

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



ITEM
9.11
(ID # 5802)

MEETING DATE:

Tuesday, January 23, 2018

FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 207, Item 526. Last assessed to: Mac First Investments Corporation, District 5. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Deny the claim from Unclaimed Financial, agent for Juan Zacarias, for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 481270039-6;
2. Deny the claim, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.
3. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$28,565.74 to the county general fund pursuant to Revenue and Taxation Code Section 4674.

ACTION: Policy

Jon Christensen, Treasurer-Tax Collector 1/10/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, 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, Perez and Ashley
Nays: None
Absent: None
Date: January 23, 2018
xc: Treasurer

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:			Budget Adjustment:	N/A
			For Fiscal Year:	17/18

C.E.O. RECOMMENDATION: Approve

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 24, 2016 public auction sale. The deed conveying title to the purchasers at the auction was recorded July 14, 2016. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on August 10, 2016, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest.

Revenue and Taxation Code 4676 (b) states that the county shall make reasonable effort to obtain the name and last known mailing address of the parties of interest. Then, if the address of the party of interest cannot be obtained, the county shall publish notice of the right to claim excess proceeds in a newspaper of general circulation in the county as per Revenue and Taxation Code 4676 (c). The Treasurer-Tax Collector's Office has made it a policy to take the following actions to locate the rightful party of the excess proceeds.

1. Examined title reports to notify all parties of interest attached to the parcel.
2. Researched all last assessee's through the County's Property Tax System for any additional addresses.
3. Used Accurint (people finder) to notify any new addresses that may be listed for our last assessees.
4. Advertised in newspapers for three consecutive weeks in the Desert Sun, Palo Verde Valley Times and the Press Enterprise referring any parties of interest to file a claim for the excess proceeds.
5. Sent out a certified mailing within 90 days as required by Revenue and Taxation Code 4675.

According to Revenue and Taxation Code 4675 (a) Any party of interest in the property may file with the county a claim for the excess proceeds, in proportion to his or her interest held with others of equal priority in the property at the time of the sale, at any time prior to the expiration

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

of the one year following the recordation of the Tax Collector's deed to the Purchaser, which was recorded on July 14, 2016.

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

1. Claim from Unclaimed Financial, agent for Juan Zacarias based on an Authorization for Agent to Collect Excess proceeds dated April 3, 2017 and a Grant Deed recorded October 20, 2005 as Instrument No. 2005-0865934.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Unclaimed Financial, agent for Juan Zacarias be denied since he was not a party of interest at the time of the sale since he had transferred the property to Mac First Investments Corporation through a Grant Deed recorded October 20, 2005 as Instrument No. 2005-0865934. Since there are no other claimants the unclaimed excess proceeds in the amount of \$28,565.74 will be transferred to the county general fund. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.

Impact on Residents and Businesses

The excess proceeds are being transferred to the county general fund.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Unclaimed


Stephanie Pasi 1/12/2018

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

RECEIVED

To: Don Kent, Treasurer-Tax Collector

2017 MAY 22 PM 3: 29

Re: Claim for Excess Proceeds

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

TC 207 Item 526 Assessment No.: 481270039-6

Assessee: LOZANO, ALFREDO & ZACARIAS, JUAN ALONZO

Situs: 12900 HEACOCK ST MORENO VALLEY 92553

Date Sold: May 24, 2016

Date Deed to Purchaser Recorded: July 14, 2016

Final Date to Submit Claim: July 14, 2017

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 28,565.74 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. Englax, recorded on April. 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.

Grant deed Enclosed

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 12th day of May, 2017 at Nassau, NY
County, State

[Signature]
Signature of Claimant
Unclaimed Financial POA
Juan Alonso Zacarias

Signature of Claimant

Print Name
1030 Neilson St Suite 2A

Print Name

Street Address
Far Rockaway NY 11691

Street Address

City, State, Zip
845 521 6666

City, State, Zip

Phone Number

Phone Number

LIMITED POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS:

I, Juan Zacarias ("Principal") maintaining an address at _____ do hereby make and appoint
Unclaimed Financial Assets LLC ("Agent") maintaining an address at:
1030 Neilson st Suite 2A Far Rockaway NY 11691 my true and lawful
attorney-in-fact for me and in my name, and in my behalf.

My Agent shall have full power and authority to perform the following in my place and
stead:

I, do hereby designate Unclaimed Financial Assets LLC as my true and lawful attorney-
in-fact, or agent, to act in, manage, and conduct my affairs, and for that purpose to do and
execute acts, documents or things including any or all of the following acts, documents or
things:

1. to retain legal counsel to represent me in obtaining the surplus
2. to execute any and all documents necessary to fulfill my claim
3. to endorse and deposit checks issued for the claim:
4. to pay Unclaimed Financial Assets LLC an agreed upon percentage of the
proceeds obtained on my behalf;
5. To turn over the net proceeds of any claim to me.

The above especially enumerated powers are to aid in giving examples of the power
herein granted, and they are not to be constructed in limitation or definition thereof. We
hereby reserve the right of revocation. We further state that this limited Power of
Attorney shall not be affected by my subsequent disability or incapacity or by lapse of
time.

Durable

This Power of Attorney and the rights, powers, and authority of my Agent shall be a
Durable Power of Attorney. This Durable Power of Attorney and the rights, powers, and
authority of my Agent shall become effective immediately upon execution of this
instrument. The rights, powers, and authority of this document shall remain in full force
and effect thereafter until my death. This Power of Attorney shall not terminate on my
subsequent disability, incapacity or lack of mental competence (except as provided by
any applicable statute).

Signed on 04/03/2017 (date), at Riverside (city),
California (state).

Juan A Zacarias
Signature of Principal

(see acknowledgment attached)

ACKNOWLEDGMENT

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 04/03/2017 before me, ELIZABETH R GUDINO-NOTARY PUBLIC
(insert name and title of the officer)

personally appeared JUAN ZACARIAS AKA JUAN ALONZO ZACARIAS-----
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

Elizabeth Gudino

(Seal)



AUTHORIZATION FOR AGENT 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's claim 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 make Juan Zacarias my agent to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 4812 7034-6 sold at public auction on May 4th 2016. I understand that I AM NOT SELLING MY RIGHT TO THE REFUND, but merely naming an agent for collection purposes for my convenience.

I also understand that the total of excess proceeds available for refund is \$ 28,565.74 and that I have a right to file a claim for this refund on my own, without the help of an agent. For valuable consideration received my agent is appointed to act on my behalf.

Juan A. Zacarias
(Signature of Party of Interest)

Juan Zacarias
(Name Printed)

3862 Witt Ave.
(Address)

Riverside Ca. 92501
(City/State/Zip)

951) 662-9263
(Area Code/Telephone Number)

STATE OF CALIFORNIA)
COUNTY OF)

On _____ before me _____ personally appeared _____ 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 forgoing paragraph is true and correct.

WITNESS my hand and official seal.

(This area for official seal)

(Signature of Notary)

I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest, pursuant to Section 4675 of the California Revenue and Taxation Code, the full amount of excess proceeds available and ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN, WITHOUT THE HELP OF AN AGENT.

(Signature of Agent)

(Name Printed)

(Address)

(City/State/Zip)

See loose certificate attached

STATE OF CALIFORNIA)
COUNTY OF)

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared _____ 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.

WITNESS my hand and official seal.

(This area for official seal)

ACKNOWLEDGMENT

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 04/03/2017 before me, ELIZABETH R GUDINO-NOTARY PUBLIC
(insert name and title of the officer)

personally appeared JUAN ZACARIAS AKA JUAN ALONZO ZACARIAS
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

Elizabeth Gudino

(Seal)



AUTHORIZATION FOR AGENT 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's claim 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 make _____ my agent to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number _____ sold at public auction on _____. I understand that I AM NOT SELLING MY RIGHT TO THE REFUND, but merely naming an agent for collection purposes for my convenience.

I also understand that the total of excess proceeds available for refund is \$ _____ and that I have a right to file a claim for this refund on my own, without the help of an agent. For valuable consideration received my agent is appointed to act on my behalf.

