

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRIAMOS DATE 10/1/15

Departmental Concurrence

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

653A



**SUBMITTAL DATE:
 OCT 01 2015**

FROM: Don Kent, Treasurer-Tax Collector

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 192, Item 653. Last assessed to: Terry Richard Graves. District 3 [\$0].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Deny the claim from Capital One Bank for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 458020031-5;

(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	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS:	Budget Adjustment: N/A
	For Fiscal Year: 15/16

C.E.O. RECOMMENDATION:

APPROVE

BY:
 Samuel Wong

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione 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: November 3, 2015
 xc: Treasurer

Kecia Harper-Ihem
 Clerk of the Board

By:
 Deputy

Prev. Agn. Ref.: District: 3 Agenda Number:

9-7

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

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 653. Last assessed to:
Terry Richard Graves. District 3 [\$0].

DATE: OCT 01 2015

PAGE: Page 2 of 2

RECOMMENDED MOTION:

2. Deny the claim, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.
3. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$2,831.08 to the county general fund pursuant to Revenue and Taxation Code Section 4674.

BACKGROUND:

Summary (continued)

Revenue and Taxation Code 4676 (b) states that the county shall make reasonable effort to obtain the name and last known mailing address of the parties of interest. Then, if the address of the party of interest cannot be obtained, the county shall publish notice of the right to claim excess proceeds in a newspaper of general circulation in the county as per Revenue and Taxation Code 4676 (c). The Treasurer-Tax Collector's Office has made it a policy to take the following actions to locate the rightful party of the excess proceeds.

- Examined title reports to notify all parties of interest attached to the parcel.
- Researched all last assessee's through the County's Property Tax System for any parties of interest.
- Used Accurant (people finder) to notify any new addresses that may be listed for our parties of interest.
- Advertised in newspapers for three consecutive weeks in the Desert Sun, Palo Verde Valley Times and the Press Enterprise referring any parties of interest to file a claim for the excess proceeds.
- Sent out a certified mailing within 90 days as required by Revenue and Taxation Code 4675.

According to Revenue and Taxation Code 4675 (a) Any party of interest in the property may file with the county a claim for the excess proceeds, in proportion to his or her interest held with others of equal priority in the property at the time of the sale, at any time prior to the expiration of the one year following the recordation of the Tax Collector's deed to the Purchaser, which was recorded on May 11, 2012.

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

1. Claim from Capital One Bank based on an Abstract of Judgment recorded June 6, 2007 as Instrument No. 2007-0371603.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Capital One Bank be denied since they were unable to substantiate their claim. Since there are no other claimants the excess proceeds in the amount of \$2,831.08 will be transferred to the county general fund. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion.

Impact on Citizens and Businesses

Excess proceeds are being transferred to the county general fund.

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 192 Item 653 Assessment No.: 458020031-5

Assessee: GRAVES, TERRY RICHARD

Situs: 26252 WHITE AVE HEMET

Date Sold: March 20, 2012

Date Deed to Purchaser Recorded: May 11, 2012

Final Date to Submit Claim: May 13, 2013 ✓

RECEIVED
2012 OCT -4 PM 4:46
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 2,509.94 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. 2007-0371603 ; recorded on June 6, 2007. 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.

Judgment _____

Abstract of Judgment _____

Accounting Report _____

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 24th day of September, 2012 at ORANGE CA
County, State

Signature of Claimant _____

Signature of Claimant _____

Print Name _____

Print Name _____

Street Address _____

Street Address _____

City, State, Zip _____

City, State, Zip _____

Phone Number _____

Phone Number _____

AP

ACKNOWLEDGMENT

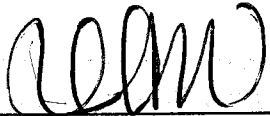
State of California
County of Orange)

