTER CORNER OF SAID SECTION; THENCE ALONG SAID EAST LINE SOUTH 1 DEGREES 23 MINUTES 43 SECONDS WEST, 452.73 FEET TO THE SOUTHERLY TERMINUS OF THE NORTHEAST BOUNDARY OF PARCEL 1 IN THAT DEED TO HORSETHIEF CANYON RANCH ET AL RECORDED APRIL 26, 1965 AS INSTRUMENT NO. 47890, OFFICIAL RECORDS; THENCE ALONG SAID NORTHEAST BOUNDARY NORTH 55 DEGREES 06 MINUTES 09 SECONDS WEST, 858.63 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 00 MINUTES 36 SECONDS EAST 716.00 FEET TO SAID SANTA FE RAILROAD RIGHTS OF WAY; THENCE SOUTH 59 DEGREES 01 MINUTES 34 SECONDS EAST TO THE POINT OF BEGINNING.

EXCEPT THE FOLLOWING DESCRIBED PARCEL:

PARCEL 2 IN THAT DEED TO THE STATE OF CALIFORNIA RECORDED APRIL 24, 1976 IN BOOK 1976 PAGE 46713, OFFICIAL RECORDS.

PARCEL 2: THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 17, AS MARKED BY AN "x" ON A POST; THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, NORTH 89 DEGREES 00' 36" WEST 716.00 FEET TO THE NORTHEASTERLY LINE OF PARCEL (1) AS DESCRIBED BY DEED RECORDED APRIL 26, 1965 AS INSTRUMENT

NO. 47890 OF OFFICIAL RECORDS OF SAID COUNTY AND THE POINT OF BEGINNING; THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 55 DEGREES 06' 09" EAST 461.10 FEET TO A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 3,770 FEET; THENCE COURSE "A", WESTERLY ALONG SAID CURVE FROM A TANGENT BEARING NORTH 76 DEGREES 51' 59" WEST THROUGH AN ANGLE OF 5 DEGREES 28' 35" A DISTANCE OF 360.35 FEET TO COURSE "B"; THENCE COURSE "B" NORTH 71 DEGREES 23' 24" WEST 514.91 FEET TO COURSE "C"; THENCE COURSE "C" NORTH 12 DEGREES 31' 15" WEST 9.10 FEET; THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 00' 36" EAST 458.32 FEET TO THE POINT OF BEGINNING, CONTAINING 1.558 ACRES, MORE OR LESS.

PARCEL 3: THAT CERTAIN PORTION OF SAID NORTHEAST QUARTER OF SECTION 17 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 25' 37" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER, 716.00 FEET; THENCE NORTH 51 DEGREES 13' 37" WEST 612.32 FEET; THENCE NORTH 41 DEGREES 49' 37" WEST 350.03 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 29 DEGREES 48' 23" WEST 109 FEET; THENCE NORTH 60 DEGREES 11' 37" WEST 138.00 FEET; THENCE NORTH 29 DEGREES 48' 23" EAST 109 FEET; THENCE SOUTH 60 DEGREES 11' 37" EAST 138 FEET TO THE TRUE POINT OF BEGINNING.

Jan. 30, 1987

27296

# NELSON COMIS KETTLE & KINNEY LLP

## ATTORNEYS AT LAW

Stuart A. Comis  
Kerry M. Kinney  
Mark A. Nelson\*  
Keri S. Kettle\*  
Sylvia Soto\*  
Laura S. Withrow†

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California State Bar Board of Legal Specialization  
†Also Licensed in Massachusetts

Anson M. Whitfield, *Of Counsel*  
Mitchel B. Kahn, *Of Counsel*

January 9, 2014

2343-0

Don Kent, Treasurer-Tax Collector  
P.O. Box 12005  
Riverside, California 92502-2205  
Attn: Excess Proceeds

Re: TC 196, Item 278, Assessment No. 391480016-6

Dear Mr. Kent:

Enclosed please find the original and one copy of a Claim for Excess Proceeds From the Sale of Tax-Defaulted Property for the above-identified property. Please file the original and conform the attached copy and return it to me in the enclosed self-addressed, stamped envelope. Please proceed to process the claim in accordance with your procedures.