(Signature of Party of Interest)

(Name Printed)

(Address)

(City/State/Zip)

(Area Code/Telephone Number)

STATE OF CALIFORNIA)ss.
COUNTY OF _____)

Other Page

On _____, before me, _____, personally appeared _____, 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 forgoing paragraph is true and correct.

WITNESS my hand and official seal.

(This area for official seal)

(Signature of Notary)

I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest, pursuant to Section 4675 of the California Revenue and Taxation Code, the full amount of excess proceeds available and ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN, WITHOUT THE HELP OF AN AGENT.

(Signature of Agent)

Unclaimed Financial Management
(Name Printed)

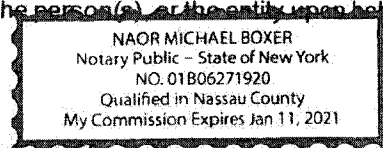
1030 Neilson St Suite 2A
(Address)

Far Rockaway NY 11691
(City/State/Zip)

STATE OF CALIFORNIA New York)ss.
COUNTY OF Nassau)

On 12th day of May 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared M Citronbaum, 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.

WITNESS my hand and official seal.



(This area for official seal)

TICOR TITLE

DOC # 2005-0865934

10/20/2005 08:00A Fee:27.00

Page 1 of 1

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO AND MAIL TAX STATEMENTS TO

NAME: Mac First Investments Corp.
ADDRESS: 6349 Riverside Ave.
CITY: Riverside
STATE & ZIP: CA 92506



								SAF	MSC	
A	R	L				COPY	LONG	REFUND	NCHG	EXAM

TRA: 021
TITLE ORDER NO.

GRANT DEED
ESCROW NO.

APN NO. 481-270-039
021-329 27

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX is \$ NONE CITY TAX
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 Moreno Valley, and



5308177-43

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, ALFREDO LOZANO, A SINGLE MAN AND JUAN ALONSO ZACARIAS, A MARRIED MAN, AS HIS SOLE AND SEPARATE PROPERTY ALL AS JOINT TENANTS

hereby GRANT(S) to MAC FIRST INVESTMENTS CORPORATION

the following described real property in the County of RIVERSIDE, State of California;
PARCEL A, AS SHOWN ON LOT LINE ADJUSTMENT NO. 972, AS EVIDENCED BY DOCUMENT RECORDED JULY 23, 2005 AS INSTRUMENT NO. 05-497748 OF OFFICIAL RECORDS BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT A ATTACHED AND MADE A PART HERE OF.

Dated August 29, 2005

Alfredo Lozano
ALFREDO LOZANO

ACCOMMODATION ONLY

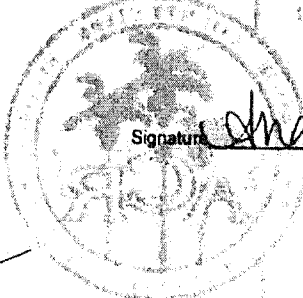
Juan Alonso Zacarias
JUAN ALONSO ZACARIAS
Juan Alonso Zacarias

STATE OF CALIFORNIA
COUNTY OF Riverside is.

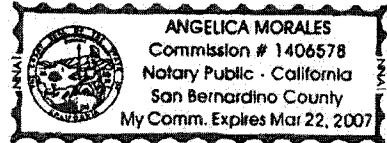
On September 1, 2005 before me,
Angelica Morales (here insert name and title of the officer), personally appeared Alfredo Lozano and Juan Alonso Zacarias

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) were 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 Angelica Morales



CALIFORNIA USA

IDENTIFICATION CARD



ID

EXP 06/22/2018

LN ZACARIAS

FN JUAN ALONZO

3862 WITT ST
RIVERSIDE, CA 92501

DOB 06/22/1967

06221967

Juan Alonzo Zacarias

SEX M

HAIR BLK

EYES BRN

HGT 5'-05"

WGT 170 lb

DD 02/28/201354531/BBFD/18

ISS

02/28/2013