

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



FROM: Don Kent, Treasurer-Tax Collector

DEC 28 2015

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 199, Item 362. Last assessed to: Otaveyon Monyea Johnson, a single man. District 4 [\$44,433]. Fund 65595 Excess Proceeds from Tax Sale.

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

1. Approve the claim from Global Discoveries, Ltd., assignee Otaveyon Monyea Johnson, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 669384006-0;

(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 February 4, 2014 public auction sale. The deed conveying title to the purchasers at the auction was recorded March 21, 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 April 22, 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:	(per Exec. Office)
COST	\$ 44,433	\$ 0	\$ 44,433	\$ 0	Consent □ Policy ⊠
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent 🗆 Tolloy 🗷
SOURCE OF FUN	<b>DS:</b> Fund 65595	Excess Proceeds fr	om Tax Sale	Budget Adjust	ment: N/A
				For Fiscal Year	: 15/16
C.E.O. RECOMME	NDATION:	APPROVE			
		BY: Anul 9	Vone 1/14/16		
<b>County Executive</b>	Office Signatu	re Samue	ei woong		

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Washington 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:

January 26, 2016

XC:

Treasurer

Prev. Agn. Ref.:

District: 4

Agenda Number:

Kecia Harper-Ihem

POLICY/CONSENT

Positions Added

Change Order 

4/5 Vote

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

FORM 11: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 199, Item 362. Last assessed to:

Otaveyon Monyea Johnson, a single man. District 4 [\$44,433]. Fund 65595 Excess Proceeds from Tax Sale.

DATÉ: DEC 28 2015 PAGE: Page 2 of 2

#### **RECOMMENDED MOTION:**

2. Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., assignee Otaveyon Monyea Johnson in the amount of \$44,433.53, no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

# BACKGROUND: Summary (continued)

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

1. Claim from Global Discoveries, Ltd., assignee Otaveyon Monyea Johnson based on an Assignment of Right to Collect Excess Proceeds dated April 25, 2014 and a Grant Deed recorded July 31, 1989 as Instrument No. 254370.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., assignee Otaveyon Monyea Johnson be awarded excess proceeds in the amount of \$44,433.53. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.

#### **Impact on Citizens and Businesses**

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

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

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



Ph: 209-593-3900 or 800-370-0372 | Fx: 209-549-9299 | Info@gd-ltd.com

1120 13th Street, Suite A | Modesto, CA 95354

#### **CLAIM SUMMARY**

Date:

June 13, 2014

To:

Riverside County Treasurer and Tax Collector

Assessors Parcel Number:

669384006-0

Last Assessee:

JOHNSON OTAVEYON MONYEA

Sale Date:

1/30/2014

TC:

TC199

Item Number:

362

Deadline:

3/21/2015

Dear Treasurer/Tax Collector:

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

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

- 1. Grant Deed granting interest to Otaveyon Monyea Johnson as Document Number: 954370, Recorded in Riverside County on 07/31/1989.
- 2. Declaration of one and the Same Person
- 3. Assignment of Rights To Collect Excess Proceeds signed by Otaveyon Monyea Johnson
- 4. Claim form(s) signed by Global Discoveries
- 5. Photo ID for Assignor: Otaveyon Monyea Johnson. <u>Please Note</u>: Otaveyon is currently incarcerated and this is the only Photo ID his facility is eligible to provide.

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

• One warrant in the amount of \$44,433.53 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, CA 95353-1748.

Please address questions regarding the attached claim(s) to Jed Byerly, Managing Member, at (209) 593-3913, or e-mail to jed@gd-ltd.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: 7014-0510-0001-4046-0287** 



GD Number: 20886-183101

#### ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

o 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 ar locumentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Ta 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 669384006-0, Tax Sale Number TC199, Item 362 the sale of assessment number sold at public auction on 1/30/2014 . I understand that the total of excess proceeds 44,286.00+/available for refund is \$ , 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. Otaveyon Monyea Johnson (Signature of Party of Interest/Assignor) (Name Printed) Tax ID/SS# 1605 East Main (Address) Sayre, OK 73662 (City/State/Zip) STATE OF CALIFORNI )ss. COUNTY OF (Area Code/Telephone Number) , before me, the undersigned, a Notary Public in and for said Monyea Johnson Otaveyon 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 recognity paragraph is true and correct. This areactor official seal) I, the undersigned, certify under penalty of perjury that I have disclosed to the pair 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 Fight 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. Jed Byerly, Managing Member (Signature of Assignee) (Name Printed) Tax ID/SS# Global Discoveries Ltd. (Address) STATE OF CALIFORNIA P.O. Box 1748 )ss. COUNTY OF Stanislaus Modesto, CA 95353-1748 (City/State/Zip) , before me, the undersigned, a Notary Public in and for \*\*\*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 thy hand and official seal (Signature of Notary) CANDACE SHEPHARD Commission # 2060928 (Pais area for official seal) 117-174 (3/85) (Ret-Perm) Notary Public - California

