

ID# 1915

FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRAMOS
DATE: 7/3/16

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

716
(1915)



FROM: Don Kent, Treasurer-Tax Collector

SUBMITTAL DATE:
AUG 03 2016

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 203, Item 3. Last assessed to: Encore LLC, a California Limited Liability Co. and Lawrence M. Chank, a married man, as his sole and separate property an undivided 50% interest. District 4 [\$37,978]. Fund 65595 Excess Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Global Discoveries, Ltd., assignee for Desda Jo Monaghan, trustee of the Monaghan Family Trust dated 6/9/89 for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 009000809-8;

(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 May 5, 2015 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 18, 2015. 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 22, 2015, 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	\$ 37,978	\$ 0	\$ 37,978	\$ 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: 16/17

C.E.O. RECOMMENDATION: APPROVE

BY:
Stephanie Persi

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Ashley 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: September 27, 2016
xc: Treasurer, Auditor

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.:

District: 4

Agenda Number:

9-3

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

Departmental Concurrence

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

FORM 11: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 203, Item 3. Last assessed to: Encore LLC, a California Limited Liability Co. and Lawrence M. Chank, a married man, as his sole and separate property an undivided 50% interest. District 4 [\$37,978]. Fund 65595 Excess Proceeds from Tax Sale.

DATE: AUG 03 2016

PAGE: Page 2 of 2

RECOMMENDED MOTION:

2. Deny the claim from the Internal Revenue Service;
3. Deny the claim from the State of California, Franchise Tax Board;
4. Deny the claim from Encore LLC;
5. Deny the claim from Lawrence M Chank;
6. Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., assignee for Desda Jo Monaghan, trustee of the Monaghan Family Trust dated 6/9/89 in the amount of \$37,978.14, 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 five claims for excess proceeds:

1. Claim from Global Discoveries, Ltd., assignee for Desda Jo Monaghan, trustee of the Monaghan Family Trust dated 6/9/89 based on an Assignment of Right to Collect Excess Proceeds dated December 23, 2015 and a Deed of Trust with Assignment of Rents recorded August 4, 2004 as Instrument No. 2004-0607702.
2. Claim from the Internal Revenue Service based on a Notice of Federal Tax Lien recorded March 15, 2013 as Instrument No. 2013-0126769.
3. Claim from the State of California, Franchise Tax Board based on a Notice of State Tax Lien recorded November 4, 2014 as Instrument No. 2014-0422206.
4. Claim from Encore LLC based on a Grant Deed recorded August 4, 2004 as Instrument No. 2004-0607701.
5. Claim from Lawrence M. Chank based on a Quitclaim Deed recorded June 6, 2007 as Instrument No. 2007-0371404 and Quitclaim Deed recorded June 6, 2007 as Instrument No. 2007-0371405.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., assignee for Desda Jo Monaghan, trustee of the Monaghan Family Trust dated 6/9/89 be awarded excess proceeds in the amount of \$37,978.14. Since the amount claimed by Global Discoveries, Ltd., assignee for Desda Jo Monaghan, trustee of the Monaghan Family Trust dated 6/9/89 exceeds the amount of excess proceeds available, there are no funds available for consideration for the claims from the Internal Revenue Service, the State of California, Franchise Tax Board, Encore LLC and Lawrence M. Chank. 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 SUMMARY

Date: January 8, 2016
To: Riverside County Treasurer and Tax Collector
Assessors Parcel Number: 009000809-8
Last Assessee: ENCORE CHANK LAWRENCE M
Sale Date: 4/30/2015
TC: TC 203
Item Number: 3
Deadline: 6/18/2016

RECEIVED
2016 JAN 21 PM 1:59
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

Dear Treasurer/Tax Collector:

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

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

1. Deed of Trust with Assignment of Rents naming William A. Monaghan and Desda J. Monaghan, Trustees of the Monaghan Family Trust Dated 6/9/89 as Beneficiary as Document Number: 2004-0607702, Recorded on August 4, 2004 in Riverside County, CA.
2. Affidavit of Lost Instrument
3. Statement of Amount Due and Owing
4. Amount Due and Payable Calculation
5. Certification and Abstract of the Trust Agreement for The Monaghan Family Trust Dated 6/9/89 naming Desda J. Monaghan as the current Trustee.
6. **Certified** Certificate of Death for William Alfred Monaghan (**Please Note: Global Discoveries will be requesting this Original document back on behalf of the client once a determination has been made by the County**)
7. Certification of Trustees Under Trust
8. Affidavit
9. Assignment of Rights To Collect Excess Proceeds signed by Desda J. Monaghan
10. Claim form(s) signed by Global Discoveries
11. Photo ID for Assignor: Desda J. Monaghan

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

- One warrant in the amount of \$37,978.14 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: 7015-1520-0001-7907-0559

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 009000809-8 Tax Sale Number TC 203, Item 3 sold at public auction on 4/30/2015. I understand that the total of excess proceeds available for refund is \$ 37,978.14+/-, and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VAUABLE 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.

Desda Jo Monaghan 12-23-15
(Signature of Party of Interest/Assignor) (Date)

Desda Jo Monaghan, Trustee of
The Monaghan Family Trust Dated 6/9/89
(Name Printed)

Tax ID/SS#

43170 Warner Trail
(Address)

Palm Desert, CA, 92211
(City/State/Zip)

760-567-9816
(Area Code/Telephone Number)

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.

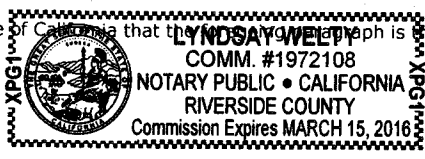
State of California
County of Riverside

On 23 Dec 2015 before me, Lindsay Welty Notary Public, personally appeared Desda Jo Monaghan (here insert name and title of the 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 that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Signature of Notary Public (seal)



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.

Jed Byerly
(Signature of Assignee)

Jed Byerly, Managing Member of Global Discoveries Ltd.
(Name Printed)

Tax ID/SS#

P.O. Box 1748
(Address)

Modesto, CA 95353-1748
(City/State/Zip)

Phone: (209) 593-3913

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

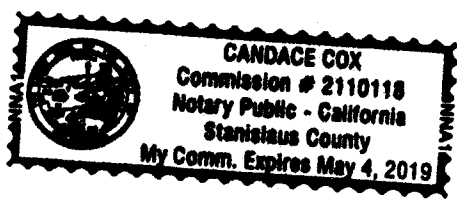
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Stanislaus

On 1/11/16 before me, Candace Cox - Notary Public, personally appeared Jed Byerly (here insert name and title of the 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 that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Signature of Notary Public (seal)



RECORDING REQUESTED BY:
First American Title
AND WHEN RECORDED MAIL TO:
The Monaghan Family Trust
43170 Warner Trail
Palm Desert, Ca. 92211



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A	R	L				COPY	LONG	REFUND	CHNG EXAM

A.P.N.: 009-000-809

Title Order No

DEED OF TRUST WITH ASSIGNMENT OF RENTS
(SHORT FORM)

THIS DEED OF TRUST, made this **Twenty-Eighth day of July, 2004**, between

TRUSTOR: ENCORE LLC, A CALIFORNIA LIMITED LIABILITY CO

whose address is **44919 Golf Center Parkway #7, Indio, CA 92201**, and

TRUSTEE: First American Title Insurance Company., a California Corporation, and

BENEFICIARY: WILLIAM A. MONAGHAN AND DESDA J. MONAGHAN, TRUSTEES OF THE MONAGHAN FAMILY TRUST DATED 6/9/89

Witnesseth: That Trustor grants to Trustee in trust, with power of sale, that property in the City of **Palm Desert, Riverside County, State of California**, described as:

See Exhibit "A" attached hereto and made a part hereof.