Should you have any questions concerning the claim, please do not hesitate to contact the undersigned.

Very truly yours,



STUART A. COMIS

SAC:ls  
Enclosure

# NELSON COMIS KETTLE & KINNEY LLP

## ATTORNEYS AT LAW

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February 24, 2015

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*California State Bar Board of Legal Specialization*  
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Mitchel B. Kahn, *Of Counsel*

2343-0

### VIA FED EX

Don Kent, Treasurer-Tax Collector  
P.O. Box 12005  
Riverside, California 92502-2205  
Attn: Excess Proceeds

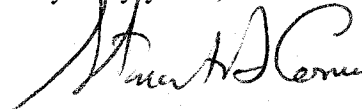
Re: TC 196, Item 278, Assessment No. 391480016-6  
TC 196, Item 279, Assessment No. 391480018-8

Dear Mr. Kent:

Your office requested that we provide you with a Board Resolution confirming that Jane McCoy had authority to submit the two Claims for Excess Proceeds. Enclosed please find an original Board Resolution that authorizes her to file the claims for both properties/assessments identified above.

Should you have any questions concerning the claim, please do not hesitate to contact the undersigned.

Very truly yours,



STUART A. COMIS

SAC:ls  
Enclosure

**ACTION BY THE BOARD OF DIRECTORS OF  
McCOY CONSTRUCTION COMPANY,  
A CALIFORNIA CORPORATION**

Dated: January 7, 2014

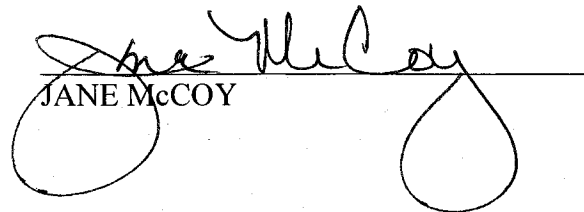
The undersigned, being the present directors of McCoy Construction Company, a California corporation, do hereby consent, by this writing, to take the following actions, adopt the following resolutions and transact the following business of the Corporation:

**RESOLVED**, that the Secretary of the Corporation, Jane McCoy, is hereby authorized and directed to file on behalf of the Company a claim for excess proceeds from the sale of the Company's two tax defaulted properties, 391480016-6 and 391480018-8, and all related documents.

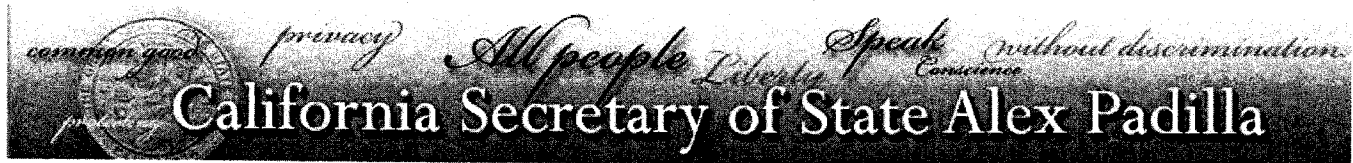
The undersigned direct that this consent be filed with the Minutes of the proceedings of the Board of Directors of this Corporation. Notice of meeting is hereby waived.

This consent is executed pursuant to the Corporations Code of the State of California which authorizes the taking of action by the Board of Directors by unanimous written consent without a meeting.

  
DENNIS McCOY

  
JANE McCOY





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**Business Entity Detail**

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Tuesday, March 03, 2015. Please refer to **Processing Times** for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

<b>Entity Name:</b>	MCCOY CONSTRUCTION CO.
<b>Entity Number:</b>	C0647571
<b>Date Filed:</b>	03/17/1972
<b>Status:</b>	ACTIVE
<b>Jurisdiction:</b>	CALIFORNIA
<b>Entity Address:</b>	5760 RISTA DRIVE
<b>Entity City, State, Zip:</b>	AGOURA HILLS CA 91301
<b>Agent for Service of Process:</b>	JANE MCCOY
<b>Agent Address:</b>	5760 RISTA DRIVE
<b>Agent City, State, Zip:</b>	AGOURA HILLS CA 91301

\* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code **section 2.114** for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to **Name Availability**.
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