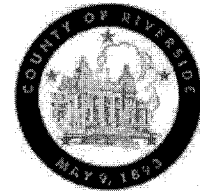


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
9.4
(ID # 3332)

MEETING DATE:
Tuesday, May 2, 2017

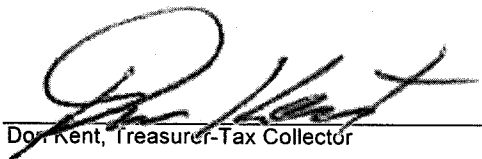
FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 203, Item 508. Last assessed to: Thomas Tucker Adair, District 4. [\$32,221-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Global Discoveries, Ltd., assignee for Enzo G. Provenza as Successor Trustee of the Thomas Tucker Adair Trust for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 639191030-6;
2. Approve the claim from the State of California, Franchise Tax Board for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 639191030-6;
3. Authorize and direct the Auditor-Controller to issue warrants to Global Discoveries, Ltd., assignee for Enzo G. Provenza as Successor Trustee of the Thomas Tucker Adair Trust in the amount of \$25,998.33 and the State of California, Franchise Tax Board in the amount of \$6,223.37, 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.

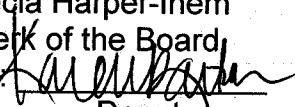
ACTION:


Don Kent, Treasurer-Tax Collector 4/4/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: None
Date: May 2, 2017
xc: Treasurer

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

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.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 32,221	\$ 0	\$ 32,221	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale.			Budget Adjustment:	No
			For Fiscal Year:	16/17

C.E.O. RECOMMENDATION: APPROVE

BACKGROUND:

Summary (Continued)

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

1. Claim from Global Discoveries, Ltd., assignee for Enzo G. Provenza, as Successor Trustee of the Thomas Tucker Adair Trust based on an Assignment of Right to Collect Excess Proceeds dated November 18, 2015 and a Short Form Deed of Trust and Assignment of Rents recorded February 13, 2008 as Instrument No. 2008-0070897.
2. Claim from the State of California, Franchise Tax Board based on a Notice of State Tax Lien recorded January 26, 2010 as Instrument No. 2010-0032623.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., assignee for Enzo G. Provenza, as Successor Trustee of the Thomas Tucker Adair Trust be awarded excess proceeds in the amount of \$25,998.33 and the State of California, Franchise Tax Board be awarded excess proceeds in the amount of \$6,223.37. 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.

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

Impact on Residents and Businesses

Excess proceeds are being released to the lien holders of the property.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Global

ATTACHMENT B. Claim StateofCaliforniaFTB


Stephanie P. Pasi 4/24/2017



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

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

CLAIM SUMMARY

Date: December 8, 2015

To: Riverside County Treasurer and Tax Collector

Assessors Parcel Number: 639191030-6

Last Assessee: ADAIR THOMAS TUCKER

Sale Date: 4/30/2015

TC: TC 203

Item Number: 508

Deadline: 6/18/2016

RECEIVED
 2015 DEC 21 AM 9:13
 RIVERSIDE COUNTY
 TREAS-TAX COLLECTION

Dear Treasurer/Tax Collector:

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

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

1. Short Form Deed of Trust and Assignment of Rents listing Enzo G. Provenzo, Trustee of The Thomas Tucker Adair Trust as Beneficiary as Document Number: 2008-0070897, Recorded on February 13, 2008 in Riverside County, CA.
2. Copy of Promissory Note (**Global Discoveries is in possession of the Original Note. This is an internal document and therefore we are unable to submit the original. If the county requires the Original Note, please contact Amy Elmer @ 209-593-3917 to set up an apt. time/date so that we may present the Original Note to the county for viewing.**)
3. Statement of Amount Due and Owing
4. Amount Due and Payable Calculation Worksheet
5. Enzo G. Provenza was appointed Successor Trustee under the Testamentary Trust created under the Will of John David Adair, Jr. John David Adair Jr.'s Will was probated in Riverside County, California as Case Number: IP 14654. On September 15, 1997, the court entered it's Decree of Final Distribution and Order Settling Final Account of Personal Representatives creating the Testamentary Trust. (**Please Note:** The Original co-trustees named resign as trustees and appoint Enzo Provenza as successor trustee of the Thomas Tucker Adair Trust.)
6. Certification of Trustees Under Trust
7. Assignment of Rights To Collect Excess Proceeds signed by Enzo G. Provenza as Successor Trustee of The Thomas Tucker Adair Trust
8. Claim form(s) signed by Global Discoveries
9. Photo ID for Assignor: Enzo G. Provenza

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

- One warrant in the amount of \$25,998.33 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: 7015-1520-0000-8598-8979



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 639191030-6 Tax Sale Number TC 203, Item 508 sold at public auction on 4/30/2015. I understand that the total of excess proceeds available for refund is \$ 32,221.70+/- 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 am assigning.

(Signature of Party of Interest/Assignor) (Date) 11/18/15

Enzo G. Provenza as Successor Trustee of The Thomas Tucker Adair Trust (Name Printed)
PO Box 2266 (Address)
Rancho Mirage, CA, 92270-1085 (City/State/Zip)
760-320-5656 (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 November 18, 2015 before me, MARYANNE KREIZINGER-BROWN, Notary Public, personally appeared ENZO G. PROVENZA (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.