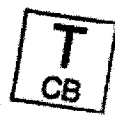
"If the Trustor named in the Deed of Trust securing this Note, or his successors in interest, shall sell, convey or alienate the property described therein, or any part thereof, or any interest therein, in any manner or way, whether voluntarily or involuntarily, any indebtedness or obligation secured thereby, at the option of the holder hereof shall become immediately due and payable."

Together with the rents, issues and profits thereof, subject, however, to the right, power and authority given to and conferred upon Beneficiary to collect and apply such rents, issues and profits for the purpose of securing (1) payment of the sum of **\$100,000.00** with interest thereon according to the terms of a promissory Note or Notes of even date herewith made by Trustor, payable to order by Beneficiary, and extensions or renewals thereof, (2) the performance of each agreement of Trustor incorporated by reference or contained herein and (3) payment of additional sums and interest thereon which may hereafter be loaned to Trustor, or his successors or assigns, when evidenced by a promissory Note or Notes reciting that they are secured by this Deed of Trust.

To protect the security of this Deed of Trust, and with respect to the property above described, Trustor expressly makes each and all of the agreements, and adopts and agrees to perform and be bound by each and all of the terms and provisions set forth in Subdivision A, and it is mutually agreed that each and all of the terms and provisions set forth in Subdivision B of the fictitious deed of trust recorded in Orange County August 17, 1964, and in all other counties August 18, 1964, in the book and 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, namely:

1546652-76

TS



A.P.N.: 009-000-809

County	Book	Page	County	Book	Page	County	Book	Page	County	Book	Page
Alameda	1288	556	Kings	858	713	Placer	1028	379	Sierra	38	187
Alpine	3	130-31	Lake	437	110	Plumas	166	1307	Siskiyou	506	762
Amador	133	438	Lassen	192	367	Riverside	3778	347	Solano	1287	621
Butte	1330	513	Los Angeles	T-3878	874	Sacramento	5039	124	Sonoma	2067	427
Calaveras	185	338	Madera	911	136	San Benito	300	405	Stanislaus	1970	56
Colusa	323	391	Marin	1849	122	San Bernardino	6213	768	Sutter	655	585
Contra Costa	4684	1	Mariposa	90	453	San Francisco	A-804	596	Tehama	457	183
Del Norte	101	549	Mendocino	667	99	San Joaquin	2855	283	Trinity	108	595
El Dorado	704	635	Merced	1660	753	San Luis Obispo	1311	137	Tulare	2530	108
Fresno	5052	623	Modoc	191	93	San Mateo	4778	175	Tuolumne	177	160
Glenn	469	76	Mono	69	302	Santa Barbara	2065	881	Ventura	2607	237
Humboldt	801	83	Monterey	357	239	Santa Clara	664	6626	Yola	769	16
Imperial	1189	701	Napa	704	742	Santa Cruz	1638	607	Yuba	398	693
Inyo	165	672	Nevada	363	94	Shasta	800	633			
Kern	3756	690	Orange	7182	18	San Diego	SERIES 5 Book 1964, Page 14977				

shall inure to and bind the parties hereto, with respect to the property above described. Said agreements, terms and provisions contained in said subdivisions A and B (identical in all counties, and printed on pages 3 and 4 hereof) are by the within reference thereto, incorporated herein and made a part of this Deed of Trust for all purposes as fully as if set forth at length herein, and Beneficiary may charge for a statement regarding the obligation secured hereby, provided the charge therefor does not exceed the maximum allowed by law.

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

Signature of Trustor(s)

ENCORE LLC, A CALIFORNIA LIMITED LIABILITY CO


By: THE CHANK GROUP, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

By: 
Lawrence M. Chank, Managing Member

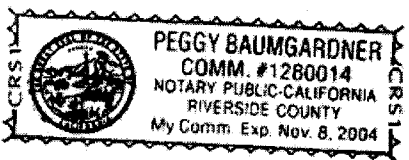
Document Date: July 28, 2004

STATE OF California)
COUNTY OF Riverside)
On 8/3/04 before me, Peggy Baumgardner, a Notary Public,
personally appeared Lawrence M. Chank

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 Peggy Baumgardner

This area for official notarial seal.



The following is a copy of Subdivisions A and B of the fictitious Deed of Trust, recorded in each county in California, as stated in the foregoing Deed of Trust and incorporated by reference in said Deed of Trust as being a part thereof as if set forth at length therein.

A. To protect the security of this Deed of Trust, Trustor agrees:

- (1) To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefore; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.
- (2) To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Trustor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.
- (3) To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear, and in any suit brought by Beneficiary to foreclose this Deed.
- (4) To pay; at least ten days before delinquency all taxes and assessments affecting said property, including assessments on appurtenant water stock; when due, all incumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust.

Should Trustor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Trustor and without releasing Trustor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any incumbrance, charge or lien which in the judgement of either appears to be prior or superior hereto; and, in exercising any such powers, pay necessary expenses, employ counsel and pay his reasonable fees.

- (5) To pay immediately and without demand all sums so expended by Beneficiary or Trustee, with interest from date of expenditure at the amount called for in the note secured hereby, or at the amount allowed by law at date of expenditure, whichever is greater and to pay for any statement provided for by law in effect at the date hereof regarding the obligation secured hereby any amount demanded by the Beneficiary not to exceed the maximum allowed by law at the time when said statement is demanded.

B. It is mutually agreed:

- (1) That any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in this same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.
- (2) That by accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.
- (3) That at any time or from time to time, without liability therefore and without notice, upon written request of Beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee may: reconvey any part of said property; consent to the making of any map or plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or charge hereof.
- (4) That upon written request of Beneficiary stating that all sums secured hereby have been paid, and upon surrender of this Deed and said note to Trustee for cancellation and retention or other disposition as Trustee in its sole discretion may choose and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The recitals in such reconveyance of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantee in such reconveyance may be described as "the person or persons legally entitled thereto." Five years after issuance of such full reconveyance, Trustee may destroy said note and this Deed (unless directed in such request to retain them.)
- (5) That as additional security, Trustor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Trustor the right, prior to any default by Trustor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.
- (6) That upon default by Trustor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, Beneficiary may declare all sums secured hereby immediately due and payable by delivery to Trustee of written declaration of default and demand for sale and of written notice of default and of election to cause to be sold said property, which notice Trustee shall cause to be filed for record. Beneficiary also shall deposit with Trustee this Deed, said note and all documents evidencing expenditures secured hereby.

After the lapse of such time as may then be required by law following the recordation of said notice of default, and notice of sale having been given as then required by law, Trustee, without demand on Trustor, shall sell said property at the time and place fixed by it in said notice of sale, either as a whole or in

A.P.N.: 009-000-809

separate parcels, and in such order as it may determine, at public auction to the highest bidder for cash in lawful money of the United States, payable at time of sale. Trustee may postpone sale of all or any portion of said property by public announcement at such time and place of sale, and from time to time thereafter may postpone such sale by public announcement at the time fixed by the preceding postponement. Trustee shall deliver to such purchaser its deed conveying the property so sold, but without any covenant or warranty, express or implied. The recitals in such deed of matters or facts shall be conclusive proof of the truthfulness thereof. Any person, including Trustor, Trustee, or Beneficiary as hereinafter defined, may purchase at such sale.

After deducting all costs, fees and expenses of Trustee and of this Trust, including cost of evidence of title in connection with sale, Trustee shall apply the proceeds of sale to payment of: all sums expended under the terms hereof, not then repaid, with accrued interest at the amount allowed by law in effect at the date hereof, all other sums then secured hereby; and the remainder, if any, to the person or persons legally entitled thereto.