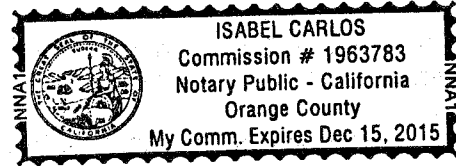
On September 24, 2012 before me, Isabel Carlos, Notary Public
(insert name and title of the officer)

personally appeared Brian N. Winn
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~
subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in
his/~~her~~/~~their~~ authorized capacity~~(ies)~~, and that by his/~~her~~/~~their~~ signature~~(s)~~ on the instrument the
person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



RECORDING REQUESTED BY
WHEN RECORDED MAIL TO:

NAME: WINN AND SIMS

ADDRESS: PO BOX 1216
FULLERTON, CA 92832

06 2007
06/06/2007

DOC # 2007-0371603

06/06/2007 08:00A Fee:18.00
Page 1 of 3

Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
			3						
M	(A)	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
NOTICE SENT					T:	CTY	UNI	014	

M
014

R'S USE

TITLE(S)

18

ABSTRACT OF JUDGMENT

CAPITAL ONE BANK vs. TERRY R GRAVES

HEC023612

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State, County, number, and telephone number): WINN AND SIMS, APC
 Recording requested by and return to: (714) 446-6686
 BRIAN N. WINN (SBN 86770)
 JOHN E. GORDON (SBN 180053) MEL
 JONATHAN B. KLEIN (SBN 236982)
 NAOMI S. BRICKEY (SBN 240597) File No. 06-21485-0
 110 E. WILSHIRE AVENUE, SUITE 212 FULLERTON, CA 92832
 ATTORNEY FOR JUDGMENT CREDITOR ASSIGNEE OF RECORD

FOR RECORDER'S USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

STREET ADDRESS: 880 NO. STATE ST.

MAILING ADDRESS: 880 NO. STATE ST.

CITY AND ZIP CODE: HEMET, CA 92543

BRANCH NAME: HEMET DISTRICT, LIMITED

PLAINTIFF: CAPITAL ONE BANK

CASE NUMBER:

HEC023612

DEFENDANT: TERRY R GRAVES, et al.

ABSTRACT OF JUDGMENT - CIVIL Amended
AND SMALL CLAIMS

FOR COURT USE ONLY

1. The judgment creditor assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

TERRY R GRAVES AKA TERRY GRAVES
26252 White Ave
Hemet, California 92545-9522

b. Driver's license No. and state:

Unknown

c. Social Security No.:

Unknown

d. Summons or notice of entry of sister-state judgment was personally served or

mailed to (name and address): TERRY R GRAVES AKA TERRY GRAVES 26252 White Ave Hemet, Ca 92545-9522

2. Information on additional judgment debtors is shown on page 2.

4. Information on additional judgment creditors is shown on page 2.

3. Judgment creditor (name and address)

CAPITAL ONE BANK, 6356 Corley Rd
Norcross, GA 30071

5. Original abstract recorded in this county:

a. Date:

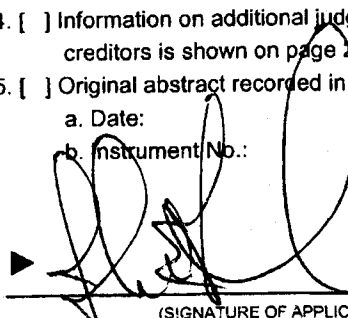
b. Instrument No.:

Date: April 11, 2007

Brian N. Winn John E. Gordon

Jonathan B. Klein Naomi S. Brickey

(TYPE OR PRINT NAME)



(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:

\$ 1,675.50

10. An execution attachment lien is endorsed on the judgment as follows:

a. Amount: \$

b. In favor of (name and address):

7. All judgment creditors and debtors are listed on this abstract.

8. a. Judgment entered on (date): April 2, 2007

b. Renewal entered on (date):

9. This judgment is an installment judgment.

11. A stay of enforcement has

a. not been ordered by the court.

b. been ordered by the court effective until (date):

12. a. I certify that this is a true and correct abstract of the judgment entered in this action

b. A certified copy of the judgment is attached.