(Signature of Assignee)

Jed Byerly, Managing Member (Name Printed)
Global Discoveries Ltd. (Address)
P.O. Box 1748 Modesto, CA 95353-1748 (City/State/Zip)
Phone: (209) 593-3913

Tax ID/SS#

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

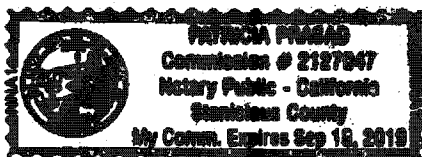
On 12/11/2015 before me, Patricia Prasad - Notary Public, personally appeared Jed Byerly

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)
117-174 (3/85) (Ret-Perm)



GD Number: 24910-196589

STEWART TITLE-Riverside

DOC # 2008-0070897

02/13/2008 08:00A Fee:22.00

Page 1 of 3

Recorded in Official Records
County of Riverside

Larry M. Ward

Assessor, County Clerk & Recorder

RECORDING REQUESTED BY:
Stewart Title Company

AND WHEN RECORDED MAIL TO:

Enzo G. Provenzo, Trustee
P O Box 2268
Rancho Mirage, CA 92270



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
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	A	L	465	426	PCOR	NCOR	BMF	NCHG	EXAM
							T:	CTY	UNI

Escrow No.: 17986-MS

Title Order No.: 507424790

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

THIS DEED OF TRUST, made February 5, 2008

A.P. #639-191-030-6

T
033

Thomas Tucker Adair, a Single Man, herein called Trustor,
whose address is 66050 5th St, Desert Hot Springs, CA 92240 and

Liberty Escrow, Inc., a California Corporation, herein called Trustee, and Enzo G. Provenzo, Trustee of The Thomas Tucker Adair Trust,
herein called BENEFICIARY,

WITNESSETH: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE
that Property in Riverside County, California, described as:
Lot 30 of Block E of Desert Hot Springs Cabin Sites as shown by map on file in Book 19, Pages 66 and 67 of Maps in the office of the County
Recorder of Riverside County, California.
Also Known as: 66-050 5th St, Desert Hot Springs, CA 92240

"Should the trustor or his successors in interest without the consent in writing of the beneficiary sell, transfer, or
convey, or permit to be sold, transferred or conveyed, his interest in the property, or any part thereof, then
beneficiary may declare all sums secured hereby 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 by paragraph (10) of the provisions incorporated herein by reference to collect and apply such rents, issues and profits. For the
Purpose of Securing: 1. Performance of each agreement of Trustor incorporated by reference or contained herein. 2. Payment of the
indebtedness evidenced by one promissory note of even date herewith, and any extensions or renewal thereof, in the principal sum of
~~\$17,790.00~~ executed by Trustor in favor of Beneficiary or order. 3. Payment of such further sums as the then record owner of said property
may borrow from Beneficiary, when evidenced by another note (or notes) reciting it is so secured.

DATED February 5, 2008

STATE OF CALIFORNIA

COUNTY OF Riverside

On February 8, 2008

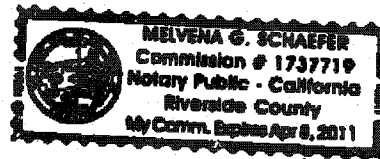
before me, Melvena G. Schaefer

A Notary Public in and for said State personally appeared

Thomas Tucker Adair

Thomas Tucker Adair
Thomas Tucker Adair

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

Melvena G. Schaefer

(Seal)

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

County	Book	Page	County	Book	Page	County	Book	Page	County	Book	Page
Alameda	435	684	Kings	792	833	Placer	895	301	Sierra	29	335
Alpine	1	250	Lake	362	39	Plumas	151	5	Siskiyou	488	181
Amador	104	34	Lassen	171	471	Riverside	3005	523	Solano	1105	182
Butte	1145	1	Los Angeles	T2055	899	Sacramento	4331	62	Sonoma	1851	389
Calaveras	145	152	Madera	810	170	San Benito	271	383	Stanislaus	1715	456
Colusa	296	617	Marin	1508	339	San Bernardino	5567	61	Sutter	572	297
Contra Costa	3978	47	Mariposa	77	292	San Francisco	A332	905	Tehama	401	289
Del Norte	78	414	Mendocino	579	530	San Joaquin	2470	311	Trinity	93	386
Eldorado	588	456	Merced	1547	538	San Luis Obispo	1151	12	Tulare	2294	275
Fresno	4626	572	Modoc	181	851	San Mateo	4078	420	Tuolumne	135	47
Glenn	422	184	Mono	52	429	Santa Barbara	1878	860	Ventura	2062	386
Humboldt	657	5327	Monterey	2194	538	Santa Clara	5336	341	Yolo	653	245
Imperial	1091	501	Napa	639	86	Santa Cruz	1431	494	Yuba	334	486
Inyo	147	598	Nevada	305	320	Shasta	684	528			
Kern	3427	60	Orange	5889	611	San Diego	Series 2 Book 1961 Page 183887				

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

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

DO NOT RECORD

REQUEST FOR FULL RECONVEYANCE

To be used only when note has been paid

To: Liberty Escrow, Inc., 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 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	

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.

DO NOT RECORD

The following is a copy of provisions (1) to (14), inclusive, of the fictitious deed of trust, recorded in each county of 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.

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 material furnished therefor; 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 encumbrances, 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 purpose; 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 encumbrance, charge or lien which in the judgment 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 allowed by law in effect at the date hereof, 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.
 6. 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 money(ies) received by him in the same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.
 7. That by accepting payment of any sum secured hereby 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.
 8. That at any time or from time to time, without liability therefor 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.
 9. 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 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).
 10. 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.
 11. 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 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 convenient or warranty express or implied. The recitals in such deed of any matters or facts shall be conclusive proof of the truthfulness hereof. 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.
 12. 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 with all 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.
 13. That this Deed applies to inure, 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 requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.
 14. That Trustor 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 in case of pending sale under any other Deed of Trust or of any action or proceeding in which Trustor, Beneficiary or Trustee shall be a party unless brought by Trustee.

DO NOT DESTROY THIS NOTE: When paid, this note with Deed of Trust securing same, must be surrendered to Trustee for cancellation before reconveyance will be made

Escrow No.: 17986-MS

**NOTE SECURED BY DEED OF TRUST
INSTALLMENT NOTE - INTEREST ONLY**

\$17,700.00

Date: February 5, 2008

Palm Springs, California.

In installments as herein stated, for value received, I/We jointly and severally, promise to pay to **Enzo G. Provenzo, Trustee of The Thomas Tucker Adair Trust** or order, at P O Box 2266, Rancho Mirage, CA 92270

the principal sum of **SEVENTEEN THOUSAND SEVEN HUNDRED AND 00/100 (\$17,700.00)**, with interest from February 13, 2008 on unpaid principal at the rate of **6.7500** per cent per annum, payable in monthly installments of **interest only, or more** on the _____ day of each month, beginning on the 13th day of March, 2008 and continuing until the 13th day of February, 2013, at which time the entire principal balance together with interest due thereon, shall become due and payable.