(7) Beneficiary, or any successor in ownership of any indebtedness secured hereby, may from time to time, by instrument in writing, substitute a successor or successors to any Trustee named herein or acting hereunder, which instrument, executed by the Beneficiary and duly acknowledged and recorded in the office of the recorder of the county or counties where said property is situated, shall be conclusive proof of proper substitution of such successor Trustee or Trustees, who shall, without conveyance from the Trustee predecessor, succeed to all its title, estate, rights, powers and duties. Said instrument must contain the name of the original Trustor, Trustee and Beneficiary hereunder, the book and page where this deed is recorded and the name and address of the new Trustee.

(8) That this Deed applies to, insures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns. The term Beneficiary shall mean the owner and holder, including pledgees, of the note secured hereby, whether or not named as Beneficiary herein. In this Deed, whenever the context so required, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

(9) That Trustee accepts this Trust when this Deed, duly executed and acknowledged, is made a public record as provided by law. Trustee is not obligated to notify any party hereto of pending sale under any other Deed of Trust or of any action or Proceeding in which Trustor, Beneficiary or Trustee shall be party unless brought by Trustee.

-----DO NOT RECORD-----
REQUEST FOR FULL RECONVEYANCE
To be used only when note has been paid.

To: **First American Title Insurance Company., Trustee**

Dated: _____

The undersigned is the legal owner and holder of all indebtedness secured by the within Deed of Trust. All sums secured by said Deed of Trust have been fully paid and satisfied; and you are hereby requested and directed, on payment to you of any sums owing to you under the terms of said Deed of Trust, to cancel all evidences of indebtedness, secured by said Deed of Trust, delivered to you herewith together with said Deed of Trust, and to reconvey, without warranty, to the parties designated by the terms of said Deed of Trust, the estate now held by you under the same.

Mail Reconveyance to:

ALL CURRENT BENEFICIARIES SIGN BELOW

Do not lose or destroy this Deed of Trust OR THE NOTE which it secures.
Both must be delivered to the Trustee for cancellation before reconveyance will be made.

**Short Form
DEED OF TRUST
WITH POWER OF SALE
(INDIVIDUAL)**

**First American Title Insurance Co.
AS TRUSTEE**

Exhibit "A"

An undivided 1/26th interest in lot 3 of tract 2137, in the County of Riverside, State of California, as per map recorded in book 41, pages 29 to 36, inclusive of maps, in the office of the County Recorder of said County.

Together with the exclusive right to use and occupy that certain apartment located on said land, known as Apartment no. 5 in Building "A" and that certain carport located on said land known as Carport no. 5, shown and designated approximately on a plot attached to and made a part of the deed of said land together with the right of ingress and egress to and from said apartment and carport and also the right to use the passageways, common facilities, and walks comprising portions of said buildings and grounds, in common with owners of similar undivided interest in said land.

Except the exclusive right to occupy and use all other apartments and carports now or hereafter to be constructed on said land other than apartment no. 5 in building "A" and carport no. 5.



2001-055877
02/03/2001 08:06
5 of 5

AFFIDAVIT OF LOST INSTRUMENT

The undersigned Affiant(s), Desda Jo Monaghan, Trustee of The Monaghan Family Trust Dated 6/9/89, declare as follows:

- 1. I reside at 43170 Warner Trail, Palm Desert, CA, Riverside, California.
2. I am and have been the owner of this original instrument since 7/28/2004 the lawful owner of the original instrument described as follows: promissory note payable to The Monaghan Family Trust Dated 6/9/89 secured by a Deed of Trust.
3. I have conducted a due and diligent search for the original instrument but have not been able to locate it.
4. The original instrument was lost on or about UNKNOWN under the following circumstances: I have not been able to locate the Original or Copy of the Promissory Note since my husband William A. Monaghan passed away.
5. The Affiant(s) is the owner of the promissory note secured by the Deed of Trust, executed by Encore LLC, as Trustor(s), to First American Title Insurance Company, as Trustee, in favor of The Monaghan Family Trust Dated 6/9/89, as Beneficiary. The Deed of Trust was recorded in Riverside County, California, on 8/4/2004 as Instrument Number(s) 2004-0607702, to secure a lien against the property(ies) identified by Assessors Parcel Number(s) 009-000-809-8, Situs Address: 77912 MICHIGAN DR #A5A PALM DESERT CA 92211
6. The terms of the Original Promissory Note are as follows:
a) Date of the Promissory Note is 7/28/2004.
b) To my knowledge, Interest rate is 8% per annum.
c) Original Loan amount was \$100,000.00.
d) To my knowledge, Monthly payment amount is \$836.44.
7. I have not transferred or in any other way been divested of the ownership of, or rights under, the original instrument, except for the loss set forth in this declaration.

The affiant(s) affirms, 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.

12-23-2015
DATE: MONTH, DAY, YEAR

Desda Jo Monaghan
Desda Jo Monaghan, Trustee of The Monaghan Family Trust Dated 6/9/89

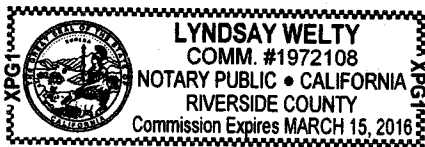
JURAT

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 California
County of Riverside

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

23 day of Dec, 2015, by
Date Month Year
Desda Jo Monaghan
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)

CERTIFICATION AND ABSTRACT OF TRUST AGREEMENT
(California Probate Code Section 18100.5)

I, DESDA J. MONAGHAN, hereby declare that I am the current Trustee of THE MONAGHAN FAMILY TRUST established on June 9, 1989 and that said Trust includes the following provisions:

1. **Name of Trust:** THE MONAGHAN FAMILY TRUST
2. **Name of Trustors** WILLIAM A. MONAGHAN and DESDA J. MONAGHAN.
3. **Name of Trustees:** WILLIAM A. MONAGHAN and DESDA J. MONAGHAN were designated as Trustees to serve until death, resignation or incapacity.
4. **Death of Trustee:** WILLIAM A. MONAGHAN died September 22, 2012.
5. **Successor Trustee:** DESDA J. MONAGHAN is the current Trustee. When DESDA J. MONAGHAN ceases to act as Trustee, the designated successor Co-Trustees are MARY ELLEN MONAGHAN and DOROTHY ELLEN PELLETIER.
6. **Nature of Trust:** The Trust is a revocable inter vivos grantor trust. The Trust is in full force and effect. The Trustors have the power to revoke the Trust.
7. **Rights of Trustors:** During their lives, the Trustors retain the unlimited right to withdraw income and principal from the Trust.
8. **Signature Authority:** The Trustees have the right to act on behalf of the Trust for all purposes.
9. **Powers of Trustees include the following:** In administering the Trust Estate, the Trustee is vested with the following powers, in addition to those powers now or hereafter conferred by law:
 - A. To grant, bargain, sell, convey, exchange, or convert any real or personal property held by the Trustee;
 - B. To lease Trust property for terms either within or beyond the duration of this Trust;

- C. To enter into oil, gas and other mineral leases, on such terms as it may deem proper, and to enter into any pooling, unitization, repressurization, community and other types of agreements relating to the development, operation and conservation of mineral properties;
- D. To assign, partition, divide, subdivide and improve any properties;
- E. To loan, reloan, invest and reinvest the Trust Estate or any part thereof;
- F. To vote stock, give proxies, pay calls for assessments, sell, or exercise stock subscription or conversion rights;
- G. To participate in foreclosures, reorganizations, consolidations, mergers, liquidations, pooling agreements and voting trusts, assent to corporate sales and other acts and, in connection therewith, to deposit securities with and transfer title to any protective or other committee under such terms as the trustees may deem advisable;
- H. To hold securities or other property in their own name or in the name of their nominee, without disclosing any fiduciary relation;
- I. To procure and carry at the expense of the Trust Estate insurance of such kind and in such form and amount as the Trustees deem advisable to protect the Trustees and the Trust Estate against any hazard;
- J. To borrow money for any Trust purpose, hypothecate the Trust Estate or any part thereof and replace, renew and extend any encumbrance thereof, upon such terms, conditions and security as may be determined by the Trustees and to pay loans or other obligations of the Trust Estate as the Trustees in their discretion deem advisable.
- K. To buy, sell and trade in securities of any nature including short sales, puts, calls and other options, on margin, and for such purposes may maintain and operate margin accounts with brokers and may pledge any securities held and purchased by the Trustee with such brokers as security for loans and advances made to the Trustee.
- L. To retain and pay for, from the Trust Estate, the services of accountants, attorneys, investment advisors, or any other professionals the services of which are, in the Trustee's opinion, necessary to be beneficial to the management, investment, or distribution of the Trust Estate or Trust Income.