This abstract issued on (date):
APR 25 2007

Clerk, by  Deputy

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

NAME AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:

13. Judgment creditor (name and address):

14. Judgment creditor (name and address):

15. Continued on Attachment 15.

INFORMATION ON ADDITIONAL JUDGMENT DEBTORS

16. _____ Name and last known address _____

_____ Name and last known address _____

 Driver's license No. & state: Unknown
 Social Security No.: Unknown
 Summons was personally served at or mailed to (address):

 Driver's license No. & state: Unknown
 Social Security No.: Unknown
 Summons was personally served at or mailed to (address):

18. _____ Name and last known address _____

19. _____ Name and last known address _____

 Driver's license No. & state: Unknown
 Social Security No.: Unknown
 Summons was personally served at or mailed to (address):

 Driver's license No. & state: Unknown
 Social Security No.: Unknown
 Summons was personally served at or mailed to (address):

20. _____ Name and last known address _____

21. _____ Name and last known address _____

 Driver's license No. & state: Unknown
 Social Security No.: Unknown
 Summons was personally served at or mailed to (address):

 Driver's license No. & state: Unknown
 Social Security No.: Unknown
 Summons was personally served at or mailed to (address):

22. Continued on Attachment 22.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) WINN AND SIMS, APC BRIAN N. WINN (SBN 86779) STEPHEN R. PRITSKER (SBN 158566) JOHN E. GORDON (SBN 180053) 110 E. WILSHIRE AVE., SUITE 212, FULLERTON, CA 92832 TELEPHONE NO (714) 446-6686 FAX NO (714) 446-6680 E-MAIL ADDRESS (Optional) WINNSIMS@WINNSIMS.COM (6100-01) ATTORNEY FOR (Name) PLAINTIFF File No. 06-21485-0-SEA	FOR COURT USE ONLY <div style="text-align: center; font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE <div style="text-align: center; font-size: 1.5em; font-weight: bold;">APR 2 2007</div>						
SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE STREET ADDRESS 880 NO. STATE ST. MAILING ADDRESS: CITY AND ZIP CODE HEMET, CA 92543 BRANCH NAME HEMET DISTRICT, LIMITED							
PLAINTIFF: CAPITAL ONE BANK DEFENDANT: TERRY R GRAVES, et al.							
<div style="text-align: center; font-weight: bold;">JUDGMENT</div> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;"><input checked="" type="checkbox"/> By Clerk</td> <td style="width: 33%; border: none;"><input checked="" type="checkbox"/> By Default</td> <td style="width: 33%; border: none;"><input type="checkbox"/> After Court Trial</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> By Court</td> <td style="border: none;"><input type="checkbox"/> On Stipulation</td> <td style="border: none;"><input type="checkbox"/> Defendant Did Not Appear at Trial</td> </tr> </table> <div style="text-align: right; border: none;"> CASE NUMBER HEC023612 </div>		<input checked="" type="checkbox"/> By Clerk	<input checked="" type="checkbox"/> By Default	<input type="checkbox"/> After Court Trial	<input type="checkbox"/> By Court	<input type="checkbox"/> On Stipulation	<input type="checkbox"/> Defendant Did Not Appear at Trial
<input checked="" type="checkbox"/> By Clerk	<input checked="" type="checkbox"/> By Default	<input type="checkbox"/> After Court Trial					
<input type="checkbox"/> By Court	<input type="checkbox"/> On Stipulation	<input type="checkbox"/> Defendant Did Not Appear at Trial					

JUDGMENT

1. BY DEFAULT

- a. Defendant was properly served with a copy of the summons and complaint.
- b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
- c. Defendant's default was entered by the clerk upon plaintiff's application.
- d. **Clerk's Judgment** (Code Civ. Proc., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
- e. **Court Judgment** (Code Civ. Proc., § 585(b)). The court considered
 - (1) plaintiff's testimony and other evidence.
 - (2) plaintiff's written declaration (Code Civ. Proc., § 585(d)).