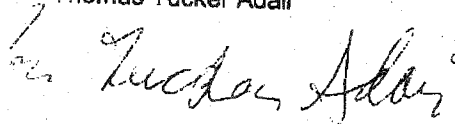
"Should the Trustor or his successors in interest, without the consent in writing of the Beneficiary, sell, transfer or convey, or permit to be sold, transferred or conveyed, his interest in the property described in the Deed of Trust securing this Note, or any part thereof, then the Beneficiary may, at his option, declare all sums expressed herein immediately due and payable."

"A late charge of 6 percent of the monthly payment shall be due on each installment not received within 10 days of the due date."

Should default be made in payment of any of the installment of principal or interest when due, the whole sum of principal and interest shall, at the option of the holder of this note, become immediately due and payable. Principal and interest payable in lawful money of the United States. If action be instituted on this note, I/We promise to pay such sum as the Court may fix as attorney's fees. This note is secured by a Deed of Trust to Liberty Escrow, Inc., a California corporation, as TRUSTEE.



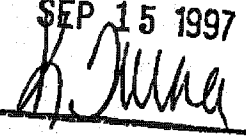
Thomas Tucker Adair



ROBERT ALLEN ROSE
ATTORNEY AT LAW
FARRELL-RAMON EXECUTIVE CENTER
400 SOUTH FARRELL DRIVE
SUITE B-102
PALM SPRINGS, CALIFORNIA 92262-7959
TELEPHONE (619) 320-7391
STATE BAR NO. 24582

FILED
SUPERIOR/MUNICIPAL COURT
OF RIVERSIDE COUNTY

SEP 15 1997



Attorney for BARBARA GITTINGS, KAY LAHUSEN

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

ESTATE OF JOHN DAVID ADAIR, JR.,	)	NO. IP 14654
)	
	)	DECREE OF FINAL
	)	DISTRIBUTION AND ORDER
	)	SETTLING FINAL ACCOUNT
	)	OF PERSONAL
	)	REPRESENTATIVES
)	
	)	[PROBATE CODE SECTIONS
	)	11640, 10800, 10810]
)	
	)	DATE: 9/10/97
	)	TIME: 8:45 A.M.
	)	PLACE: DEPT. 3P

The verified PETITION FOR FINAL DISTRIBUTION, FINAL ACCOUNT OF PERSONAL REPRESENTATIVES, AND PETITION FOR SETTLEMENT OF FINAL ACCOUNT, PETITION FOR ALLOWANCE OF COMPENSATION OF PERSONAL REPRESENTATIVES AND ATTORNEY FOR ORDINARY AND EXTRAORDINARY SERVICES of BARBARA GITTINGS and KAY LAHUSEN, personal representatives of the estate of JOHN DAVID ADAIR, JR., deceased, came on regularly for hearing on

/////

/////

/////

/////

1 July 23, 1997, before Judge GRAHAM A. CRIBBS.

2 On proof made to the satisfaction of the court, the court
3 finds that:

4 1. Due notice of the time and place of the hearing has
5 been given as required by law.

6 2. Petitioners' final account covers the period from
7 August 16, 1995, through April 30, 1997.

8 3. Petitioners' final account is true and correct, and
9 the facts alleged in the petition are true.

10 4. Petitioners have kept all of the cash in their
11 possession in interest-bearing accounts or investments, except
12 such amounts of cash as were reasonably necessary for the
13 orderly administration of the estate.

14 5. Decedent died on August 16, 1995.

15 6. At the time of his death, decedent was a resident of
16 the above-named county.

17 7. Decedent's will dated July 23, 1992, was admitted to
18 probate by this court on October 2, 1995.

19 8. Letters were issued to petitioners on October 5,
20 1995.

21 9. Notice of Death and of Petition to Administer Estate
22 was duly published, and the time for filing claims against the
23 estate has expired.

24 10. Petitioners were given authority to administer the
25 estate under the Independent Administration of Estates Act.
26 Petitioner performed the following acts without obtaining
27

28 DECREE OF FINAL DISTRIBUTION -2-

1 court supervision:

2 a. Entered into a purchase agreement to sell real
3 property located at 71-481 Mashie Drive, Rancho Mirage, CA.
4 No Objections were received within the statutory period for
5 Objections nor thereafter. Petitioners successfully closed
6 escrow on the subject property on or about 10/22/96 and
7 received the proceeds of the sale in behalf of the estate on
8 that same date.

9 11. The following claims against the estate have been
10 filed and have been disposed of as follows:

11 a. MARY ZEVALLOS - allowed for \$4,400.00; rejected for
12 \$3,300.00.

13 b. CHARTER HOSPITAL - LONG BEACH - allowed for \$440.98.

14 c. MBNA AMERICA - allowed for \$1,407.07; rejected for
15 \$2,414.38.

16 d. DESERT EAR, NOSE & THROAT - rejected for \$2,379.00.

17 e. G.E.T.M., INC., dba VALLEY CREDITORS SERVICE -
18 allowed for \$794.69; rejected for \$270.00.

19 f. CHASE MANHATTAN BANK - allowed for \$875.64.

20 g. EISENHOWER MEDICAL CENTER - rejected for \$1,090.66.

21 h. LABDOCS MEDICAL GROUP - allowed for \$534.91.

22 i. PALM DESERT RADIOLOGY MEDICAL GROUP - allowed for
23 \$21.00.

24 j. ROBINSON'S-MAY - allowed for \$28.05.

25 k. PAUL WILLIAMS TILE CO., INC. - allowed for \$1,222.50.

26 l. JONATHAN & ASSOCIATES - allowed for \$2,097.62.

27

28 DECREE OF FINAL DISTRIBUTION -3-

- 1 m. OSCAR ORRELLANO - allowed for \$114.00.
2 n. NOREEN A. BUMBY, D.O. - allowed for \$1,365.00.
3 o. AMERICAN EXPRESS (Estate Recoveries, Inc.) - allowed
4 for \$4,321.32.
5 p. GREENWOOD TRUST COMPANY - accepted for \$2,029.96;
6 rejected for \$50.15.

7 12. All claims filed against the estate that have been
8 allowed and approved have been paid. Petitioner has given
9 written notice of rejection of all other claims filed or
10 presented. Each rejected claim has either been settled by
11 compromise or litigation, or the time within which suit must
12 be instituted on the rejected claim has expired.

13 13. All debts of the estate and of decedent and all
14 expenses of administration except for closing expenses have
15 been paid, and the estate is in a condition to be distributed
16 and closed. The amount of closing expenses should not exceed
17 \$4,000.00.

18 14. A federal estate tax return has been filed. The
19 total amount of federal estate tax due has been paid in full.
20 The return has been audited.

21 15. Decedent died after the effective date of the repeal
22 of the California inheritance tax.

23 16. A California estate tax return has been filed. The
24 total amount of California estate tax due has been paid in
25 full. The return has not been audited.

26 17. No California or federal income taxes are due.
27

1 18. No personal property taxes are due.

2 19. The entire estate consists of decedent's separate
3 property.

4 IT IS ORDERED that:

5 1. The final account of the personal representatives of
6 decedent's estate is hereby allowed and settled.

7 2. All acts of petitioners as personal representatives
8 of decedent's estate are hereby ratified and approved.

9 3. Petitioners is hereby authorized and directed to
10 distribute estate property as follows:

11 a. To BARBARA GITTINGS and KAY LAHUSEN, adults,
12 strangers, Five percent (5%) of the residue of decedent's
13 estate pursuant to Article Seventh, Paragraph A.

14 b. To WILLIAM K. LEAHY, adult, stranger, Five
15 percent (5%) of the residue of decedent's estate pursuant to
16 Article Seventh, Paragraph B.

17 c. To PHILADELPHIA LESBIAN AND GAY TASK FORCE, a
18 non-profit corporation, ten percent (10%) of the residue of
19 decedent's estate pursuant to Article Seventh, Paragraph C..

20 d. To DOROTHY M. ADAIR five per cent (5%) of the
21 residue of the estate pursuant to Article Seventh, Paragraph
22 D, five percent (5%) of the residue of decedent's estate, free
23 of trust.

24 e. The residue of the estate, pursuant to Article
25 Seventh, Paragraph E., to KAY LAHUSEN and BARBARA GITTINGS,
26 jointly or to either of them separately, as trustee for the
27

1 sole benefit of THOMAS TUCKER ADAIR as follows:

2 1. The trust funds are to be used, in the sole
3 discretion of decedent's Trustee(s), ~~for the necessities of~~
4 ~~life, for the education, care and maturing of decedent's son,~~
5 ~~Thomas Tucker Adair, and to provide for his necessities to the~~
6 extent that he is unable to provide them for himself, and for
7 the education, care, comfort and necessities of John S. Mix,
8 during their lifetimes.

9 2. Decedent's Trustee(s) shall have power to
10 invade the principal, when in his opinion such is reasonably
11 necessary and wise, by the amount of \$5,000 in any one year
12 for each of said beneficiaries; said \$5,000 cap on invasions
13 of principal shall increase each year from the date of
14 decedent's Last Will and Testament, by the same percentage as
15 the Cost of Living increases in the statistical area covering
16 the Los Angeles Metropolitan Area (presently the Los
17 Angeles/Anaheim/Riverside statistical area) as compiled and
18 reported as changes in the consumer price index, for all urban
19 wage earners, by the United States Department of Labor, or as
20 otherwise officially determined. In the Trustee's sole
21 discretion, distribution may be made monthly, quarterly, semi-
22 annually or annually, or from time to time as reasonably
23 needed, of the income and earnings from the trust attributable
24 to each of the beneficiaries thereof.

25 3. Decedent's Trustee(s) shall have authority
26 to withhold any such payment as to any beneficiary in
27

28 DECREE OF FINAL DISTRIBUTION -6-

1 decedent's Trustee's sole discretion if decedent's Trustee(s)
2 is or are not fully convinced that distribution at any
3 particular time would be in the best interests of the
4 beneficiary. Decedent reposes special trust and faith in the
5 judgment of Kay Lahusen and Barbara Gittings as Trustee(s),
6 and relied upon them to make decisions for decedent's
7 beneficiary much as decedent could do were decedent personally
8 present to determine whether any particular payment would be
9 beneficial at any given time.

10 4. The beneficiary shall have no power to
11 compel payment by the Trustee(s) of any sum, interest or
12 principal, complete power and responsibility being vested by
13 decedent in decedent's named Trustee(s).

14 5. Decedent's Trustee(s) shall have power to
15 name a successor or alternate trustee(s) at any time.

16 6. Upon the death of Thomas Tucker Adair,
17 decedent's successor or alternate trustee(s) shall pay any
18 reasonable funeral expenses, and the reasonable expenses of
19 the last illness of Thomas Tucker Adair; thereafter, the
20 residue (hereinafter "the residue in decedent's Trust") shall
21 be divided as follows:

22 a. Fifty percent (50%) of the residue in
23 decedent's trust shall be divided among several gay and
24 lesbian civil rights organizations, in such amounts or
25 percentages as shall be determined by the then-serving
26 Executive Director of the Philadelphia chapter of the American
27

28 DECREE OF FINAL DISTRIBUTION -7-

1 Civil Liberties Union, or its successor organization. Those
2 organizations which are then actively working with gay and
3 lesbian civil rights and anti-discrimination concerns in the
4 so-called Greater Philadelphia area shall be given special
5 consideration, but the person making the final selections
6 shall not be limited solely to groups active in the
7 Philadelphia area. State, regional, or national organizations
8 serving those concerns, and especially deserving local
9 organizations in other geographic areas, may be included by
10 the official making the final determinations. The decision of
11 the Executive Director shall be final, absent fraud. Should
12 the named Executive Director refuse to serve in this capacity,
13 the person, group or committee designated to make the
14 selections shall be that person, group or committee named by
15 the board of directors of the Philadelphia Chapter of the
16 American Civil Liberties Union, or its successor.

17 b. Ten percent (10%) of the residue in
18 decedent's Trust shall be used to establish a scholarship fund
19 for gay and lesbian students to enable or assist them to
20 obtain post-secondary education of any type (college,
21 technical, art, vocational or other educational training
22 programs) for students who reside in the Greater Philadelphia
23 area, to be established in such manner and under such
24 guidelines and conditions as may be established by the
25 Executive Director of the Philadelphia Chapter of the American
26 Civil Liberties Union, or its successor, or any person, group
27

28 DECREE OF FINAL DISTRIBUTION -8-

1 or committee selected as an alternate method of selection by
2 the board of directors of the Philadelphia Chapter of the
3 American Civil Liberties Union, or its successor.

4 c. Ten percent (10%) of the residue in
5 decedent's Trust shall be given to Hahneman University,
6 presently located at Broad and Vine Streets, in Philadelphia,
7 Pennsylvania, or its successor organization.

8 d. Ten percent (10%) shall be distributed
9 among any living family members, being decedent's legal heirs,
10 per stirpes and not per capita.

11 e. Five percent (5%) of the residue in
12 decedent's Trust shall be given to West Catholic High School,
13 46th and Chestnut Streets, Philadelphia, Pennsylvania; if the
14 West Catholic High School no longer exists at the time of
15 distribution of decedent's Trust residue, then this amount
16 shall instead be added to the amount earlier granted to the
17 scholarship fund established in subsection b above.

18 f. Five percent (5%) of the residue in
19 decedent's Trust shall be given to the Philadelphia Chapter of
20 the American Civil Liberties Union, or its successor.

21 g. The drafter of decedent's will was in
22 error in the sum of the various remainder interests of the
23 THOMAS TUCKER ADAIR trust as these same gifts add up to a
24 total of Ninety percent (90%), leaving Ten percent (10%) of
25 the remainder without a named beneficiary. The trustee(s)
26 shall increase the named remainder beneficiaries gifts in pro
27

1 rata shares to absorb the missing Ten percent (10%).

2 9. Any property of the estate that is presently unknown
3 or that may be discovered in the future, whether owned by
4 decedent at the time of death or subsequently acquired by the
5 estate, and any property that may hereafter be acquired by the
6 estate, is hereby distributed as follows: To BARBARA GITTINGS
7 and KAY LAHUSEN, as Trustees for the benefit of THOMAS TUCKER
8 ADAIR.

9
10 Dated: SEP 15 1997


11
12 GRAHAM ANDERSON CRIBBS
13 JUDGE OF THE SUPERIOR COURT


RESIGNATION OF NAMED TRUSTEES
AND APPOINTMENT OF SUCCESSOR TRUSTEE

BARBARA GITTINGS and KAY LAHUSEN, Trustees of THE THOMAS TUCKER ADAIR TRUST created pursuant to Court Order dated September 15, 1997, in the Probate Case No. 14654, hereby appoint ENZO PROVENZA, a licensed professional trustee, to act as their successor trustee pursuant to Paragraph 5 of the afore mentioned Order.

BARBARA GITTINGS and KAY LAHUSEN, the original co-trustees named as trustees of THE THOMAS TUCKER ADAIR TRUST, hereby resign as trustees effective upon the acceptance of ENZO PROVENZA of his appointment as successor trustee and upon his signed receipt for the trust corpus.

DATED: March 30, 2000


BARBARA GITTINGS


KAY LAHUSEN

I accept the position of successor trustee of THE THOMAS TUCKER ADAIR TRUST.

DATED: 4/5/00


ENZO PROVENZA

CERTIFICATION OF TRUSTEES UNDER TRUST

(California Probate Code Section 18100.5)

I, Enzo G. Provenza, 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 Thomas Tucker Adair Trust
Date of Trust: Created pursuant to Court Order dated September 15, 1997
Trustor(s)/Settlor(s): John David Adair
Original Trustee(s): Barbara Gittings and Kay Lahusen
Successor Trustee(s): Enzo G. Provenza
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: Enzo G. Provenza as Successor Trustee

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: Enzo G. Provenza
Nature of document: Assignment of Right to Collect Excess Proceeds
Date of document: November 18, 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 18th day of November, 2015.

Signature

Name: ENZO G. PROVENZA
Address: P.O. Box 2266
City, State, Zip Rancho Mirage, CA 92270-1085

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 November 18, 2015 before me, MARYANNE KREIZINGER-BROWN,
(Date) Notary Public, personally appeared
(here insert name and title of the officer)

ENZO G. PROVENZA -----, 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
GD Number: 24910-196589

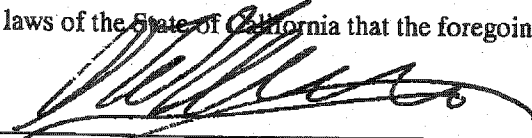


STATEMENT OF AMOUNT DUE AND OWING

The undersigned hereby states that the original amount of the lien or security interest against Assessor's Parcel Number(s) 639-191-030-6, Situs Address: 66050 5TH ST DSRT HOT SPG CA 92240 was \$17,700.00. 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 \$25,998.33; 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.

November 18, 2015
DATE: MONTH, DAY, YEAR


Enzo G. Provenza as Successor Trustee of The Thomas Tucker Adair Trust

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

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State of California

County of Riverside

On November 18, 2015 before me, MARYANNE KREIZINGER-BROWN,
(Date) Notary Public, personally appeared
(here insert name and title of the officer)

ENZO G. PROVENZA, 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)



Amount Due And Payable Calculation

Trustor(s) or Debtor(s): Thomas Tucker Adair
Beneficiary(ies) or Creditor(s): Enzo G. Provenza as Successor Trustee of The Thomas Tucker Adair Trust
Instrument Number: 2008-70897
County: Riverside
APN: 639-191-030-6

Original Principal Balance of Loan: \$17,700.00
Interest Rate: 6.75%
Payment Received: \$995.60

Last Payment Received Date: 12/5/2008
Interest Accrual to Date: 4/30/2015
Total in Years: 6.40

Total Interest Due: \$7,219.43

Monthly Payment: \$450.00
Late Payment Penalty-Percent: 6%
Total Late Fees: \$2,074.50

Interest and Late Payments Due: \$9,293.93
Unpaid Principal Balance Due: \$16,704.40

Total Due to Date: \$25,998.33

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

Dated this 18th day of November 20 15

Signature: [Handwritten Signature]
Enzo G. Provenza as Successor Trustee of The Thomas Tucker Adair Trust

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 November 18, 2015 before me, MARYANNE KREIZINGER-BROWN,
(Date) Notary Public, personally appeared
(here insert name and title of the officer)

ENZO G. PROVENZA, 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.

[Handwritten Signature] (seal)
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: 639191030-6
Tax Sale Number: TC 203
Item Number: 508
Date of Sale: 4/30/2015

The undersigned claimant, Global Discoveries, Ltd., claims \$25,998.33+/- 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 9th day of December, 2015 at Modesto, California.

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

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

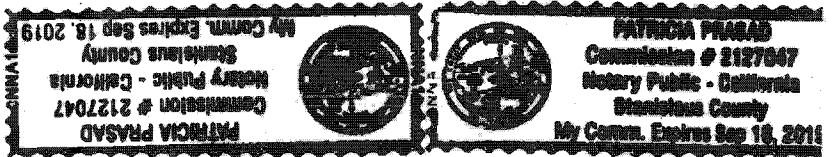
On 12/11/2015 before me, Patricia Prasad - Notary Public, personally appeared Jed Byerly
(Date) (here insert name and title of the officer)

_____ 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

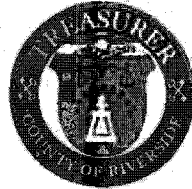


JON CHRISTENSEN
ASSISTANT TREASURER-TAX COLLECTOR

DEBBIE BASHE
INFORMATION TECHNOLOGY OFFICER

GIOVANE PIZANO
INVESTMENT MANAGER

KIEU NGO
FISCAL MANAGER



DON KENT
TREASURER

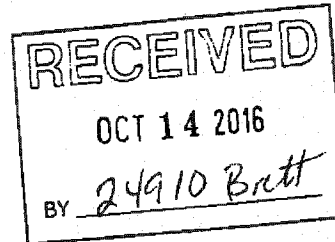
MATT JENNINGS
CHIEF DEPUTY TREASURER-TAX COLLECTOR

MELISSA JOHNSON
CHIEF DEPUTY TREASURER-TAX COLLECTOR

ADRIANNA GOMEZ
ADMINISTRATIVE SERVICES MANAGER

October 5, 2016

Global Discoveries, Ltd.
PO Box 1748
Modesto, CA 95353



Re: APN: 639191030-6
TC 203 Item 508
Date of Sale: May 5, 2015

To Whom It May Concern:

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

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

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

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

Please send in all documents within 30 days (November 4, 2016). If you should have any questions, please contact me at the number listed below.

Sincerely,

Jennifer Pazicni
Tax Sale Operations Unit
(951) 955-3336
(951) 955-3990 Fax
jpazicni@RivCoTTC.org

COUNTY OF RIVERSIDE, TREASURER-TAX COLLECTOR

4080 LEMON STREET, 4TH FLOOR * P.O. BOX 12005 * RIVERSIDE, CALIFORNIA 92502
WWW.COUNTYTREASURER.ORG * (951) 955-3336 * (951) 955-3990



November 3, 2016

VIA CERTIFIED MAIL

Jennifer Pazicni
Tax Sale Operations- Excess Proceeds Dept
Riverside County
4080 Lemon St. 4th Floor
Riverside, CA 92501

Parcel: 639191030-6
Sale Date: 4/30/2015
Tax Sale # TC203 Item # 508

Dear Ms. Pazicni,

We are in receipt of your request for an Updated Statement of Monies Owed (as of date of tax sake) that applies to the above referenced parcel for Global's claim filed on behalf of Enzo G. Provenza as Successor Trustee of The Thomas Tucker Adair Trust:

- Updated Statement of Amount Due and Owing signed by Enzo G. Provenza

We hope the enclosed should assist in perfecting our claim, if you should have any further questions please contact me at 209-593-3904 or 1-800-370-9109. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Reynosa", with a long horizontal flourish extending to the right.

Michelle Reynosa
Team Leader of Claims Processing

Certified Tracking # 7016-1370-0000-0362-6576




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) 639-191-030-6, Situs Address: 66050 5TH ST DSRT HOT SPG CA 92240 was \$17,700.00. 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 \$25,998.33; 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.

11/02/16
DATE: MONTH, DAY, YEAR


Enzo G. Provenza as Successor Trustee of The Thomas Tucker Adair Trust

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 11-2-16 before me, RICHARD W. MARTIN NOTARY PUBLIC, personally appeared

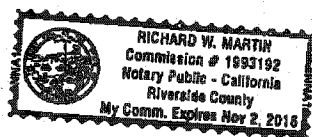
(Date) ENZO G. PROVENZA (here insert name and title of the officer)

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)





EP 200-000
 STATE OF CALIFORNIA
 FRANCHISE TAX BOARD
 COLLECTION ADVISORY TEAM, MS A-240
 PO BOX 2952
 SACRAMENTO CA 95812-2952

RECEIVED

Notice Date: August 17, 2015

2015 AUG 25 AM 7:33

In Reply Refer To:

**RIVERSIDE COUNTY
 TREAS- TAX COLLECTOR**

624:BS: ADAIR

CLAIM FOR EXCESS PROCEEDS

DON KENT, TREASURER-TAX
 COLLECTOR
 ATTN: SURPLUS FUNDS DEPT.
 PO BOX 12005
 RIVERSIDE, CA 92502-2205

Assessment No. : 639191030-6 ITEM: 508
 Taxpayer (s) : THOMAS ADAIR
 FTB Account Number :
 Property Address : 66050 5TH STREET DESERT HOT SPRINGS, CA 92240

