ITEM: 19.3
(ID \# 11753)
MEETING DATE:
Tuesday, July 27, 2021

## FROM: TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 203, Item 545. Last assessed to Keith E. Casman and Jeane M. Casman, husband and wife as community property with right of survivorship. District 4. [\$162,272-100\% Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Christina Baine DeJardin, Attorney, Trustee and representative for Ironwood Owners X Association for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 655350023-9;
2. Approve the claim from Jeane M. Casman, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 655350023-9;
3. Deny the claim from Bank of America for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 655350023-9;
4. Authorize and direct the Auditor-Controller to issue a warrant to Christina Baine DeJardin, Attorney, Trustee and representative for Ironwood Owners X Association in the amount of $\$ 19,301.99$ and Jeane M. Casman in the amount of $\$ 142,970.38$ 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: Policy



## MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, 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: July 27, 2021
xc: Treasurer, Auditor

Kecia R. Harper
Clerk of the Board
Byy prow
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 | \$162,272 | \$ 0 | \$162,272 | \$ 0 |
| NET COUNTY COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| SOURCE OF FUNDS: 100\% Fund 65595 Excess Proceeds from Tax Sale. |  |  | Budget Adjustment: N/A |  |
|  |  |  | For Fiscal Ye | 21/22 |

## 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 05, 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 Parties of Interest Reports, Assessor's and Recorder's records, as well as other various research methods used to obtain current mailing addresses for these parties of interest.

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

1. Claim from Christina Baine DeJardin, Attorney, Trustee and representative for Ironwood Owners X Association based on a Notice of Delinquent Assessment Lien recorded October 21, 2010 as Instrument No. 2010-0505012, and a signed Resolution by Ironwood Owners X Association, authorizing agent to collect excess proceeds dated July 24, 2015.
2. Claim from Jeane M. Casman based on Grant Deed recorded on August 03, 2006 as Instrument No. 2006-0571601 and a Death Certificate for Keith Eugene Casman AKA Kieth E. Casman.
3. Claim from Bank of America based on a Short Form Deed of Trust recorded on November 27, 2007 as Instrument No. 2007-0714331.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Christina Baine DeJardin, Attorney, Trustee and representative for Ironwood Owners X Association be awarded excess proceeds in the amount of $\$ 19,301.99$, Jeane M. Casman be awarded excess proceeds in the amount of $\$ 142,970.38$ and Bank of America be denied since they were unable to substantiate their claim. Supporting documentation has been provided. The Tax Collector requests approval of the above
recommended motion. Notice of this recommendation was sent to the claimants by certified mail.

## Impact on Residents and Businesses

Excess proceeds will be released to a lienholder and the last assessee.
ATTACHMENTS (if any, in this order):
ATTACHMENT A. Claim Ironwood
ATTACHMENT B. Claim Casman
ATTACHMENT C. Claim BofA


## (SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

To: Don Kent, Treasurer-Tax Collector

## Re: Claim for Excess Proceeds

TC 203 Item 545 Assessment No.: 655350023-9

## Assessee: CASMAN, KEITH E \& JEANE M

Situs: 73489 FOXTAIL LN PALM DESERT 92260
Date Sold: May 5, 2015
Date Deed to Purchaser Recorded: June 18, 2015
Final Date to Submit Claim: June 20, 2016
IN, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$19,871.99 $\qquad$ from the sale of the above mentioned real property. IN were the X . lienholder(s),
property owners) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 2010-0505012 ; recorded on 10/21/2010 . A copy of this document is attached hereto. We are the rightful claimants by virtue of the attached assignment of interest. IN 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,

Notice of Delinquent Assessment/Lien, recorded on October 21, 2010, as document number 2010-0505012,
in the official records of Riverside County. Payments in the amount of $\$ 29,240.00$ were received. The claim amount
represents the balance owing less payments received through the date of the recording of the Tax Deed.

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.
We affirm under penalty of perjury that the foregoing is true and correct.
Executed this $\qquad$ day of September 2015 at Riverside County, California


Christina Baine DeJardin, Attorney, Trustee and Representative of Claimant

## Print Name

43100 Cook Street, Suite 202

## Street Address

$$
\text { Palm Desert, CA } 92211
$$

City, State, Zip
Signature of Claimant

## Print Name

Street Address

City, State, Zip
760-773-4463
Phone Number

RECEIVED
2015 DEC -7 AKII: 30
RIVERSIDE COUNTY
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RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:


APN: 655-350-023

## NOTICE OF DELINQUENT ASSESSMENT/LIEN

NOTICE IS HEREBY GIVEN that the Board of Directors of Ironwood Owners X Association ("Association"), pursuant to the powers conferred upon it by that certain Declaration, as defined in the California Civil Code Section 1351, recorded in the Official Records, County Recorder, State of California, on May 14, 1980, as File/Page No. 91029, and California Civil Code Sections 1366 and 1367, levied assessments and other charges on that certain property located at 73489 Foxtail Lane Palm Desert, CA 92260, Legally Described as Unit 23 CM 029/206 Interest in Common Tract 12784 MB 101/056, the record owner of which is Keith E. Casman and Jeane M. Tasman.