2. ON STIPULATION

- a. Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
- b. the signed written stipulation was filed in the case.
- c. the stipulation was stated in open court the stipulation was stated on the record

3. AFTER COURT TRIAL. The jury was waived. The court considered the evidence.

- a. The case was tried on (date and time):
before (name of judicial officer):
- b. Appearances by:

<input type="checkbox"/> Plaintiff (name each):	<input type="checkbox"/> Plaintiff's attorney (name each):
(1)	(1)
(2)	(2)

Continued on Attachment 3b.

<input type="checkbox"/> Defendant (name each):	<input type="checkbox"/> Defendant's attorney (name each):
(1)	(1)
(2)	(2)

Continued on Attachment 3b.

- c. Defendant did not appear at trial. Defendant was properly served with notice of trial.
- d. A statement of decision (Code of Civ. Proc., § 632) was not was requested

JUDGMENT IS ENTERED AS FOLLOWS BY: THE COURT THE CLERK

4. **Stipulated Judgment.** Judgment is entered according to the stipulation of the parties.

5. **Parties.** Judgment is

a. for plaintiff (name each):

CAPITAL ONE BANK

and against defendant (names):

TERRY R GRAVES AKA TERRY GRAVES

c. for cross-complainant (name each):

and against cross-defendant (name each):

Continued on Attachment 5a.

b. for defendant (name each):

Continued on Attachment 5c.

d. for cross-defendant (name each):

6. **Amount.**

a. Defendant named in item 5a above must pay plaintiff on the complaint:

(1) <input checked="" type="checkbox"/> Damages	\$1,341.34
(2) <input checked="" type="checkbox"/> Prejudgment interest at the annual rate of 10.00%	\$99.16
(3) <input checked="" type="checkbox"/> Attorney Fees	\$0.00
(4) <input checked="" type="checkbox"/> Costs	\$235.00
(5) <input type="checkbox"/> Other (specify):	\$0.00
(6) TOTAL	\$1,675.50

c. Cross-defendant named in item 5c above must pay plaintiff on the complaint:

(1) <input type="checkbox"/> Damages	\$
(2) <input type="checkbox"/> Prejudgment interest at the annual rate of %	\$
(3) <input type="checkbox"/> Attorney Fees	\$
(4) <input type="checkbox"/> Costs	\$
(5) <input type="checkbox"/> Other (specify):	\$
(6) TOTAL	\$

b. Plaintiff to receive nothing from defendant named in item 5b.

Defendant named in item 5b to recover costs \$
 and attorney fees \$

d. Cross-complainant to receive nothing from cross-defendant named in item 5d.

Cross-defendant named in item 5d to recover costs \$
 and attorney fees \$

7. Other (specify):

Date:

JUDICIAL OFFICER

B. GRAMMER

Date:

4-2-07

Clerk, by _____, Deputy

(SEAL)

CLERK'S CERTIFICATE (Optional)

I certify that this is a true copy of the original judgment on file in the court.

Date:

Clerk, by _____, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) Brian N. Winn Bar# 86779 Stephen R. Pritsker Bar# 158566 John E. Gordon Bar# 180053 WINN AND SIMS, A PC 110 E. WILSHIRE AVE., SUITE 212, FULLERTON, CA 92832 TELEPHONE NO (714) 446-6686 FAX NO (Optional) (714) 446-6680 E-MAIL ADDRESS (Optional) WINNSIMS@WINNSIMS.COM FILE NO: 06-21485-0 SEA ATTORNEY FOR (Name) PLAINTIFF (6100-01)	FOR COURT USE ONLY <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE FEB 26 2007
SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE STREET ADDRESS 880 NO. STATE ST. MAILING ADDRESS 880 NO. STATE ST. CITY AND ZIP CODE HEMET, CA 92543 BRANCH NAME HEMET DISTRICT, LIMITED	
PLAINTIFF/PETITIONER: CAPITAL ONE BANK DEFENDANT/RESPONDENT: TERRY R GRAVES, et al.	
REQUEST FOR <input checked="" type="checkbox"/> ENTRY OF DEFAULT <input checked="" type="checkbox"/> CLERK'S JUDGMENT (Application) <input type="checkbox"/> COURT JUDGMENT	CASE NUMBER HEC023612

