

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



ITEM: 19.15
(ID # 12413)

MEETING DATE:

Tuesday, October 18, 2022

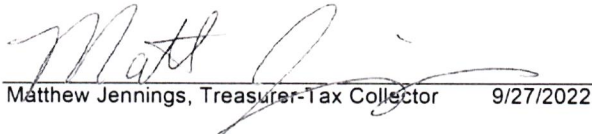
FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 207, Item 523. Last assessed to: Olivewood Village Homeowners Association, a California non-profit corporation. District 5. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Deny the claim from Olivewood Village Homeowners Association, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 479071027-3;
2. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$61,796.40 to the County General Fund pursuant to Revenue and Taxation Code Section 4674.

ACTION:Policy


Matthew Jennings, Treasurer-Tax Collector 9/27/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Spiegel 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: October 18, 2022
xc: Tax Collector

Kecia R. Harper
Clerk of the Board

By: 
Deputy

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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:	22/23

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 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 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 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

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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 Olivewood Village Homeowners Association based on a Trustees Deed recorded September 22, 2011 as Instrument No. 2011-0421378.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Olivewood Village Homeowners Association be denied since at the time the claim was filed and at all relevant times since, the company was FTB suspended, per California Secretary of State Business Search, which deprives it of all rights, privileges, and powers and it has no right or authority to file an administrative claim for the excess proceeds. Since there are no other claimants, the unclaimed excess proceeds in the amount of \$61,796.40 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 will be transferred to the County General Fund.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Olivewood


Steven Atkeson 10/10/2022

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

RECEIVED

To: Don Kent, Treasurer-Tax Collector

2017 JAN -3 AM 8:00

Re: Claim for Excess Proceeds

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

TC 207 Item 523 Assessment Number: 479071027-3

Assessee: OLIVEWOOD VILLAGE HOMEOWNERS ASSN

Situs: 12830 PERRIS BLV NO C7 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 \$21,824.00 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. 201-0421378 recorded on 11/14/16. 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.

TRUSTEES DEED HELD BY (S) OF MONTHLY MORTGAGE OBLIGATION
OLIVEWOOD VILLAGE HOMEOWNERS ASSOCIATION
STATE OF CALIFORNIA, INVOICE FOR COLLECTION COST (COST
ASSOCIATION), RIVERSIDE COUNTY, CALIFORNIA, OLIVEWOOD
VILLAGE HOMEOWNERS ASSOCIATION

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 21st day of DECEMBER, 2016 at RIVERSIDE County, State: CA

[Signature]
Signature of Claimant MANAGER FOR
OLIVEWOOD VILLAGE
HOME OWNERS ASSOCIATION

Signature of Claimant

Print Name

Print Name

119 JENNIFER AVENUE
Street Address

Street Address

RIVERSIDE CA 92504
City, State, Zip

City, State, Zip

951-683-6170
Phone Number

Phone Number

RECORDED AT THE REQUEST OF
COAST ASSESSMENT SERVICE COMPANY

WHEN RECORDED RETURN TO
OLIVEWOOD VILLAGE
HOMEOWNERS ASSOCIATION
3756 Tibbetts Street
RIVERSIDE, CALIFORNIA 92506

MAIL FUTURE TAX STATEMENTS TO
GRANTEE
Above Address

Order No 09-27666-1

C07

DOC # 2011-0421378

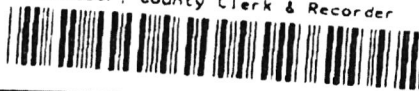
09/22/2011 12:29P Fee: 18.00

Page 1 of 2

Recorded in Official Records
County of Riverside

Larry U. Ward

Assessor, County Clerk & Recorder



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
1			2						6
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
					1		CTY	UNI	002

24

A P No 479-071-027

Trustee's Deed

002

- The undersigned certifies:
1. The Grantee named herein was was not the foreclosing Association.
 2. The amount of unpaid debt, together with costs, was \$ 11,526.00
 3. The amount bid by Grantee at the Trustee's Sale was \$ 11,526.00
 4. Documentary Transfer Tax, based on the foregoing, is \$ 0.00 and.

COAST ASSESSMENT SERVICE COMPANY, a California corporation, herein called "Trustee" as duly appointed or lawfully substituted Trustee of the Association herein referred to, hereby grants and conveys without warranty, express or implied, to OLIVEWOOD VILLAGE HOMEOWNERS ASSOCIATION, a California non-profit corporation,

herein called "Grantee", all right, title and interest heretofore held or claimed by the prior owner(s) of the estate described herein, or by the holder(s) of any Mortgage, Deed of Trust, or other interest therein recorded after recordation of the Declaration hereinafter referred to, to which the Association's lien for assessments was not specifically subordinated, in and to all that certain real property situate in the City of Moreno Valley, County of Riverside, State of California, and more particularly described on the sheet(s) attached hereto, marked EXHIBIT "A", and hereby made a part hereof. This conveyance is made under authority of and pursuant to the power of sale conferred on Trustee by the Governing Body of OLIVEWOOD VILLAGE HOMEOWNERS ASSOCIATION, a California non-profit corporation "the Association", by Section 1367 et seq. of the California Civil Code, and by that Declaration of Covenants, Conditions and Restrictions recorded February 21, 1980 in the office of the County Recorder of said County, as Recorder's Instrument No. 34129, which Declaration, as supplemented, amended, or re-recorded, imposed obligations on said prior owner(s) to pay assessments, and after fulfillment of all requirements authorizing the same. The Association's Notice of Delinquent Assessment was recorded October 8, 2009 in said office as Recorder's Instrument No. 2009-0523275. A copy thereof was served on said prior owner(s). Default occurred as set forth in that Notice of Default and Election to Sell Under Assessment Lien, which Notice was recorded May 20, 2010 in said office as Recorder's Instrument No. 2010-0234453. All requirements of Section 1367 et seq., and Section 2924 et seq., of said Civil Code as to notice, posting or publication, and mailing of a Notice of Default, and publication, mailing recording and posting of a Notice of Trustee's Sale, have been fully complied with. Said real property was sold on September 22, 2011, at public auction, "as-is", without warranty, express or implied, and subject to a 90 day right of redemption, at the time and place specified in said Notice of Trustee's Sale, within said County and State. Grantee, being the highest bidder at said sale, became the purchaser of said real property, by payment to Trustee of the full amount bid therefor of \$ 11,526.00, or by satisfaction, pro tanto, of all the obligations then secured by said Assessment Lien. IN WITNESS WHEREOF, Trustee has executed these presents the date set forth in the acknowledgement certificate hereinbelow.

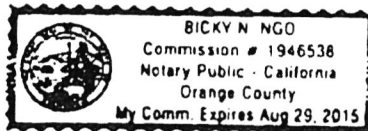
STATE OF CALIFORNIA } ss
COUNTY OF ORANGE

On September 22, 2011, before me, BICKY N NGO, a Notary Public for said State, personally appeared D. J. MORGER, 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/she executed the same in his/her authorized capacity and that by his/her 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.

Bicky N NGO
BICKY N NGO, Notary Public for said State

COAST ASSESSMENT SERVICE COMPANY,
a California corporation, as Trustee

By *D. J. Morger*
(SEAL) D. J. Morger, Senior Vice President



THIS SPACE FOR OFFICIAL NOTARIAL SEAL

MAIL TAX STATEMENTS AS DIRECTED ABOVE

EXHIBIT "A"

PARCEL 1: An undivided 1/40th interest in and to Lot 1 of Tract No. 14148, as shown by map on file in Book 111, Pages 66 and 67, Riverside County Records.

EXCEPTING THEREFROM Units A-1 through A-10 inclusive, B-1 through B-10 inclusive, C-1 through C-10 inclusive, and D-1 through D-10 inclusive, as shown upon the Condominium Plan recorded in Book C-29, Pages 253 through 258 inclusive of Official Records, as Instrument No. 97318.

PARCEL 2: Unit C-7 as shown upon the Condominium Plan referred to in Parcel 1 above.



**Request
Certificate**

Initial Filing Date 12/17/1979
Status Suspended - FTB
Standing - SOS Good
Standing - FTB Not Good
Standing - Agent Good
Standing - VCFCF Good
Inactive Date 04/02/2019
Formed In CALIFORNIA
Entity Type Nonprofit Corporation - CA -
Mutual Benefit - Common
Interest Development
Corporation
Principal Address 6700 INDIANA AVE STE 265
RIVERSIDE, CA 92506
Mailing Address 6700 INDIANA AVE STE 265
RIVERSIDE, CA 92506
*Statement of Info
Due Date* 12/31/2023
Agent Individual
80879
MACK ANDERSTROM
6700 INDIANA AVE STE 265
RIVERSIDE, CA 92506

RECEIVED
2022 AUG 16 AM 5:26
RIVERSIDE COUNTY
TREAS. TAX COLLECTION



[View History](#)



[Request Access](#)