CAMDACE SHEPHAN Commission # 2060928 Notary Public - California Stanislaus County My Comm. Expires Mar 13, 2018

Stanislaus County My Comm. Expires Mar 13, 2018



APEN RECORDED MAIL TO OTA VEYON MONYER VUMUSON 340 PALM CISTA DPIDE PALM SPRINGS, CALIFORNIA 92262

SAME AS ABOVE

DOCUMENTARY TRANSFER TAX S...

Computed on the consideration or value of property conveyed, GR

OUNSILERATION LESS THAN \$ 100,00

#### GRANT DEED

FOR A VALUABLE CONSIDERATION, PROBLEM WOLL IN DEAL MAKENING PLANER E LEE SACKSON A MARRIED WOHAN, AS SOLE AND SEPERATE PROPERTY AND LEWISTINE FARRAR, A UNMARRIED WOHAN AS WOND TEMAKES

OTAVEYON MONYEA DOHALSON, A SINGLE HAW.

LOT 131 DESERT HICHLAND ESTATES AS DER MAP RECORDED IN BOOK 24, PAGES 53-54 OF MAPS IN THE OFFICE OF THE RECORDER CF SAID COUNTY (ASSESSERS PARCEL NO. 669384006-0)

instinct for faction

es to be the persons, whose name(s)-source subschool to the within instrument and acknowledged to me that becake they executed

Hoy a Down



. This area for official notaries see

1002 (6 82)

### <u>DECLARATION</u> <u>OF ONE AND THE SAME PERSON</u>

# I, Otaveyon Monyea Johnson, do hereby declare:

- 1. I am over the age of 18 and a resident of Sayre, OK. The facts set forth herein are true of my own personal knowledge. If called to testify as a witness in a judicial proceeding, I could, and would, testify truthfully and competently thereto.
- 2. I am one and the same person as Otaveyon Monyea Johnson, Otaveyon M. Johnson and Otaveyon Johnson.
- 3. I am one and the same person who is noted on the referenced Grant Deed as Document Number: 254370, Recorded in Riverside County on 07/31/1989.
- 4. I assigned the excess proceeds to Global Discoveries, Ltd., for <u>Riverside</u> County Assessors Parcel Number <u>669384006-0</u> on <u>9/25/19</u>.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 25 day of April, 2014, at fletham \_\_\_\_\_\_\_

X Otaujon Schrisch
Otaveyon Monyea Johnson

State of OKlahoma County of Beckham



MAC 4 SOCIAL

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

25 day of April , 2014, by Date Month Year OHEVEY On Monyea Johnson

Name of Signer

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

Signature Felinde K

Signature of Notary Public

(Place Notary Seal Above)

GD Number: 20886-183101

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

Riverside County Treasurer and Tax Collector To: Assessor's Parcel No: 669384006-0 Tax Sale Number: TC199 Item Number: 362 Date of Sale: 1/30/2014 The undersigned claimant, Global Discoveries, Ltd., claims \$44,433.53+/- 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. NN8 .2014 Executed this day of ' By: Jed Byerly, Managing Member Global Discoveries Ltd. Tax ID# P.O. Box 1748 Modesto, CA 95353-1748 CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC State of California County of Stanislaus before me, Cardaco neground - Notary Yoblic, 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.

(seal)