1. TO THE CLERK: On the complaint or cross-complaint filed
- a. on (date): December 1, 2006
 - b. by (name): CAPITAL ONE BANK
 - c. Enter default of defendant (names):
TERRY R GRAVES AKA TERRY GRAVES
 - d. I request a court judgment under Code of Civil Procedure sections 585(b), (c), 989, etc., against defendant (names):
(Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code of Civ. Proc. § 585(d).)
 - e. Enter clerk's judgment
 - (1) For restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc. § 1169)
 Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The Prejudgment Claim of Right to Possession was served in compliance with Code of Civil Procedure section 415.46.
 - (2) Under Code of Civil Procedure 585(a). (Complete the declaration under Code civ. Proc. § 585.5 on the reverse (item 5).)
 - (3) For default previously entered on (date):

2. Judgment to be entered

	<u>Amount</u>	<u>Credits Acknowledged</u>	<u>Balance</u>
a. Demand of complaint	\$ 1,341.34	\$ 0.00	\$ 1,341.34
b. Statement of damages*			
(1) Special	\$ 0.00	\$ 0.00	\$ 0.00
(2) General	\$ 0.00	\$ 0.00	\$ 0.00
c. Interest	\$ 99.16	\$ 0.00	\$ 99.16
d. Costs (see reverse)	\$ 235.00	\$ 0.00	\$ 235.00
e. Attorney fees	\$ 0.00	\$ 0.00	\$ 0.00
f. TOTALS	\$ 1,675.50	\$ 0.00	\$ 1,675.50

g Daily damages were demanded in complaint at the rate of: \$0.37 per day beginning (date) 5/23/06

(*Personal injury or wrongful death actions; Code Civ. Proc. § 425.11)

3. (Check if filed in an unlawful detainer case) Legal document assistant or unlawful detainer assistant information is on the reverse (complete item 4)

Date: February 15, 2007

Brian N. Winn Stephen R. Pritsker
 John E. Gordon

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

FOR COURT USE ONLY	(1) <input checked="" type="checkbox"/> Default entered as requested on (date). MAR 26 2007 (2) <input type="checkbox"/> Default NOT entered as requested (state reason)	Clerk, by Deput
--------------------	--	------------------

1 Brian N. Winn (State Bar No. 86779)
2 Stephen R. Pritsker (State Bar No. 158566)
3 John E. Gordon (State Bar No. 180053)
4 WINN AND SIMS, A PROFESSIONAL CORPORATION
5 110 E. Wilshire Avenue, Suite 212
6 Fullerton, CA 92832
7 Tel: (714) 446-6686
8 Fax: (714) 446-6680
9 File No. 06-21485-0-SEA (6100-01)
10 Attorney for Plaintiff

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

FEB 26 2007

7 SUPERIOR COURT OF CALIFORNIA
8 RIVERSIDE COUNTY, HEMET DISTRICT

10 CAPITAL ONE BANK,
11 vs
12 TERRY R GRAVES, et al.,
13 Defendant(s),

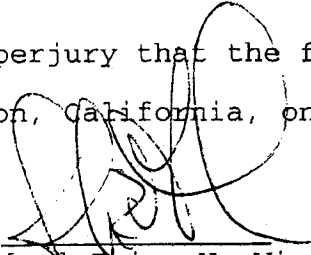
Case No.: HEC023612

DECLARATION RE: UNDERLYING
ACTION OF ACCOUNT STATED

14 The undersigned declares:

15 That I am the attorney for the plaintiff herein. That the
16 complaint in this case does not rest upon, and the facts underlying
17 the complaint do not involve, any note, contract or other writing
18 signed by any party except such as are submitted herewith for
19 endorsement and filing the clerk, that is: the statement(s) of account
20 from CAPITAL ONE BANK.

