

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



ITEM: 3.38
(ID # 14011)

MEETING DATE:
Tuesday, January 12, 2021

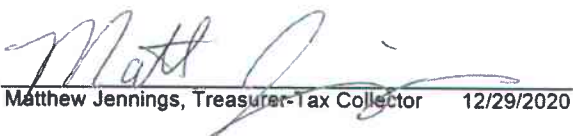
FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Proposed Sale of Tax-Defaulted Land to the Riverside County Flood Control and Water Conservation District, a Special District, by Agreement to Purchase Tax-Defaulted Property Number 4456, District(s) 5. [\$0].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the sale of tax-defaulted parcel(s) 663171008; to the Riverside County Flood Control and Water Conservation District, a Special District.
2. Authorize the Chairman of the Board to sign both Agreements and have them returned along with the supporting documentation (Exhibits "A" through "D") to the Treasurer-Tax Collector for transmittal to the State Controller.

ACTION:Policy


Matthew Jennings, Treasurer-Tax Collector 12/29/2020

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: January 12, 2021
xc: Treasurer

Kecia R. Harper
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:	2020-2021

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Sales to public agencies of this type of property, subject to a recorded Notice of Power to Sell for non-payment of property taxes as required by law, are provided for pursuant to Chapter 8 of the California Revenue and Taxation Code, Section 3771 et. seq. The Agreement to Purchase Tax-Defaulted Property, including Exhibit "A" through Exhibit "D", are attached. These exhibits include Resolution No. F2020-29 (Exhibit "D") from the Riverside County Flood Control and Water Conservation District, a Special District.

Parcel number 663171008 is located in the Outside City in District 5.

The purchase price of \$3,185.88 was determined pursuant to Section 3793.1 of the California Revenue and Taxation Code, State of California, which represents the full redemption amount. The purchase price includes the cost of advertising, pursuant to Section 3793.1 of the California Revenue and Taxation Code.

Please note that even after approval by the Board of Supervisors and authorization by the State Controller, the right of redemption on these properties remains until the effective date of the Agreement.

Impact on Residents and Businesses

Riverside County Flood Control and Water Conservation District, a Special District is purchasing these properties to implement flood protection and drainage facilities to the immediate areas.

ATTACHMENTS (if needed, in this order):

ATTACHMENT A. Assessor Map

A copy of the Assessor's map numbered 663-17 pertaining to the parcel listed above is attached for reference.

ATTACHMENT B. Agreement #4456

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

Two (2) Agreements both numbered 4456 being executed in counterparts, each of which constitutes an original and one (1) copy of the supporting documentation labeled exhibits "A" through "D".



Stephanie P., Principal Management Analyst 1/4/2021

AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY

This Agreement **4456** is made this 12th day of January, 2021, by and between the Board of Supervisors of Riverside County, State of California, and the Riverside County Flood Control & Water Conservation District, a Special District ("PURCHASER"), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

On May 10, 2017, the Riverside County Flood Control & Water Conservation District, a Special District applied to purchase the subject properties (Exhibit "A").

The real property situated within said County, hereinafter set forth and described in Exhibit "B" attached hereto and made a part hereof, is tax-defaulted and is subject to the Power of Sale by the Treasurer-Tax Collector (Exhibit "C") of said County for the nonpayment of taxes, pursuant to provisions of law.

A certified copy of the Resolution authorizing the purchase of the property by the Riverside County Flood Control & Water Conservation District, a Special District is attached as Exhibit "D".

It is mutually agreed as follows:

1. That as provided by section 3800 of the Revenue and Taxation Code, the cost of giving notice of this Agreement shall be paid by the PURCHASER, and;
2. That the PURCHASER agrees to pay the sum of **\$3,185.88** for the real property described in Exhibit "B" within fourteen (14) days after the date this Agreement becomes effective. Upon payment of said sum to the Treasurer-Tax Collector, the Treasurer-Tax Collector shall execute and deliver a deed conveying title of said property to PURCHASER;
3. That the PURCHASER agrees to use the parcel(s) for public purpose under the following intent: **To implement flood protection and drainage facilities to the immediate areas.**
4. That, if said Purchaser is a taxing agency as defined in the Revenue and Taxation Code, section 121 or any other agency that receives its revenue share under the provisions of Division 1, Part 8, Chapter 3 of the Revenue and Taxation Code, it will not share in the distribution of the payment required by the Agreement as defined by section 3791 and section 3720 of the Revenue and Taxation Code.
5. If the intended schedule and effective date of the Agreement is delayed, the Purchaser and the Board of Supervisors will renegotiate the increase of the purchase price amount accordingly.

If all or any portion of any individual parcel described in this Agreement is redeemed prior to the effective date of this Agreement, this Agreement shall be null and void as to that individual parcel. This Agreement shall also become null and void and the right of redemption restored upon the PURCHASER'S failure to comply with the terms and conditions of this Agreement.

WHEN DOCUMENT IS FULLY EXECUTED RETURN

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010

Post Office Box 1147, Riverside, Ca 92502-1147

Thank you.

AGREEMENT 4456
RIVERSIDE COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT,
A SPECIAL DISTRICT

JAN 12 2021 3.38

AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY

The undersigned hereby agrees to the terms and conditions of this Agreement and are duly authorized to sign for said agencies.

This document is being executed in counterpart, each of which constitutes an original.

ATTEST: RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT,
A SPECIAL DISTRICT
(Purchaser)

By: *J. Uhly, GM-CE*
(Signature and Title)

Jason E. Uhly
(Print)

(seal)

Date: 11/9/2020

FORM APPROVED BY COUNTY COUNSEL

By: *[Signature]* 15DEC20
MICHAEL C. THOMAS DATE
Deputy County Counsel

ATTEST: BOARD OF SUPERVISORS

KECIA HARPER
Clerk of the Board of Supervisors

By: KAREN SPIEGEL

By: *[Signature]*
Deputy

By: Karen S. Spiegel
Chair of the Board of Supervisors

(seal)

Date: 1/12/2021

AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY

This document is being executed in counterpart, each of which constitutes an original.

Pursuant to the provisions of section 3795 of the California Revenue and Taxation Code, the Controller approves the foregoing Agreement this 25 day of January, 2021.

BETTY T. YEE, CALIFORNIA STATE CONTROLLER

By: _____


JENNIFER MONTECINOS, Manager
Tax Administration Section

AGREEMENT 4456
RIVERSIDE COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT,
A SPECIAL DISTRICT

EXHIBIT "A"
PURCHASE APPLICATION
CHAPTER 7 FORM 11 (N/A)
CHAPTER 7 PUBLICATION (N/A)
LETTER RE: PUBLICATION & OBJECTION

AGREEMENT 4456
RIVERSIDE COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT,
AS A SPECIAL DISTRICT

Application to Purchase Tax-Defaulted Property from County

This application must be completed by eligible purchasing entity to commence purchase of tax-defaulted property by Agreement sale from the county under applicable provisions of the California Revenue and Taxation Code. Complete the following sections and supply supporting documentation accordingly. Completion of this application **does not** guarantee purchase approval.

A. Purchaser Information

1. Name of Organization: Riverside County Flood Control & Water Conservation District
2. Mailing Address: 1995 Market Street, Riverside, Ca 92501
3. Contact Person: Rick Beauchamp Phone: 951-955-8204
4. Email: rbeauch@rivco.org
5. Corporate Structure – check the appropriate box below and provide the corresponding information:
 Nonprofit Organization– provide Articles of Incorporation (if more than ten years old an update is required)
 Public Agency– provide Mission Statement on Letterhead and if Redevelopment Agency or Special District, also provide Jurisdiction Map
6. Agency is to acquire title “As” and the taxing status: Riverside County Flood Control & Water Conservation District, a Special District
(Taxing status example: City of Watsonville, a municipal corporation, as a Taxing Agency or Sacramento County Flood Control District, as a Revenue District)

B. Purchasing Information

Check the appropriate box as it relates to the purchasing Entity’s Corporate Structure and the intended use of the parcel:

1. Is the parcel currently approved for a Chapter 7 Tax Sale? Yes No
2. The purchase is by (choose only 1 of the 3): (Attach a separate letter objecting to a Chapter 7 tax sale of the parcel)
 Purchase by Special District
 Purchase by Select One
 Purchase by Nonprofit
3. The purpose of the purchase is: (check only one box) If additional space is needed attach separate sheet as an exhibit.
 To preserve a lien
 For public purpose to To provide flood protection
 For low income housing (sell or rent) circle one
 To preserve open space for _____
Describe public purpose

C. Property Information

Provide the following information. If there is more than one parcel or you need more space for any of the criteria, consolidate the information into a separate “Exhibit” document and attach it to this application:

1. County where the Parcel is located: Riverside
2. Assessor’s Parcel Number (if only one, list here more than one list on separate sheet): See Attached
3. State the purpose and intended use for the Parcel: To implement flood protection and drainage facilities to the immediate area

D. Acknowledgement

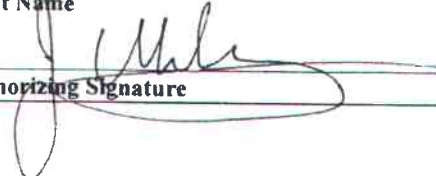
Provide the signature of the purchasing entity’s authorized officer

JASON E. UHLEY

951-955-1200

Print Name

Contact Number



General Manager-Chief Engineer 5/10/17

Authorizing Signature

Title

Date

(SCO 8-16) (2016)

Exhibit

List of Assessor's Parcel Numbers

Objected to Chapter 7

Sale of Parcels

<u>APN</u>	<u>Purpose and Intended Use of Each Parcel</u>
394040006-8 Redeemed	To implement flood protection and drainage facilities to the immediate areas
663171008-2	To implement flood protection and drainage facilities to the immediate areas
664110030-9 SOLD TC 211 - 117	To implement flood protection and drainage facilities to the immediate areas

MATTHEW JENNINGS
County of Riverside Treasurer – Tax Collector

Giovane Pizano
Chief Investment Manager



Melissa Johnson
Senior Chief Deputy Treasurer-Tax Collector

RE: Agreement Number: 4456

Riverside County Flood Control &
Water Conservation District,
as a Special District

The parcel number listed below is not a part of a publication because it is not a part of a Chapter 7 tax sale.

PARCEL NO

663171008

County of Riverside, Treasurer-Tax Collector

4080 LEMON STREET, 4TH FLOOR • P.O. BOX 12005 • RIVERSIDE, CALIFORNIA 92502
WWW.COUNTYTREASURER.ORG • (951) 955-3900 • (877) 748-2689 • FAX (951) 955-3923

AGREEMENT 4456
RIVERSIDE COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT,
AS A SPECIAL DISTRICT

MATTHEW JENNINGS
County of Riverside Treasurer – Tax Collector

Giovane Pizano
Chief Investment Manager



Melissa Johnson
Senior Chief Deputy Treasurer-Tax Collector

RE: Agreement Number: 4456

Riverside County Flood Control &
Water Conservation District,
as a Special District

The parcel number listed below is not a part of a Chapter 7 public tax sale; however, the purchasing entity used the word "objects" while expressing in their Resolution that they do not want the parcel they are interested in purchasing to be selected for a Chapter 7 public tax sale.

PARCEL NO

663171008

County of Riverside, Treasurer-Tax Collector

4080 LEMON STREET, 4TH FLOOR * P.O. BOX 12005 * RIVERSIDE, CALIFORNIA 92502
WWW.COUNTYTREASURER.ORG * (951) 955-3900 * T: (951) 748-2689 * FAX (951) 955-3923

AGREEMENT 4456
RIVERSIDE COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT,
AS A SPECIAL DISTRICT

EXHIBIT "B"
LEGAL DESCRIPTION
MAP

AGREEMENT 4456
RIVERSIDE COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT,
AS A SPECIAL DISTRICT

AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY

PARCEL 1

OUTSIDE CITY

Parcel Identification Number: 663171008

Default Date: JUNE 30, 2011

First Year Delinquent: 2010-2011

TRA 061-207 PALM SPRINGS USD

Purchase Price: \$3,185.88

Situs Address: NONE

Last Assessed To: GARZA, CELIA

Legal Description.....

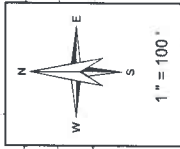
PARCEL 4 OF RECORD OF SURVEY, AS SHOWN BY MAP ON FILE IN BOOK 31, PAGE 71 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY.

AGREEMENT 4456
RIVERSIDE COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT,
AS A SPECIAL DISTRICT

663-17
24-35-6

TRA 061-207

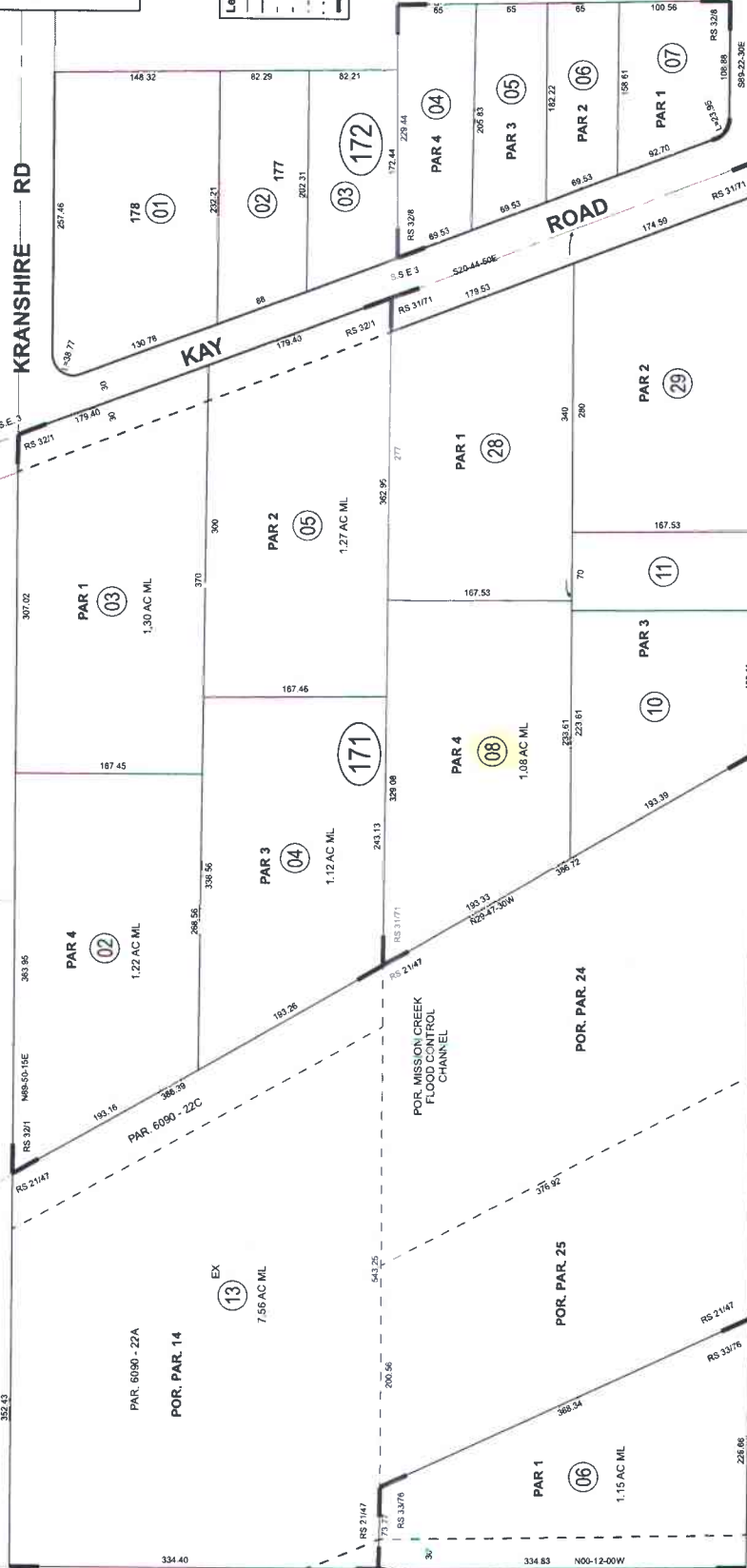
POR. SE 1/4 SEC.35 T.2S R.4E



Legend

- Lot Lines
- Right-of-Way
- OG Lot Lines
- Reference R.O.W
- Other Easements
- Lease Area
- Subdivision TIC Mark

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCEL MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.



ASSESSOR'S MAP BK663 PG.17
Riverside County, Calif.

J. Morgan

Data
RS 5972-79

Bk 663 Pg 12	Bk 663 Pg 15	Bk 663 Pg 16
Bk 663 Pg 17	Bk 663 Pg 18	Bk 663 Pg 19
Bk 663 Pg 13	Bk 663 Pg 20	

Map Reference
MB 30/11-13 SUNNY SANDS ESTATES UNIT 3
RS 21/47
RS 31/71
RS 32/1
RS 32/8
RS 33/76

Date: 4/11/97 8:54a 12
7/11/98 1:12 17-13
8-10/98 11-8 28,29

March 2010

EXHIBIT "C"

NOTICE OF POWER TO SELL TAX-DEFAULTED PROPERTY

AGREEMENT 4456
RIVERSIDE COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT,
AS A SPECIAL DISTRICT

TREASURER-TAX COLLECTOR
STOP 1110

DON KENT
TAX COLLECTOR
4080 LEMON ST - 4TH FLOOR
RIVERSIDE, CALIFORNIA 92501

2016-0327526

08/02/2016 01:37 PM Fee: \$ 0.00

Page 1 of 2

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



SA						R	A	Exam. 438		
Page	DA	PCOR	Misc	Long	RFD	1st Pg	Adtl Pg	Cert	CC	
2										
SIZE	NCOR	SMF	CHG	T:						

02702 DESERT SUN

NOTICE OF POWER TO SELL TAX-DEFAULTED PROPERTY

Which, pursuant to law was declared to be Tax-Defaulted on JUNE 30, 2011 for the nonpayment of delinquent taxes in the amount of \$101.36 for the fiscal year 2010-2011, Default Number 2011-663171008-0000.

Notice is hereby given by the Tax Collector of RIVERSIDE County that pursuant to Revenue and Taxation Code §3691 the property described herein is subject to sale for nonpayment of taxes and will be sold unless the amount required to redeem the property is paid to the Tax Collector of said County before sale. The real property subject to this notice is assessed to: GARZA, CELIA and is situated in said county, State of California, described as follows:

Assessor's Parcel Number 663171008-2

SEE PAGE 2 ENTITLED LEGAL DESCRIPTION

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 Executed on
RIVERSIDE County JULY 1, 2016 By Don Kent
Tax Collector

On 07/11/2016, before me, Peter Aldana, Assessor, Clerk-Recorder, personally appeared Don Kent, Treasurer and Tax Collector for Riverside County, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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.
Peter Aldana, Assessor, Clerk Recorder

By: P. Aldana Seal
Deputy

§§3691, 3691.1, 3691.2 R&T Code



TDL 7-01 (1-98)

LEGAL DESCRIPTION

OUTSIDE CITY

PARCEL 4 OF RECORD OF SURVEY, AS SHOWN BY MAP ON FILE IN BOOK 31, PAGE 71 OF RECORDS OF SURVEY,
RECORDS OF RIVERSIDE COUNTY.

EXHIBIT "D"

RESOLUTION NUMBER F2020-29

MISSION STATEMENT

AGREEMENT 4456
RIVERSIDE COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT,
AS A SPECIAL DISTRICT

BOARD OF SUPERVISORS

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

RESOLUTION NO. F2020-29

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE RIVERSIDE COUNTY
FLOOD CONTROL AND WATER CONSERVATION DISTRICT
OBJECTING TO THE PUBLIC SALE OF A TAX DEFAULTED
PROPERTY AND OFFER TO PURCHASE THAT CERTAIN
FEE SIMPLE INTEREST IN REAL PROPERTY LOCATED IN MISSION CREEK
CHANNEL, UNINCORPORATED AREA OF RIVERSIDE COUNTY,
STATE OF CALIFORNIA, WITH ASSESSOR'S PARCEL NUMBER 663-171-008-2
FROM COUNTY OF RIVERSIDE TREASURER-TAX COLLECTOR'S OFFICE

