

FORM APPROVED COUNTY COUNSEL  
 BY: *GREGORY P. PRIAMOS* 10/28/15  
 DATE

Departmental Concurrence

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

112 A



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

**SUBMITTAL DATE:**  
**OCT 28 2015**

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 194, Item 64. Last assessed to: Carla Dee Miller, Trustee of the Carla Dee Miller Family Living Trust, dated April 26, 2004. District 5 [\$134,831]. Fund 65595 Excess Proceeds from Tax Sale.

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

1. Approve the claim from Global Discoveries, Ltd., assignee for PrimeSource Building Products, Inc., as successor in interest to Terminal Commercial Co., Inc. a Corporation DBA Pacific Steel & Supply for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 384180012-3;

(continued on page two)

**BACKGROUND:**

Summary

(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	\$ 134,831	\$ 0	\$ 134,831	\$ 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 12/31/15*

County Executive Office Signature

Samuel Wong

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Washington, 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:** December 15, 2015  
**xc:** Treasurer

Kecia Harper-Ihem  
 Clerk of the Board

By: *Kecia Harper-Ihem*  
 Deputy

Prev. Agn. Ref.:

District: 5

Agenda Number:

**9-4**

- 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. 194, Item 64. Last assessed to: Carla Dee Miller, Trustee of the Carla Dee Miller Family Living Trust, dated April 26, 2004. District 5 [\$134,831]. Fund 65595 Excess Proceeds from Tax Sale.

**DATE: OCT 28 2015**

**PAGE: Page 2 of 3**

### **RECOMMENDED MOTION:**

2. Approve the claim from the State of California, State Board of Equalization for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 384180012-3;
3. Approve the claim from Koistra & Associates, Inc. for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 384180012-3;
4. Approve the claim from the State of California, Franchise Tax Board for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 384180012-3;
5. Authorize and direct the Auditor-Controller to issue warrants to Global Discoveries, Ltd., assignee for PrimeSource Building Products, Inc., as successor in interest to Terminal Commercial Co., Inc. a Corporation DBA Pacific Steel & Supply in the amount of \$82,553.94, the State of California, State Board of Equalization in the amount of \$21,891.51, Koistra & Associates, Inc. in the amount of \$25,402.28 and to the State of California Franchise Tax Board in the amount of \$4,983.79, 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.
6. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$23,521.12 to the county general fund pursuant to Revenue and Taxation Code Section 4674.

### **BACKGROUND:**

#### **Summary (continued)**

In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, The Tax Collector conducted the February 4, 2013 public auction sale. The deed conveying title to the purchasers at the auction was recorded April 1, 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 April 24, 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.

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 April 1, 2013.

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

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 194, Item 64. Last assessed to: Carla Dee Miller, Trustee of the Carla Dee Miller Family Living Trust, dated April 26, 2004. District 5 [\$134,831]. Fund 65595 Excess Proceeds from Tax Sale.

**DATE: OCT 28 2015**

**PAGE: Page 3 of 3**

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

1. Claim from Global Discoveries, Ltd., assignee for PrimeSource Building Products, Inc., as successor in interest to Terminal Commercial Co., Inc. a corporation DBA Pacific Steel & Supply based on an Assignment of Right to Collect Excess Proceeds dated October 1, 2013 and an Abstract of Judgment recorded January 10, 2006 as Instrument No. 2006-0022198.
2. Claim from the State of California, State Board of Equalization based on a Notice of State Tax Lien recorded May 30, 2007 as Instrument No. 2007-0355895.
3. Claim from Koistra & Associates, Inc. based on an Abstract of Judgment recorded on July 16, 2008 as Instrument No. 2008-0389968.
4. Claim from the State of California, Franchise Tax Board based on an Order to Withhold Personal Income Tax dated August 13, 2015.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., assignee for PrimeSource Building Products, Inc., as successor in interest to Terminal Commercial Co., Inc. a corporation DBA Pacific Steel & Supply be awarded excess proceeds in the amount of \$82,553.94, the State of California, State Board of Equalization be awarded excess proceeds in the amount of \$21,891.51, Koistra & Associates, Inc. be awarded excess proceeds in the amount of \$25,402.28 and the State of California, Franchise Tax Board be awarded excess proceeds in the amount of \$4,983.79. Since there are no other claimants the unclaimed excess proceeds in the amount of \$23,521.12 will be transferred to the county general fund. 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 the lien holders and transferred to the county general fund.

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

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

**CLAIM SUMMARY**

Date: October 11, 2013  
To: Riverside County Treasurer and Tax Collector  
Assessors Parcel Number: 384180012-3  
Last Assessee: MILLER CARLA DEE  
Sale Date: 1/31/2013  
TC: 026-018  
Item Number: 64  
Deadline: 4/1/2014

Dear Treasurer/Tax Collector:

1. Claimant(s): Global Discoveries, Ltd.

The following proof of claim(s) for excess proceeds and documents are attached:

1. Abstract of Judgment naming Terminal Commercial Co., Inc a Corporation DBA Pacific Steel & Supply as Plaintiff as Document Number: 2006-0022198, Recorded in Riverside County on 01/10/2006.
2. Documentation referencing Pacific Steel and Supply with and into PrimeSource Building Products, Inc by Acquisition
3. Statement of Amount Due & Owing
4. Amount Due & Payable Calculation Worksheet
5. Certificate of Incorporation, Certificate of Amendment, Certificate of Status and Annual Franchise Tax Report for PrimeSource Building Products, Inc
6. Signing Authority for Jerry Kegley
7. Notarized Corporate Resolution Stamped with Corporate Seal
8. Assignment of Rights To Collect Excess Proceeds signed by PrimeSource Building Products, Inc., as successor in interest to Terminal Commercial Co., Inc. a Corporation DBA Pacific Steel & Supply
9. Claim form(s) signed by Global Discoveries
10. Photo ID & Business Card for Jerry Kegley.

Upon approval, claimant(s) request that the Treasurer and Tax Collector issue its warrant(s) as follows:

- One warrant in the amount of \$82,553.94 or 100% of the claimant's share of the excess proceeds made payable to Global Discoveries, Ltd. and mailed to P.O. Box 1748, Modesto, California 95353-1748.

Please address questions regarding the attached claim(s) to Jed Byerly, Chief Operating Officer, at (209) 593-3913, or e-mail to [jed@globaldiscoveries.com](mailto:jed@globaldiscoveries.com).

The Client(s) and the staff of Global Discoveries, Ltd., thank you in advance for your timely review and approval of the attached claim(s).

**Certified Tracking Number: 7013-1710-0000-7420-0153**

ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS.

As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby assign to GLOBAL DISCOVERIES, LTD. my right to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 384180012-3, Tax Sale Number 026-018, Item 54 sold at public auction on 1/31/2013.

I understand that the total of excess proceeds available for refund is \$ 158,831.00+/-, and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VALUABLE CONSIDERATION RECEIVED I HAVE SOLD THIS RIGHT OF COLLECTION (assignment) TO THE ASSIGNEE. I certify under penalty of perjury that I have disclosed to the assignee all facts of which I am aware relating to the value of this right I am assigning.

[Signature] 10/1/2013  
(Signature of Party of Interest Assignor) (Date)

PrimeSource Building Products, Inc., as successor in interest to Terminal Commercial Co., Inc. a Corporation DBA Pacific Steel & Supply  
(Name Printed)

Tax ID/SS# \_\_\_\_\_

1321 Greenway Drive  
(Address)

Irving, TX 75038  
(City/State/Zip)

STATE OF TEXAS )  
COUNTY OF DALLAS )

972-999-8661  
(Area Code/Telephone Number)

On October 1, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared JERRY L. KEGLEY Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to 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] Lori A. Austin  
(Signature of Notary)



I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest (assignor), pursuant to Section 4675 of the California Revenue and Taxation Code, all facts of which I am aware relating to the value of the right he is assigning, that I have disclosed to him the full amount of excess proceeds available, and that I HAVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT.

[Signature] (Signature of Assignee)

Jed Byerly, Chief Operating Officer  
(Name Printed)

Tax ID/SS# \_\_\_\_\_

Global Discoveries, Ltd.  
(Address)

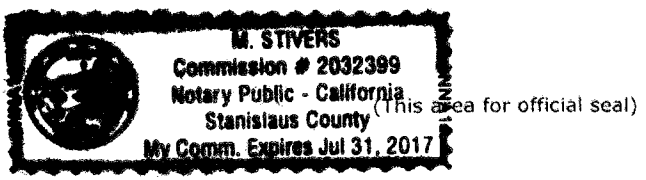
STATE OF CALIFORNIA )  
COUNTY OF Stanislaus )

P.O. Box 1748  
Modesto, California 95353-1748  
(City/State/Zip)

Phone: (209) 593-3913

On October 15, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared \*\*\*Jed Byerly\*\*\* 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)



RECORDING REQUESTED BY  
DAVID J. COOK, ESQ. #060859

(415) 989-4730

WHEN RECORDED MAIL TO  
NAME COOK, PERRKISS & LEW,  
P.L.C. our file # 50,393  
MAILING 333 Pine St., 3rd floor  
ADDRESS San Francisco, CA 94104

CITY, STATE  
ZIP CODE

DOC # 2006-0022198  
01/10/2006 08:00A Fee:18.00  
Page 1 of 3  
Recorded in Official Records  
County of Riverside  
Larry W. Ward  
Assessor, County Clerk & Recorder



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TITLE(S)

M  
CC

29

ABSTRACT OF JUDGMENT

Legal  
Solutions  
Co. Plus 15-201

EJ-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address): TEL NO.:  
 Recording requested by and return to: 415 989 4730  
**DAVID J. COOK, Esq. SBN 060859**  
 COOK, PERKISS & LEW, A Professional Law Corporation  
 333 Pine Street, San Francisco, CA 94104  
 PO Box 270, San Francisco, CA 94104  
 File No. 50,393

ATTORNEY FOR  JUDGMENT CREDITOR  ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA  
 STREET ADDRESS: ALAMEDA COUNTY SUPERIOR COURT  
 MAILING ADDRESS: 24405 Amador Street  
 CITY AND ZIP CODE: Hayward, CA 94544  
 BRANCH NAME: SOUTHERN DIVISION-UNLIMITED CIVIL JURISDICTION

FOR RECORDER'S USE ONLY

PLAINTIFF: TERMINAL COMMERCIAL CO., INC. a corporation dba PACIFIC STEEL & SUPPLY  
 DEFENDANT: W W STEEL, L.P., a limited partnership the General Partners of which are GARY MILLER, CARLA MILLER

**ABSTRACT OF JUDGMENT Amended**

CASE NUMBER:  
RG05229512

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

W.W. STEEL, LP., a limited partnership  
 the General partners of which is GARY MILLER, CARLA MILLER  
 27059 Garbani Rd., Menifee, CA 92584

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): W W STEEL, L.P., a limited partnership the General Partners of which are GARY MILLER, CARLA MILLER  
 27059 Garbani Road, Menifee, CA 92584

e. Original abstract recorded in this county:

(1) Date:

(2) Instrument No.:

Information on additional judgment debtors is shown on page two.