21 I declare under penalty of perjury that the foregoing is
22 true and correct, executed at Fullerton, California, on February 15,
23 2007.

24 
25 [] Brian N. Winn
26 [] Stephen R. Pritsker
27 [x] John E. Gordon
28 Attorney(s) for Plaintiff

*** WINN LAW GROUP ***
DEBTOR FILE BALANCE REPORT

Date: 9/20/12

Page: 1

File Number: 06-21485-0 Judgment Date: 04/02/07 Judgment Amount: \$1,675.50
File Name: Capital One Bank VS. Terry R Graves

DATE	PRINCIPAL	INTEREST	ATTY FEES	COSTS	BALANCE	COMMENTS
0/16/06	1,341.34				1,341.34	Initial Principal Balance
0/16/06		23.03			1,364.37	Interest 9/24/06-10/16/06
0/16/06		129.79			1,494.16	Outstanding Int.- 9/24/06
0/16/06		23.03			1,517.19	Adjustment-Interest
1/15/06		31.41			1,548.60	Interest 10/16/06-11/15/06
2/04/06				185.00	1,733.60	Legal Express Suit Filing Fee
2/15/07		96.31			1,829.91	Interest 11/15/06- 2/15/07
4/02/07	99.16	280.54			1,648.53	Judgment Entered
4/11/07				15.00	1,663.53	Fee: Abstract of Judgment
5/24/07				18.00	1,681.53	Costs to Record AJ (RIV-1)
6/04/07				50.00	1,731.53	#125672 - service of process
2/31/08		252.15			1,983.68	Interest 4/02/07-12/31/08
3/31/09		35.51			2,019.19	Interest 12/31/08- 3/31/09
7/01/09		36.30			2,055.49	Interest 3/31/09- 7/01/09
6/11/12		424.59			2,480.08	Interest 7/01/09- 6/11/12
6/29/12		7.10			2,487.18	Interest 6/11/12- 6/29/12
7/31/12		12.63			2,499.81	Interest 6/29/12- 7/31/12
8/31/12		12.23			2,512.04	Interest 7/31/12- 8/31/12
9/20/12		7.89			2,519.93	Interest 8/31/12- 9/20/12
TOTAL:	1,440.50	811.43	0.00	268.00	2,519.93	

Interest Presently Accumulating at \$0.39 Per Day at 10.000% Per Year

EP 192-653

Winn Law Group, A P.C.
110 E WILSHIRE AV STE 212
FULLERTON CA 92832
Phone (714) 446-6686 Fax (714) 446-6680

FAX COVER SHEET

To: Jennifer Pazicni
From: Leslie Sotelo
Fax No.: 951-955-3990
Subject Assessment No.: 45802031-5 Graves
Date: March 10, 2014
Pages: 2 (inc. this page)

Assessment No.: 458020031-5 Item: 653
Situs Address: 26252 White Ave. Hemet
Assessee: Graves Terry Richard
Date Sold: March 20, 2012
Date Recorded: May 11, 2012

Per our telephone conversation, please see the attached updated balance report as you requested. Thank you for your professional courtesy and cooperation in this matter. Should you have any questions or comments, please do not hesitate to call me.