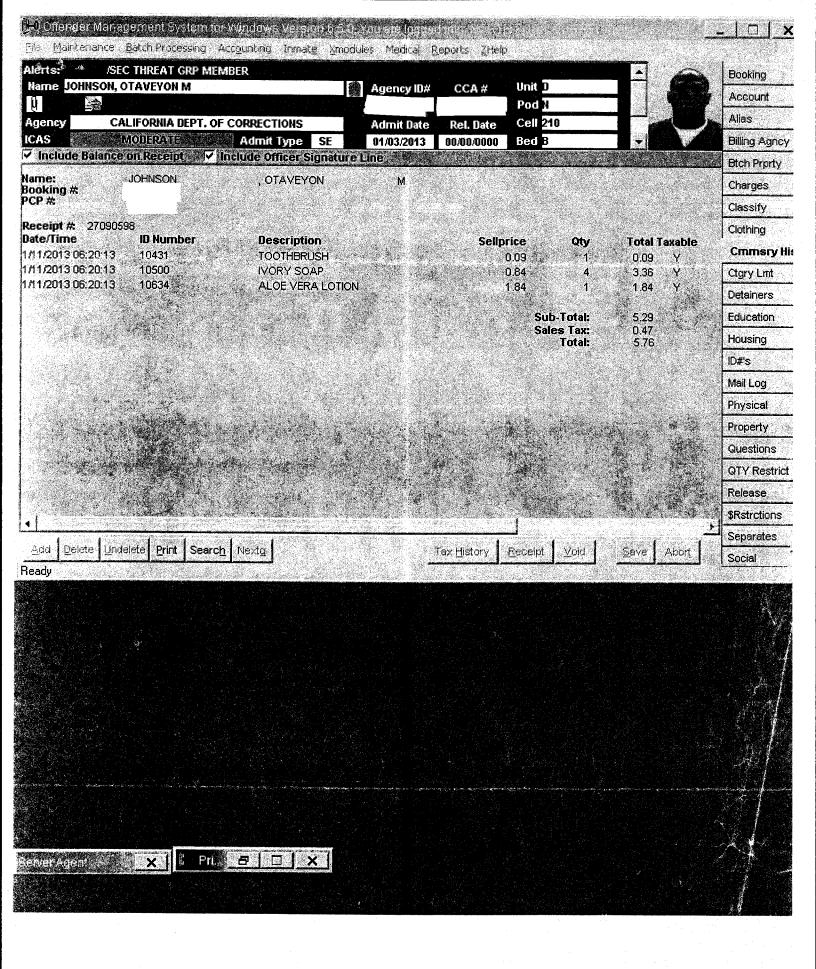
CANDACE SHEPHARD

Commission # 2060928

Notary Public - California Stanislaus County Comm. Expires Mar 13, 2018

GD Number: 20886-183101

Signature of Notary Publ



# Pazicni, Jennifer

From:

Pazicni, Jennifer

Sent:

Thursday, September 24, 2015 9:03 AM

To: Subject: Amy Elmer EP 199-362

Good Morning-

I am currently working on your file for excess proceeds for EP 199 Item 362 for Otaveyon Monyea Johnson. It appears that your party of interest was born in April of 1989 and this property was deeded to Otaveyon Monyea Johnson in July of 1989. Do you know what your clients father's name is and his whereabouts?

Thank you,

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

# Pazicni, Jennifer

From:

Pazicni, Jennifer

Sent:

Thursday, October 22, 2015 1:29 PM

To:

michelle.reynosa@gd-ltd.com

Subject:

EP 199-362

#### Good Afternoon-

I am currently working on your file for excess proceeds for EP 199 Item 362 for Otaveyon Monyea Johnson. It appears that your party of interest was born in April of 1989 and this property was deeded to Otaveyon Monyea Johnson in July of 1989. Do you know what your clients father's name is and his whereabouts?

Thank you,

Jennifer Pazicni Riverside County Treasurer-Tax Collector's Office Tax Sale Operations/Excess Proceeds 951 955-3336 jpazicni@RivCoTTC.org

#### Pazicni, Jennifer

From:

Amy Elmer <amy.elmer@gd-ltd.com>

Sent:

Thursday, November 12, 2015 1:02 PM

To:

Pazicni, Jennifer

Subject:

EP 199-362 (Global file# 20886)

Attachments:

Octaveyon BC.pdf; Water Bill referencing Situs.pdf

Importance:

High

Follow Up Flag:

Follow up

Flag Status:

Flagged

### Good Afternoon Jennifer,

I wanted to touch base with you in regards to the above referenced file we claimed on behalf of Mr. Johnson. Sorry for the delay in responding to your questions/concerns but our client is incarcerated so a bit hard to get a hold of to obtain information.

After speaking with Mr. Johnson he has advised us that he is not a Jr., his father's name is Eddie Johnson, we confirmed this information by obtaining a copy of his Certificate of Live Birth (**Please see attached**). Octaveyon also provided us a copy of a Water Bill referencing the Situs property of 390 PALM VISTA DR PALM SPRINGS CA 92262. (**Please see attached**).

When asked why he was granted the property as a baby he advised us the property was originally owned by his great-grandparents; Ernest Ward and Lola Mae Ward long before he was born, his mother; Patricia Thomas lived at the Situs when he was born and the home was always intended to be his one day, his mother paid the taxes until he was old enough to take over payments. We understand why the county would question this one however after speaking to Mr. Johnson and the reviewing the attached supporting documentation we are confident we have filed on the correct party of interest. His name is very different and we cannot find anyone else every reporting with the name.

If you have further questions or concerns regarding this or would like to discuss further please feel free to give me a call Toll Free at 1-800-710-1703. Thank you in advance for your assistance in this matter ©

From: Pazicni, Jennifer [mailto:JPazicni@RivcoTTC.org]

Sent: Thursday, October 22, 2015 1:29 PM

To: Michelle Reynosa <michelle.reynosa@gd-ltd.com>

**Subject:** EP 199-362

Good Afternoon-

# COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

104-	89-087861		CERTIFICATE OF LIVE BIRTH STATE OF CALIFORNIA		18933004365	
		FILE NUMBER	***************************************	CK INK ONLY	the state of the s	N DISTRICT AND CERTIFICATE NUMBER
THIS	OTAVE YON				INSON:	
CHILD	MALE	SINGLE	TO IF MULTIPLE THIS CHILD TOT.	APRIL 2. 1989		-124 HOUR CLOCK THEE!
PLACE OF BIRTH	RIVERS	TIMI		TVERSIOE	C C C C C C C C C C C C C C C C C C C	NED PLACE OF BIRTH
FATHER OF CHILD	64 NAME OF FAT	HER-CASTICUTED LINE	DOLE 6C.	TO CORNER		B DATE OF BIRTH BOMEN DAT YEAR 5/11/50
MOTHER OF CHILD	PATRIC			TOMAS =	20 115 PD 5	EOF BIRTH III DATE OF BIRTH- MONTH, DAY, YEAR  8/30/65
PARENT S CERTIFI- CATION	STATED WESSELES TO AND COMPLETE TO MAGNIEDGE	THE SEST OF MY	ARENTEO TOTEL REPORTANTES	OUT TO THE PERSON OF THE PERSO	M O THE EIR	170 ONLD 12C DATE SECHED 4/3/89
CERTIFI-	Teather that the				617284	4/3/89
OF BIRTH	HAROLD		SS OPATTENDANT 851 MAGNOLIA A		NOTE NAME AND TITLE O	OF CERTIFIER IF OTHER THAN ATTENDANT
LOCAL REGISTRAR	15A DATE OF DEA	ATH ISB STATE FILE A I biate use dan	ID LOCAL REGISTA			APR 171989



CERTIFIED COPY OF VITAL RECORDS STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

This is a true and exact reproduction of the document officially registered and placed on the office of the County of Riverside, Assessm-County Clark-Recorder.

DATE ISSUED This copy is not valid unless prepared on engraved border displaying date, seal and signature of the Assessar-County Clerk Recorder



Office 1200 South Gene Autry Trail

Palm Springs

Hours Weekdays: 8am - 5pm

Call: 760-323-4971

Desert Water Agency P.O. Box 1710 Palm Springs, CA 92263-1710

U

Inquiries www.dwa.org Web Site

> OTAVEYON M JOHNSON 390 W PALM VISTA DR PALM SPRINGS, CA 92262

Account Number Service Address 390 W PALM VISTA DR

Read Date	Reading	Current Reading	Use This Period 100 cu ft	Same Period Last Year 100 cu ft
6/02/1	14 6827	6842	15	16

Added New Feature: Pay Online!

Payments can now be made through Paymentus by calling 866-665-9550 or by visiting www.dwa.org & Click Pay Your Bill. Visa, Master Card and Discover Card credit or debit cards are acceptable forms of payment. A processing fee will be charged by Paymentus to your debit/credit card. This service is for telephone or online payments only.

Amount Description Date

6/02/14

Consumption 15 @ \$ 1.29 per 100 cu ft

Consumption Charge Water Service Charge \$19.35 \$8.75

Total Current Charges

\$28.10

Previous Belance	Payantity Water See	Own Date 2	Congred) Charges	Total Com
\$63.66	\$63.00CB	\$.66	\$28.10	\$28.76

Retain Upper Portion for Your Records

# DESERT\_WATER

RETURN THIS PORTION WITH YOUR CHECK MADE PAYABLE TO DESERT WATER AGENCY. PLEASE DO NOT SEND CASH PLEASE DO NOT STAPLE.

Name OTAVEYON M JOHNSON Service 390 W PALM VISTA DR

Desert Water Agency POBox 1710 Palm Springs, CA 92263-1710 Account Number Payment Due Date Total Amount Due

6/19/14 \$28.76

Amount Enclosed Thank You For Your Payment

☐ Check here if Partial Payment.

Check here if there are any changes to your mailing address. Please make changes on the reverse side.