1. The Association claims a lien imposed on the Property by this notice in the amount of $\$ 6,880.97$ (see, attached itemized statement) currently due and owing, PLUS ANY ADDITIONAL ASSESSMENTS AND COSTS ACCRUED AND OWING AFTER THE DATE OFRECORDATION TO THE DATE OF SATISFACTION HEREOF, which includes the following: (a) assessments, late charges, interest and of collection costs in the amount of $\$ 6,580.97$ currently due and owing as of October 12, 2010 ; and (b) attorneys' fees and costs in the amount of $\$ 300.00$ as of October 12, 2010.
2. The name and address of the trustee authorized by the Association to enforce the lien by sale is PETERS \& FREEDMAN, L.L.P., 43100 Cook Street Suite 202, Palm Desert, California 92211. Peters \& Freedman, L.L.P., is acting in the function as a debt collector, any information obtained will be used for that purpose.

DATED:


Ironwood Owners X Association
BY:


Christina Baine DeJardin, as Trustee, Attorney, and Authorized Representative for Ironwood Owners X Association.
State of California
County of
)

On OT. 14.2010 before me, D, ane HUNTed , a Notary Public, personally appeared Christina Baine DeJardin, who proved to me on the basis of satisfactory evidence to be the persons) whose name (s) is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity (ies), and that by her signatures) on the instrument the persons), or the entity upon behalf of which the persons) 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


## PETERS \& FREEDMAN, L.L.P. <br> ATTORNEYS AT LAW

DAVID M. PETERS KEENAN A. PARKER JAMES R. MCCORMICK JR. STEPHEN M. KIRKLAND CHRISTINA M. BÁINE DeJARDIN

43100 COOK STREET, SUITE 202
PALM DESERT, CA 92211

Tel: (760) 773-4463
Fax: (760) 773-0919
mail@hoalaw.com
www.hoalaw.com

ENCINITAS OFFICE
191 CALLE MAGDALENA, STE. 220
ENCINITAS, CA 92024
Tel: (760) 436-3441
Fax: (760) 436-3442

December 2, 2015
Don Kent, Treasurer-Tax Collector
Post Office Box 12005
Riverside, CA 92502-2205
Re: Ironwood Owners Association X / APN 655-350-023
Claim for Excess Proceeds from the Tax Sale of Tax Defaulted Property Subject Property: 73489 Foxtail Lane, Palm Desert, CA 92260
Our File No. 1580.3 / Casman
Dear Sir or Madam:
Please be advised that the law firm of Peters \& Freedman, L.L.P. represents the Ironwood Owners Association X ("Association"). Enclosed herewith, in response to your Notice of Excess Proceeds to Parties of Interest, please find the Association's Claim for Excess Proceeds from the Tax Sale of Tax Defaulted Property for the above-referenced property, with the following documentation provided in accordance with your Excess Proceeds Claim Instructions:

1. A notarized Statement of Amount Due and Owing executed by Christina Baine DeJardin on behalf of the Association. Attached to the Statement of Amount Due and Owing as Exhibits A and B, respectively, is a copy of the Notice of Delinquent Assessment/Lien recorded against the above-referenced Subject Property, on October 21, 2010, as Document Number 2010-0505012, and a copy of the Case Balance accounting ledger.
2. A copy of the Articles of Incorporation of the Ironwood Owners Association X filed May 19, 1980, under Corporate No. 959199.
3. A copy of the Resolution signed by the Board President of the Association authorizing Christina Baine DeJardin to act on behalf of the corporation in filing the enclosed paperwork.
4. A copy of the Meeting Minutes approving the above-referenced Resolution.
5. A copy of the Organizational Meeting Minutes appointing Kris Conrad as Board President.

December 2, 2015
Page 2

We trust that the enclosed materials are adequate for the processing of the Association's Claim for Excess Proceeds. Should any additional documentation be required, please contact the undersigned at your earliest opportunity.