- M. To exercise all powers as Trustees directly in their own names as Trustees, or by delegating one or more Trustees to act as agent on behalf of all Trustees, or by authorizing one or more agents, who are not Trustees, to exercise those functions which the Trustees may specifically delegate to such agents and authorize them to perform on behalf of the Trustees.
- N. Upon the request of either or both Trustors, the Trustee may enter into and execute on behalf of this Trust, indemnification, security, guarantee, hypothecation, collateral or other similar agreements which would encumber, pledge or otherwise make available to the claims of any creditors of such requesting Trustor(s) all or a part of the principal of this Trust which is at such time subject to a power of revocation, withdrawal or amendment in favor of such Trustor(s).
10. **After Death of Trustors:** Following the death of both Trustors, the Trust continues or is distributed in whole or in part for the benefit of the other named beneficiaries according to the terms of the Trust.
11. **Reliance of Transferee:** Unless otherwise indicated to a prospective transferee, the Trustees have full power to transfer assets held in the name of the Trust, and subsequent transferees shall be entitled to rely upon such transfer provided the chain of title is not otherwise deficient.
12. **Spendthrift:** No one other than the Trustees may use the principal or income of the Trust as security or collateral for any transaction.
13. **Situs of Trust:** State of California.
14. **Trust Identification Number:**
15. **Title to Trust Assets:** DESDA J. MONAGHAN, Trustee of THE MONAGHAN FAMILY TRUST established on June 9, 1989.
16. **Use of Abstract of Trust Agreement:** The use of this Abstract of Trust Agreement is for convenience only and the Trust Agreement is solely controlling as to provision and interpretations, and any conflict between this Abstract and the Trust Agreement shall be decided in favor of the Trust Agreement.
17. **Enforceability; Authority:** This certification is made pursuant to California Probate Code Section 18100.5 and California Commercial Code Section 8403(4)-(6). Any transaction entered into by a person acting in reliance upon this certification shall be enforceable against the Trust assets.
18. **Liability of Persons Refusing to Accept Certification:** California Probate Code Section 18100.5(h) provides that any person refusing to

[REDACTED]

STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

3052012174636

CERTIFICATE OF DEATH

3201233010025

1. NAME OF DECEDENT - FIRST (Given) WILLIAM		2. MIDDLE ALFRED		3. LAST (Family) MONAGHAN	
AKA, ALSO KNOWN AS - Include full AKA (FIRST, MIDDLE, LAST)					
4. DATE OF BIRTH mm/dd/yyyy 12/29/1938		5. AGE Yrs. 73		6. SEX M	
9. BIRTH STATE/FOREIGN COUNTRY CA		11. EVER IN U.S. ARMED FORCES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK		12. MARITAL STATUS/SRDP* (at Time of Death) MARRIED	
13. EDUCATION - Highest Level/Degree (see worksheet on back) HS GRADUATE		14/15. WAS DECEDENT HISPANIC/LATINO/VA/SPANISH? (If yes, see worksheet on back) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		16. DECEDENT'S RACE - (Up to 3 races may be listed (see worksheet on back)) CAUCASIAN	
17. USUAL OCCUPATION - Type of work for most of life. DO NOT USE RETIRED RESTAURANT OWNER			18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.) FOOD AND BEVERAGE		19. YEARS IN OCCUPATION 17
20. DECEDENT'S RESIDENCE (Street and number, or location) 43170 WARNER TRAIL					
21. CITY PALM DESERT		22. COUNTY/PROVINCE RIVERSIDE		23. ZIP CODE 92211	25. STATE/FOREIGN COUNTRY CA
28. INFORMANT'S NAME, RELATIONSHIP DESDA JO MONAGHAN, SPOUSE			27. INFORMANT'S MAILING ADDRESS (Street and number, or rural route number, city or town, state and zip) 43170 WARNER TRAIL, PALM DESERT, CA 92211		
28. NAME OF SURVIVING SPOUSE/SRDP - FIRST DESDA		29. MIDDLE JO		30. LAST (BIRTH NAME) TROMBLEE	
31. NAME OF FATHER/PARENT - FIRST BERT		32. MIDDLE ALFRED		33. LAST MONAGHAN	
34. BIRTH STATE CANADA		35. NAME OF MOTHER/PARENT - FIRST DOROTHY		36. MIDDLE ELLEN	
37. LAST (BIRTH NAME) PRESTON		38. BIRTH STATE CA			
39. DISPOSITION DATE mm/dd/yyyy 09/28/2012		40. PLACE OF FINAL DISPOSITION AT SEA OFF THE COAST OF LOS ANGELES COUNTY			
41. TYPE OF DISPOSITION(S) CR/SEA		42. SIGNATURE OF EMBALMER NOT EMBALMED		43. LICENSE NUMBER	
44. NAME OF FUNERAL ESTABLISHMENT FOREST LAWN MEMORIAL PARKS & MORTUARIES		45. SIGNATURE OF LOCAL REGISTRAR CAMERON KAISER, MD		47. DATE mm/dd/yyyy 09/27/2012	
101. PLACE OF DEATH RESIDENCE		102. IF HOSPITAL, SPECIFY ONE <input type="checkbox"/> IP <input type="checkbox"/> ER/OP <input type="checkbox"/> DOA		103. IF OTHER THAN HOSPITAL, SPECIFY ONE <input type="checkbox"/> Hospice <input type="checkbox"/> Nursing Home/LTC <input checked="" type="checkbox"/> Decedent's Home <input type="checkbox"/> Other	
104. COUNTY RIVERSIDE		105. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location) 43170 WARNER TRAIL		106. CITY PALM DESERT	
107. CAUSE OF DEATH Enter the chain of events... (Disease, injuries, or complications) that directly caused death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventilator withdrawal without showing the etiology. DO NOT ABBREVIATE. IMMEDIATE CAUSE (Final disease or condition resulting in death) (A) RESPIRATORY ARREST Sequentially, list conditions, if any, leading to cause on Line A. Enter UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST (B) CARDIAC ARREST (C) SENILE DEMENTIA		Time Interval Between Onset and Death (A) MIN: 2012-08072 (B) MIN: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (C) YRS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (D) YRS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		108. CEATH REPORTED TO CORONER? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 109. BIOPSY PERFORMED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 110. AUTOPSY PERFORMED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 111. USED IN DETERMINING CAUSE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
112. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 107 NONE					
113. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 112? (If yes, list type of operation and date) NO					
114. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED Decedent's Attended Since mm/dd/yyyy 07/29/2009		115. SIGNATURE AND TITLE OF CERTIFIER OSMUNDO R SAGUIL, M.D.		117. DATE mm/dd/yyyy 09/25/2012	
(A) mm/dd/yyyy 07/29/2009		(B) mm/dd/yyyy 09/21/2012		118. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE OSMUNDO R SAGUIL, M.D. 255 N EL CIELO RD STE #C300, PALM SPRINGS, CA 92262	
119. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED MANNER OF DEATH <input type="checkbox"/> Natural <input type="checkbox"/> Accident <input type="checkbox"/> Homicide <input type="checkbox"/> Suicide <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Could not be determined <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK					
120. INJURED AT WORK? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK					
121. INJURY DATE mm/dd/yyyy					
122. HOUR (24 Hours)					
123. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.)					
124. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury)					
125. LOCATION OF INJURY (Street and number, or location, and city, and zip)					
126. SIGNATURE OF CORONER / DEPUTY CORONER			127. DATE mm/dd/yyyy		
128. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER					