WHEREAS, the County of Riverside Treasurer-Tax Collector's office has notified public agencies of its intent to sell tax defaulted property for purpose of collecting back taxes and penalties; and

WHEREAS, the Riverside County Flood Control and Water Conservation District ("District") has reviewed the proposed parcel for sale, and has determined that the fee interest located in the Mission Creek Channel, in the unincorporated area of Riverside County, State of California, identified with Assessor's Parcel Number 663-171-008-2 ("Tax Defaulted Property"), is desirable for flood management operational purposes; and

WHEREAS, the Tax Defaulted Property consists of approximately 1.08 acres of land; and

WHEREAS, the cost of acquisition of the Tax Defaulted Property is approximately \$3,185.88, plus the notice costs of the sale in a newspaper of general circulation in the County, pursuant to Section 3800 of the California Revenue and Taxation Code; and

WHEREAS, the District desires to purchase the Tax Defaulted Property from the County of Riverside Treasurer-Tax Collector's office and has sufficient funds available to complete the purchase; and

WHEREAS, the acquisition of the Tax Defaulted Property will assist the District in providing flood protection and drainage facilities to the residents of Riverside County.

FORM APPROVED COUNTY COUNSEL
BY: WESLEY W. STANFIELD DATE: 10/7/2020

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District (Board), in regular session assembled on October 20, 2020 at 9:30 a.m. or soon thereafter, in the meeting room of the Board of Supervisors located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that the Board:

- 1. Objects to the public sale of the Tax Defaulted Property; and
- 2. Offers to purchase the Tax Defaulted Property for approximately \$3,185.88, plus all costs of the sale including the cost of giving notice; and
- 3. Identifies the legal description for the Tax Defaulted Property as shown on Exhibit "A" and depicted in Exhibit "B", attached hereto by reference; and
- 4. Declares that the purchase of the Tax Defaulted Property is to be devoted to public use for the purpose of implementing flood protection and drainage facilities to the immediate areas; and
- 5. Authorizes the General Manager-Chief Engineer or his designee to execute all agreements or other documents necessary to submit the Offer to Purchase and consummate the purchase of the Tax Defaulted Property.

ROLL CALL:

Ayes:	Jeffries, Spiegel, Washington, Perez and Hewitt
Nays:	None
Absent:	None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

Kecia R. Harper, Clerk of said Board

By *Rosella Rasso*
Deputy

LEGAL DESCRIPTION

Exhibit "A"

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF PARCEL 24, AS SHOWN ON RECORD OF SURVEY CAPTIONED "RECORD OF SURVEY OF THE SE 1/4 OF SECTION 35, T. 2 S. R. 4 E. S.B.B. AND M." ON FILE IN BOOK 21, PAGE 47 OF RECORDS OF SURVEY, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL 24; THENCE NORTH $89^{\circ} 47' 52''$ WEST 277 FEET, FOR THE TRUE POINT OF BEGINNING; THENCE SOUTH $0^{\circ} 12'$ EAST 167.53 FEET; THENCE NORTH $89^{\circ} 46' 41''$ WEST 233.61 FEET, TO THE EAST LINE OF THE FLOOD CONTROL BASEMENT (MISSION CREEK AS SHOWN ON SAID RECORD OF SURVEYS) THENCE NORTH $29^{\circ} 47' 30''$ WEST 193.33 FEET, TO THE NORTH LINE OF SAID PARCEL 24; THENCE SOUTH $89^{\circ} 47' 52''$ EAST 329.08 FEET, TO THE TRUE POINT OF BEGINNING.

SAID PROPERTY IS ALSO SHOWN AS PARCEL 4 ON RECORD OF SURVEY ON FILE IN BOOK 31, PAGE 71, OF RECORDS OF SURVEY, RIVERSIDE COUNTY RECORDS.

Assessor's Parcel Number(s): 663-171-008

JASON E. UHLEY
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

MISSION STATEMENT

"We responsibly manage stormwater in service of safe,
sustainable and livable communities."

AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY

THIS PAGE WAS INTENTIONALLY LEFT BLANK