Leslie Sotelo
Winn Law Group, A.P.C.
110 E. Wilshire Ave., Suite 212
Fullerton CA 92832-1109
Telephone: (714)446-6686 Ext. 263
Fax: (714)446-6680
06-21485-0 Graves

RECEIVED
2014 MAR 11 AM 6:44
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

PRIVACY NOTICE: THIS COVER SHEET AND ANY FOLLOWING PAGES ARE INTENDED FOR THE USE OF THE ADDRESSEE ONLY AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL OR OTHERWISE EXEMPT FROM DISCLOSURE UNDER APPLICABLE STATE OR FEDERAL LAW. IF THE READER OF THIS MESSAGE IS RESPONSIBLE FOR DELIVERING THIS COVER SHEET AND ANY FOLLOWING PAGES TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE CALL (714) 446-6686 IMMEDIATELY AND WE WILL ARRANGE FOR THE RETURN OF THE ORIGINAL FAX, ALL PAGES AND COPIES, AT NO COST TO YOU, TO THE ABOVE ADDRESS BY REGULAR U.S. MAIL. THANK YOU.

This law firm is a debt collector, as defined by 15 U.S.C. § 1692(a)(6), and this is an attempt to collect a debt. Any information obtained by us will be used for that purpose.

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Principal	\$1,675.50
Annual Percentage Rate	10.00%
Interest (One Year)	167.55
Days per Year	365
Interest (Day)	0.46
Elapsed Days from 4/02/07 to 03/20/12	1814.00
Interest for Period 4/02/07 to 03/20/12	834.44

Principal: \$1,675.50
Interest: \$ 834.44
Costs: \$ 83.00

Total \$2,592.94
Payments -\$ 0.00

Total Due: \$2,592.94

3/10/14
06-21485-0 Graves

FROM Winn Lew Group, APC
110 E. Wilshire Ave. Ste 212
Fullerton, CA 92832

ZIP CODE 92832

ATTN A. Potenciano - Tax Sale Operations

DATE _____

ASSESSMENT NUMBER
4 5 8 0 2 0 0 3 1 - 5

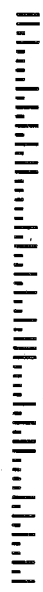


TREASURER-TAX COLLECTOR

OCT 01 2012

RECEIVED

RIVERSIDE COUNTY TREASURER
P.O. BOX 12005
RIVERSIDE, CA 92502-2205



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PROPER
POSTAGE

July 10, 2015

Winn Law Group, A.P.C.
Attn: Leslie Sotelo
Re: Capital One Bank
110 E Wilshire Ave., Suite 212
Fullerton, CA 92832

Re: APN: 458020031-5
TC 192 Item 653
Date of Sale: March 20, 2012

To Whom It May Concern:

This office is in receipt of your claim for excess proceeds from the above-mentioned tax sale. The documentation you have provided is insufficient to establish your claim.

Please submit the necessary proof to establish your right to claim the excess proceeds. The document(s) listed below may assist the Tax Collector in making the determination.


- ___ Notarized Affidavit for Collection of Personal Property under California Probate Code 13100
- ___ Notarized Statement of different/misspelled
- ___ Notarized Statement Giving Authorization to claim on behalf of
- ___ Certified Death Certificate for
- ___ Copy of Birth Certificates for
- ___ Copy of Marriage Certificate for

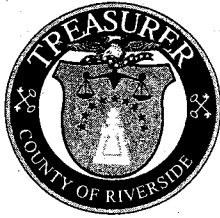
- ___ Original Note/Payment Book
- X Updated Statement of Monies Owed (as of dated of tax sale)
- ___ Articles of Incorporation (if applicable Statement by Domestic Stock)
- ___ Court Order Appointing Administrator
- ___ Deed (Quitclaim/Grant etc...)
- ___ Other -

If you should have any questions, please contact me at the number listed below.