Very truly yours,

## PETERS \& FREEDMAN, L.L.P.



## Christina Paine DeJardin, Esq.

CBD:rp
Enclosures
cc: Board of Directors

## RESOLUTION

## OF

## IRONWOOD OWNERS ASSOCIATION X

WHEREAS, on or about July 24, 2015, the Ironwood Owners Association X ("Association"), through its counsel, received a Notice of Excess Proceeds From Sale of Tax Defaulted Property from the Riverside County Treasurer-Tax Collector's Office pertaining to Assessment No.: 655350023-9, Item: 545, which took place on May 5, 2015, for Parcel No. 655350023-9;

WHEREAS, the Association has an interest in the excess proceeds as documented in a Notice of Delinquent Assessment/Lien which was recorded on October 21, 2010, as Document No. 2010-0505012, in the Official Records of Riverside County;

WHEREAS, it is the desire of the Association to appoint attorney Christina Baine DeJardin as its representative and to act on behalf of the Association in preparing and submitting the Claim for Excess Funds;

WHEREAS, the majority of the Board of Directors, as set forth in the Minutes, attended a noticed meeting of the Board to authorize Ms. Baine DeJardin to act as claimant, on behalf of the Association, in submitting Claims for Excess Funds to the Riverside County Treasurer;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that Christina Baine DeJardin of Peters \& Freedman, L.L.P. is hereby authorized to act as claimant on behalf of the Association, in preparing and submitting the Claim for Excess Funds in the tax sale, as set forth above, and any additional tax sales subject to the Association's lien which may take place.


Kris Conrad, President

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## STATEMENT OF AMOUNT DUE AND OWING

I, Christina Baine DeJardin, declare as follows:

1. I am an attorney duly licensed to practice law before the courts of the State of California, and am a Partner with the law firm of Peters \& Freedman, L.L.P., counsel for the Ironwood Owners Association X. I have personal knowledge of the matters stated in this Statement of Amount Due, and if called upon to testify in a court of law, I could and would competently testify as to them.
2. On October 21,2010, a Notice of Delinquent Assessment/Lien ("Lien") was recorded in the County of Riverside, as Document No. 2010-0505012 The amount of lien was in the amount of $\$ 6,880.97$. Ongoing assessments, late fees, interest, and collection costs continued to accrue until the property was sold at the tax sale. Marked Exhibit A, attached hereto and by this reference made a part hereof, is a copy of the lien.
3. As of this date, payments in the amount of $\$ 29,240.00$ have been made towards the arrearage.
4. The amount due and owing as of the date of the recording of the Tax Deed is $\$ 19,871.99$. Marked Exhibit B, attached hereto and by this reference made a part hereof, is a copy of the Case Balance accounting ledger.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 20, 2015, at Palm Desert, California.


CHRISTINA BAINE DEJARDIN, ESQ.
Attorney for Ironwood Owners Association X

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 <br> County of Riverside <br> )

On Dec. 2, 2015 before me, RonelErans , a Notary Public, personally appeared Christina Baine DeJardin, who proved to me on the basis of satisfactory evidence to be the person (s) whose names) is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity (es), and that by her signatures) on the instrument the persons), or the entity upon behalf of which the persons) 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)