STATE REGISTRAR A B C D E *010001002162068* FAX AUTH.# CENSUS TRACT

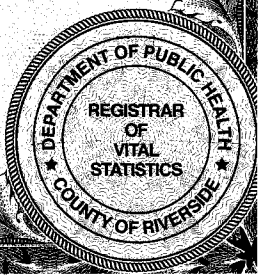
STATE OF CALIFORNIA }
COUNTY OF RIVERSIDE } SS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the County of Riverside, Department of Health.

DATE ISSUED **Oct 11, 2012**

Cameron Kaiser
Dr. Cameron Kaiser, M.D., Health Officer
RIVERSIDE COUNTY, CALIFORNIA

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

CERTIFICATION OF TRUSTEES UNDER TRUST
(California Probate Code Section 18100.5)

I, Desda Jo Monaghan, Trustee of The Monaghan Family Trust Dated 6/9/89, being of legal age, declares under penalty of perjury:

1. Declarant(s) certify the existence of the following described Trust and state that he/she/they are all of the current trustees:

Name of Trust: The Monaghan Family Trust Dated 6/9/89
Date of Trust: June 9, 1989
Trustor(s)/Settlor(s): William A. Monaghan and Desda J. Monaghan
Original Trustee(s): William A. Monaghan and Desda J. Monaghan
Trust Identification, Social Security or Employer Identification _____

2. Declarant(s) state that the Trust is in full force and effect and has not been revoked, terminated or otherwise amended in any manner which would cause the representations in this Certification to be incorrect. The name(s) of all persons who have any power to revoke the trust are: Desda J. Monaghan

3. Declarant(s) state the following named trustee(s) is/are full empowered to act for said Trust and is/are properly exercising his/her/their authority under said Trust in negotiating for, contract for and executing the document(s) attached hereto, and that no trustee(s) other than the following named trustees are necessary under the Trust to sign said document(s):

Trustees authorized to sign: Desda J. Monaghan
Nature of document: Assignment of Right to Collect Excess Proceeds
Date of document: 12-23-2015

4. Declarant(s) state that to the best of their knowledge, there are no claims, challenges of any kind or cause of action alleged, contesting or questioning the validity of the Trust or the trustee's authority to act for the Trust.

5. This Declaration is prepared and executed pursuant to California Probate Code Section 18100.5.

Signed under penalty of perjury, this 23 day of Dec, 2015.

Desda Jo Monaghan
Signature

Name: Desda Jo Monaghan
Address: 43170 Warner Trail
City, State, Zip Palm Desert, CA 92211

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 California

County of Riverside

On 23 Dec 2015 before me, Lyndsay Welty notary public, personally appeared

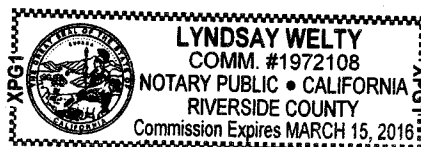
Desda Jo Monaghan (Date) (here insert name and title of the officer)

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 that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Lyndsay Welty (seal)
Signature of Notary Public



AFFIDAVIT

I, Desda Jo Monaghan, Trustee of the Monaghan Family Trust Dated 6/9/89, do hereby declare:

1. I am over the age of 18 and a resident of Palm Desert, CA. 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, Desda Jo Monaghan am one and the same person who is noted on the Deed of Trust with Assignment of Rents as Document Number: 2004-0607702, Recorded on August 4, 2004 in Riverside County, CA.
3. I, Desda Jo Monaghan am one and the same person as Desda J. Monaghan and Desda Monaghan.
4. I assigned the excess proceeds to Global Discoveries, Ltd., for Riverside County Assessors Parcel Number 009-000-809-8.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23 day of Dec, in 2015.

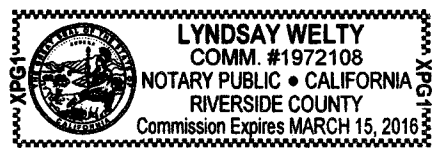
x Desda Jo Monaghan
Desda Jo Monaghan, Trustee of The Monaghan Family Trust
Dated 6/9/89

JURAT

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 California
County of Riverside

Subscribed and sworn to (or affirmed) before me on this
23 day of Dec, 2015, by
Date Month Year
Desda Jo Monaghan
Name of Signer



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

Signature [Handwritten Signature]
Signature of Notary Public

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY

To: Riverside County Treasurer and Tax Collector

Assessor's Parcel No: 009000809-8

Tax Sale Number: TC 203

Item Number: 3

Date of Sale: 4/30/2015

The undersigned claimant, Global Discoveries, Ltd., claims \$37,978.14+/- 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 8th day of January, 2016 at Modesto, California.

By: [Signature]
Jed Byerly, Managing Member
Global Discoveries Ltd. Tax ID #
P.O. Box 1748
Modesto, CA 95353-1748

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State of California

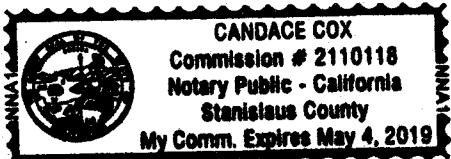
County of Stanislaus

On 1/11/16 before me, Candace Cox - Notary Public, personally appeared
(Date) Jed Byerly (here insert name and title of the 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 that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
[Signature] (seal)
Signature of Notary Public



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) 009-000-809-8, Situs Address: 77912 MICHIGAN DR #A5A PALM DESERT CA 92211 was \$100,000.00. The amount still due and owing as of the 4/30/2015 sale of the tax-defaulted property by the Riverside County Tax Collector was at least \$138,887.54; 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.

23 12 2015
DATE: MONTH, DAY, YEAR

Desda Jo Monaghan TLE
Desda Jo Monaghan, Trustee of The Monaghan Family Trust Dated 6/9/89

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

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State of California

County of Riverside

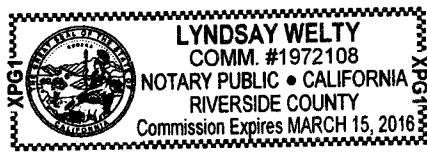
On 23 Dec 2015 before me, Lindsay Welty notary public, personally appeared Desda Jo Monaghan (Date) (here insert name and title of the officer)

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 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): Encore LLC
Beneficiary(ies) or Creditor(s): The Monaghan Family Trust Dated 6/9/89
Instrument Number: 2004-0607702
County: Riverside
APN: 009-000-809-8

Original Principal Balance of Loan: \$100,000.00
To my knowledge, Interest Rate: 8%
To my knowledge, Payment Received: \$40,149.12

To My knowledge, Last Payment Received Date: 8/1/2008
Interest Accrual to Date: 4/30/2015
Total in Years: 6.75

Total Interest Due: \$48,687.81

To my knowledge, Monthly Payment: \$836.44

Interest and Late Payments Due: \$48,687.81
Unpaid Principal Balance Due: \$90,199.73

Total Due to Date: \$138,887.54

Signer declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this 23 day of 12 2015