Date: Dec. 7, 2005

DAVID J. COOK, ESQ., S.B.N. 060859

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

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

b.  A certified copy of the judgment is attached.

3. Judgment creditor (name and address): TERMINAL COMMERCIAL CO., INC., a corporation dba PACIFIC STEEL & SUPPLY  
 333 Pine St., 3rd floor, San Francisco, CA 94104

4. Judgment debtor (full name as it appears in judgment):

W W STEEL, L.P., a limited partnership the General Partners of which are GARY MILLER, CARLA MILLER; GARY MILLER idb W W STEEL, L.P. CARLA MILLER idb W W STEEL, L.P.

6. Total amount of judgment as entered or last renewed: \$ 48,105.24

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

a. Amount: \$

b. In favor of (name and address):

(SEAL)



5. a. Judgment entered on (date): 12/02/05

b. Renewal entered on (date):

This abstract issued on (date):

DEC 15 2005

8. A stay of enforcement has

a.  not been ordered by the court.

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

9.  This judgment is an installment judgment.

Clerk, by

*Michelle Banks* Deputy

MICHELLE BANKS

Legal Solutions & Plus

PLAINTIFF: TERMINAL COMMERCIAL CO., INC. a corporation dba PACIFIC STEEL & SUPPLY DEFENDANT: W W STEEL, L.P., a limited partnership the General Partners of which are GARY MILLER, CARLA MILLER	CASE NUMBER: RG05229512
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INFORMATION ON ADDITIONAL JUDGMENT DEBTORS

10. Name and last known address  
 GARY MILLER idb W W STEEL, L.P.  
 27059 Garbani Road  
 Menifee, CA 92584

Driver's license No. & state:  Unknown  
 Social security No.:  Unknown  
 Summons was personally served at or mailed to (address):  
 GARY MILLER idb W W STEEL, L.P.  
 27059 Garbani Road  
 Menifee, CA 92584

14. Name and last known address

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

11. Name and last known address  
 CARLA MILLER idb W W STEEL, L.P.  
 27059 Garbani Road  
 Menifee, CA 92584

Driver's license No. & state:  Unknown  
 Social security No.:  Unknown  
 Summons was personally served at or mailed to (address):  
 CARLA MILLER idb W W STEEL, L.P.  
 27059 Garbani Road  
 Menifee, CA 92584

15. Name and last known address

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

12. Name and last known address

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

16. Name and last known address

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

13. Name and last known address

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

17. Name and last known address

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

18. Continued on Attachment 18.





**PrimeSource Building Products, Inc. Announces Acquisition  
of Pacific Steel and Supply  
*Company Officials Expect Transaction to Close within 30 days***

Carrollton, TX, August 30, 2006 — PrimeSource Building Products, Inc., the largest full-service wholesale distributor of building materials specializing in fasteners in the U.S., announced today that PrimeSource Building Products, Inc. is acquiring Pacific Steel and Supply, one of the largest independent nail distributors on the West Coast. The parties expect the transaction to close within 30 days.

"We are especially pleased to be acquiring Pacific Steel and Supply," said Ken Fishbein, Executive Vice President of PrimeSource. "Their skilled management and vast product selection are welcome additions that will positively benefit our growing company. I am confident in the future of PrimeSource and Pacific Steel and Supply, and we appreciate the continued support of our customers, suppliers, and employees."

Customers and suppliers of both companies should expect normal business operations throughout the course of the transaction. PrimeSource Building Products, Inc. and Pacific Steel and Supply products and brands will continue to serve the market in their current form.

**About Pacific Steel and Supply (PSS)**

A privately held company that began operations in 1952 as a division of Great Western Industries, PSS was incorporated on its own in 1961. PSS currently operates their own fleet of trucks from three warehouses in San Leandro, CA, Ontario, CA, and Tacoma, WA. PSS's expertise in agricultural products is expected to further enhance the product assortment and service currently offered by PrimeSource to its customers nationwide. For more information, please visit [www.pacsteelandsupply.com](http://www.pacsteelandsupply.com).

**About PrimeSource Building Products, Inc.**

With 34 distribution centers and more than 1,200 employees, PrimeSource is a national distributor of building materials serving residential and industrial new-construction and remodeling markets as a value-added link in the distribution chain. Core products include: Nails, screws, and collated fasteners; tools, compressors and accessories; roofing, gypsum and insulation; rebar and concrete accessories; and fencing and wire. For more information please visit [www.primesourcebp.com](http://www.primesourcebp.com) or call (972) 417-3701.

STATEMENT OF AMOUNT DUE AND OWING

The undersigned hereby states that the original amount of the lien or security interest against Assessor's Parcel Number(s) 384180012-3, Situs Address: was \$48,105.24. The amount still due and owing as of the 1/31/2013 sale of the tax-defaulted property by the Riverside County Tax Collector was at least \$82,553.94; no further payments were received after this date.

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

October 1, 2013  
DATE: MONTH, DAY, YEAR

[Signature]  
Jerry Kegley as CFO of PrimeSource Building Products, Inc., as successor in interest to Terminal Commercial Co., Inc. a Corporation DBA Pacific Steel & Supply

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

State of Texas

County of Dallas

On Oct. 1, 2013 before me, Lori A. Austin, personally appeared  
(Date) (here insert name and title of the officer)

Jerry L. Kegley - Sr. Vice President & CFO, 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)  
Signature of Notary Public



### Amount Due And Payable Calculation

Trustor(s) or Debtor(s):	WW Steel, L.P., Gary & Carla Miller
Beneficiary(ies) or Creditor(s):	PrimeSource Building Products, Inc., as successor in interest to Terminal Commercial Co., Inc. a Corporation DBA Pacific Steel & Supply
Instrument Number:	2006-0022198
County:	Riverside
APN:	384180012-3
Original Principal Balance of Loan:	\$48,105.24
Interest Rate:	10%
Last Payment Received Date:	12/2/2005
Interest Accrual to Date:	1/31/2013
Total in Years:	7.16
Total Interest Due:	\$34,448.70
Interest and Late Payments Due:	\$34,448.70
Unpaid Principal Balance Due:	\$48,105.24
<b>Total Due to Date:</b>	<b>\$82,553.94</b>

CERTIFICATE OF INCORPORATION  
OF  
ITOCHU International Acquisition Corp.

The undersigned, a natural person, for the purpose of organizing a corporation for conducting the business and promoting the purposes hereinafter stated, under the provisions and subject to the requirements of the laws of the State of Delaware, hereby certifies that:

**FIRST:** The name of the corporation (hereinafter called the "Corporation") is:

ITOCHU International Acquisition Corp.

**SECOND** The address, including street, number, city, and county, of the corporation's registered office in the State of Delaware is 1013 Centre Road, City of Wilmington 19805, County of New Castle; and the name of the registered agent of the corporation in the State of Delaware at such address is Corporation Service Company.

**THIRD** The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the Delaware General Corporation Law.

**FOURTH** The total number of shares which the Corporation shall have authority to issue is Three Thousand (3,000) shares of Common stock, all of which shares shall be without par value.

**FIFTH** The name and mailing address of the sole incorporator is as follows:

<u>Name</u>	<u>Mailing Address</u>
Eri Minami, Esq.	335 Madison Avenue, 23rd Floor New York, New York 10017 Attn: Legal Division

**SIXTH** The directors shall have the power to adopt, amend or repeal Bylaws, except as may otherwise be provided in the Bylaws.

**SEVENTH:** Elections of directors need not be by written ballot, except as may otherwise be provided in the Bylaws.

**EIGHTH:** The personal liability of the directors of the corporation is hereby eliminated to the fullest extent permitted by subsection (b) (7) of Section 102 of the Delaware General Corporation Law, as the same may be amended and supplemented from time to time.

**NINTH:** The corporation, shall., to the fullest extent permitted by Section 145 of the Delaware General Corporation law, as amended from time to time, indemnify all persons whom it may indemnify pursuant thereto.

**TENTH:** From time to time any of the provisions of this certificate of incorporation may be amended, altered, or repealed, and other provisions authorized by the laws of the State of Delaware at the time in force may be added or inserted in the manner and at the time prescribed by said laws, and all rights at any time conferred upon the stockholders of the corporation by this certificate of incorporation are granted subject to the provisions of this Article TENTH.

IN WITNESS WHEREOF, I have hereunto set my hand this January 21, 1998

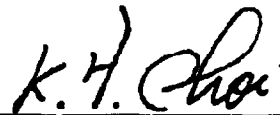
  
Eri Minami  
Sole Incorporator

CERTIFICATE OF AMENDMENT OF CERTIFICATE OF INCORPORATION  
OF  
ITOCHU International Acquisition Corp.

It is hereby certified that:

1. The name of the corporation is ITOCHU International Acquisition Corp. (referred to hereinafter as the "Corporation")
2. The Certificate of Incorporation of the Corporation is hereby amended by striking out Article FIRST thereof and by substituting in lieu of said Article the following new Article:  
  
"FIRST: The name of the Corporation is PrimeSource Building Products, Inc."
3. The amendment of the Certificate of Incorporation herein certified has been duly adopted and written consent has been given in accordance with the provisions of Sections 228 and 242 of the General Corporation Law of the State of Delaware.
4. The effective time of the amendment here certified shall be March 27, 1998.

Signed on March 26, 1998



Kwang Ho Choi- Chairman

# Delaware

PAGE 1

*The First State*


I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "PRIMESOURCE BUILDING PRODUCTS, INC." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE SECOND DAY OF OCTOBER, A.D. 2013.

2849420 8300

131155067

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)



  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 0785082

DATE: 10-02-13

# State of Delaware

## Annual Franchise Tax Report

<small>CORPORATION NAME</small>			<small>TAX YR.</small>
PRIMESOURCE BUILDING PRODUCTS, INC.			2012
<small>FILE NUMBER</small>	<small>INCORPORATION DATE</small>	<small>RENEWAL/REVOCATION DATE</small>	
2849420	1998/01/22		
<small>PRINCIPAL PLACE OF BUSINESS</small>			<small>PHONE NUMBER</small>
1321 Greenway Drive			972/999-8500
Irving TX 75038 United States			
<small>REGISTERED AGENT</small>			<small>AGENT NUMBER</small>
CORPORATION SERVICE COMPANY			9000014
2711 CENTERVILLE RD STE 400			
WILMINGTON		DE 19808	
<small>BEGIN DATE</small>	<small>AUTHORIZED STOCK END DATE</small>	<small>DESIGNATION/ STOCK CLASS</small>	<small>NO. OF SHARES</small>
1998/01/22		COMMON	3,000
<small>OFFICER</small>	<small>NAME</small>	<small>STREET/CITY/STATE/ZIP</small>	<small>TITLE</small>
	Jerry L Kegley		
	1321 Greenway Drive		Sr Vice President CFO
	Irving TX 75038 United States		
<small>DIRECTORS</small>	<small>NAME</small>	<small>STREET/CITY/STATE/ZIP</small>	
	Sean Tanaka		
	335 Madison Ave		
	New York NY 10017 United States		
	Mamoru Seki		
	335 Madison Ave		
	New York NY 10017 United States		
	Ichiro Tsuge		
	335 Madison Ave		
	New York NY 10017 United States		
	Tsuyoshi Hachimura		
	335 Madison Ave		
	New York NY 10017 United States		
Total number of directors:4			
<i>NOTICE: Pursuant to 8 Del. C. 502(b), If any officer or director of a corporation required to make an annual franchise tax report to the Secretary of State shall knowingly make any false statement in the report, such officer or director shall be guilty of perjury.</i>			
<small>AUTHORIZED BY (OFFICER, DIRECTOR OR INCORPORATOR)</small>		<small>DATE</small>	<small>TITLE</small>
Jerry L Kegley			
1321 Greenway Drive			Sr Vice President CFO
			2013-02-04
Irving TX 75038 United States			



**PRIMESOURCE BUILDING PRODUCTS, INC.**

---

**CONSENT IN LIEU OF ANNUAL  
MEETING OF BOARD OF DIRECTORS**

---

The undersigned, being all the members of the Board of Directors of the above Corporation, hereby give their written consent and authorization, pursuant to Section 141(f) of the General Corporation of the State of Delaware, to the adoption of the following resolutions:

WHEREAS, the By-Laws of the Corporation provide that the Annual Meeting of its Board of Directors shall be held immediately following the Annual Meeting of its Stockholders on the last Tuesday in June;

NOW, THEREFORE, BE IT RESOLVED, that the following persons be, and hereby are, elected and/or confirmed to the respective offices designated, effective immediately, to serve until the next Annual Meeting of the Board of Directors or until their successors are elected and shall have qualified:

Shinjiro Tanaka	Chairman and President
Kenneth Fishbein	Co-Chief Executive Officer
Mona Zinman	Co-Chief Executive Officer
Jerry Kegley	Senior Vice President & Chief Financial Officer
David Fishbein	Senior Vice President, Product Mgmt & Strategic Sales
Cyril Laan	Vice President, Logistics & Special Project Manufacturing
Bob Furio	Vice President, Operations
Jim Kubitz	Vice President Import Purchasing
Paul Redwood	Vice President, National Sales & Pneumatic Systems Mgmt
Rose Rush	Vice President of HR & Risk Mgmt
Scott Smith	Vice President, National Accounts
John Patterson	Regional Vice President West
Eric Royse	Regional Vice President Northeast
Sam Sprague	Regional Vice President Gulf
Brian Fallin	Regional Vice President Central
Melodie Keener	Vice President and Controller

Andy Spyhalski  
Brad Strosahl  
George Ikeda

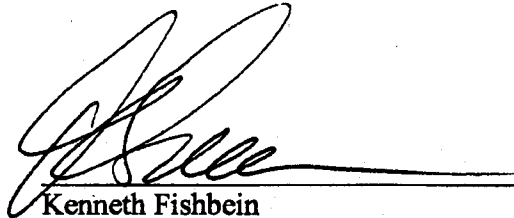
Vice President, BMG Department  
VP, Major Accounts  
Secretary

AND BE IT FURTHER, RESOLVED, that all actions taken by the officers of the Corporation since the date of last annual meeting of the Board of Directors be, and hereby are, ratified and approved.

Dated: June 26, 2012



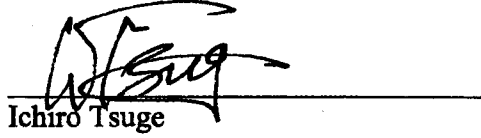
Mamoru Seki



Kenneth Fishbein



Mona Zinman



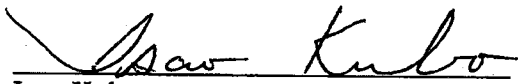
Ichiro Tsuge



Shinjiro Tanaka



Kotaro Yamamoto



Isao Kubo

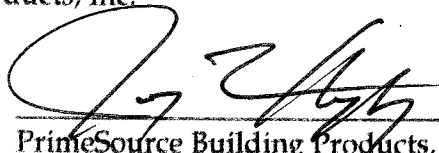
CORPORATE RESOLUTION

I, Jerry Kegley being the CFO of PrimeSource Building Products, Inc., do hereby certify that the following is a true and exact copy of an excerpt from the minutes of a meeting of the Board of Directors of this Corporation at which time a quorum was present, and that said resolution is in full force and effect.

Resolved, that the CFO be and is hereby directed to certify from time to time that as an individual officer who signs deeds, bids contracts, and related documents requiring the signature of the corporation with respect to the ordinary course of business shall duly bind the Corporation.

In accordance with the foregoing resolution, I do hereby verify that I, Jerry Kegley am the CFO of PrimeSource Building Products, Inc., Further, I Jerry Kegley have been authorized to execute the Assignment of Rights and all other relevant documents to Global Discoveries on behalf of PrimeSource Building Products, Inc.

10/1/13  
Date

  
PrimeSource Building Products, Inc.  
Jerry Kegley, CFO

JURAT

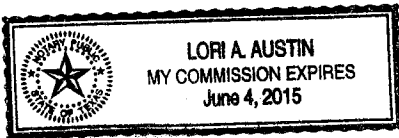
State of Texas  
County of DALLAS

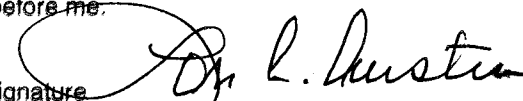
Subscribed and sworn to (or affirmed) before me on this

1st day of October, 2013, by  
Date Month Year

LORI A. AUSTIN  
Name of Signer

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Signature   
Signature of Notary Public

(Place Notary Seal Above)

**CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY**

To: Riverside County Treasurer and Tax Collector

Assessor's Parcel No: 384180012-3  
Tax Sale Number: 026-018  
Item Number: 64  
Default Number: 2006-384180012-0000  
Date of Sale: 1/31/2013

The undersigned claimant, Global Discoveries, Ltd., claims \$82,553.94+/- or 100% of the claimant's share of the actual amount of excess proceeds from the sale of the property referenced above.

Global Discoveries, Ltd., claims its status as a party of interest pursuant to Section 4675 of the California Revenue and Taxation Code based upon the attached documentation:

Please refer to Claim Summary and attached Documents

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

Executed this 14<sup>th</sup> day of OCTOBER, 2013 at Modesto, California.

By: [Signature]  
Jed Byerly, Chief Operating Officer  
Global Discoveries, Ltd. Tax ID #  
P.O. Box 1748  
Modesto, CA 95353-1748  
(209) 593-3913

**CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC**

State of California

County of Stanislaus

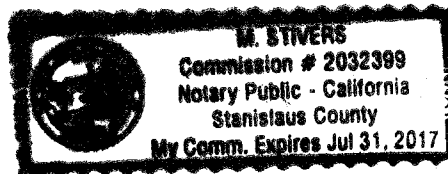
On 10/15/2013 before me, M. STIVERS - Notary Public, personally appeared  
(Date) (here insert name and title of the officer)

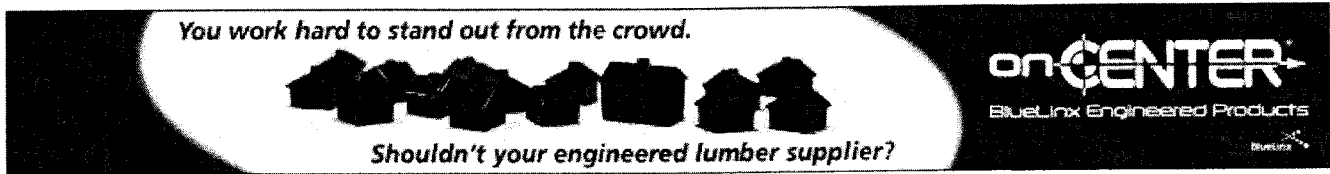
Jed Byerly, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument 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)  
Signature of Notary Public





# ProSales

Strategies for Today's Construction Supply Leaders

From: [ProSales 2006](#)

Posted on: September 6, 2006 4:58:09 PM

## PrimeSource Building Products Announces Aquisition of Pacific Steel and Supply

**Company expects transaction to close by the end of September.**

By [ProSales Information Service](#)

**Carrolton, TX**--PrimeSource Building Products, Inc., the largest full-service wholesale distributor of building materials specializing in fasteners in the U.S., announced today that PrimeSource Building Products, Inc. is acquiring Pacific Steel and Supply, one of the largest independent nail distributors on the West Coast. The parties expect the tranaction to close by the end of September.

"We are especially pleased to be acquiring Pacific Steel and Supply," said Ken Fishbein, Executive Vice President of PrimeSource. "Their skilled management and vast product selection are welcome additions that will positively benefit our growing company. I am confident in the future of PrimeSource and Pacific Steel and Supply, and we appreciate the continued support of our customers, suppliers, and employees."

Customers and suppliers of both companies should expect normal business operations throughout the course of the transaction. PrimeSource Building Supply, Inc. and Pacific Steel and Supply products and brands will continue to serve the market in their current form.

### Keywords

#### Subject

[Metal](#), [Building Materials](#), [Supply Chain](#), [Business](#)

#### Organization

[PrimeSource](#)

- [View more keywords](#)

## More from ProSales

### Building Materials

**Former BMSA Leader Adams Joins Robinson Builders Mart**

Former president of the Building Material Suppliers Association joins N.C. dealer as...

### Business

**Top LBM Leaders Weigh In on the State of the Industry**

The CEOs from ProBuild, Builders FirstSource, Carter Lumber, US LBM, and Golden...

### Metal

**Forecast: N. American Window, Door Demand To Rise 3.3% Thru 2013**

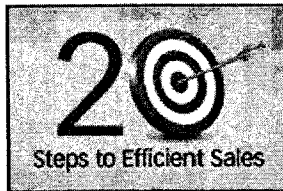
Demand across North America for windows and doors will climb by 3.3% per year from 2008...

### Supply Chain

**Don Magruder's Top 7 Worries for 2014**

As we enter a new year, there are some unsettling business concerns on the horizon.

### PrimeSource



**20 Steps to Efficient Selling**

### ProSales Information Service

**ProSales' Dealers of the Year Through History**

### WEB ONLY

**Lowe's to Pay Record \$500K Penalty for Subs' Lead Paint Violations**

Lowe's was hit with a record setting civil penalty over allegations that its contractors...

### Manufacturer News

**Weyerhaeuser's 1Q Earnings Plummet 59% Despite Sales Growth**

Weyerhaeuser's net earnings fell 59% from the same period a year ago to reach \$41...

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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 Friday, August 14, 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.

Entity Name:	TERMINAL COMMERCIAL CO.
Entity Number:	C0413274
Date Filed:	04/28/1961
Status:	DISSOLVED
Jurisdiction:	CALIFORNIA
Entity Address:	2115 E BELT LINE RD
Entity City, State, Zip:	CARROLTON TX 75006
Agent for Service of Process:	CORPORATION SERVICE COMPANY WHICH WILL DO BUSINESS IN CALIFORNIA AS CSC - LAWYERS INCORPORATING SERVICE
Agent Address:	2710 GATEWAY OAKS DR STE 150N
Agent City, State, Zip:	SACRAMENTO CA 95833

\* 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 2114 for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to Name Availability.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to Information Requests.
- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Field Descriptions and Status Definitions.

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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 Friday, August 14, 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.

Entity Name:	PRIMESOURCE BUILDING PRODUCTS, INC.
Entity Number:	C2104427
Date Filed:	04/01/1998
Status:	ACTIVE
Jurisdiction:	DELAWARE
Entity Address:	360 NORTH CRESCENT DRIVE SOUTH BUILDING
Entity City, State, Zip:	BEVERLY HILLS CA 90210
Agent for Service of Process:	C T CORPORATION SYSTEM
Agent Address:	818 W SEVENTH ST STE 930
Agent City, State, Zip:	LOS ANGELES CA 90017

\* 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 2114 for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to Name Availability.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to Information Requests.
- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Field Descriptions and Status Definitions.

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## Business Entity Detail

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Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Friday, August 14, 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.

Entity Name:	W W STEEL, LIMITED PARTNERSHIP
Entity Number:	199629000008
Date Filed:	10/16/1996
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	31369 GEARY STREET
Entity City, State, Zip:	MENIFEE CA 92548
Agent for Service of Process:	GARY MILLER
Agent Address:	31369 GEARY STREET
Agent City, State, Zip:	MENIFEE CA 92548

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

\* **Note:** If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to [Name Availability](#).
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to [Information Requests](#).
- For help with searching an entity name, refer to [Search Tips](#).
- For descriptions of the various fields and status types, refer to [Field Descriptions and Status Definitions](#).

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**Department of State: Division of Corporations**

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- & Authentication of
- Documents

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**Entity Details**

**THIS IS NOT A STATEMENT OF GOOD STANDING**

File Number: **2849420**      Incorporation **01/22/1998**  
Date / Formation (mm/dd/yyyy)  
Date:

Entity Name: **PRIMESOURCE BUILDING PRODUCTS, INC.**

Entity Kind: **CORPORATION**      Entity Type: **GENERAL**

Residency: **DOMESTIC**      State: **DE**

**REGISTERED AGENT INFORMATION**

Name: **THE CORPORATION TRUST COMPANY**

Address: **CORPORATION TRUST CENTER 1209 ORANGE ST**

City: **WILMINGTON**      County: **NEW CASTLE**

State: **DE**      Postal Code: **19801**

Phone: **(302)658-7581**

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

Would you like  Status  Status, Tax & History Information

To contact a Delaware Online Agent [click here](#).

**Pazicni, Jennifer**

---

**From:** Pazicni, Jennifer  
**Sent:** Tuesday, August 18, 2015 12:01 PM  
**To:** Amy Elmer  
**Subject:** EP 194-64- APN 384180012-3

Good afternoon,

I am currently working on your file for excess proceeds on EP 194-64 (APN 384180012-3). Would you please send an updated statement of money owed to your client, PrimeSource Building Products? Once received I will be able to continue processing your claim. Please let me know if you have any questions.

Thank you,

Jennifer Pazicni  
Riverside County Treasurer-Tax Collector's Office  
Tax Sale Operations/Excess Proceeds  
951 955-3336  
[jpazicni@co.riverside.ca.us](mailto:jpazicni@co.riverside.ca.us)

**SENDER: COMPLETE THIS SECTION**

- 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 mailpiece, or on the front if space permits.

1. Article Addressed to:

Global Discoveries, Ltd.  
 Re: PrimeSource Building Products, Inc.  
 1120 13<sup>th</sup> Street, Suite A  
 Modesto, CA 95354

2. Article Number  
*EP 194-64*  
 (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  No  
 If YES, enter delivery address below

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

4. Restricted Delivery? (Extra Fee)  Yes

7003 2260 0004 1558 7554

August 31, 2015

Global Discoveries, Ltd.  
 Re: PrimeSource Building Products  
 1120 13<sup>th</sup> Street, Suite A  
 Modesto, CA 95354

Re: APN: 384180012-3  
 TC 194 Item 64  
 Date of Sale: February 4, 2015

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-154

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.**

- |  |  |
|--|--|
| <input type="checkbox"/> Notarized Affidavit for Collection of Personal Property under California Probate Code 13100 | <input type="checkbox"/> Copy of Marriage Certificate for Original Note/Payment Book                 |
| <input type="checkbox"/> Notarized Statement of different/misspelled   | <input checked="" type="checkbox"/> <b>Updated Statement of Monies Owed (as of date of tax sale)</b> |
| <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"/> Other -   |

Please send in all documents within 30 days (**September 30, 2015**). 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](mailto:jpazicni@co.riverside.ca.us)

EP 194-64

**Pazicni, Jennifer**

---

**From:** Michelle Reynosa <michelle.reynosa@gd-ltd.com>  
**Sent:** Thursday, September 03, 2015 10:19 AM  
**To:** Pazicni, Jennifer  
**Subject:** RE: EP 194-64- APN 384180012-3 (our file#18126)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Morning Jennifer,

Per your request, please see link below, this is the updated Statement of Amount Due and Owing for the above referenced file, we will mail you the original no later than tomorrow afternoon. Please note: the signor of the company has changed as previous signor no longer works there, PrimeSource will send us proof of new signor's title as soon as they receive. I hope this information helps in perfecting our claim, talk to you soon ☺

[http://cts.gd-ltd.com/gdcts/documents/f6e92fe6-439d-457c-83ec-9261254de18f/scanned\\_copy\\_of\\_statement\\_of\\_amount\\_due\\_and\\_owing\\_-\\_gd\\_18126.pdf](http://cts.gd-ltd.com/gdcts/documents/f6e92fe6-439d-457c-83ec-9261254de18f/scanned_copy_of_statement_of_amount_due_and_owing_-_gd_18126.pdf) (Please copy and paste the complete URL into your browser location to download the file)

**Respectfully,**

**Michelle Reynosa**  
**Team Leader of Claims Processing**  
**Fax: 209-593-3974**  
**Toll Free: 1-800-370-9109 or 209-593-3904**

---

**From:** Pazicni, Jennifer [mailto:JPazicni@co.riverside.ca.us]  
**Sent:** Tuesday, August 18, 2015 12:01 PM  
**To:** Amy Elmer <amy.elmer@gd-ltd.com>  
**Subject:** EP 194-64- APN 384180012-3

Good afternoon,

I am currently working on your file for excess proceeds on EP 194-64 (APN 384180012-3). Would you please send an updated statement of money owed to your client, PrimeSource Building Products? Once received I will be able to continue processing your claim. Please let me know if you have any questions.

Thank you,

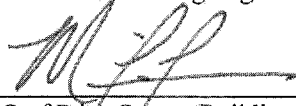
Jennifer Pazicni  
Riverside County Treasurer-Tax Collector's Office  
Tax Sale Operations/Excess Proceeds

STATEMENT OF AMOUNT DUE AND OWING

The undersigned hereby states that the original amount of the lien or security interest against Assessor's Parcel Number(s) 384180012-3, Situs Address: was \$48,105.24. The amount still due and owing as of the 1/31/2013 sale of the tax-defaulted property by the Riverside County Tax Collector was at least \$82,553.94; no further payments were received after this date.

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

9/2/15  
DATE: MONTH, DAY, YEAR

  
Michael Le Tourneau as CFO of PrimeSource Building Products, Inc.,  
as successor in interest to Terminal Commercial Co., Inc. a Corporation DBA  
Pacific Steel & Supply

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Texas )


County of Dallas )

On 9/2/15 before me, LORI A. Austin, personally appeared  
(Date) (here insert name and title of the officer)

Michael LeTourneau - Chief Financial Officer 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~~ <sup>TEXAS</sup> that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

 (seal)  
Signature of Notary Public



TC 194-64



STATE OF CALIFORNIA

**STATE BOARD OF EQUALIZATION**

450 N STREET, MIC:55, SACRAMENTO, CALIFORNIA  
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0055  
TELEPHONE • FAX 916-327-0615  
www.boe.ca.gov

BETTY T. YEE  
First District, San Francisco

SEN. GEORGE RUNNER (Ret.)  
Second District, Lancaster

MICHELLE STEEL  
Third District, Orange County

JEROME E. HORTON  
Fourth District, Los Angeles

JOHN CHIANG  
State Controller

CYNTHIA BRIDGES  
Executive Director

May 7, 2013

County of Riverside  
Treasurer-Tax Collector  
County Administrative Center-4<sup>th</sup> Floor  
4080 Lemon Street, P.O. Box 12005  
Riverside, CA 92502-2205

Attn: Adrian Potenciano

Assessment No. 384180012-3, Item 64  
Assessee: Carla Dee Miller Tr  
Certificate No. BE-1216986  
Account No.

Dear Ms. Potenciano;

In your letter dated April 24, 2013, you advised that you are holding surplus funds from the foreclosure sale of property owned by Carla Dee Miller.

Carla Dee Miller owes the State Board of Equalization \$21,891.51 with interest calculated to February 4, 2013, the date of the foreclosure sale. Notice of State Tax Lien secures the full amount.

Therefore, the State Board of Equalization makes claim to any surplus proceeds, with our interest substantiated by Certificate No. BE-1216986 as mentioned above. Thank you for your cooperation.

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

Sincerely,

Marcie Martin  
Senior Business Tax Representative  
Special Operations Branch

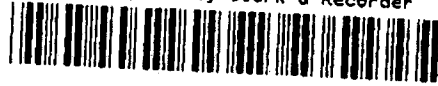
mm

RECORDING REQUESTED BY  
STATE OF CALIFORNIA  
BOARD OF EQUALIZATION

AND WHEN RECORDED MAIL TO:

STATE BOARD OF EQUALIZATION  
PO BOX 942879  
SACRAMENTO, CALIFORNIA 94279-0055

DOC # 2007-0355895  
05/30/2007 08:00A Fee:NC  
Page 1 of 1  
Recorded in Official Records  
County of Riverside  
Larry W. Ward  
Assessor, County Clerk & Recorder



M  
036

**NOTICE OF STATE TAX LIEN**

Chapter 14 (Commencing with  
section 7150 of Division 7 of  
Title 1 of the Government Code)

RIVERSIDE  
33

Account No.

Certificate No. BE- 1216986

The State Board of Equalization of the State of California hereby certifies that the following named taxpayer(s)

CARLA MILLER LIV TRST DTD 4/26/04  
TRUSTEE: CARLA DEE MILLER

whose last known address was 27059 GARBANI RD. MENIFEE, CA 92584-9442

is (are) liable to the State of California for amounts due from and required to be paid by said taxpayer(s) and duly levied and determined under the provisions of the California Sales and Use Tax Law, Part 1. 1.5 and where applicable, Part 1.6.

PERIOD	ASSESSMENT	TAX	INTEREST	PENALTY	TOTAL
10/22/04 10/22/04	07/29/06	\$12,109.37	\$1,614.56	\$2,421.88	\$16,145.81
<b>TOTAL</b>		<b>\$12,109.37</b>	<b>\$1,614.56</b>	<b>\$2,421.88</b>	<b>\$16,145.81</b>

Additional interest accrues after May 31, 2007 at the modified adjusted rate established pursuant to section 6591.5 of the Revenue and Taxation Code. Additional penalties may accrue by operation of law.

The State Board of Equalization further certifies that it has complied with all of the provisions of the above-cited law, act, or ordinance in its determination of the amounts required to be paid.

The liability above set forth is a lien upon all real property and rights to such property, including all after-acquired property and rights to property belonging to the above-named taxpayer(s).



Dated May 17, 2007  
At Sacramento, California

The State Board of Equalization has caused this Notice to be issued in its name by its representative thereon duly authorized by resolution of said Board.

The agency has adopted the use of a facsimile signature as shown below:

By *R. Cornell*  
R. Cornell, Authorized Representative

BOE-426 (S1) REV. 14 (4-05)

Public Record





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

# Fax

To: Marcie Martin From: Jennifer Pazzani  
Fax: 916 327-0615 Date: 4-22-14  
Phone: \_\_\_\_\_ Pages: 3  
Re: Acct # CC: \_\_\_\_\_

Urgent     For Review     Please Comment     Please Reply     Please Recycle

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

April 22, 2014

The State of California  
State Board of Equalization  
C/O Marcie Martin  
PO Box 942879  
Sacramento, CA 94279-0055

RE: APN: 384180012-3  
EP 194-64  
Date of Sale: February 4, 2013

Dear Ms. Martin,

I am currently reviewing your claim for excess proceeds on the above mentioned property. In order to ensure proper payment, please send me an updated statement of money owed to you by Carla Dee Miller Tr, account number . If you should have any questions, please contact me at the number listed below.

Sincerely,

*Jennifer Pazicni*

Jennifer Pazicni  
Riverside County Treasurer-Tax Collector's Office  
Tax Sale Operations/ Excess Proceeds  
951 955-3947  
[jpazicni@co.riverside.ca.us](mailto:jpazicni@co.riverside.ca.us)

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

\*\*\*\*\*  
 \* P. 01 \*  
 \* TRANSACTION REPORT \*  
 \* APR-22-2014 TUE 09:35 AM \*  
 \* FOR: RIV CO TREAS TAX COLL 951 955 3990 \*  
 \*-----\*  
 \* SEND \*  
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 \* APR-22 09:33 AM 919163270615 1' 38" 3 FAX TX OK 985 \*  
 \*-----\*  
 \* TOTAL : 1M 38S PAGES: 3 \*  
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Riverside County Treasurer-Tax Collector  
 4080 Lemon St. - Riverside, CA 92501  
 (951) 955-3900 Telephone (951) 955-3990 Fax

# Fax

To: Marcie Martin From: Jennifer Paziani  
 Fax: 916 327-0615 Date: 4-22-14  
 Phone: \_\_\_\_\_ Pages: 3  
 Re: Acct # CC: \_\_\_\_\_

Urgent     For Review     Please Comment     Please Reply     Please Recycle



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

# Fax

**To:** State Board of Equalization, Attn: Marcie Martin    **From:** Shawana Green

---

**Fax:** 916-327-0615    **Date:** June 9, 2014

---

**Phone:** 951-955-3497    **Pages:** 4

---

**Re:** Excess/Surplus Proceeds Claim    **CC:**

---

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

---

This is the 2<sup>nd</sup> and final request for an **updated statement of money owed** to the State Board of Equalization by Carla Dee Miller Tr, **certificate #BE-1216986, acct #**  
. Unfortunately, if we do not receive a response by June 16, 2014, your claim may be denied. Thank you.

Shawana Green  
Tax Sale Operations

Attached: 1<sup>st</sup> request sent on April 22, 2014

TRANSACTION REPORT

P. 01

JUN-09-2014 MON 01:26 PM

FOR: RIV CO TREAS TAX COLL 951 955 3990

SEND

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
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TOTAL : 2M 3S PAGES: 4



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

# Fax

**To:** State Board of Equalization, Attn: Marcie Martin **From:** Shawana Green

**Fax:** 916-327-0615 **Date:** June 9, 2014

**Phone:** 951-955-3497 **Pages:** 4

**Re:** Excess/Surplus Proceeds Claim **CC:**

Urgent     For Review     Please Comment     Please Reply     Please Recycle

This is the 2<sup>nd</sup> and final request for an updated statement of money owed to the State Board of Equalization by Carla Dee Miller Tr, certificate #BE-1216986, acct #  
 Unfortunately, if we do not receive a response by June 16, 2014, your claim may be denied. Thank you.

Shawana Green  
 Tax Sale Operations

Attached: 1<sup>st</sup> request sent on April 22, 2014

BOE-370 REV. 2 (3-02)

# FAX TRANSMITTAL COVER

NUMBER OF PAGES (including cover sheet): 3		DATE: June 9, 2014
ORIGINAL: <input checked="" type="checkbox"/> To Follow by Regular Mail <input type="checkbox"/> Will Not Follow		
TO: Shawana Green - Tax Sale Operations		FROM: Marcie Martin - Special Operations
FIRM/ADDRESS: Riverside County Treasurer Excess Surplus Proceeds		ADDRESS: Board of Equalization Special Operations Mic 55
TELEPHONE NUMBER: (951) 955-3497		TELEPHONE NUMBER: (916) 323-4212
FAX NUMBER: (951) 955-3990		FAX NUMBER: (916) 327-0615
CC:		www.boe.ca.gov

- The attached document does not contain any confidential information.
- The attached document contains confidential information.\*
- The attached document contains confidential information and is subject to attorney/client privilege.\*

COMMENTS: Please find updated statement of money owed by Carla Dee Miller TR, APN 384180012-3



STATE OF CALIFORNIA

**STATE BOARD OF EQUALIZATION**

450 N STREET, MIC:55, SACRAMENTO, CALIFORNIA  
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0055  
TELEPHONE 916-445-1122 • FAX 916-327-0615  
www.boe.ca.gov

BETTY T. YEE  
First District, San Francisco  
SEN. GEORGE RUNNER (Ret.)  
Second District, Lancaster  
MICHELLE STEEL  
Third District, Orange County  
JEROME E. HORTON  
Fourth District, Los Angeles  
JOHN CHIANG  
State Controller  
CYNTHIA BRIDGES  
Executive Director

June 9, 2014

County of Riverside  
Treasurer-Tax Collector  
County Administrator Center-4<sup>th</sup> Floor  
4080 Lemon Street, P.O. Box 12005  
Riverside, CA 92522-2205

Attn: Jennifer Pazicni  
Tax Sale Operations/Excess Proceeds

APN: 384180012-3  
EP 194-64  
Carla Dee Miller Tr  
Account No.

Dear Ms. Pazicni,

I am in receipt of your letter dated June 9, 2014 requesting an updated statement of money owed by Carla Dee Miller Tr to the State Board of Equalization.

Carla Dee Miller Tr owes the State Board of Equalization \$21,891.51 with interest calculated to February 4, 2013, the date of foreclosure sale. Notice of State Tax Lien secures the full amount.

Therefore, the State Board of Equalization makes claim to any surplus proceeds, with our interest substantiated by Certificate No. BE-1216986 as mentioned above.

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

Sincerely,

Marcie Martin  
Senior Business Tax Representative  
Special Operations Branch



**STATE BOARD OF EQUALIZATION**

450 N STREET, MIC:55, SACRAMENTO, CALIFORNIA  
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0055  
TELEPHONE 916-445-1122 • FAX 916-327-0615  
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BETTY T. YEE  
First District, San Francisco  
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Third District, Orange County  
JEROME E. HORTON  
Fourth District, Los Angeles  
JOHN CHIANG  
State Controller  
CYNTHIA BRIDGES  
Executive Director

June 9, 2014

County of Riverside  
Treasurer-Tax Collector  
County Administrator Center-4<sup>th</sup> Floor  
4080 Lemon Street, P.O. Box 12005  
Riverside, CA 92522-2205

Attn: Jennifer Pazicni  
Tax Sale Operations/Excess Proceeds

RECEIVED  
2014 JUN 12 PM 12:26  
RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR

APN: 384180012-3  
EP 194-64  
Carla Dee Miller Tr  
Account No.

Dear Ms. Pazicni,

I am in receipt of your letter dated June 9, 2014 requesting an updated statement of money owed by Carla Dee Miller Tr to the State Board of Equalization.

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Therefore, the State Board of Equalization makes claim to any surplus proceeds, with our interest substantiated by Certificate No. BE-1216986 as mentioned above.

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

Sincerely,

Marcie Martin  
Senior Business Tax Representative  
Special Operations Branch





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

# Fax

**Date:** August 18, 2015

**To:** State Board of Equalization (Marcie Martin)

**From:** Jennifer Pazicni

**Fax:** 916 327-0615

**Phone:** 951 955-3336

**Pages:** 2

**Fax:** 951-955-3990

**Re:** Excess/Surplus Proceeds Claim (EP194-64)

**CC:**

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

Marcie Martin,

I am currently working on the following excess proceeds claim from FTB regarding Carla Dee Miller. I would like to request an **updated statement of money owed** to the State of California, State Board of Equalization by Carla Dee Miller, **Acct #**

Thank you,

Jennifer Pazicni  
Tax Sale Operations  
[jpazicni@co.riverside.ca.us](mailto:jpazicni@co.riverside.ca.us)

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 \* P.01 \*  
 \* TRANSACTION REPORT \*  
 \* AUG-18-2015 TUE 12:44 PM \*  
 \* FOR: RIV CO TREAS TAX COLL 951 955 3990 \*  
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 \* TOTAL : 1M 15S PAGES: 2 \*  
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 \*\*\*\*\*



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

# Fax

**Date:** August 18, 2015

---

**To:** State Board of Equalization (Marcie Martin)      **From:** Jennifer Pazicni

---

**Fax:** 916 327-0615      **Phone:** 951 955-3336

---

**Pages:** 2      **Fax:** 951-955-3990

---

**Re:** Excess/Surplus Proceeds Claim (EP194-64)      **CC:**

---

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

Marcie Martin,

I am currently working on the following excess proceeds claim from FTB regarding Carla Dee Miller. I would like to request an **updated statement of money owed** to the State of California, State Board of Equalization by Carla Dee Miller, Acct # .....

Thank you,

Jennifer Pazicni  
 Tax Sale Operations  
[jpazicni@co.riverside.ca.us](mailto:jpazicni@co.riverside.ca.us)

**Pazicni, Jennifer**

---

**From:** Martin, Marcie <Marcie.Martin@boe.ca.gov>  
**Sent:** Tuesday, August 18, 2015 3:01 PM  
**To:** Pazicni, Jennifer  
**Subject:** EXCESS/SURPLUS PROCEEDS CLAIM (EP194-64)

Jennifer Pazicni,

In response to your fax wherein you requested an updated statement of money owed to the State Board of Equalization for Carla Dee Miller , BOE Account please be advised that the amount of \$21,891.51 remains the amount due with interest calculated to February 4, 2013, the date of the foreclosure sale.

Should you have any questions, please contact me.

Marcie

*Marcie Martin*  
*Senior Business Tax Representative*  
*Special Operations Branch - Mic 55*  
*(916) 323-4212*  
*(916) 327-0615 - FAX*  
email: [marcie.martin@boe.ca.gov](mailto:marcie.martin@boe.ca.gov)

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

TREASURER-TAX COLLECTOR

TC 194 Item 64 Assessment No.: 384180012-3 ✓

JAN 07 2014

Assessee: MILLER, CARLA DEE TR

RECEIVED

Situs:

Date Sold: February 4, 2013

Date Deed to Purchaser Recorded: April 1, 2013

Final Date to Submit Claim: April 1, 2014 ✓

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$25,402.28 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.

Statement of amount due and owing  
Copy of recorded lien judgment  
Copy of abstract

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 18th day of December, 2013 at Riverside, CA  
County, State

Melvin Blackburn  
Signature of Claimant

Signature of Claimant

MELVIN BLACKBURN  
Print Name

Print Name

20197 NANDINA AVE  
Street Address

Street Address

PERRIS CA 92570  
City, State, Zip

City, State, Zip

951 943-4578  
Phone Number

Phone Number

EJ-001

Page 1 of 2  
Recorded in Official Records  
County of Riverside  
Larry W. Ward  
Assessor, County Clerk & Recorder



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number):

Recording requested by and return to:  
DONALD P. ERMSHAR, BAR NO. 59337  
ATTORNEY AT LAW  
5013 ARLINGTON AVENUE, SUITE B

RIVERSIDE, CALIFORNIA 92504  
(951) 352-4535

X ATTORNEY FOR JUDGMENT CREDITOR ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE  
STREET ADDRESS: 4050 MAIN STREET  
MAILING ADDRESS: PO BOX 431  
CITY AND ZIP CODE: RIVERSIDE, CALIFORNIA 92502  
BRANCH NAME:

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PLAINTIFF: KOISTRA & ASSOCIATES, INC.

DEFENDANT: CARLA DEE MILLER

CASE NUMBER:

RIC 468743

13

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049

**ABSTRACT OF JUDGMENT—CIVIL AND SMALL CLAIMS**

Amended

FOR COURT USE ONLY

1. The X judgment creditor assignee of record applies for an abstract of judgment and represents the following:
- a. Judgment debtor's Name and last known address
- CARLA DEE MILLER  
PMB 333  
26100 NEWPORT RD., STE A12  
MENIFEE, CA 92504-9072
- b. Driver's license no. (last 4 digits) and state: X. Unknown
- c. Social security no. (last 4 digits): X. Unknown
- d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address):

2. Information on additional judgment debtors is shown on page 2.
3. Judgment creditor (name and address):  
KOISTRA & ASSOCIATES, INC., PO BOX 4098, RIVERSIDE, CA 92514

4. Information on additional judgment creditors is shown on page 2.
5. Original abstract recorded in this county:
- a. Date:
- b. Instrument No.:

Date: 06/19/08

DONALD P. ERMSHAR

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed: \$ 17,398.82
7. All judgment creditors and debtors are listed on this abstract.
8. a. Judgment entered on (date): JUN 19 2008
- b. Renewal entered on (date):
9. This judgment is an installment judgment.

10. An execution lien  attachment lien is endorsed on the judgment as follows:
- a. Amount: \$
- b. In favor of (name and address):



This abstract issued on (date):

JUN 24 2008

11. A stay of enforcement has
- a. X 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.
- Clerk, by Patricia, Deputy

PLAINTIFF: KOISTRA & ASSOCIATES, INC.	CASE NUMBER:
DEFENDANT: CARLA DEE MILLER	RIC 468743

**NAMES 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

17. Name and last known address

[ ]  
[ ]

[ ]  
[ ]

Driver's license no. [last 4 digits]

Unknown

Driver's license no. [last 4 digits]

Unknown

and state:

Unknown

and state:

Unknown

Social security no. [last 4 digits]:

Unknown

Social security no. [last 4 digits]:

Unknown

Summons was personally served at or mailed to (address):

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. [last 4 digits]

Unknown

Driver's license no. [last 4 digits]

Unknown

and state:

Unknown

and state:

Unknown

Social security no. [last 4 digits]:

Unknown

Social security no. [last 4 digits]:

Unknown

Summons was personally served at or mailed to (address):

Summons was personally served at or mailed to (address):

20. Continued on Attachment 20.

**STATEMENT OF AMOUNT DUE AND OWING**

The undersigned hereby states that the original amount of the lien or security interest against Assessor's Parcel Number(s) 384180012-3, Situs Address: was \$17,398.82. The amount still due and owing as of 02/04/2013 sale of the tax defaulted property by the Riverside County Tax Collector is \$25,402.28; no further payments were received before or after this date.

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

December 18, 2013  
Date

Melvin Blackburn  
Koistra & Associates, Inc  
Melvin Blackburn, President


**CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC**

State of California  
County of RIVERSIDE

On December 18, 2013 before me, MARIAN ILLESCAS, NOTARY PUBLIC personally appeared MELVIN BLACKBURN, 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)



### Amount Due And Payable Calculation

Trustor(s) or Debtor(s): Carla Dee Miller  
Beneficiary(ies) or Creditor(s): Koistra & Associates, Inc.  
Instrument Number: 2008-0389968  
County: Riverside  
APN: 384180012-3

Original Principal Balance of Loan: \$17,398.82  
Interest Rate: 10%

Last Payment Received Date: 6/24/2008  
Interest Accrual to Date: 1/31/2013  
Total in Years: 4.60

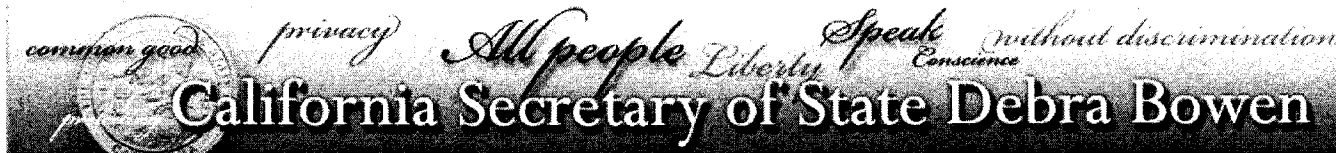
Total Interest Due: \$8,003.46

Interest and Late Payments Due: \$8,003.46

Unpaid Principal Balance Due: \$17,398.82

**Total Due to Date: \$25,402.28**





Secretary of State

Administration Elections **Business Programs** Political Reform Archives Registries**Business Entities (BE)**

## Online Services

- **E-File Statements of Information for Corporations**
- **Business Search**
- **Processing Times**
- **Disclosure Search**

## Main Page

## Service Options

## Name Availability

## Forms, Samples &amp; Fees

Statements of Information  
(annual/biennial reports)

## Filing Tips

Information Requests  
(certificates, copies & status reports)

## Service of Process

## FAQs

## Contact Information

## Resources

- **Business Resources**
- **Tax Information**
- **Starting A Business**

## Customer Alerts

- **Business Identity Theft**
- **Misleading Business Solicitations**

**Business Entity Detail**

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Tuesday, January 7, 2014. 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>	KOISTRA AND ASSOCIATES, INC.
<b>Entity Number:</b>	C1411307
<b>Date Filed:</b>	06/30/1987
<b>Status:</b>	ACTIVE
<b>Jurisdiction:</b>	CALIFORNIA
<b>Entity Address:</b>	20197 NANDINA AVE
<b>Entity City, State, Zip:</b>	PERRIS CA 92570
<b>Agent for Service of Process:</b>	MELVIN BLACKBURN
<b>Agent Address:</b>	20197 NANDINA AVE
<b>Agent City, State, Zip:</b>	PERRIS CA 92570

\* 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 2114** for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to **Name Availability**.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Field Descriptions and Status Definitions**.

[Modify Search](#) [New Search](#) [Printer Friendly](#) [Back to Search Results](#)

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**Pazicni, Jennifer**

---

**From:** Pazicni, Jennifer  
**Sent:** Tuesday, August 18, 2015 12:56 PM  
**To:** mitch@strongandsteele.com  
**Subject:** EP 194-64

Good afternoon-

I was working on your claim for excess proceeds and noticed that we need an updated statement of money owed for your client. Would you please respond to this email letting me know if there has been any change in the amount of money due to your client since the last statement I received dated December 18, 2013? It does not need to be notarized since the first one was notarized already. We just need to know if the amount has changed. Please let me know if you have any questions.

Thank you for your continued patience.

Jennifer Pazicni  
Riverside County Treasurer-Tax Collector's Office  
Tax Sale Operations/Excess Proceeds  
951 955-3336  
[jpazicni@co.riverside.ca.us](mailto:jpazicni@co.riverside.ca.us)

**Pazicni, Jennifer**

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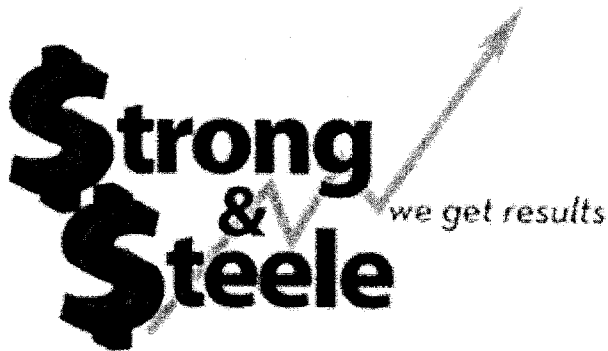
**From:** Mitch <mitch@strongandsteele.com>  
**Sent:** Tuesday, August 18, 2015 1:17 PM  
**To:** Pazicni, Jennifer  
**Subject:** RE: EP 194-64

Good Afternoon

The balance hasn't changed since we filed our claim. No money has been paid the balance is still \$25,402.28.

Sincerely,

Mitch



370 W. Grand Blvd. Suite 101  
Corona, CA. 92882  
Tel: 866-942-7759 x 102  
Fax: 866-924-6268  
E mail: [mitch@strongandsteele.com](mailto:mitch@strongandsteele.com)

**CONFIDENTIALITY NOTICE:** This electronic message is intended to be viewed only by the individual or entity to whom it is addressed. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as an attempt to collect a debt, but only as an attempt to enforce a lien. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this communication is strictly prohibited without our prior permission. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, or if you have received this communication in error, please notify us immediately by return e-mail and delete the original message and any copies of it from your computer system.

## Business Entity Detail

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Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Friday, September 11, 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.

Entity Name:	KOISTRA AND ASSOCIATES, INC.
Entity Number:	C1411307
Date Filed:	06/30/1987
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	20197 NANDINA AVE
Entity City, State, Zip:	PERRIS CA 92570
Agent for Service of Process:	MELVIN BLACKBURN
Agent Address:	20197 NANDINA AVE
Agent City, State, Zip:	PERRIS CA 92570

\* 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 2114 for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to Name Availability.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to Information Requests.
- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Field Descriptions and Status Definitions.

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

1217 07

Notice Date: May 28, 2013

In Reply Refer To:  
624:CAT: Miller

**CLAIM FOR EXCESS PROCEEDS**

COUNTY OF RIVERSIDE  
TREASURER-TAX COLLECTOR  
4080 LEMON STREET  
RIVERSIDE, CA 92502-2205

Reference Number: : 384180012-3 ITEM: 64  
Taxpayer (s) : Carla D Miller  
FTB Account Number:

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 February 4, 2013.

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:

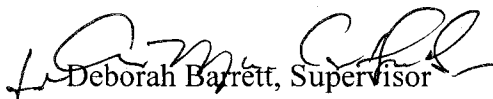
A Certificate of Tax Due and Delinquency reflecting the current tax indebtedness of  
Carla D. Miller, Account Number

A perfected and enforceable state tax lien arose upon all real property of Carla D. Miller pursuant to Revenue and Taxation Code Section 19221.

The amount of the claim for the Franchise Tax Board is \$14,427.98 as of February 4, 2013.

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

If you have any questions regarding this claim, contact Carolyn Ditlevsen of this department at 916-845-5880.

  
Deborah Barrett, Supervisor  
Collection Advisory Team

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:

CARLA D. MILLER  
28870 CROSBY DR  
SUN CITY, CA 92586 - 5105

<u>Tax Year</u>	<u>Tax</u>	<u>Penalties</u>	<u>Interest</u>	<u>Fees</u>	<u>Payments</u>	<u>Total</u>
2005	\$ 4,327.00	\$1,081.76	\$1,809.53	\$155.00	\$ 2,307.18	\$ 5,066.50
2006	\$ 3,314.00	\$1,657.00	\$1,619.43	\$135.00	\$ 0.00	\$ 6,725.43
2007	\$ 713.00	\$ 356.50	\$ 239.93	\$119.00	\$ 0.00	\$ 1,428.43
2008	\$ 627.00	\$ 313.50	\$ 141.12	\$126.00	\$ 0.00	\$ 1,207.62
<b>TOTAL</b>	<b>\$ 8,981.00</b>	<b>\$3,408.75</b>	<b>\$3,810.41</b>	<b>\$535.00</b>	<b>\$2,307.18</b>	<b>\$14,427.98</b>

Balance reflects the total liability as of the date of the sale February 4, 2013.

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

Cert No. 08232-601709 recorded in Riverside County on August 28, 2008 for the tax years 2005 and 2006, under Instrument No. 2008-0474831.

Cert No. 11078-880413 recorded in Riverside County on March 31, 2011 for the tax years 2007 and 2008, under Instrument No. 2011-0141126.

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 May 28, 2013  
(Seal)

FRANCHISE TAX BOARD  
of the State of California

BY.....

*Carolyn A. Ditlevsen*  
Carolyn A. Ditlevsen, Specialist  
(916) 845-5880

**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 laws.

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 PAZICNI  
FIRM/UNIT : RIVERSIDE COUNTY  
FAX NO. : (951) 955-3990  
PHONE NO.: (951) 955-3336  
RE : CARLA MILLER APN: 384-180-012-3

**FROM:** NAME : LESLIE YORSTON  
FIRM/UNIT : FTB/COLLECTION ADVISORY TEAM  
FAX NO. : 916-843-8709  
PHONE NO.: (916) 845-3561

Number of pages FAXED: 7 (includes this page)

Hard copy:  will follow  
 will not follow

Comments:

Here is the updated information you requested.



STATE OF CALIFORNIA

**FRANCHISE TAX BOARD**COLLECTION ADVISORY TEAM, M/S A-240  
P. O. BOX 2952  
SACRAMENTO CA 95812-2952

August 13, 2015

In reply refer to:  
624:LY:MILLER**COUNTY OF RIVERSIDE  
TREASURER-TAX COLLECTOR  
ATTN: EXCESS PROCEEDS  
PO BOX 12005  
RIVERSIDE CA 92502-2205**

Subject : ORDER TO WITHHOLD PERSONAL INCOME TAX  
Parcel No. : 384-180-012-3 Item 194  
Taxpayer : CARLA MILLER  
Account No. :  
Date Sold : February 4, 2013

When the Franchise Tax Board receives a request for a claim to excess proceeds and there is an unpaid balance for California Personal Income Tax that is not secured by a recorded lien, this department may issue to the trustee an ORDER TO WITHHOLD PERSONAL INCOME TAX. Pursuant to Revenue and Taxation Code 18670(a), this order attaches to all credits, personal property or other things of value in your control belonging to CARLA MILLER. When paying the Franchise Tax Board by check, it is essential that the FTB account number appear on the check. Referencing any other number will delay the processing of the check.

If you have any questions regarding this claim, please contact the undersigned.

A handwritten signature in cursive script that reads "Leslie Yorston".

Leslie Yorston, Advisor  
Collection Advisory Team  
(916) 845-3561





STATE OF CALIFORNIA  
Franchise Tax Board, M/S A-240  
PO BOX 2952  
SACRAMENTO CA 95812-2952  
(916)845-3661

**ORDER TO WITHHOLD  
PERSONAL INCOME TAX**

**PART 1 — RETAIN FOR YOUR RECORDS**

Date: August 13, 2015

COUNTY OF RIVERSIDE  
TREASURER-TAX COLLECTOR  
ATTN: EXCESS PROCEEDS  
PO BOX 12005  
RIVERSIDE CA 92502-2205

Case No.:  
Acct. No.:  
SSN:  
Tax Year(s): 2011, 2012

Taxpayer's Name and Address:

<b>AMOUNT DUE</b> <b>\$ 4,983.79</b>
---

CARLA MILLER  
APN: 384-180-012-3

We are issuing THIS ORDER TO WITHHOLD to enforce payment of an amount due for California Personal Income Tax. The taxpayer has not paid the amount due, shown above. (See reverse side for applicable sections of the California Revenue and Taxation Code.)

THIS ORDER ATTACHES TO ALL CREDITS, PERSONAL PROPERTY, OR OTHER THINGS OF VALUE IN YOUR POSSESSION OR UNDER YOUR CONTROL BELONGING TO THE TAXPAYER. THIS INCLUDES, BUT IS NOT LIMITED TO, PAYMENTS DUE THE TAXPAYER AS A RESULT OF THE PROPERTY TAX SALE, APN: 384-180-012-3, ON FEBRUARY 4, 2013. THIS ORDER PERTAINS TO A LIABILITY NOT CLAIMED HEREIN.

YOU ARE REQUIRED TO WITHHOLD the lesser of (1) the amount due shown above, or (2) the amount in your possession or under your control belonging to the taxpayer at the time you received this Order.

IN COMPLYING WITH THIS ORDER, WE REQUEST THAT YOU:

1. NOTIFY the taxpayer that you are withholding funds pursuant to the order by delivering PART 3 to the taxpayer as soon as possible.
2. RETAIN ANY FUNDS WITHHELD FOR 10 BUSINESS DAYS FROM THE DATE YOU RECEIVED THIS ORDER OR UNTIL THE DISTRIBUTION OF FUNDS HAVE BECOME FINAL, WHICHEVER IS LATER. AT THE END OF THE HOLDING PERIOD, REMIT ANY FUNDS WITHHELD UNLESS YOU HAVE RECEIVED A RELEASE FROM THIS DEPARTMENT. PLEASE INCLUDE A COPY OF THIS ORDER WITH YOUR REMITTANCE.
3. COMPLETE the questionnaire on PART 2. Please attach your remittance, if any, to that page and mail it to the Franchise Tax Board office shown at the top of this page (envelope enclosed).
4. ADVISE any interested parties to present claims to the Franchise Tax Board.
5. REFER to PART 2 if you possess or control any property other than cash, payments or credits belonging to the taxpayer.

**EXCERPTS FROM CALIFORNIA REVENUE AND TAXATION CODE****18670. NOTICE TO WITHHOLD, HOW SERVED**

(a) The Franchise Tax Board may by notice, served personally or by first-class mail, require any employer, person, officer or department of the state, political subdivision or agency of the state, including the Regents of the University of California, a city organized under a freeholders' charter, or a political body not a subdivision or agency of the state, having in their possession, or under their control, any credits or other personal property or other things of value, belonging to a taxpayer or to an employer or person who has failed to withhold and transmit amounts due pursuant to this article, to withhold, from the credits or other personal property or other things of value, the amount of any tax, interest, or penalties due from the taxpayer or the amount of any liability incurred by that employer or person for failure to withhold and transmit amounts due from a taxpayer under this part and to transmit the amount withheld to the Franchise Tax Board at the times that it may designate. However, in the case of a depository institution, as defined in Section 19(b) of the Federal Reserve Act 12 U.S.C. Sec. 461(b)(1)(A), amounts due from a taxpayer under this part shall be transmitted to the Franchise Tax Board not less than 10 business days from receipt of the notice. To be effective, the notice shall state the amount due from the taxpayer and shall be delivered or mailed to the branch or office reported in information returns filed with the Franchise Tax Board, or the branch or office where the credits or other property is held, unless another branch or office is designated by the employer, person, officer or department of the state, political subdivision or agency of the state, including the Regents of the University of California, a city organized under a freeholders' charter, or a political body not a subdivision or agency of the state.

(b) (1) At least 45 days before sending a notice to withhold to the address indicated on the information return, the Franchise Tax Board shall request a depository institution to do either of the following:

(A) Verify that the address on its information return is its designated address for receiving notices to withhold.

(B) Provide the Franchise Tax Board with a designated address for receiving notices to withhold.

(2) Once the depository institution has specified a designated address pursuant to paragraph (1), the Franchise Tax Board shall send all notices to that address unless the depository institution provides notification of another address. The Franchise Tax Board shall send all notices to withhold to a new designated address 30 days after notification.

(3) Failure to verify or provide a designated address within 30 days of receiving the request shall be deemed verification of the address on the information return as the depository institution's designated address.

(c) Any corporation or person failing to withhold the amounts due from any taxpayer and transmit them to the Franchise Tax Board after service of the notice shall be liable for those amounts. However, in the case of a depository institution, if a notice to withhold is mailed to the branch where the account is located or principal banking office, the depository institution shall be liable for a failure to withhold only to the extent that the accounts can be identified in information normally maintained at that location in the ordinary course of business.

**18672. FAILURE TO WITHHOLD, LIABILITY**

Any employer or person failing to withhold the amount due from any taxpayer and transmit the same to the Franchise Tax Board after service of a notice pursuant to Section 18670 or 18671 is liable for those amounts.

**18674. WITHHOLD AGENT, MUST PAY WITHOUT RESORTING TO ACTION**

(a) Any employer or person required to withhold and transmit any amount pursuant to this article shall comply with the requirement without resort to any legal or equitable action in a court of law or equity. Any employer or person paying to the Franchise Tax Board any amount required by it to be withheld is not liable therefor to the person from whom withheld unless the amount withheld is refunded to the withholding agent. However, if a depository institution, as defined in 12 U.S.C. Section 461 (b)(1)(A) withholds and pays to the Franchise Tax Board pursuant to this article any monies held in a deposit account in which the delinquent taxpayer and another person or persons have an interest, or in an account held in the name of a third party or parties in which the delinquent taxpayer is ultimately determined to have no interest, the depository institution paying those monies to the Franchise Tax Board is not liable therefor to any of the persons who have an interest in the account, unless the amount withheld is refunded to the withholding agent.

(b) In the case of a deposit account or accounts for which this notice to withhold applies, the depository institution shall send a notice by first-class mail to each person named on the account or accounts included in the notice from the Franchise Tax Board, provided a current address for each person is available to the institution. This notice shall inform each person as to the reason for the hold placed on the account or accounts, the amount subject to being withheld and the date by which this amount is to be remitted to the Franchise Tax Board. An institution may assess the account or accounts of each person receiving this notice a reasonable service charge not to exceed three dollars (\$3).



STATE OF CALIFORNIA  
Franchise Tax Board, M/S A-240  
PO BOX 2962  
SACRAMENTO CA 95812-2952  
(916)845-3561

**ORDER TO WITHHOLD  
PERSONAL INCOME TAX**

**PART 2 — RETURN WITH PAYMENT**

Date: August 13, 2015

COUNTY OF RIVERSIDE  
TREASURER-TAX COLLECTOR  
ATTN: EXCESS PROCEEDS  
PO BOX 12005  
RIVERSIDE CA 92502-2205

Case No.:  
Acct. No.:  
SSN:  
Tax Year(s): 2011, 2012

Taxpayer's Name and Address:

CARLA MILLER  
APN: 384-180-012-3

**AMOUNT DUE**  
\$ 4,983.79

**PLEASE COMPLETE THE QUESTIONNAIRE BELOW.**

A.  Payment of \$ \_\_\_\_\_ is attached.

Payment is not attached because (check one):

B.  Account closed

C.  Unable to locate account

~~D.  No funds/nothing to report~~

E.  Other (Please attach explanation.)

**NOTICE:**

If you possess or control any property other than cash or credits belonging to the taxpayer, (1) do NOT convert such property to cash as a result of this order, but provide us with a description of the property under your control and hold the property until you receive a release from this department. (2) If such property is sold for other reasons, remit the cash proceeds to this department.

Property other than cash may include, but is not limited to, stocks, bonds, stock options, stock rights, contents of safe deposit boxes, etc.

Contact this office at the address shown above if you are not sure how to proceed in special or unusual circumstances.



STATE OF CALIFORNIA  
Franchise Tax Board, M/S A-240  
PO BOX 2952  
SACRAMENTO CA 95812-2952  
(916)845-3561

**ORDER TO WITHHOLD  
PERSONAL INCOME TAX**

**PART 3 — FURNISH TO TAXPAYER**

Date: August 13, 2015

COUNTY OF RIVERSIDE  
TREASURER-TAX COLLECTOR  
ATTN: EXCESS PROCEEDS  
PO BOX 12005  
RIVERSIDE CA 92502-2205

Case No.:  
Acct. No.:  
SSN:  
Tax Year(s): 2011, 2012

Taxpayer's Name and Address:

CARLA MILLER  
APN: 384-180-012-3

**AMOUNT DUE**

**\$ 4,983.79**

The Franchise Tax Board has issued an ORDER TO WITHHOLD to the addressee shown above under authorization of Section 18670 of the California Revenue and Taxation Code to enforce payment of an amount due for California Personal Income Tax.

The addressee has been instructed to deduct and withhold the amount due, shown above, from any credits or payments of any nature due, owing, and unpaid to you. Such credits and payments include, but are not limited to, deposits in financial institutions, declared dividends, rents, royalties, deposits in vacation or holiday trust funds, Individual Retirement Accounts, Keogh Accounts and other personal property in the possession of or controlled by the addressee.

The amount withheld by the addressee will be paid to the Franchise Tax Board and applied to your account for the tax years noted above. You should determine the amount withheld by the addressee and, if it is less than the amount due, you should forward payment of the remaining unpaid balance immediately to avoid further collection action. Please make your check or money order payable to the FRANCHISE TAX BOARD, attach it to this notice, and mail it to the Franchise Tax Board office shown at the top of this page.

**SPECIAL INFORMATION CONCERNING TAXPAYER RIGHTS**

If we levy upon your bank account in error, we can reimburse you for bank charges incurred as a result of our error. To receive reimbursement, you must write to us at the above address within 90 days from the date of the levy.

If immediate, full payment of the amount due will create an undue hardship, or if you have already paid the amount due, or if the amount is not due, contact us immediately. Please telephone the number shown at the top of this form for account information. You should have this notice with you when you call.

The Franchise Tax Board has a Taxpayer Advocate who reviews those cases where taxpayers have been unable to resolve their problems with the Franchise Tax Board through normal channels. To contact the Taxpayer Advocate, write to: Taxpayer Advocate Bureau, PO Box 157, Rancho Cordova CA 95741-0157. FAX (916) 845-6614. You may also email the Advocate at <http://www.ftb.ca.gov>.

**EXCERPTS FROM CALIFORNIA REVENUE AND TAXATION CODE****18670. NOTICE TO WITHHOLD, HOW SERVED**

(a) The Franchise Tax Board may by notice, served personally or by first-class mail, require any employer, person, officer or department of the state, political subdivision or agency of the state, including the Regents of the University of California, a city organized under a freeholders' charter, or a political body not a subdivision or agency of the state, having in their possession, or under their control, any credits or other personal property or other things of value, belonging to a taxpayer or to an employer or person who has failed to withhold and transmit amounts due pursuant to this article, to withhold, from the credits or other personal property or other things of value, the amount of any tax, interest, or penalties due from the taxpayer or the amount of any liability incurred by that employer or person for failure to withhold and transmit amounts due from a taxpayer under this part and to transmit the amount withheld to the Franchise Tax Board at the times that it may designate. However, in the case of a depository institution, as defined in Section 19(b) of the Federal Reserve Act (12 U.S.C.A. Sec. 461(b)(1) (A)), amounts due from a taxpayer under this part shall be transmitted to the Franchise Tax Board not less than 10 business days from receipt of the notice. To be effective, the notice shall state the amount due from the taxpayer and shall be delivered or mailed to the branch or office reported in information returns filed with the Franchise Tax Board, or the branch or office where the credits or other property is held, unless another branch or office is designated by the employer, person, officer or department of the state, political subdivision or agency of the state, including the Regents of the University of California, a city organized under a freeholders' charter or a political body not a subdivision or agency of the state.

(b) (1) At least 45 days before sending a notice to withhold to the address indicated on the information return, the Franchise Tax Board shall request a depository institution to do either of the following:

(A) Verify that the address on its information return is its designated address for receiving notices to withhold.

(B) Provide the Franchise Tax Board with a designated address for receiving notices to withhold.

(2) Once the depository institution has specified a designated address pursuant to paragraph (1), the Franchise Tax Board shall send all notices to that address unless the depository institution provides notification of another address. The Franchise Tax Board shall send all notices to withhold to a new designated address 30 days after notification.

(3) Failure to verify or provide a designated address within 30 days of receiving the request shall be deemed verification of the address on the information return as the depository institution's designated address.

(c) Any corporation or person failing to withhold the amounts due from any taxpayer and transmit them to the Franchise Tax Board after service of the notice shall be liable for those amounts. However, in the case of a depository institution, if a notice to withhold is mailed to the branch where the account is located or principal banking office, the depository institution shall be liable for a failure to withhold only to the extent that the accounts can be identified in information normally maintained at that location in the ordinary course of business.

**18672. FAILURE TO WITHHOLD, LIABILITY**

Any employer or person failing to withhold the amount due from any taxpayer and to transmit the same to the Franchise Tax Board after service of a notice pursuant to Section 18670 is liable for such amounts.

**18674. WITHHOLD AGENT, MUST PAY WITHOUT RESORTING TO ACTION**

(a) Any employer or person required to withhold and transmit any amount pursuant to this article shall comply with the requirement without resort to any legal or equitable action in a court of law or equity. Any employer or person paying to the Franchise Tax Board any amount required by it to be withheld is not liable therefor to the person from whom withheld unless the amount withheld is refunded to the withholding agent. However, if a depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A) withholds and pays to the Franchise Tax Board pursuant to this article any moneys held in a deposit account in which the delinquent taxpayer and another person or persons have an interest, or in an account held in the name of a third party or parties in which the delinquent taxpayer is ultimately determined to have no interest, the depository institution paying those moneys to the Franchise Tax Board is not liable therefor to any of the persons who have an interest in the account, unless the amount withheld is refunded to the withholding agent.

(b) In the case of a deposit account or accounts for which this notice to withhold applies, the depository institution shall send a notice by first-class mail to each person named on the account or accounts included in the notice from the Franchise Tax Board, provided that a current address for each person is available to the institution. This notice shall inform each person as to the reason for the hold placed on the account or accounts, the amount subject to being withheld, and the date by which this amount is to be remitted to the Franchise Tax Board. An institution may assess the account or accounts of each person receiving this notice a reasonable service charge not to exceed three dollars (\$3).