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| 11/19/2014 | Adjustment | M MONTHLY DUES050000846884 | 4 Monthly Dues (08/15/2011 billed instead of being issued as credit) | \$0.00 | \$725.00 | \$13,403.77 | LN |
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| 11/19/2014 | Charge | COLL COSTS | Request Board Authorization to Foreclose or File Lawsuit | \$130.00 | \$0.00 | \$13,533.77 | LN |
| 11/20/2014 | Charge | SPECIALASSES | Special Assessment (5/1/2011) | \$348.00 | \$0.00 | \$13,881.77 | RP |
| 11/20/2014 | Charge | COLL COSTS | Prepare request for service of NOD (3/20/2013) | \$30.00 | \$0.00 | \$13,911.77 | RP |
| 11/20/2014 | Charge | COLL COSTS | Prepare corr to BOD advising of PPlan terms (4/17/2013) | \$40.00 | \$0.00 | \$13,951.77 | RP |
| 11/20/2014 | Charge | COLL COSTS | 5/16/2011 Review and respond to corr. from homeowner's atty. | \$23.00 | \$0.00 | \$13,974.77 | RP |
| 11/20/2014 | Charge | COLL COSTS | 5/16/2011 Review \& respond to corr. from homeowner's atty. | \$23.00 | \$0.00 | \$13,997.77 | RP |
| 11/20/2014 | Charge | COLL COSTS | 7/25/2012 Review and respond to corr. from mgmt. | \$23.00 | \$0.00 | \$14,020.77 | RP |
| 11/20/2014 | Charge | COLL COSTS | 2/5/2013 Review file; Prep. corr. to mgmt. | \$23.00 | \$0.00 | \$14,043.77 | RP |
| 11/20/2014 | Charge | INTR | 3/31/2013 Interest | \$102.34 | \$0.00 | \$14,146.11 | P |
| 11/20/2014 | Charge | LATE | 4/15/2013 Late Fee | \$57.00 | \$0.00 | \$14,203.11 | P |
| 11/20/2014 | Charge | PROCESSING | 4/15/2013 Processing Fee | \$10.00 | \$0.00 | \$14,213.11 | RP |
| 11/20/2014 | Charge | INTR | 4/30/2013 Interest | \$115.08 | \$0.00 | \$14,328.19 | RP |
| 11/20/2014 | Charge | LATE | 5/15/2013 Late Fee | \$57.00 | \$0.00 | \$14,385.19 | RP |
| 11/20/2014 | Charge | PROCESSING | 5/15/2013 Processing Fee | \$10.00 | \$0.00 | \$14,395.19 | RP |
| 11/20/2014 | Charge | INTR | 5/31/2013 Interest | \$124.73 | \$0.00 | \$14,519.92 | RP |
| 11/20/2014 | Adjustment | COSTS | Release of Lien ( $3 / 8 / 13$ ) | \$0.00 | \$34.00 | \$14,485.92 | RP |
| 11/20/2014 | Adjustment | INTR | 2/28/2013 Interest Adjustment | \$0.00 | \$14.68 | \$14,471.24 | RP |
| 11/20/2014 | Adjustment | INTR | 8/31/2014 Interest Adjustment | \$4.09 | \$0.00 | \$14,475.33 | RP |
| 11/20/2014 | Adjustment | INTR | 9/30/2014 Interest Adjustment | \$4.13 | \$0.00 | \$14,479.46 | RP |
| 11/20/2014 | Adjustment | INTR | 10/31/2014 Interest Adjustment | \$4.18 | \$0.00 | \$14,483.64 | RP |
| 11/20/2014 | Adjustment | LATE | 6/14/2012 Adjust Late Fee (over-charge) | \$0.00 | \$17.50 | \$14,466.14 | RP |
| 11/30/2014 | Charge | INTR | Interest Fee | \$130.50 | \$0.00 | \$14,596.64 | RP |
| 12/01/2014 | Charge | MONTHLY DUES | Monthly Assessment Dues | \$570.00 | \$0.00 | \$15,166.64 | GF |
| 12/15/2014 | Charge | LATE | Late Fee | \$57.00 | \$0.00 | \$15,223.64 | GF |
| 12/15/2014 | Charge | PROCESSING | Processing Fee - Mgmt Collection Monitoring Cost | \$10.00 | \$0.00 | \$15,233.64 | RP |
| 12/31/2014 | Charge | \|NTR | Interest Fee | \$145.96 | \$0.00 | 15,379.60 | RP |
| 01/01/2015 | Charge | MONTHLY DUES | Monthly Assessment Dues | \$570.00 | \$0.00 | \$15,949.60 | GF |
| 01/15/2015 | Charge | LATE | Late Fee | \$57.00 | \$0.00 | \$16,006.60 | GF |
| 01/15/2015 | Charge | PROCESSING | Processing Fee - Mgmt Collection Monitoring Cost | \$10.00 | \$0.00 | \$16,016.60 | RP |
| 01/19/2015 | Charge | COLL COSTS | Prepare corr to PM re: BOD auth to initiate foreclosure; Review and respond to corr from PM re same | \$39.00 | \$0.00 | \$16,055.60 | GF |
| 01/31/2015 | Charge | INTR | Interest Fee | \$153.79 | \$0.00 | \$16,209.39 | RP |
| 02/01/2015 | Charge | MONTHLY DUES | Monthly Assessment Dues | \$570.00 | \$0.00 | \$16,779.39 | GF |
| 02/15/2015 | Charge | LATE | Late Fee | \$57.00 | \$0.00 | \$16,836.39 | GF |
| 02/15/2015 | Charge | PROCESSING | Processing Fee - Mgmt Collection Monitoring Cost | \$10.00 | \$0.00 | \$16,846.39 | RP |
| 02/25/2015 | Charge | COLL COSTS | Review and respond to corr from PM re: BOD auth | \$26.00 | \$0.00 | \$16,872.39 | GF |
| 02/25/2015 | Charge | COSTS | Photocopies | \$2.00 | \$0.00 | \$16,874.39 | GF |
| 02/28/2015 | Charge | INTR | Interest Fee | \$162.09 | \$0.00 | \$17,036.48 | RP |
| 03/02/2015 | Charge | MONTHLY DUES | Monthly Assessment Dues | \$570.00 | \$0.00 | \$17,606.48 | GF |
| 03/06/2015 | Charge | COLLCOSTS | Review Senior foreclosure documents | \$26.00 | \$0.00 | \$17,632.48 | LN |
| 03/06/2015 | Charge | costs | Order Senior Status | \$20.00 | \$0.00 | \$17,652.48 | LN |
| 03/09/2015 | Charge | COLL COSTS | Review Tax Assessor Foreclosure Docs | \$26.00 | \$0.00 | \$17,678.48 | GF |
| 03/15/2015 | Charge | LATE | Late Fee | \$57.00 | \$0.00 | \$17,735.48 | GF |
| 03/15/2015 | Charge P | PROCESSING P | Processing Fee - Mgmt Collection Monitoring Cost | \$10.00 | \$0.00 | \$17,745.48 | RP |
| 03/31/2015 | Charge IN | INTR | Interest Fee | \$170.36 | \$0.00 | \$17,915.84 | RP |
| 04/01/2015 | Charge M | MONTHLY DUES M | Monthly Assessment Dues | \$570.00 | \$0.00 | \$18,485.84 | GF |


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| $04 / 15 / 2015$ | Charge | LATE |
| $04 / 15 / 2015$ | Charge | PROCESSING |
| $04 / 30 / 2015$ | Charge | INTR |
| $05 / 01 / 2015$ | Charge | MONTHLY DUES |
| $06 / 01 / 2015$ | Charge | MONTHLY DUES |
| $06 / 01 / 2015$ | Charge | COLL COSTS |
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| $06 / 01 / 2015$ | Charge | COSTS |
| $06 / 24 / 2015$ | Charge | COLL COSTS |
| $06 / 24 / 2015$ | Charge | COSTS |
| $08 / 24 / 2015$ | Charge | COLL COSTS |

Late Fee
Processing Fee - Mgmt Collection
Monitoring Cost
Interest Fee
Monthly Assessment Dues
Monthly Assessment Dues
TC with PM re: status of collection
action
Ordered Trustees Deed upon Sale
Review TDUS
Photocopies
Change of Owner and Request to file
Lawsuit Letter Prepared

| $\$ 57.00$ | $\$ 0.00$ | $\$ 18,542.84$ | GF |
| ---: | ---: | ---: | ---: |
| $\$ 10.00$ | $\$ 0.00$ | $\$ 18,552.84$ | RP |
| $\$ 179.15$ | $\$ 0.00$ | $\$ 18,731.99$ | RP |
| $\$ 570.00$ | $\$ 0.00$ | $\$ 19,301.99$ | GF |
| $\$ 570.00$ | $\$ 0.00$ | $\$ 19,871.99$ | RP |
| $\$ 26.00$ | $\$ 0.00$ | $\$ 19,897.99$ | GF |
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| $\$ 20.00$ | $\$ 0.00$ | $\$ 19,917.99$ | LN |
| $\$ 26.00$ | $\$ 0.00$ | $\$ 19,943.99$ | GF |
| $\$ 4.00$ | $\$ 0.00$ | $\$ 19,947.99$ | GF |
| $\$ 130.00$ | $\$ 0.00$ | $\$ 20,077.99$ | RP |

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Creditor Association: Ironwood Owners Association X $\begin{array}{ll}\text { Property Owner(s): } & \text { Keith E. and Jeane M. Casman } \\ \text { Property Address: } & \text { 73489 Foxtail Lane Palm Desert, CA } 92260 \\ \text { Account Number: } & 0078-02\end{array}$ $\begin{array}{ll}\text { Account Number: } & 0078-02 \\ \text { File Number: } & 5156.3\end{array}$
Account Balance as of October 22, 2019

## 08/00/2009 $\begin{aligned} & \text { Monthly Assessment Dues } \\ & \text { Pymnt from Homeowner received by HOA's Mgmt Office }\end{aligned}$ $\begin{array}{ll}08 / 18 / 2009 & \text { Late Fee } \\ 09 / 1 / 2009 & \text { Monthly Assessment Dues } \\ 09 / 16 / 2009 & \text { Late Fee }\end{array}$ Late Fee Management PreLien Letter Fee Management PreLien Letter Fee Monthly Assessment Dues <br> Pymnt from Homeowner received by HOA's Mgmt Office Monthly Assessment Dues <br>  <br> $\begin{array}{ll}\text { 12/01/2009 } & \text { Special Assessment } \\ \text { 12/14/2009 } & \text { Pymnt from Homeowner received by HOA's Mgmt Office }\end{array}$ 01/01/2010 Monthly Assessment Dues 01/19/2010 $\begin{aligned} & \text { Pymnt from Homeowner received by HOA's Mgmt Office } \\ & \text { 01/19/2010 }\end{aligned}$ Monthly Assessment Dues <br> 3/25/2010 Pymnt from Homeowner received by HOA's Mgmt Office <br> $\begin{array}{ll}\text { 4/01/2010 } & \text { Pymnt from Homeowner } \mathbf{r} \\ \text { Monthly Assessment Dues } \\ \text { 5/01/2010 } & \text { Monthly Assessment Dues }\end{array}$ <br> 5/182010 $\begin{aligned} & \text { Monte Fee } \\ & \text { Latsesment Dues }\end{aligned}$ <br> Monthly Assessment Dues Cate Fee <br> Monthly Assessmen Dues <br> Monthly Assessment Dues Late Fee <br> Monthly Assessment Dues <br> ile Open \& Senior Status <br> Interest Fee Monthly Assessment Dues Req to Inititate Foreclosure <br> to Inititate Foreclosure Prepared For Recording <br> Late Fee Notice of Lien Letter Sent 10/25/2010 Monthly Assessment <br> Monthly Assessment Dues Late Fee Monthly Assessment Dues <br> Late Fee Monthly Assessment Dues <br> Lates Monthly Assessment Dues Late Fee <br> Monthly Assessment Dues Late Fee <br> Interest Fee <br> Monthly Assessment Dues Prepare Forbearance Agreement Late Fee <br> Late Fee Interest Fee <br> Monthly Assessment Dues Late Fee <br> Review \& Respond to Corr. re: Forbearance Agreement Corr. re: payment plan Pre-NOD Demand Letter <br> H620211 <br> 글 N N N 응 m <br>  <br> Nㅜㄱ <br> 등 추ㄹㅡㅡㄴ rozzz//S


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

- (SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

To: Don Kent, Treasurer-Tax Collector
Re: Claim for Excess Proceeds
TC 203 Item 545 Assessment No.: 655350023-9
Assessee: CASMAN, KEITH E \& JEANE M
Situs: 73489 FOXTAIL LN PALM DESERT 92260
Date Sold: May 5, 2015
Date Deed to Purchaser Recorded: June 18, 2015
Final Date to Submit Claim: June 20, 2016
I/ We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ $\qquad$ from the sale of the above mentioned real property. IN e were the $\square$ lienholder(s), property owners) [check in one box] at the time of the sale, of the property as is evidenced by Riverside County Recorder's Document No. 2006057601; recorded on $8 / 03 / 2006$. 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 - KEITHECASMAN \& JERE M. CASMAN DEATH CERTIFICATE - KEITH GASMAN
$\qquad$
$\qquad$

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.
We affirm under penalty of perjury that the foregoing is true and correct.
Executed this 16 day of SEPTEMBED, 2015 at RIVERSIDE, CARIFORNIR


DEANE M. (ATMAN

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Street Address


$$
7603401244
$$

Phone Number
6263795923
Phone Number

AND WHEN RECORDED MAIL TO:
KEITH E. CASMAN
JEANE M. CASMAN 2330 Jamestown Lane Oxnard, CA 93035


Order No.: 33331154 - 6

## GRANT DEED

THE UNDERSIGNED GRANTOR(s) DECLARE(s) THAT DOCUMENTARY TRANSFER TAX IS: COUNTY $\$ 412.50$
[ X ] 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; [ X ] City of Palm Desert, and

Escrow No.: 2~49630
A.P.N.: 655-350-023-9 TRA \#: 018-005

FÖR A VALUABLE CONSIDERATION, Receipt of which is hereby acknowledged,
JOHN T. TREVINO, Trustee of the JOHN T. TREVINO TRUST, dated $2 / 16 / 98$
hereby GRANT(S) to KEITH E. CASMAN and JEANE M. CASMAN, husband and wife as community property with right of survivorship
the following described property in the City of Palm Desert, County of Riverside State of California;
See Exhibit " $A$ " attached hereto and made a part hereof.

JOHN T. TREVINO, Trustee of the JOHN
T.TREVINO TRUST, dated $2 / 16 / 98$

By:


Document Date: July 7, 2006
state of CAlifornila )SS
COUNTY OF RIVERSIDE ) On JUL4 14,2006 before me, JANETM.STRUT personally appeared' JOHR T. TREVINO
personally known 10 me (er-torme-anthehesisof satisfactoryevidenee) to be the person(s) whose name(s) is/g) subscribed to the with and acknowledged to me that he/sbe/they executed the same in his/hef/tbeir authorized capacity(ies) and that by his/her/their signature(s) on the sinstrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.


The area below is for official notarial seal.


# EXHIBIT " A" 

## A Condominium Comprised"of:

Parcel 1:
An undivided $1 / 52$ nd interest in Lot 1 of Tract 12784, as shown by map on file in Book 101, Pages 56 through 57, inclusive, of Maps, Riverside County, records; and

The easements described in Section 3.08 of the Declaration of Covenants, Conditions and Restrictions for Ironwood Owners Association described in the Grant Deed to which this attached; and -

An appurtenant membership in Ironwood Owners Association X, formed pursuant to the aforesaid Declaration of Covenants, Conditions Restrictions;

Subject to easements described in Section 3.08 of the aforesaid Declaration of Covenants, Conditions and Restrictions in favor of other condominium Owners; and

Excepting Units 1 through 52, inclusive as shown on the Condominium Plan for Lot 1 of Tract 12784 as recorded on May 14, 1980 as Instrument No. 91028 , Official Records of Riverside County, Ca.

Parcel 2:
Unit No. 23 as shown on the Condominium Plan referred to in Parcel 1 above.
Unit No. 23 Lot 1 of Tract No. 12784 as shown by map on file is Book 101 pages 56 and 57 of Maps, Riverside County Records

Together with the following easements, each of which is appurtenant to Unit No. 23.
(a) Easements for support and settlement where said Unit 23 adjoins Unit No. not set out
(b) Easements for eaves and overhang as such exist as of the date of this deed, where Unit 23 adjoins any portion of any unit within Tract 12784.
(c) An exclusive easement for encroachment and maintenance of screen walls, wing walls, air conditioning equipment and other architectural features in existence as of the date of this deed within 60 inches form the unit line of said Unit 23.

Reserving unto the Grantor, for the benefit of adjacent Units:
(a) Easements for support and settlement where Unit No. 23 meets Unit No. 24.
(b) Easements for encroachment a for screen walls, wing walls, air conditioning equipment and other architectural features in existence as of the date of this deed across any portion of Unit 23 within 60 inches for the unit line of Unit No. 24.

In 2005, my late husband and I sold our home in Arcadia, California, and rented a place in Ventura, California. He said the weather was too cool for him, and suggested we move to Palm Desert, California. I questioned him about the taxes regarding Prop 13, and said he had spoken with someone who assured him we would get the tax break and pay $\$ 1800$ a yearwhich is what we paid on the home we sold.

In 2006, our son was killed in a traffic accident. Two weeks later, we were in Palm Desert looking for a place to buy. We purchased a condo, 73489 Foxtail Lane, Palm Desert, CA paying $\$ 375.00$ cash. Shortly after that we applied for the property tax break, and after submitting all of the documents, we received a response "Riverside County does not accept Prop 13 tax break." We decided to get a line of credit from the bank to make some major home improvements, which we did. My husband was in the middle of filling out forms to get insurance on the money we had borrowed, but was ill and died suddenly. He was in construction, had no life insurance, no 401 k , but was still working making a handsome monthly income. In an instant, due to loss of income, I was in a place that I did not know what to as

Needless to say, it was a long road to the eventual tax sale. You should be aware that the person who purchased my property, broke into my home, which I had almost vacated, before he had a deed in his hand. I feel the purchaser of tax sale properties should have to pay a price if they attempt to gain control of said properties before they have the deed in hand..

I am not going to go into detail of what I went through from 2007 to the tax sale of my property. It was very painful and traumatic. When you are living on Social Security, there is not a lot of help available to you. I did try.

I have been contacted by many agents wanting to help me to obtain funds. These people should be banned, as they are not entitled to anything. My husband and I put all of our money (first of many mistakes\} into buying this property. I take full responsibility for my decisions and choices which resulted in losing my home and a lot of money.

Thank you for your consideration.


COUNTY OF RIVE

JON CHRISTENSEN TREASURER TAX COLLECTOR


October 15, 2019

Jeane M. Casman
P.O. Box 12003

Palm Desert, CA 92255
Re: APN: 655350023-9
TC 203 Item 545
Date of Sale: May 05, 2015

## SENDER: COMPLETE THIS SECTION

E Complete items 1, 2, and 3.

- Print your name and address on the reverse so that we can return the card to you.
II Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TC 203 Item 545
Jeane M. Casman
P.O. Box 12003

Palm Desert, CA 92255


PS Form 3811, July 2015 PSN 7530-02-000-9053

To Whom It May Concern:
This office is in receipt of your claims 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 Treasurer-Tax Collector in making the determination.

Notarized Affidavit under CA Probate Code
13100
Notarized Statement of different/misspelled
Original Notarized Authorization for Agent to
Collect Excess Proceeds
Notarized Assignment of Right to Collect
Excess Proceeds
X Certified Death Certificate Keith E. Casman
__Copy of Birth Certificates for
__Copy of Marriage Certificate for
__Original Note/Payment Book
__Updated Statement of Monies Owed for Loan (as of date of tax sale)
__Articles of Incorporation (if applicable Statement by Domestic Stock)
__Court Order Appointing Administrator
__Deed (Quitclaim/Grant etc...)
_Other: Certificate indicating business status
with the State of Texas

Please send in all documents within 30 days (November 15, 2019). If you should have any questions, please contact me at the number listed below.

Sincerely,

Miriam C. Margues<br>Sr. Accounting Assistant<br>Tax Sale Operations/Excess Proceeds

Tel 951 955-3336/Fax 951 955-3990


State of CA
County of Riverside
Tax Deed File\＃ $\qquad$

Bank of America，Being duly sworn an oath，deposes and states that
（）was／were owners of：
（H）we have a lien against：
APR $655350023-9$
73489 Foxtail lane


On or prior to May 5，2015 $\qquad$ on which day the property described herein was sold for delinquent taxes and a tax deed issued there on and，that as such（）formal owner（ 4 lien holder he is entitled to，and hereby makes claim and demand for $\$ 162,783.00$ being the amount received at said tax deed sale over and above the amount of taxes，interest，and cost paid on said tax deed application．
（）The undersigned has no knowledge of any outstanding liens against the aforesaid property．
（ ${ }^{\text {The }}$ undersigned further acknowledges timely receipt and notice of all prior proceedings，appeal rights，and public sales related to the tax deed sale which has resulted in the filing of this application for payment of aforesaid sum．


Monica Mayer ，as an Officer of the above named corporation and to me well known，first being duly sworn deposes and says that he executed this Affidavit as such Officer of said corporation by due and regular corporate authority，and that said instrument is the free act and will of said corporation．
SWORN TO AND SUBSCRIBED BEFORE ME，
ON THIS 15 dAYSeptamber 2015
Judy C Hunt

## Notary Public

My Commission Expires： $9-16$－ 17


68249022146099

## Request for Taxpayer <br> Identification Number and Certification

(Rev. January 2011)
Department of the Treasury
Internal Revenue Service
Give Form to the requester. Do not send to the IRS.

|  | Business name/disregarded entity name, if different from above BANK OF AMERICA |  |  |
| :---: | :---: | :---: | :---: |
|  | Check appropriate box for federal tax classification (required): $\square$ Individual/sole proprietor <br> C Corporation S Corporation Partnership Trust/estate Limited liability company. Enter the tax classification ( $\mathrm{C}=\mathrm{C}$ corporation, $\mathrm{S}=\mathrm{S}$ corporation, $\mathrm{P}=$ partnership) $\qquad$ Other (see instructions) |  | Exempt payee |
| $\begin{aligned} & \text { 들 } \\ & \text { O } \\ & \text { O } \\ & \mathbb{D} \\ & \text { 心 } \end{aligned}$ | Address (number, street, and apt. or suitc no.) <br> 4161 PIEDMONT PARKWAY <br> City, state, and ZIP code <br> GREENSBORO, NC, 27410 | Requester's name and address (optional) |  |

## Part 1 Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a
 TIN on page 3.
Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

## PartII Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my coirect taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, canceilation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.


Section references are to the Internal Revenue Code unless otherwise noted.

## Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IFA.
Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withhoiding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Date
Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.
Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.


Record and Return To: United General Title Ins Fiserv-P.O. BOX 2590 Chitacto. IL 60690
Casman, Jeane M Ican Nuber: 68249020146099

$\qquad$
(collectively and individually "Trustor"); PRLAP, INC. ("Trustee"); and the beneficiary, Bank of America, N.A. ("Bank"). Trustee is a subsidiary of Bank. Any non-titleholder signs below as Trustor solely for the purpose of subjecting any community property interest in the property described below to this Deed of Trust. The words "I," . "me," and "my" in this Deed of Trust refer to the Trustor, whether one or more.

## BANK AND I AGREE:

1. Property Security. For the purpose of securing the obligations described below, I irrevocably grant, convey, transfer and assign to Trustec, in trust with power of sale, the property located in RIVERSIDE
County, Califomia described as follows:
SCHEDULE A ATTACHED HERETO AND MADE A PART OF.
with the strectaddress: 73489 FOXTAIL LN, PALM DESERT, CALIFORNIA 92260 and with Parcel No. and including all improvements and fixtures now or later erected on the property, and all easements, rights, appurtenances and fixtures now or later a part of or related to the above described property (collectively the "Property").
2. This Deed of Trust secures:

- All of the obligations of the borrowers under the Disclosure and Loan Agreement dated NOVEMBER 1, 2007 , and naming JEANE M CASMAN, KEITH E CASMAN


## Final Notice

Bank of America, N.A.
C/O Monica Moyer
4161 Piedmont Parkway
Greensboro, NC 27410
Re: APN: 655350023-9
TC 203 Item 545
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.
$\qquad$ 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
__Copy of Marriage Certificate for

|  |  |
| :---: | :---: |
|  | Updated Statement of Monies O (as of date of tax sale) |
|  | ricles of Incorporation (if appli |
|  | tement by Domestic Stock |
|  | der Appointing Admin |
|  | (Quitclaim/Grant etc...) |
|  |  |




[^0]:    

[^1]:    $\mathbf{\$ 3 0 , 7 5 6 . 1 8} \xlongequal{\mathbf{\$ 2 0 , 0 7 7 . 9 9}}$