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 June 18, 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:

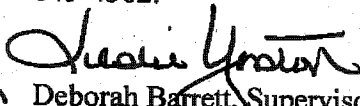
A Certificate of Tax Due and Delinquency reflecting the current tax indebtedness of Thomas Adair, Account Number

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

The amount of the claim for the Franchise Tax Board is \$13,732.21, as of June 18, 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 Bob Schmitt of this department at (916) 845-4302.

for 
 Deborah Barrett, Supervisor
 Collection Advisory Team

**State of California
Franchise Tax Board**

Certificate of Tax Due and Delinquency

Filed Pursuant to Part 10.2, Division 2, Revenue and Taxation Code

State of California)
)
County of Sacramento)

The Franchise Tax Board certifies that:

The taxpayer is delinquent in payment of tax, penalties, and interest imposed upon the taxpayer under the provisions of the California Revenue and Taxation Code.

The name of the taxpayer, the last known address, and the amount of tax, penalties, and interest with reference to which the taxpayer is delinquent are as follows:

THOMAS ADAIR
66050 5TH STREET
DESERT HOT SPRINGS, CA 92240

Tax Year	Tax	Penalties	Interest	Fees	Payments	Total
2004	\$15,223.00	\$2,232.33	\$6,503.17	\$210.00	\$10,436.29	\$13,732.21*
TOTAL	\$15,223.00	\$2,232.33	\$6,503.17	\$210.00	\$10,436.29	\$13,732.21*

(*) Balance(s) reflect(s) the liabilities secured by a recorded or filed Notice of State Tax Lien as of the date of the trustee's sale June 18, 2015.

The following Notice(s) of State Tax Lien have/have been recorded or filed:

Cert No. 10014367633 recorded in Riverside County on January 26, 2010, for the tax year 2004, under Instrument No. 2010-0032623.

The taxpayer is indebted to the State of California in the above amount; no part of the indebtedness has been paid and the whole thereof is now due, owing and unpaid from the taxpayer to the State of California; the Franchise Tax Board has fully complied with all provisions of the Revenue and Taxation Code relating to the computation and levy of tax, penalties, and interest.

IN WITNESS WHEREOF the Franchise Tax Board has caused this Certificate to be executed in its name and on its behalf and its seal to be affixed by the undersigned, thereunto duly authorized.

Dated August 17, 2015

(Seal)

FRANCHISE TAX BOARD
of the State of California

BY 

Bob Schmitt, Advisor
(916) 845-4302

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 # 2010-0032623

01/26/2010 08:00A 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: 10014387633

0260

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 as follows:

Name of Taxpayer(s) : THOMAS T ADAIR

FTB Account Number :

Social Security Number(s) :

Last Known Address : 66050 5TH ST
: DESERT HOT SPRING CA 92240-3139

For Taxable Years : 2004

TAX	PENALTY	INTEREST	COLLECTION FEES	PAYMENTS	ADJUSTMENTS	TOTAL
\$15,223.00	\$3,805.75	\$4,529.04	\$200.00	\$-558.86	\$-6,293.70	\$16,908.13

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: 01/20/10



FRANCHISE TAX BOARD
of the State of California

Collection Bureau
Telephone Number: (916) 845-4350

By:

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

Authorized facsimile signature.

FTB 2010 V1 ARCS (REV 03-2008)



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

Fax

Date: December 6, 2016

To: State of CA, FTB, Attn: Bob Schmitt

From: Jennifer Pazicni

Fax: 916-845-3277

Phone: 951 955-3336

Pages: 4

Fax: 951-955-3990

Re: Excess/Surplus Proceeds Claim (EP203-508)

CC:

Urgent

For Review

Please Comment

Please Reply

Please Recycle

Bob Schmitt,

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

Thank you,

Jennifer Pazicni
Tax Sale Operations
951 955-3336
jpazicni@RivCoTTC.org



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

Notice Date: December 14, 2016

CLAIM FOR EXCESS PROCEEDS

In Reply Refer To:
 624:BS: ADAIR

DON KENT , TREASURER-TAX
 COLLECTOR
 ATTN: SURPLUS FUNDS DEPT/JENNIFER
 PAZICNI.
 PO BOX 12005
 RIVERSIDE, CA 92502-2205

RECEIVED
 2016 DEC 20 AM 9:34
 RIVERSIDE COUNTY
 TREAS-TAX COLLECTOR

UPDATED EXCESS PROCEEDS CLAIM

Assessment No. : 639191030-6 ITEM: 508
 Taxpayer (s) : THOMAS ADAIR
 FTB Account Number :
 Property Address : 66050 5TH STREET DESERT HOT SPRINGS, CA 92240

I, Brenda Sizer, 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 June 18, 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:

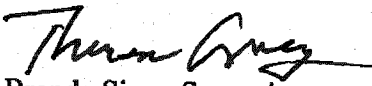
A Certificate of Tax Due and Delinquency reflecting the current tax indebtedness of Thomas Adair, Account Number

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

The amount of the claim for the Franchise Tax Board is \$13,732.21, as of June 18, 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 Bob Schmitt of this department at (916) 845-4302.

Ba 
 Brenda Sizer, Supervisor
 Collection Advisory Team

**State of California
Franchise Tax Board**

Certificate of Tax Due and Delinquency

Filed Pursuant to Part 10.2, Division 2, Revenue and Taxation Code

State of California)
)
County of Sacramento)

The Franchise Tax Board certifies that:

The taxpayer is delinquent in payment of tax, penalties, and interest imposed upon the taxpayer under the provisions of the California Revenue and Taxation Code.