Sincerely,

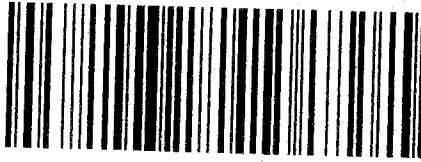
Jennifer Pazicni
Tax Sale Operations Unit
(951) 955-3336
(951) 955-3990 Fax
jpazicni@co.riverside.ca.us

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mail piece, or on the front if space permits. 		A. Signature <input checked="" type="checkbox"/> DC  <input type="checkbox"/> Agent <input type="checkbox"/> Address	
1. Article Addressed to: Winn Law Group, A.P.C. Attn: Leslie Sotelo Re: Capital One Bank 110 E Wilshire Ave., Suite 212 Fullerton, CA 92832		B. Received by (Printed Name) DRUPYANK	
2. Article Number (Transfer from service label) EP 192-653		C. Date of Delivery 7-13	
3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchand <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		7003 2260 0004 1558 6335	
PS Form 3811, July 2013		Domestic Return Receipt	



DON KENT
TREASURER
 P.O. BOX 12005
 RIVERSIDE, CA 92502-

CERTIFIED MAIL™



7003 2260 0004 1558 6335
 7003 2260 0004 1558 6335

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage \$ Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required)	Postmark Here
Total Postage & Fees \$	
Sent To Winn Law Group, A.P.C. Attn: Leslie Sotelo Re: Capital One Bank 110 E Wilshire Ave., Suite 212 Fullerton, CA 92832	
Street, Apt. No., or PO Box No. City, State, ZIP+4	
PS Form 3800	

SENDER: COMPLETE THIS SECTION

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Winn Law Group, A.P.C.
 Attn: Leslie Sotelo
 Re: Capital One Bank
 110 E Wilshire Ave., Suite 212
 Fullerton, CA 92832

EP 192-653

2. Article Number
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

7003 2260 0004 1558 6335

August 26, 2015

Final Notice

Winn Law Group, A.P.C.
Attn: Leslie Sotelo
Re: Capital One Bank
110 E. Wilshire Ave., Suite 212
Fullerton, CA 92832

Re: APN: 458020031-5
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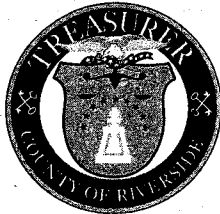
- | | |
|--|---|
| <input type="checkbox"/> Notarized Affidavit for Collection of Personal Property under California Probate Code 13100 | <input type="checkbox"/> Original Note/Payment Book |
| <input type="checkbox"/> Notarized Statement of different/misspelled | <input checked="" type="checkbox"/> Updated Statement of Monies Owed (as of the date of the tax sale) |
| <input type="checkbox"/> Notarized Statement Giving Authorization to claim on behalf of | <input type="checkbox"/> Articles of Incorporation (if applicable Statement by Domestic Stock) |
| <input type="checkbox"/> Certified Death Certificate for | <input type="checkbox"/> Court Order Appointing Administrator |
| <input type="checkbox"/> Copy of Birth Certificates for | <input type="checkbox"/> Deed (Quitclaim/Grant etc...) |
| <input type="checkbox"/> Copy of Marriage Certificate for | <input type="checkbox"/> Other – |

If your documentation is not received within 15 days (September 10, 2015), your claim will be denied.

If you should have any questions, please contact me at the number listed below.

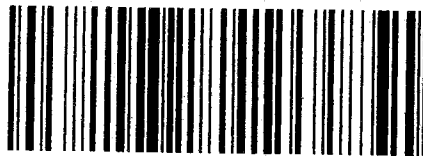
Sincerely,

Jennifer Pazicni
Tax Sale Operations Unit
(951) 955-3336
(951) 955-3990 Fax
jpazicni@co.riverside.ca.us



**DON KENT
TREASURER
P.O. BOX 12005
RIVERSIDE, CA 92502.**

CERTIFIED MAIL™



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For delivery information visit our website at www.usps.com ®	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To Winn Law Group, A.P.C. Attn: Leslie Sotelo Re: Capital One Bank 110 E. Wilshire Ave., Suite 212 Fullerton, CA 92832	
Street, Apt. No., or PO Box No. City, State, ZIP+4®	
PS Form 3800, JUN 01	
EP 192-653	

SENDER: COMPLETE THIS SECTION

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Fullerton, CA 92832

EP 192-653

2. Article Number
(Transfer from service label)

7003 2260 0004 1558 7509

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes