

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9-19

The above referenced Item is deleted from the agenda for Tuesday, December 15, 2015.

AGENDA NO.
9-19

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRAMOS DATE: 10/21/15

Departmental Concurrence

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

1277



FROM: Don Kent, Treasurer-Tax Collector


SUBMITTAL DATE:
OCT 21 2015

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 200, Item 592. Last assessed to: Maria M. Baez, an unmarried woman. District 4 [\$140,504]. Fund 65595 Excess Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:
 1. Approve the claim from Crestview Five, Inc. FDBA Landau Development Co. for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 750110005-7;
 (continued on page two)

BACKGROUND:
Summary

In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, The Tax Collector conducted the April 29, 2014 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 20, 2014. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on July 16, 2014, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest.
 (continued on page two)


 Don Kent
 Treasurer-Tax Collector

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost: | POLICY/CONSENT (per Exec. Office) |
|--|----------------------|-------------------|-------------|-------------------------------|---|
| COST | \$ 140,504 | \$ 0 | \$ 140,504 | \$ 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 12/3/15
 Samuel Wong
 County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: | District: 4 | Agenda Number:

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

FORM 11: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 200, Item 592. Last assessed to: Maria M. Baez, an unmarried woman. District 4 [\$140,504]. Fund 65595 Excess Proceeds from Tax Sale.

DATE: OCT 21 2015

PAGE: Page 2 of 2

RECOMMENDED MOTION:

2. Deny the claim from Maria Baez;
3. Authorize and direct the Auditor-Controller to issue a warrant to Crestview Five, Inc. in the amount of \$140,504.65, no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

BACKGROUND:

Summary (continued)

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

1. Claim from Crestview Five, Inc. FDBA Landau Development Co. based on a Short Form Deed of Trust and Assignment of Rents recorded February 22, 2007 as Instrument No. 2007-0125435 the Certificate of Amendment of Articles of Incorporation of Landau Development Co, Inc.
2. Claim from Maria Baez based on an Individual Grant Deed recorded March 20, 1998 as Instrument No. 104017 and a Grant Deed recorded May 10, 2010 as Instrument No. 2010-0214464.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Crestview Five, Inc. FDBA Landau Development Co. be awarded excess proceeds in the amount of \$140,504.65. Since the amount claimed by Crestview Five, Inc. FDBA Landau Development Co. exceeds the amount of excess proceeds available, there are no funds available for consideration for the claim from Maria Baez. 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 Deed of Trust holder of the property.

ATTACHMENTS (if needed, in this order):

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

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

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 200 Item 592 Assessment No.: 750110005-7

Assessee: BAEZ, MARIA M

Situs: 28300 HOT WELL RD DSRT HOT SPG 92241

Date Sold: April 29, 2014

Date Deed to Purchaser Recorded: June 20, 2014

Final Date to Submit Claim: June 22, 2015

RECEIVED
2014 NOV 10 PM 4:24
RIVERSIDE COUNTY
TREAS. TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 1,000,000.00 from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 2007-0125435; recorded on 2/22/2007. A copy of this document is attached hereto. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint 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 14 day of AUGUST, 2014 at RIVERSIDE COUNTY, CALIFORNIA
County, State

Pamela M. Green
Signature of Claimant
PRESIDENT
PAMELA M. GREEN

Signature of Claimant

Print Name
LANDAU DEVELOPMENT CO., INC

Print Name

Street Address
C/O FROMBERG EDELSTEIN & FROMBERG
ATTN. JEFFREY E. FROMBERG, ESQ

Street Address

City, State, Zip
2825 E. TAHQUITZ CANYON WY, D-1
PALMS SPRINGS, CA 92262

City, State, Zip

Phone Number
(760) 320-2804

Phone Number

RECORDING REQUESTED BY:
JOSEPH A. ROMAN, ESQ.

When Recorded Mail To:
JOSEPH A. ROMAN, ESQ.
2825 E. Tahquitz Canyon Way
Suite D1
Palm Springs, CA 92262

DOC # 2007-0125435
02/22/2007 08:00A Fee:22.00
Page 1 of 3
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



23

Escrow No.
Title Order No.

| S | R | U | PAGE | SIZE | DA | MISC | LONG | RFD | COPY |
|---|---|---|------|------|------|------|------|------|-------------|
| 2 | | | 3 | | 1 | | | | 1 |
| M | A | L | 465 | 426 | PCOR | NCOR | SMF | NCHG | EXAM 806 |

C
806

APN: 747-110-005; 640-110-003-5
750-090-027-6

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

THIS DEED OF TRUST, made this 13th day of February, 2007, between
ROBERT L. BARCKLEY, an unmarried man, and MARIA M. BAEZ, an unmarried woman
, herein called **TRUSTOR**, whose address is
72-883 Sierra Vista Drive, Palm Desert, CA 92260
Chicago Title Insurance Company, a corporation, herein called **TRUSTEE**, and LANDAU
DEVELOPMENT CO., INC., a California corporation

, herein called **BENEFICIARY**,

WITNESSETH: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS to TRUSTEE IN TRUST, WITH
POWER OF SALE, that property in Riverside County, California, described as:

PARCEL 1. LOT 32 OF PALM VISTA TRACT, UNIT NO. 2 IN THE CITY OF PALM DESERT,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 32, PAGE
86, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY [APN 640-134-003-
5]. COMMONLY KNOWN AS 72883 SIERRA VISTA DRIVE, PALM DESERT, CA 92260.

PARCEL 2. SEE EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF, FOR PROPERTY
DESCRIPTION [APN 750-090-027-6]

PARCEL 3. THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF
THE NORTHWEST QUARTER OF SECTION 4 SOUTH, RANGE 7 EASE, SAN BERNARDINO BASE AND
MERIDIAN [APN 747-110-005]. COMMONLY KNOWN AS: 28300 HOTWELL RD., INDIO HILLS,
CA 92240 (UNINCORPORATED AREA OF RIVERSIDE COUNTY).

FOR ADDITIONAL TERMS AND CONDITIONS, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A
PART HEREOF.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority
given to and conferred upon Beneficiary by paragraph (10) of the provisions incorporated herein by reference to
collect and apply such rents, issues and profits.

For the Purpose of Securing: 1. Performance of each agreement of Trustor incorporated by reference or contained
herein. 2. Payment of the indebtedness evidenced by one promissory note of even date herewith, and any
extension or renewal thereof, in the principal sum of \$ 1,000,000.00 executed by Trustor in favor
of Beneficiary or order. 3. Payment of such further sums as the then record owner of said property hereafter may
borrow from Beneficiary, when evidenced by another note (or notes) reciting it is so secured.

INITIALS RB MB
Page No. 1 of 4

APN: 747-110-005; 640-110-003-5 and 750-090-027-6

To Protect the Security of this Deed of Trust, Trustor Agrees: By the execution and delivery of this Deed of Trust and the note secured hereby, that provisions (1) to (14), inclusive, of the fictitious deed of trust recorded in Santa Barbara County and Sonoma County October 18, 1961, and in all other counties October 23, 1961, in the book and at the page of Official Records in the office of the county recorder of the county where said property is located, noted below opposite the name of such county, viz:

| COUNTY | BOOK | PAGE | COUNTY | BOOK | PAGE | COUNTY | BOOK | PAGE | COUNTY | BOOK | PAGE |
|--------------|------|------|-------------|-------|------|-----------------|---------------------------------|------|------------|------|------|
| Alameda | 435 | 684 | Kings | 792 | 833 | Placer | 895 | 301 | Sierra | 29 | 335 |
| Alpine | 1 | 250 | Lake | 362 | 39 | Plumas | 151 | 5 | Siskiyou | 468 | 181 |
| Amador | 104 | 348 | Lassen | 171 | 471 | Riverside | 3005 | 523 | Solano | 1105 | 182 |
| Butte | 1145 | 1 | Los Angeles | T2055 | 899 | Sacramento | 4331 | 62 | Sonoma | 1851 | 689 |
| Calaveras | 145 | 152 | Madera | 810 | 170 | San Benito | 271 | 383 | Stanislaus | 1715 | 456 |
| Colusa | 296 | 617 | Marin | 1508 | 339 | San Bernardino | 5567 | 61 | Sutter | 572 | 297 |
| Contra Costa | 3978 | 47 | Mariposa | 77 | 292 | San Francisco | A332 | 905 | Tehama | 401 | 289 |
| Del Norte | 78 | 414 | Mendocino | 579 | 530 | San Joaquin | 2470 | 311 | Trinity | 93 | 366 |
| El Dorado | 568 | 456 | Merced | 1547 | 538 | San Luis Obispo | 1151 | 12 | Tulare | 2294 | 275 |
| Fresno | 4626 | 572 | Modoc | 184 | 851 | San Mateo | 4078 | 420 | Tuolumne | 135 | 47 |
| Glenn | 422 | 184 | Mono | 52 | 429 | Santa Barbara | 1878 | 860 | Ventura | 2062 | 388 |
| Humboldt | 657 | 527 | Monterey | 2194 | 538 | Santa Clara | 5336 | 341 | Yolo | 653 | 245 |
| Imperial | 1091 | 501 | Napa | 639 | 86 | Santa Cruz | 1431 | 494 | Yuba | 334 | 486 |
| Inyo | 147 | 598 | Nevada | 305 | 320 | Shasta | 684 | 528 | | | |
| Kern | 3427 | 60 | Orange | 5889 | 611 | San Diego | Series 2 Book 1961, Page 183887 | | | | |

which provisions, identical in all counties (printed on the attached unrecorded pages) are hereby adopted and incorporated herein and made a part hereof as fully as though herein at length; that Trustor will observe and perform said provisions; and that the references to property, obligations and parties in said provisions shall be construed to refer to the property, obligations, and parties set forth in this Deed of Trust.

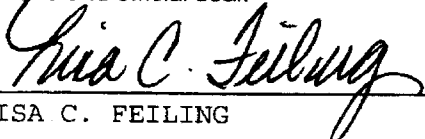
The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

STATE OF CALIFORNIA
COUNTY OF Riverside
ON February 13, 2007 before me,
LISA C. FEILING, Notary Public personally appeared
ROBERT L. BARCKLEY and MARIA M. BAEZ


ROBERT L. BARCKLEY


MARIA M. BAEZ

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

Witness my hand and official seal.
Signature 
LISA C. FEILING

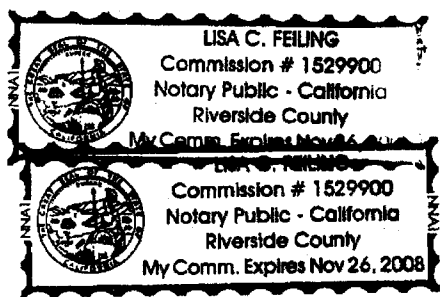


EXHIBIT "A"

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of RIVERSIDE, Unincorporated Area, described as follows:

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 7 EAST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM ALL OIL, GAS, HYDROCARBONS, OR OTHER MINERALS, WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY FOR THE DEVELOPMENT OR EXTRACTION THEREOF WITHIN 500 FEET, MEASURED VERTICALLY OF THE SURFACE OF THE ABOVE-DESCRIBED PROPERTY, AS RESERVED IN DEED RECORDED JANUARY 11, 1979, AS INSTRUMENT NO. 7408, OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

End of Legal Description

ADDITIONAL TERMS AND CONDITIONS:

SHOULD THE UNDERSIGNED SELL, CONVEY, TRANSFER OR DISPOSE OF, OR FURTHER ENCUMBER THE COLLATERAL DESCRIBED IN THE DEED OF TRUST, OR ANY PART THEREOF, OR AGREE SO TO DO WITHOUT THE WRITTEN CONSENT OF THE HOLDER OF THIS NOTE BEING FIRST OBTAINED, THEN SUCH HOLDER SHALL HAVE THE RIGHT, AT ITS OPTION, TO DECLARE THE ENTIRE BALANCE OF THE UNPAID PRINCIPAL WITH UNPAID INTEREST DUE THEREON FORTHWITH DUE AND PAYABLE. CONSENT TO ONE SUCH TRANSACTION SHALL NOT BE DEEMED TO BE A WAIVER OF THE RIGHT TO REQUIRE CONSENT TO FUTURE OR SUCCESSIVE TRANSACTIONS.

THIS NOTE IS SUBJECT TO SECTION 2966 OF THE CIVIL CODE, WHICH PROVIDES THAT THE HOLDER OF THIS NOTE SHALL GIVE WRITTEN NOTICE TO THE MAKER, OR HIS SUCCESSOR IN INTEREST, OF PRESCRIBED INFORMATION AT LEAST 90 AND NOT MORE THAN 150 DAYS BEFORE ANY BALLOON PAYMENT IS DUE.

RB
MB



PROMISSORY NOTE SECURED BY DEEDS OF TRUST

\$UNDETERMINED, SUBJECT TO AUDIT
(HOWEVER, NOT TO EXCEED \$1,000,000.00)

Palm Springs, California
February 13, 2007

FOR VALUE RECEIVED, the undersigned promises to pay LANDAU DEVELOPMENT CO., INC., a California corporation, or order, ("Holder"), at 421 Santa Rosa, Palm Springs, CA 92262, or at such other place as may be designated from time to time by the Holder of this Note, the principal sum not to exceed One Million Dollars (\$1,000,000.00), which sum shall be determined by audit, together with accrued interest thereon from date of advances ("Interest Commencement Date"), at the rate of ten percent (10%) per annum, on all sums of principal and accrued interest, from time to time unpaid. Upon sale and/or refinancing of the various real properties securing this Note, said sums shall be repaid from the entire amount of net cash available.

In the event any installment of interest, or principal and interest, is not paid on the date when due, or in the event of a default under the terms of the deed of trust, the Holder may, at its sole option and with notice to the Makers of this Note, declare the whole of the unpaid principal, interest and charges owing on this Note and/or the deed of trust, immediately due and payable.

Interest, fees and charges collected or to be collected in connection with the indebtedness evidenced hereby shall not exceed the maximum, if any, permitted by any applicable law. If any such law is interpreted so that said interest, fees and/or charges would exceed any such maximum and Borrower is entitled to the benefit of such law, then: (A) such interest, fees and/or charges shall be reduced by the amount necessary to reduce the same to the permitted maximum; and (B) any sums already collected from Borrower which exceeded the permitted maximum will be refunded. Lender may choose to make the refund either by treating the payments, to the extent of the excess, as prepayments of principal or by making a direct payment to Borrower. No prepayment premium shall be assessed on prepayments under this paragraph. The provisions of this paragraph shall control over any inconsistent provision of this Note or the Deed of Trust or any other document executed in connection with the indebtedness evidenced hereby. This Note shall be construed in accordance with the laws of the State of California. All sums due hereunder shall be payable in lawful tender of the United States of America.


If any attorney is engaged because of a default under this Note, or after default to enforce, interpret or declare the rights of any party under provisions of any instrument securing this Note or the Note itself, the non-prevailing party promises to pay reasonable attorney's fees and all costs and expenses (whether or not taxable) of enforcing this Note and the terms of any instrument securing this Note.

SHOULD THE UNDERSIGNED SELL, CONVEY, TRANSFER OR DISPOSE OF, OR FURTHER ENCUMBER THE COLLATERAL DESCRIBED IN THE DEED OF TRUST, OR ANY PART THEREOF, OR AGREE SO TO DO WITHOUT THE WRITTEN CONSENT OF THE HOLDER OF THIS NOTE BEING FIRST OBTAINED, THEN SUCH HOLDER SHALL HAVE THE RIGHT, AT ITS OPTION, TO DECLARE THE ENTIRE BALANCE OF THE UNPAID PRINCIPAL WITH UNPAID INTEREST DUE THEREON FORTHWITH DUE AND PAYABLE. CONSENT TO ONE SUCH TRANSACTION SHALL NOT BE DEEMED TO BE A WAIVER OF THE RIGHT TO REQUIRE CONSENT TO FUTURE OR SUCCESSIVE TRANSACTIONS.

THIS NOTE IS SUBJECT TO SECTION 2966 OF THE CIVIL CODE, WHICH PROVIDES THAT THE HOLDER OF THIS NOTE SHALL GIVE WRITTEN NOTICE TO THE MAKER, OR HIS SUCCESSOR IN INTEREST, OF PRESCRIBED INFORMATION AT LEAST 90 AND NOT MORE THAN 150 DAYS BEFORE ANY BALLOON PAYMENT IS DUE.

Privilege is reserved to pay the within Note, at any time by paying all unpaid or any part of the principal and accrued interest to date of prepayment. This Note is secured by a deed of trust of even date herewith, to CHICAGO TITLE INSURANCE COMPANY, a California corporation, as Trustee.

"Makers"

BY 
Robert L. Barckley aka
Robert Barckley

BY 
Maria M. Baez, aka Maria Baez

**STATEMENT TO ACCOMPANY CLAIM
FOR EXCESS FUNDS
RIVERSIDE TAX COLLECTOR**
California Revenue & Taxation Code, section 4675

To Whom It May Concern:

I, Pamela Moffitt Green, am an individual over the age of 18 years. Your declarant is the President, Secretary and Treasurer of Landau Development Co., Inc., a California corporation ("Beneficiary"), which is the beneficial holder of a deed of trust recorded February 22, 2007, as instrument number 2007-0125435, Official Records of Riverside County, California. The deed of trust secures a promissory note for an amount, "...not to exceed \$1,000,000.00."

I make this Declaration in support of the claim of Beneficiary to excess sale proceeds of the real property at 28300 Hot Well Road, Desert Hot Springs, CA 92241, APN 750110005-7.

The spouse of the property owner was an employee of Beneficiary. The employee stole funds of the corporation by diverting payments due to the corporation to himself and by performing work for customers on the side, and paying the bills for materials and labor with Beneficiary's checkbook. He also paid bills of his son's construction company from Beneficiary's checkbook. The employee was in a position of trust and confidence. The spouse of property owner and property owner admitted that the foregoing things occurred and delivered an executed promissory note secured by deed of trust to the subject real property to Beneficiary, for a "...sum not to exceed \$1,000,000.00."

The Beneficiary's certified public accountant conducted a review of the books and records and determined that the true loss exceeded \$1,000,000.00, from the theft and embezzlement that occurred. Therefore, the claim for proceeds under the Note secured by the Deed of Trust in question is \$1,000,000.00.

No part of the sum owing under the promissory note has been paid, and there is still due, owing and unpaid the full amount of \$1,000,000.00.

A copy of the promissory note is attached hereto, and Affiant declares under penalty of perjury under the laws of the State of California that it is a true and correct copy.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on October 27, 2014 at Palm Springs, Riverside County, California.


Pamela Moffitt Green

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of Riverside }

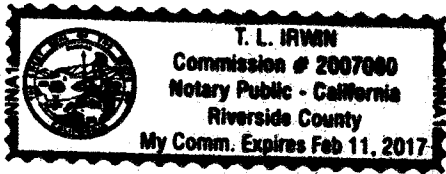
On Oct. 27, 2014 before me, T. L. Irwin, Notary Public
Date Here Insert Name and Title of the Office

personally appeared Pamela Moffitt Green
Name(s) of Signer(s)

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: [Handwritten Signature]

Place Notary Seal Above

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Statement of Accompany Claim for Excess Funds
Document Date: 10/27/14 Riverside Tax Collector Number of Pages: -1-

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer -- Title(s): _____ Corporate Officer -- Title(s): _____

Individual Individual

Partner -- Limited General Partner -- Limited General

Attorney in Fact Attorney in Fact

Trustee Trustee

Guardian or Conservator Guardian or Conservator

Other: _____ Other: _____

Signer Is Representing: _____ Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Business Entity Detail

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Tuesday, May 26, 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: | LANDAU DEVELOPMENT CO., INC. |
| Entity Number: | C1255249 |
| Date Filed: | 08/21/1984 |
| Status: | SOS SUSPENDED |
| Jurisdiction: | CALIFORNIA |
| Entity Address: | 2825 E. TAHQUITZ CANYON WAY, SUITE D-1 |
| Entity City, State, Zip: | PALM SPRINGS CA 92262 |
| Agent for Service of Process: | JEFFREY E. FROMBERG, ESQ. |
| Agent Address: | 2825 E. TAHQUITZ CANYON WAY, SUITE D-1 |
| Agent City, State, Zip: | PALM SPRING CA 92262 |

* 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.

As of 8-26-15
 Landau Development
 Co., INC No Longer
 Shows on SOS website
 The Entity No. is now
 attached to Crestview
 five, INC.

[Privacy Statement](#) | [Free Document Readers](#)

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Business Entity Detail

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Tuesday, August 25, 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: | CRESTVIEW FIVE, INC. |
| Entity Number: | C1255249 |
| Date Filed: | 08/21/1984 |
| Status: | ACTIVE |
| Jurisdiction: | CALIFORNIA |
| Entity Address: | 421 W SANTA ROSA DR |
| Entity City, State, Zip: | PALM SPRINGS CA 92262-7344 |
| Agent for Service of Process: | PAMELA GREEN |
| Agent Address: | 421 W SANTA ROSA DR |
| Agent City, State, Zip: | PALM SPRINGS CA 92262-7344 |

* 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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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:

Landau Development Co., Inc.
 C/O Fromberg, Edelstein & Fromberg
 Attn: Jeffrey E. Fromberg, Esq.
 2825 E. Tahquitz Canyon Wy. D-1
 Palm Springs, CA 92262

2. Article Number

(Transfer from service label) EP 200-592

7003 2260 0004 1558

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1544

COMPLETE THIS SECTION (IN DELIVERY)

A. Signature

[Handwritten Signature] Agent Addressee

B. Received by (Printed Name)

[Handwritten Name: J. STOLARZ] Yes No

C. Date of Delivery

[Handwritten Date: 9/21/15]

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

September 17, 2015

Landau Development Co., Inc.
 C/O Fromberg, Edelstein & Fro
 Attn: Jeffrey E. Fromberg, Esq.
 2825 E. Tahquitz Canyon Wy. I
 Palm Springs, CA 92262

Re: APN: 750110005-7
 TC 200 Item 592
 Date of Sale: April 29, 2014

To Whom It May Concern:

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

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

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

- ___ Original Note/Payment Book
- ___ Updated Statement of Monies Owed (as of date of tax sale)
- ___ Articles of Incorporation (if applicable Statement by Domestic Stock)
- ___ Court Order Appointing Administrator
- ___ Deed (Quitclaim/Grant etc...)
- Other – **Documentation that verifies the company name change from Landau Development Co., Inc. to Crestview Five, Inc.**

Please send in all documents within 30 days (**October 19, 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



B U S I N E S S L A W Y E R S

2825 EAST TAHQUITZ CANYON WAY, SUITE D-1
PALM SPRINGS, CALIFORNIA 92262-6908
TELEPHONE 760.320.2804
DIRECT FAX 760.320.4159

Jeffrey E. Fromberg email: jeffrey.private@FEFlaw.com
Mark W. Edelstein email: mark.edelstein@FEFlaw.com
Eve E. Fromberg email: eve.fromberg@FEFlaw.com

Law Offices of Jeffrey E. Fromberg, APC

Jeffrey E. Fromberg, Esquire

Law Offices of Mark W. Edelstein, APC

Mark W. Edelstein, Esquire

Eve E. Fromberg, Esquire

October 2, 2015

Via email: jpazicni@co.riverside.ca.us
And U.S. Mail – First Class

Ms. Jennifer Pazicni
Tax Sale Operations Unit
County of Riverside, Treasurer-Tax Collector
4080 Lemon Street, 4th Floor
P.O. Box 12005
Riverside, CA 92502

Re: APN 750110005-7
TC 200 Item 592
Date of Sale: April 29, 2014

Dear Ms. Pazicni:

Per your letter dated September 17, 2015, enclosed herein, please find a copy of the filed Certificate of Amendment of Articles of Incorporation of Landau Development Co., Inc., filed July 29, 2015, changing the corporate name from "Landau Development Co., Inc." to "Crestview Five, Inc."

Should you require anything further, please do not hesitate to contact your writer.

Very truly yours,

FROMBERG, EDELSTESIN & FROMBERG


JEFFREY E. FROMBERG, ESQUIRE

JEF:ds
Enclosure(s) as stated.

NOTO

1255249

A0773165

CERTIFICATE OF AMENDMENT
OF
ARTICLES OF INCORPORATION
OF
LANDAU DEVELOPMENT CO, INC.
A California corporation

FILED *cc*
Secretary of State
State of California *Rpe*


ju JUL 29 2015

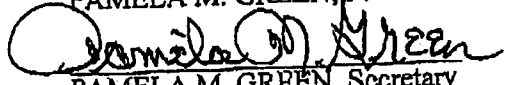
Pamela M. Green certifies that:

1. She is the President and Secretary respectively of LANDAU DEVELOPMENT CO., INC., a California corporation.
2. Article 1 of the articles of incorporation of the corporation is amended to read as follows:
"The name of the corporation is CRESTVIEW FIVE, INC."
3. The foregoing amendment of articles of incorporation has been duly approved by the board of directors.
4. The foregoing amendment of articles of incorporation has been duly approved by the required shareholders in accordance with Section 902 of the Corporations Code. The total number of outstanding shares of the corporation is 5,000. The number of shares voting in favor of the amendment equalled the vote required. The percentage required is unanimous.

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

DATED: July 28, 2015


PAMELA M. GREEN, President


PAMELA M. GREEN, Secretary



I hereby certify that the foregoing transcript of _____ page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

AUG 03 2015

Date: _____

Alex Padilla

ALEX PADILLA, Secretary of State

ASM

Pazicni, Jennifer

From: Jeffrey Fromberg <jeffrey.private@fefflaw.com>
Sent: Wednesday, October 07, 2015 12:25 PM
To: Pazicni, Jennifer
Subject: RE: EP 200-592 (Crestview Five, Inc.)

Good Morning,

In response to your request for an updated statement of money owed, the unpaid balance is \$1,000,000.00. No payments have ever been received.

Reference is made to the Declaration of Pamela Moffitt Green, made under penalty of perjury, in which she stated, in pertinent part, the following, to-wit:

"I, Pamela Moffitt Green, am an individual over the age of 18 years. Your declarant is the President, Secretary and Treasurer of Landau Development Co., Inc., a California corporation ("Beneficiary"), which is the beneficial holder of a deed of trust recorded February 22, 2007, as instrument number 2007-0125435, Official Records of Riverside County, California. The deed of trust secures a promissory note for an amount, "...not to exceed \$1,000,000.00."

I make this Declaration in support of the claim of Beneficiary to excess sale proceeds of the real property at 28300 Hot Well Road, Desert Hot Springs, CA 92241, APN 750110005-7.

The spouse of the property owner was an employee of Beneficiary. The employee stole funds of the corporation by diverting payments due to the corporation to himself and by performing work for customers on the side, and paying the bills for materials and labor with Beneficiary's checkbook. He also paid bills of his son's construction company from Beneficiary's checkbook. The employee was in a position of trust and confidence. The spouse of property owner and property owner admitted that the foregoing things occurred and delivered an executed promissory note secured by deed of trust to the subject real property to Beneficiary, for a "...sum not to exceed \$1,000,000.00."

The Beneficiary's certified public accountant conducted a review of the books and records and determined that the true loss exceeded \$1,000,000.00, from the theft and embezzlement that occurred. Therefore, the claim for proceeds under the Note secured by the Deed of Trust in question is \$1,000,000.00.

No part of the sum owing under the promissory note has been paid, and there is still due, owing and unpaid the full amount of \$1,000,000.00."

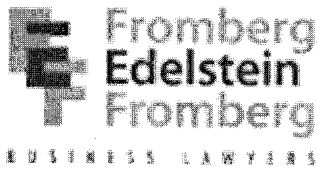
The unpaid balance due as of April 29, 2014, the date of the tax sale remained \$1,000,000.00.

I believe this should complete your file, however, should you require anything further, please feel free to contact me.

Very truly yours,

/s/ Jeffrey E. Fromberg

Jeffrey E. Fromberg



2825 E. Tahquitz Canyon Way, Suite D-1
Palm Springs, California 92262
Phone 760.320.2804
Fax 760.320.4159
Email Jeffrey.Private@FEFLaw.com

This message is a **PRIVILEGED AND CONFIDENTIAL** communication. This message and all attachments are a private communication sent by a law firm and may be confidential or protected by privilege. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the information contained in or attached to this message is strictly prohibited. Please notify the sender of the delivery error by replying to this message, and then delete it from your system. Thank you.

IRS Circular 230 Disclosure: To comply with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained herein (including any attachments), unless specifically stated otherwise, is not intended or written to be used, and cannot be used, for the purposes of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter herein.

From: Pazicni, Jennifer [<mailto:JPazicni@co.riverside.ca.us>]
Sent: Wednesday, October 07, 2015 9:55 AM
To: Jeffrey Fromberg <jeffrey.private@fefflaw.com>
Subject: EP 200-592 (Crestview Five, Inc.)

Good Morning-

I received your documents, thank you very much. There is one more item that I need in order to complete my recommendations for the file. Would you please send me an updated statement of money owed? It can be a simple statement emailed in response to this letter, stating how much is still owed on this debt as of the date of the tax sale, April 29, 2014. If there have been any payments made since then, please deduct from the amount still due and owing.

Please let me know if you have any questions or need any clarification.

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

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

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 200 Item 592 Assessment No.: 750110005-7

Assessee: BAEZ, MARIA M

Situs: 28300 HOT WELL RD DSRT HOT SPG 92241

Date Sold: April 29, 2014

Date Deed to Purchaser Recorded: June 20, 2014

Final Date to Submit Claim: June 22, 2015

AUG 01 2014
Palm Desert

RECEIVED
2014 AUG -4 PM 2:24
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ _____ 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 hereto. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint 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 First day of August, 2014 at Riverside California
County, State

Mariana Baez
Signature of Claimant

Signature of Claimant

Mariana Baez
Print Name

Print Name

MARIA BAEZ
Street Address

Street Address

23609 Jamel Rd S K Valley CA
City, State, Zip

City, State, Zip

760-413-3354
Phone Number

Phone Number

RECORDING REQUESTED BY: First American Title Insurance Company AND WHEN RECORDED MAIL TO:

RECEIVED FOR RECORD AT 8:00 AM

Maria M. Baez-Robert L. Barckley 45-560 Abronia Trail Palm Desert, Calif. 92260

MAR 20 1998

PAID Doc. Transfer Tax Riv. Co. Recorder

Recorded in Official Records of Riverside County, California Recorder Fees \$

THIS SPACE FOR RECORDER'S USE ONLY:

ESCROW NO. 02291-KC

TITLE ORDER NO. 2094646

INDIVIDUAL GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$38.50

- [] computed on full value of property conveyed, or [X] computed on full value less value of liens or encumbrances remaining at time of sale. [X] Unincorporated area [] City of s, AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

KELLY DESSELLE, an unmarried woman who acquired title as Kelly Ann Desselle, an unmarried woman hereby GRANT(s) to:

MARIA M. BAEZ, an unmarried woman and ROBERT L. BARCKLEY, an unmarried man as joint tenants

the real property in the Unincorporated Area, County of Riverside, State of California, described as: The North half of the Southwest quarter of the Northwest quarter of the Northwest quarter, Section 10, Township 4 South, Range 7 East, San Bernardino Base and Meridian.

ALSO KNOWN AS: 28300 Hotwell Rd., Indio Hills, CA 92240 A.P. # 747-123-005

TRA 075-046

DATED February 27, 1998 STATE OF CALIFORNIA COUNTY OF Riverside On March 4, 1998 before me, Kristy J. Cordell a Notary Public in and for said State, personally appeared Kelly Desselle

Kelly Desselle (signature)

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

Kristy J. Cordell Comm #1035054 Notary Public California Riverside County Comm Exp. Sept 19, 1998

Kristy J. Cordell Comm #1035054 Notary Public California Riverside County Comm Exp. Sept 19, 1998

2094646-3

86

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL DOCUMENT AND TAX STATEMENT TO:

NAME Maria Baez

STREET 32201 Chirichua Drive
ADDRESS

CITY, STATE & Thousand Palm, Ca.
ZIP CODE 92276

TITLE ORDER NO. _____

ESCROW NO. _____

DOC # 2010-0214464 ✓
✓ 05/10/2010 08:00A Fee: 25.00
Page 1 of 1
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



25

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SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED ✓

TRA: _____

APN: 747-123-005

The undersigned grantor(s) declare(s)

DOCUMENTARY TRANSFER TAX \$ transfer between co-signer

- computed on full value of property conveyed, or
- computed on full value less liens and encumbrances remaining at time of sale.
- Unincorporated Area City of _____

C
802

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, I (We) Robert L. Barckley, UnMarried Man ✓

(NAME OF GRANTOR(S))

hereby remise, release and grant to Maria M. Baez, an Unmarried Woman ✓

(NAME OF GRANTEE(S))

the following described real property in the City of Unincorporated Area, County of Riverside, State of California

(Insert Legal Description)
The North half of the SouthWest quarter of the NorthWest quarter of the NorthWest quarter, Section 10 Township 4 South, Range 7 East, San Bernardino Base and Meridian also: 28300 Hot Well Road, Indio Hills, CA. 92240

DATED: 05/10/2010

Robert L. Barckley

STATE OF CALIFORNIA }
COUNTY OF Riverside }

On 05/10/2010 before me, Angelica Ortiz, Notary Public personally appeared
(here insert name and title of the officer)

Robert L. Barckley

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/hey 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 Angelica Ortiz (SEAL)



MAIL TAX STATEMENT AS DIRECTED ABOVE

Harper-Ihem, Kecia

From: Harper-Ihem, Kecia
Sent: Friday, December 11, 2015 3:16 PM
To: 'Taylor, Desiree'; COB-Agenda
Cc: BOYDD, April; Potenciano, Adrian; Finley, Sandy; Pazicni, Jennifer; Wong, Samuel; Cornejo, Jana; Kammerer, Jennifer
Subject: RE: Board Item 9-19 Tuesday 12/15/15

Sure. You've also communicated that to your EO analyst right? I've included the EO just in case.

Thanks,
Kecia

Kecia Harper-Ihem
Riverside County Clerk of the Board
4080 Lemon Street, 1st Floor
Riverside, CA 92501
(951) 955-1061
Kharper-ihem@rcbos.org
www.rivcocob.org

Three things in life that, once gone, never come back: Time, Words & Opportunity. – Author unknown

The County Administrative Center is open Monday through Friday. Business hours for the Clerk of the Board Office are 8:00 a.m. to 5:00 p.m.

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From: Taylor, Desiree [mailto:DDTaylor@RivcoTTC.org]
Sent: Friday, December 11, 2015 3:12 PM
To: COB-Agenda <COB-Agenda@rcbos.org>
Cc: BOYDD, April <ABOYDD@rcbos.org>; Harper-Ihem, Kecia <KHarper-Ihem@rcbos.org>; Potenciano, Adrian <APotenciano@RivcoTTC.org>; Finley, Sandy <Sfinley@RivcoTTC.org>; Pazicni, Jennifer <JPazicni@RivcoTTC.org>
Subject: Board Item 9-19 Tuesday 12/15/15
Importance: High

Good Afternoon,

We are going to need to pull Item 9-19 from the Board agenda for Tuesday's meeting. New information has been brought forward and so we need to pull it. Can we come down and pick up the original packet?

Thank you,

Desiree Taylor
County of Riverside, Treasurer-Tax Collector

12-15-15
9-19