The name of the taxpayer, the last known address, and the amount of tax, penalties, and interest with reference to which the taxpayer is delinquent are as follows:

**THOMAS ADAIR
66050 5TH STREET
DESERT HOT SPRINGS, CA 92240**

Tax Year	Tax	Penalties	Interest	Fees	Payments	Total
2004	\$15,223.00	\$2,232.33	\$6,503.17	\$210.00	\$10,436.29	\$13,732.21
Total Liened	\$15,223.00	\$2,232.33	\$6,503.17	\$210.00	\$10,436.29	\$13,732.21
Tax Year	Tax	Penalties	Interest	Fees	Payments	Total
2004	\$0.00	\$0.00	\$618.36	\$0.00	\$0.00	\$618.36
Total Un-Liened	\$0.00	\$0.00	\$618.36	\$0.00	\$0.00	\$618.36

(*) Balance(s) reflect(s) the liabilities secured by a recorded or filed Notice of State Tax Lien as of the date of the trustee's sale June 18, 2015.

(**) Balances reflect the liabilities not secured by a recorded or filed Notice of State Tax Lien as of the date of this certificate. The current daily per diem on these liabilities is \$0.05.

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

Cert No. 10014367633 recorded in Riverside County on January 26, 2010, for the tax year 2004, under Instrument No. 2010-0032623.

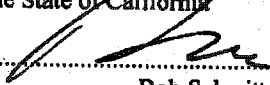
The taxpayer is indebted to the State of California in the above amount; no part of the indebtedness has been paid and the whole thereof is now due, owing and unpaid from the taxpayer to the State of California; the Franchise Tax Board has fully complied with all provisions of the Revenue and Taxation Code relating to the computation and levy of tax, penalties, and interest.

IN WITNESS WHEREOF the Franchise Tax Board has caused this Certificate to be executed in its name and on its behalf and its seal to be affixed by the undersigned, thereunto duly authorized.

Dated December 14, 2016

(Seal)

FRANCHISE TAX BOARD
of the State of California

BY.....
 
Bob Schmitt, Advisor
(916) 845-4302



FRANCHISE TAX BOARD

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

Date: December 14, 2016

In reply refer to:
624: BS ADAIR

DON KENT, TREASURER-TAX COLLECTOR
ATTN: SURPLUS FUNDS DEPT/JENNIFER PAZICNI.
PO BOX 12005
RIVERSIDE, CA 92502-2205

Subject : ORDER TO WITHHOLD PERSONAL INCOME TAX
File NO : 639191030-6 ITEM: 508
Taxpayers : THOMAS ADAIR
FTB # :
Property Address: 66050 5TH STREET DESERT HOT SPRINGS, CA 92240

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 THOMAS ADAIR. When paying the Franchise Tax Board by check, it is essential that the FTB account number appear on the check. Referencing any other number will delay the processing of the check.

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

A handwritten signature in black ink, appearing to read "Bob Schmitt".

BOB SCHMITT, Advisor
Collection Advisory Team
(916) 845-4302



STATE OF CALIFORNIA
Franchise Tax Board, M/S A-340
PO BOX 2952
SACRAMENTO CA 95812-2952
(916)845-4371

**ORDER TO WITHHOLD
PERSONAL INCOME TAX**
PART 1 — RETAIN FOR YOUR RECORDS

Date: December 14, 2016

DON KENT, TREASURER-TAX COLLECTOR
ATTN: SURPLUS FUNDS DEPT/JENNIFER
PAZICNI.
PO BOX 12005
RIVERSIDE, CA 92502-2205

Case No..
Acct. No.:
SSN:
Tax Year(s): 2004

Taxpayer's Name and Address:

AMOUNT DUE \$ 618.36

THOMAS ADAIR
66050 5TH STREET
DESERT HOT SPRINGS, CA 92240

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 TRUSTEE SALE, FILE 639191030-6, ON JULY18, 2015.

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

IN COMPLYING WITH THIS ORDER, WE REQUEST THAT YOU:

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

EXCERPTS FROM CALIFORNIA REVENUE AND TAXATION CODE

18670. NOTICE TO WITHHOLD, HOW SERVED

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

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

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

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

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

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

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

18672. FAILURE TO WITHHOLD, LIABILITY

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

18674. WITHHOLD AGENT, MUST PAY WITHOUT RESORTING TO ACTION

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

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



STATE OF CALIFORNIA
Franchise Tax Board, M/S A-340
PO BOX 2952
SACRAMENTO CA 95812-2952
(916)845-4371

**ORDER TO WITHHOLD
PERSONAL INCOME TAX
PART 2 — RETURN WITH PAYMENT**

Date: December 14, 2016

DON KENT, TREASURER-TAX COLLECTOR
ATTN: SURPLUS FUNDS DEPT/JENNIFER
PAZICNI.
PO BOX 12005
RIVERSIDE, CA 92502-2205

Case No.: 639191030-6
Acct. No.:
SSN:
Tax Year(s): 2004

AMOUNT DUE \$ 618.36

Taxpayer's Name and Address:

THOMAS ADAIR
66050 5TH STREEET
DESERT HOT SPRINGS, CA 92240

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-340
PO BOX 2952
SACRAMENTO CA 95812-2952
(916)845-4371

**ORDER TO WITHHOLD
PERSONAL INCOME TAX
PART 3 — FURNISH TO TAXPAYER**

Date: December 14, 2016

DON KENT, TREASURER-TAX COLLECTOR
ATTN: SURPLUS FUNDS DEPT/JENNIFER
PAZICNI.
PO BOX 12005
RIVERSIDE, CA 92502-2205

Case No.: 639191030-6
Acct. No.:
SSN:
Tax Year(s): 2004

AMOUNT DUE \$ 618.36

Taxpayer's Name and Address:

THOMAS ADAIR
66050 5TH STREET
DESERT HOT SPRINGS, CA 92240

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

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

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

SPECIAL INFORMATION CONCERNING TAXPAYER RIGHTS

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

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

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

EXCERPTS FROM CALIFORNIA REVENUE AND TAXATION CODE

18670. NOTICE TO WITHHOLD, HOW SERVED

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

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

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

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

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

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

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

18672. FAILURE TO WITHHOLD, LIABILITY

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

18674. WITHHOLD AGENT, MUST PAY WITHOUT RESORTING TO ACTION

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

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