

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**19.9**

(1)

On motion of Supervisor Washington, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from the Treasurer- Tax Collector regarding Distribution of Excess Proceeds for Tax Sale No. 209, Item 106. Last assessed to: Luis Alberto Ontiveros, a married man as his sole and separate property, District 1, is approved as recommended.

Roll Call:

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

(2)

On Motion of Supervisor Washington, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that the above matter be reconsidered.

Roll Call:

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

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on November 16, 2021, of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: November 16, 2021  
Kecia R. Harper, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: *Miscellaneous* Deputy

AGENDA NO.  
**19.9**

xc: Tax Collector

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



ITEM: 19.9  
(ID # 11091)

**MEETING DATE:**

Tuesday, November 16, 2021

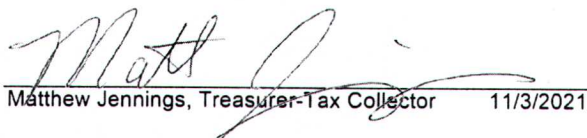
**FROM :** TREASURER-TAX COLLECTOR:

**SUBJECT:** TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 209, Item 106. Last assessed to: Luis Alberto Ontiveros, a married man as his sole and separate property, District 1. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Deny the claim from Luis Alberto Ontiveros, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcel 318110002-4;
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 \$31,393.58 to the County General Fund pursuant to Revenue and Taxation Code Section 4674.

**ACTION:Policy**

  
Matthew Jennings, Treasurer-Tax Collector 11/3/2021

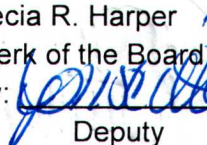
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**MINUTES OF THE BOARD OF SUPERVISORS**

(3)

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: Jeffries  
Date: November 16, 2021  
xc: Tax-Collector

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b>			<b>Budget Adjustment:</b>	N/A
			<b>For Fiscal Year:</b>	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 2, 2017 public auction tax sale. The deed conveying title to the purchasers at the auction was recorded June 21, 2017. 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 24, 2017, 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.

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 Parties of Interest Reports to notify all parties of interest attached to the parcel.
2. Researched all last assessees 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 4676(b).

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 June 21, 2017.

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

1. Claim from Luis Alberto Ontiveros based on a Grant Deed recorded August 31, 2010 as Instrument No. 2010-0415777.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that the claim from Luis Alberto Ontiveros be denied due to the claim being received after the June 21, 2018 deadline. Since there are no other claimants the unclaimed excess proceeds in the amount of \$31,393.58 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**

Excess proceeds will be transferred to the County General Fund.

**ATTACHMENTS (if any, in this order):**

**ATTACHMENT A. Claim Ontiveros**

  
Stephanie Perez, Principal Management Analyst 11/10/2021

  
Gregory H. Priamos, Director County Counsel 7/22/2021

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

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 209 Item 106 Assessment No.: 318110002-4

Assessee: ONTIVEROS, LUIS ALBERTO

Situs: N/A

Date Sold: May 2, 2017

Date Deed to Purchaser Recorded: June 21, 2017

Final Date to Submit Claim: June 21, 2018

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$31,393.58 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. 415777; recorded on 08/31/2010. 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.**

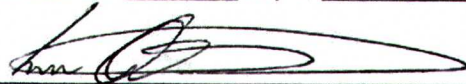
Copy of Grant Deed attached.

Statement attached.

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tenants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of the claim.

I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 5<sup>th</sup> day of December, 2018 at San Diego California  
County, State

  
Signature of Claimant

Luis Alberto Ontiveros  
Print Name

4415 Caminito Tecera  
Street Address

Del Mar CA 92014  
City, State, Zip

858-888-3596  
Phone Number

Signature of Claimant

Print Name

Street Address

City, State, Zip

Phone Number

RECORDING REQUESTED BY:

Chicago

AND WHEN RECORDED MAIL TO:

Luis Alberto Ontiveros  
4415 Camino Tecera  
Delmar Ca 92014

DOC # 2010-0415777

08/31/2010 08:00A Fee:18.00

Page 1 of 2 Doc 7 Tax Paid

Recorded in Official Records

County of Riverside

Larry U. Ward

Assessor, County Clerk & Recorder



APN 318 110-002-4

Tr 098-044

DTT 27.50

unincorporated Area

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Grant Deed

Title of Document

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039

THIS COVER SHEET ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3.00 Additional Recording Fee Applies)

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:  
AND MAIL TAX STATEMENT TO:

Luis Alberto Ontiveros  
4415 Camino Tecera  
Del Mar, CA 92014  
Order No. 920830297  
Parcel No. 318-110-002-4

SPACE ABOVE THIS LINE FOR RECORDER'S USE

TRA 098-044

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS \$27.50 and CITY S  
 computed on full value of property conveyed, or  
 computed on full value less liens or encumbrances remaining at the time of sale.  
 unincorporated area: City of Naves, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
Layne Landry and Bernadette Landry, Trustees of the Layne and Bernadette Landry Trust under Trust Agreement  
dated May 25, 1989

hereby GRANTS to Luis Alberto Ontiveros, a married man as his sole and separate property.

the following described real property in the City of Naves, County of Riverside, State of California:

The West half of Parcel 2 of Record of Survey, in the County of Riverside, State of California, on File in Book 31 Pages 34,  
35 and 36 of Records of Survey, in the office of the County Recorder of Said County.

Date: July 27, 2010

Layne Landry and Bernadette Landry, Trustees of the  
Layne and Bernadette Landry Trust under Trust  
Agreement dated May 25, 1989

[Signature] Trustee  
By: Layne Landry, Trustee

[Signature] Trustee  
By: Bernadette Landry, Trustee

STATE OF CALIFORNIA

} S.S.

COUNTY OF

On July 28, 2010, before me, KELLY COVERT, a Notary Public,  
personally appeared Layne E. Landry and Bernadette A. Landry  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) 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 [Signature] (Seal)



**MORI MAIL**

DATE OF DELIVER

USPS TRACKING™

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PICKUP AVAILABL

\* Domestic only

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HEL MAY BE REQUIRED.



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EP14F July 2013  
OD: 12.5 x 9.5

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<b>P</b>	12/07/2018 From 92014	<b>US POSTAGE PAID</b> <b>Pitney Bowes</b> ComBasPrice Flat Rate Envelope 024P0007875447	
	<b>PRIORITY MAIL 2-DAY™</b>		
Digital Wealth Solutions Inc 4415 Caminito Tecera Del mar CA 92014-4305			
Jon Christensen Treasurer Tax Collector Attn : Excess Proceeds PO Box 12005 Riverside CA 92502-2205			
<b>USPS TRACKING #</b>			
9405 8096 9993 7110 2945 11			

Powered By Pitney Bowes

12/7/2018

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Cut on dotted line



MATTHEW JENNINGS  
County of Riverside Treasurer - Tax Collector

Giovane Pizano  
Chief Investment Manager



Melissa Johnson  
Senior Chief Deputy Treasurer-Tax Collector

October 6, 2020

Luis Alberto Ontiveros  
4415 Caminito Tecera  
Del Mar, CA 92014

Re: Assessment Number: 318110002-4  
TC 209 Item 106  
Date of Sale: May 2, 2017  
Date Deeded to Purchaser: June 21, 2017  
Deadline for E.P. Claim Submittal: June 21, 2018

Dear Luis Alberto Ontiveros:

We received your claim for excess proceeds on the above-mentioned parcel on **December 10, 2018**; however, the deadline date to submit a claim was on **June 21, 2018**.

Unfortunately, State Law does not permit late claims to be considered. California Revenue and Taxation Code 4675 (a) states:

- (a) Any party of interest in the property may file with the county a claim for the excess proceeds, in proportion to that person's interest held with others of equal priority in the property at the time of sale, at any time prior to the expiration of one year following the recordation of the tax collector's deed to the purchaser. The claim shall be postmarked on or before the one-year expiration date to be considered timely.

If you should have any other questions, please cc

Sincerely,

*Miriam Marquez*

Miriam Marquez  
Tax Sale Operations Unit  
(951) 955-3336

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EP 209 Item 106  
Luis Alberto Ontiveros  
4415 Caminito Tecera  
Del Mar, CA 92014



9590 9402 1202 5246 9516 98

2. Article Number (Transfer from service label)

7016 0340 0000 2071 9987

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