Signature: Desda Jo Monaghan
Desda Jo Monaghan, Trustee of The Monaghan Family Trust Dated 6/9/89

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

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State of Riverside California
County of Riverside

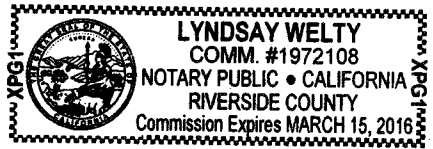
On 23 Dec 2015 before me, Lindsay Welty notary public, personally appeared
(Date) (here insert name and title of the officer)

Desda Jo Monaghan, 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



EP 203-3

Form **10492**
(Rev. November 2013)

Department of the Treasury — Internal Revenue Service
Notice of Federal Taxes Due

Escrow or Docket number
009000809-8 Item 3

To (Name of Estate Administrator, Escrow Holder, Agent of Taxpayer, or Fiduciary)

Amount due
\$ 21,693.61

Don Kent, Treasurer-Tax Collector

Address (Number, Street, P.O. Box, City, State, ZIP code)

P.O. Box 12005, Riverside, CA 92502-2205

You are hereby notified that there is now due, owing, and unpaid from —

Name of taxpayer Lawrence Chank

Address (Number, Street, P.O. Box, City, State, ZIP code)

77912 Michigan Dr No A5A, Palm Desert, CA 92211

RECEIVED
 2015 AUG - 3 AM 8:47
 RIVERSIDE COUNTY
 TREAS - TAX COLLECTOR

to the United States of America, the sum of Twenty One Thousand Six Hundred Ninety Three Dollars and 61 Cents
for Internal Revenue taxes secured by a lien pursuant to Internal Revenue Code (IRC) Sections 6321 and 6322, or the Estate Tax Lien arising under IRC Section 6324, from the date of each assessment.

Kind of Tax and Period	Taxpayer EIN or SSN	Assessment Date	Unpaid Assessed Balance	Accrued Interest	Accrued Late Payment Penalty	TOTAL
Civil Penalty						
06/30/2009		03/05/2012	93.46	248.70		342.16
09/30/2009		03/05/2012	4,666.93	534.85		5,201.78
12/31/2009		03/05/2012	4,706.97	538.00		5,244.97
03/31/2010		03/05/2012	3,848.88	383.33		4,232.21
06/30/2010		03/05/2012	4,574.12	503.95		5,078.07
09/30/2010		03/05/2012	1,450.00	144.42		1,594.42

The total amount above reflects the amount owed as of 05/05/2015

Additional penalty and interest charges will be due if you pay after this date.

If a Notice of Federal Tax Lien(s) has been recorded, a **Certificate of Release of Federal Tax Lien** will be filed immediately *only if payment is made in cash or by either a certified, cashier's, or treasurers check. The check must be drawn on any bank or trust company incorporated under the laws of the United States, or of any state or possession of the United States. Payment also can be made by a United States postal, bank, express, or telegraph money order. If you pay by personal check, issuance of the certificate of release will be delayed until the bank honors the check.*

Caution to Fiduciaries: A representative of a person or an estate (except a trustee acting under Title 11) paying any part of a debt of the person or estate before paying a claim of the Government is liable to the extent of the payment for unpaid claims of the Government. (31 U.S.C. § 3713)

Caution to Persons in Possession of Estate Assets: You may receive this notice of tax due if estate assets or funds were distributed to you prior to the taxes being paid. Estate assets or funds you received before taxes were paid are subject to levy or seizure to pay the unpaid taxes. In such case, you are advised to contact the person whose name appears at the bottom of this form to discuss potential enforcement against assets or funds you received from the estate. (IRC §§ 6324(a)(1), 6324(b) and 6901)

Please make payment payable to the **United States Treasury** and send it to the Internal Revenue Service at the address below.

By (Name) T. Dinh	Title Group Manager	ID number 1000150831	Telephone number (949) 389-4122
----------------------	------------------------	-------------------------	--------------------------------------

Address (Number, Street, P.O. Box, City, State, ZIP code)
Collection Advisory Group 5
24000 Avila Rd., M/S 5905
Laguna Niguel, CA 92677

Signature

T. Dinh
07/29/15

Recording Requested By Internal Revenue Service. When recorded mail to:

INTERNAL REVENUE SERVICE
PO BOX 145585, STOP 8420G
CINCINNATI, OH 45250-5585

DOC # 2013-0126769
03/15/2013 10:35A Fee:18.00
Page 1 of 1
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



For Optional Use by Recording Office

Form 668 (Y)(c) (Rev. February 2004)	6788 Department of the Treasury - Internal Revenue Service	M 030
Notice of Federal Tax Lien		
Area: SMALL BUSINESS/SELF EMPLOYED AREA #7	Serial Number	
Lien Unit Phone: (800) 829-3903	925201413	

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer LAWRENCE M CHANK

Residence 80126 HWY 111 SUITE 5
INDIO, CA 92201

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
CIVP	06/30/2009		03/05/2012	04/04/2022	4007.90
CIVP	09/30/2009		03/05/2012	04/04/2022	5404.00
CIVP	12/31/2009		03/05/2012	04/04/2022	5449.00
CIVP	03/31/2010		03/05/2012	04/04/2022	3848.88
CIVP	06/30/2010		03/05/2012	04/04/2022	5065.50
CIVP	09/30/2010		03/05/2012	04/04/2022	1450.00
CIVP	12/31/2010		03/05/2012	04/04/2022	1299.00

Place of Filing	COUNTY RECORDER RIVERSIDE COUNTY RIVERSIDE, CA 92502-0751	Total \$	26524.28
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This notice was prepared and signed at OAKLAND, CA, on this, the 28th day of February, 2013.

Signature for G.J. CARTER-LOUIS		Title ACS SBSE (800) 829-3903	27-00-0008
------------------------------------	--	-------------------------------------	------------

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)
CAT. NO 60025X



STATE OF CALIFORNIA
FRANCHISE TAX BOARD
 COLLECTION ADVISORY TEAM, MS A-240
 PO BOX 2952
 SACRAMENTO CA 95812-2952

August 12, 2015

RECEIVED

2015 AUG 18 PM 2:11 In Reply Refer To:
 624:DW:CHANK

CLAIM FOR EXCESS PROCEEDS

**RIVERSIDE COUNTY
 GREAT TAX COLLECTOR**

RIVERSIDE COUNTY TREASURER
 ATT: DON KENT / EXCESS PROCEEDS
 P O BOX 12005
 RIVERSIDE CA 92502-2205

2015 AUG 18 PM 2:11
**RIVERSIDE COUNTY
 TREAS - TAX COLLECTOR**

RECEIVED

Assessment No. : 009000809-8 Item 3
 Situs Address : 77912 Michigan Dr No A5A Palm Desert 92211
 Assessee : Lawrence M Chank
 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 May 5, 2015. Pursuant to Government Code Section 6103, State of California Franchise Tax Board is exempt from payment of any fee for processing this claim.

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 LAWRENCE M CHANK, Account Number

A perfected and enforceable state tax lien arose upon all real property of Lawrence M Chank pursuant to Revenue and Taxation Code Section 19221.

The amount of the claim for the Franchise Tax Board is \$82,998.06, as of May 5, 2015.

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

If you have any questions regarding this claim, contact Don West of this department at (916) 845-6793.

Deborah Barrett

Deborah Barrett, Supervisor
 Collection Advisory Team

Don

**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:

Lawrence M. Chank
79971 Boqueron Way
Bermuda Dunes, CA 92203-1411

Tax Year	Tax	Penalties	Interest	Fees	Refunds	Payments	Total	
2013	\$2,869.00	\$1,434.50	\$151.03	\$76.00	\$0.00	\$0.00	\$4,530.53	**
2011	\$778.00	\$389.00	\$108.20	\$105.00	\$0.00	\$0.00	\$1,380.20	*
2010	\$67,670.00	\$16,542.50	\$10,871.91	\$159.00	\$0.00	\$13,625.55	\$81,617.86	*
2010	\$0.00	\$0.00	\$665.51	\$0.00	\$0.00	\$0.00	\$665.51	**
Total	\$71,317.00	\$18,366.00	\$11,796.65	\$340.00	\$0.00	\$13,625.55	\$88,194.10	
						Total Liened	\$82,998.06	*
						Total Unliened \$	5,196.04	**

(*) Balances reflects the liabilities secured by a recorded or filed Notice of State Tax Lien as of the date of the trustee's sale May 5, 2015.

(**) Balance reflect the liability not secured by a recorded or filed Notice of State Tax Lien as of the date of this certificate. The current per diem on these liabilities is \$0.41.

The following Notice of State Tax Lien have/has been recorded or filed:

Cert No. 14294870766 recorded in Riverside County on November 4, 2014, for the tax year 2011 and 2010 under Instrument No. 2014-0422206.

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.

August 12, 2015

FRANCHISE TAX BOARD
of the State of California

BY.....*Don West*.....
Don West, Specialist
(916) 845-6793



FRANCHISE TAX BOARD

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

August 12, 2015

In reply refer to:
624:CAT:DW:CHANK

RIVERSIDE COUNTY TREASURER
ATT: DON KENT / EXCESS PROCEEDS
P O BOX 12005
RIVERSIDE CA 92502-2205

Subject : ORDER TO WITHHOLD PERSONAL INCOME TAX
Assessment No. : 009000809-8 Item 3
Situs Address : 77912 Michigan Dr No A5A Palm Desert 92211
Assessee : Lawrence M Chank
FTB ID :

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 Lawrence M Chank. **This OTW is in addition and supplement to the Franchise Tax Board Claim For Surplus Funds.** 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.

Don West, Specialist
Collection Advisory Team
(916) 845-6793



STATE OF CALIFORNIA
 Franchise Tax Board, M/S A-240
 PO BOX 2952
 SACRAMENTO CA 95812-2952
 (916)845-6793

**ORDER TO WITHHOLD
 PERSONAL INCOME TAX**

PART 1 — RETAIN FOR YOUR RECORDS

Date: August 12, 2015

RIVERSIDE COUNTY TREASURER
 ATT: DON KENT / EXCESS PROCEEDS
 P O BOX 12005
 RIVERSIDE CA 92502-2205

Case No.:
 Acct. No.:
 SSN:
 Tax Year(s): 2013, 2010

Taxpayer's Name and Address:

AMOUNT DUE \$ 5,196.04

LAWRENCE M CHANK
 79971 BOQUERON WAY
 BERMUDA DUNES, CA 92203-1411

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 TAX- DEFAULT SALE OF PARCEL 009000809-8 ITEM 3 ON MAY 5, 2015. 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.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).



STATE OF CALIFORNIA
 Franchise Tax Board, M/S A-240
 PO BOX 2952
 SACRAMENTO CA 95812-2952
 (916)845-6793

**ORDER TO WITHHOLD
 PERSONAL INCOME TAX**

PART 2 — RETURN WITH PAYMENT

Date: August 12, 2015

RIVERSIDE COUNTY TREASURER
 ATT: DON KENT / EXCESS PROCEEDS
 P O BOX 12005
 RIVERSIDE CA 92502-2205

Case No.:
 Acct. No.:
 SSN:
 Tax Year(s): 2013, 2010

Taxpayer's Name and Address:

LAWRENCE M CHANK
 79971 BOQUERON WAY
 BERMUDA DUNES, CA 92203-1411

AMOUNT DUE \$ 5,196.04

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)845-6793

ORDER TO WITHHOLD PERSONAL INCOME TAX

PART 3 — FURNISH TO TAXPAYER

Date: August 12, 2015

RIVERSIDE COUNTY TREASURER
ATT: DON KENT / EXCESS PROCEEDS
P O BOX 12005
RIVERSIDE CA 92502-2205

Case No.:
Acct. No.:
SSN:
Tax Year(s): 2013, 2010

Taxpayer's Name and Address:

LAWRENCE M CHANK
79971 BOQUERON WAY
BERMUDA DUNES, CA 92203-1411

AMOUNT DUE

\$ 5,196.04

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>.

Recording Requested by

STATE OF CALIFORNIA
FRANCHISE TAX BOARD
Sacramento CA 95812-2952

And When Recorded Mail to

Special Procedures Section
PO BOX 2952
Sacramento CA 95812-2952

DOC # 2014-0422206

11/04/2014 02:47P Fee:NC

Page 1 of 1

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



Notice of State Tax Lien



Filed With: RIVERSIDE

Certificate Number: 14294870766

The Franchise Tax Board of the State of California hereby certifies that the following named taxpayer(s) is liable under parts 10 or 11 of Division 2 of the Revenue and Taxation Code to the State of California for amount due and required to be paid by said taxpayer(s) as follows:

Name of Taxpayer(s) : LAWRENCE M CHANK

FTB Account Number :

Social Security Number(s) :

Last Known Address : 80-126 HIGHWAY 111 5
: INDIO CA 92201-

For Taxable Years : 2011,2010

Total Lien Amount * : \$81,675.97

Further interest and fees will accrue at the rate prescribed by law until paid; that the Franchise Tax Board of the State of California complied with all of the provisions of parts 10 or 11 of Division 2 of the Revenue and Taxation Code of the State of California in computing, levying, determining and assessing the tax; the said amounts are due and payable and have not been paid. Said lien attaches to all property and rights to such property now owned or later acquired by the taxpayer.

IN WITNESS WHEREOF, the Franchise Tax Board of the State of California has duly authorized the undersigned to execute this Notice in its name.

Dated: 10/21/14

FRANCHISE TAX BOARD
of the State of California

Collection Bureau
Telephone Number: (916) 845-4350

By: *[Handwritten Signature]*

Authorized facsimile signature.

*Additional interest is accruing at the rate prescribed by law.

FTB 2930 V1 ARCS (REV 06-2014)

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 203 Item 3 Assessment No.: 009000809-8

Assessee: ENCORE & CHANK, LAWRENCE M

Situs: 77912 MICHIGAN DR NO A5A PALM DESERT 92211

Date Sold: May 5, 2015

Date Deed to Purchaser Recorded: June 18, 2015

Final Date to Submit Claim: June 20, 2016

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 100% 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. 2004-060770; recorded on 8/4/2004. 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 16 day of SEPT, 2005 at Mohave AZ
County, State



Signature of Claimant

ENCORE

by LAWRENCE CHANK

Print Name

2500 Country Club Drive ← Same


Street Address

Bullhead City AZ 86442

City, State, Zip

(760) 702-4085

Phone Number



Signature of Claimant

LAWRENCE M. CHANK

Print Name

Street Address

City, State, Zip

Phone Number



30

Recording Requested By
RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
ENCORE LLC, A CALIFORNIA LIMITED LIABILITY CO
44919 Golf Center Parkway #7
Indio, CA 92201

M	S	U	PAGE	SIZE	DA	PCOR	NOFOR	SMF	MISC.
	1		2				1		
A	R	L				COPY	LONG	REFUND	NCHG EXAM

CP

A.P.N.: 009-000-809

Order No.:

TRA:075-DID

GRANT DEED

T
CB

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS: COUNTY \$
 computed on full value of property conveyed, or
 computed on full value less value of liens or encumbrances remaining at time of sale,
unincorporated area; [City of ~~Palm Desert~~, and

TRANSFERRING
TO FAMILY
COMPANY

1546652-70

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
LAWRENCE M. CHANK AND PEGGY S. CHANK, TRUSTEES OF THE CHANK FAMILY TRUST 1992

hereby GRANT(S) to ENCORE LLC, A CALIFORNIA LIMITED LIABILITY CO

the following described property in the ~~City of Palm Desert~~, County of Riverside State of California;
See Exhibit "A" attached hereto and made a part hereof.

THE CHANK FAMILY TRUST 1992

By: [Signature]
LAWRENCE M. CHANK, TRUSTEE

By: [Signature]
PEGGY S. CHANK, TRUSTEE

Document Date: July 28, 2004

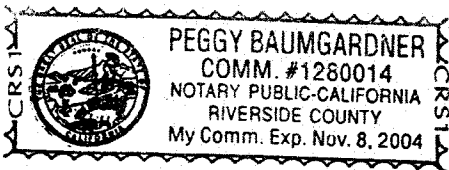
STATE OF California)SS
COUNTY OF Riverside)

On 8/2/04 before me, Peggy Baumgardner, a Notary Public,
personally appeared Peggy S. Chank and Lawrence M. Chank
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 [Signature]
Peggy Baumgardner

This area for official notarial seal.



michigan

Exhibit "A"

An undivided 1/26th interest in lot 3 of tract 2137, in the County of Riverside, State of California, as per map recorded in book 41, pages 29 to 36, inclusive of maps, in the office of the County Recorder of said County.

Together with the exclusive right to use and occupy that certain apartment located on said land, known as Apartment no. 5 in Building "A" and that certain carport located on said land known as Carport no. 5, shown and designated approximately on a plot attached to and made a part of the deed of said land together with the right of ingress and egress to and from said apartment and carport and also the right to use the passageways, common facilities, and walks comprising portions of said buildings and grounds, in common with owners of similar undivided interest in said land.

Except the exclusive right to occupy and use all other apartments and carports now or hereafter to be constructed on said land other than apartment no. 5 in building "A" and carport no. 5.



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

RECEIVED

To: Don Kent, Treasurer-Tax Collector

2015 SEP 21 PM 1:08

Re: Claim for Excess Proceeds

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

TC 203 Item 3 Assessment No.: 009000809-8

Assessee: ENCORE & CHANK, LAWRENCE M

Situs: 77912 MICHIGAN DR NO A5A PALM DESERT 92211

Date Sold: May 5, 2015

Date Deed to Purchaser Recorded: June 18, 2015

Final Date to Submit Claim: June 20, 2016

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 100⁰⁰/0 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. 2007-03-1405 recorded on 6/6/2007. 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 16 day of September, 2015 at Mohave, AZ
County, State

[Signature]
Signature of Claimant

[Signature]
Signature of Claimant

LAWRENCE M. CHANK
Print Name

ENCORE
BY LAWRENCE CHANK
Print Name

2500 COUNTRY CLUB DRIVE
Street Address

← SAME
Street Address

Bullhead City AZ 86442
City, State, Zip

City, State, Zip

(760) 702 4085
Phone Number

Phone Number

Escrow No.
Loan No.

DOC # 2007-0371404
06/06 2007 08:00A Fee:13.00
Page 1 of 3
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

WHEN RECORDED MAIL TO:

LAWRENCE M CHANK
44919 GOLF CENTER PARKWAY #7
INDIO, CA 92201



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
1			3						1
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM 801

DOCUMENTARY TRANSFER TAX \$ 0

..... Computed on the consideration or value of property conveyed; OR
..... Computed on the consideration or value less liens or encumbrances remaining at time of sale.

Signature of Declarant or Agent determining tax — Firm Name

C
801

APN: 009-000-809
TRA: 075-010

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
ENCORE LLC, a California Limited Liability Company

do(es) hereby REMISE, RELEASE AND FOREVER QUITCLAIM to

Sharon Conley, a widow woman, an undivided 50% interest in

JUN 18 2007

the real property in the City of Palm Desert
County of Riverside

State of California, described as

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

ENCORE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

Dated 2-28-07

[Signature]

STATE OF CALIFORNIA }
COUNTY OF RIVERSIDE } ss.

LAWRENCE M CHANK, ITS MANAGER

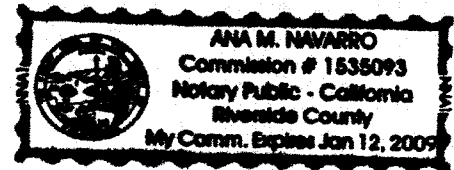
On 2-28-07 before me,

ANA M NAVARRO (NOTARY PUBLIC)
personally appeared LAWRENCE M CHANK

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 Ana m Navarro



MAIL TAX STATEMENTS TO:

(This area for official notarial seal)

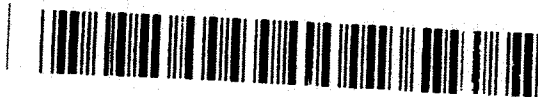
Exhibit "A"

An undivided 1/26th interest in lot 3 of tract 2137, in the County of Riverside, State of California, as per map recorded in book 41, pages 29 to 36, inclusive of maps, in the office of the County Recorder of said County.

Together with the exclusive right to use and occupy that certain apartment located on said land, known as Apartment no. 5 in Building "A" and that certain carport located on said land known as Carport no. 5, shown and designated approximately on a plot attached to and made a part of the deed of said land together with the right of ingress and egress to and from said apartment and carport and also the right to use the passageways, common facilities, and walks comprising portions of said buildings and grounds, in common with owners of similar undivided interest in said land.

Except the exclusive right to occupy and use all other apartments and carports now or hereafter to be constructed on said land other than apartment no. 5 in building "A" and carport no. 5.

2007-0571404
06/06/2007 08:00A
2 of 3



2001-055877
02/09/2001 08:00A
5 of 5



LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

NOTARY CLARITY

Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: ANA M NAVARRO

Commission #: 1535093

Place of Execution: INDIO CA RIVERSIDE COUNTY

Date Commission Expires: 1-12-09

Date: 6-6-07

Signature: ANA M NAVARRO

Print Name: ANA M NAVARRO



Escrow No.
Loan No.

WHEN RECORDED MAIL TO:

LAWRENCE M CHANK
44919 GOLF CENTER PARKWAY #7
INDIO, CA 92201

DOC # 2007-031405
06/06/07 7 08:00A Fee:10.00
Page 1 of 2
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County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



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Signature of Declarant or Agent determining tax — Firm Name

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Sharon Conley, a widow woman

C
801

do(es) hereby REMISE, RELEASE AND FOREVER QUITCLAIM to

Lawrence M. Chank, a married man, as his sole and separate property
an undivided 50% interest in
the real property in the City of Palm Desert,
County of Riverside

, State of California, described as

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Dated 2-28-07

STATE OF North Carolina }
COUNTY OF Mecklenburg } ss.

Sh Conley
SHARON CONLEY

On 28 Feb 2007 before me,

Nimesh R. Patel, Notary Public
personally appeared Sharon Conley

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 *Nimesh R. Patel*
Commission Exp. Nov 7, 2009

MAIL TAX STATEMENTS TO:

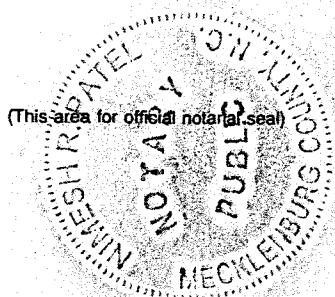


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Except the exclusive right to occupy and use all other apartments and carports now or hereafter to be constructed on said land other than apartment no. 5 in building "A" and carport no. 5.

2007-0371485
06/06/2007 08:00A
2 of 2



2001-055877
02/09/2001 08:00A
5 of 5