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



ITEM: 2.19 (ID # 20594)

MEETING DATE:

Tuesday, December 13, 2022

FROM: TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 212, Item 942. Last assessed to: Helen Thompson and Terry A. Frazer, as joint tenants. District 3. [\$345,008 -Fund 65595 Excess Proceeds from Tax Sale - 100%] [Continued from 09/13/2022 MT # 19778 - Item 19.1]

RECOMMENDED MOTION: That the Board of Supervisors:

- 1. Approve the claim from K. Hovnanian's Four Seasons Homeowners Association, Inc. for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcel 920311021-5;
- 2. Find that the claim submitted by the Law Offices of Klinkert, Gutierrez & Neavel, Attorneys for Global Discoveries Ltd., assignee for Kathy Marie Randall, as Attorney in Fact for Terry A. Frazer for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with 920311021-5 was timely filed;

Continued on page 2

ACTION:Consent

MINUTES OF THE BOARD OF SUPERVISORS

12/1/2022

On motion of Supervisor Spiegel, seconded by Supervisor Jeffries 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

Matthew Jennings, Treasurer-Tax Collector

Absent:

None

Date:

December 13, 2022

xc: Tax Collector

Deputy

Kecia R. Harper

Clerk of the Board By: Sundy Jun

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

RECOMMENDED MOTION: That the Board of Supervisors:

- 3. Approve the claim from the Law Offices of Klinkert, Gutierrez & Neavel, Attorney's for Global Discoveries Ltd., assignee for Kathy Marie Randall, as Attorney in Fact for Terry A. Frazer for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with 920311021-5, per the Board of Supervisor's recommendation on September 13, 2022;
- 4. Receive and file the indemnification agreement from Global Discoveries Ltd. dated October 17, 2022; and
- 5. Authorize and direct the Auditor-Controller to issue warrants to K. Hovnanian's Four Seasons Homeowners Association, Inc. in the amount of \$9,558.73 and the Law Offices of Klinkert, Gutierrez & Neavel, Attorney's for Global Discoveries Ltd., assignee for Kathy Marie Randall, as Attorney in Fact for Terry A. Frazer in the amount of \$335,449.55, 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;

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongo	oing Cost
COST	\$345,008	\$0	\$345,00	8	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$	0	\$ 0
SOURCE OF FUNDS:	Fund 65595 Excess	Proceeds from Tax	Sale Budget Adj	ustment:	N/A
5 5 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1	. ua uuuu Exooot	7. TOOOCUS HOIII TUX	For Fiscal	rear:	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 01, 2018 public auction tax sale. The deed conveying title to the purchasers at the auction was recorded June 26, 2018. 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 18, 2018, 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 two claims for excess proceeds:

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

- Claim from K. Hovnanian's Four Seasons Homeowners Association, Inc. based on a Notice of Delinquent Assessment recorded September 27, 2017, as Instrument No. 2017-0401045.
- 2. **Copy of claim** submitted by the Law Offices of Klinkert, Gutierrez & Neavel, Attorney's for Global Discoveries Ltd., assignee for Kathy Marie Randall, as Attorney in Fact for Terry A. Frazer emailed to Riverside County, Treasurer Tax Collector on December 7, 2021.

At the September 13, 2022 board meeting, the Treasurer-Tax Collector's office recommended that the **copy of claim form** from the Law Offices of Klinkert, Gutierrez & Neavel, Attorney's for Global Discoveries Ltd., assignee for Kathy Marie Randall, as Attorney in Fact for Terry A. Frazer be denied because our office has no record of receiving the original timely claim. At that same meeting, Global Discoveries, Ltd. communicated to the Board that they did mail in the claim form. The Board asked Global Discoveries, Ltd. whether Global would indemnify the County of Riverside if the Board accepted the claim as timely filed and approved the claim. Global Discoveries, Ltd. agreed to indemnify the County and subsequently provided the attached indemnification agreement.

Pursuant to Section 4675 of the California Revenue and Taxation Code and the instructions given by the Board of Supervisors at the September 13, 2022 board meeting, it is the recommendation of this office that K. Hovnanian's Four Seasons Homeowners Association, Inc. be awarded excess proceeds in the amount of \$9,558.73 and the Law Offices of Klinkert, Gutierrez & Neavel, Attorney's for Global Discoveries Ltd., assignee for Kathy Marie Randall, as Attorney in Fact for Terry A. Frazer be awarded excess proceeds in the amount of \$335,449.55. Supporting documentation has been provided. The Tax Collector and the Board of Supervisors request approval of the above recommended motions. Notice of this recommendation was sent to the claimants by certified mail.

Impact on Residents and Businesses

Excess proceeds will be released to a lien holder and the last assessee of the property.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim K. Hovnanian

ATTACHMENT B. CopyClaim Global

ATTACHMENT C. Indemnification Agreement

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

Stephanie Pere, Principal Managemer Analyst 12/1/2022

Kristine Bell-Valdez,
Kristine Bell-Valdez, Supervising Deputy County County 11/29/2022

RECEIVE

CLAIM FOR EXCESS PROCEEDS FROM THE SAL (SEE REVERSE SIDE FOR FURTHER INSTRUCTION	DNS) 2018 SEP 12 PM 5: 20
To: Jon Christensen, Treasurer-Tax Collector	
Re: Claim for Excess Proceeds	REASTIAN COLLEGIO
TC 212 Item 942 Assessment No.: 920311021-5	
Assessee: THOMPSON, HELEN & FRAZER, TERRY	YA
Situs: 30035 IRON HORSE DR MURRIETA 92563	
Date Sold: May 1, 2018	
Date Deed to Purchaser Recorded: June 26, 2018	
Final Date to Submit Claim: June 26, 2019 .	
\$10,00\$.73 from the sale of the above mention property owner(s) [check in one box] at the tire Recorder's Document No. 2017 - 040/045, recorder	me of the sale of the property as is evidenced by Riverside County d on 9177207. A copy of this document is attached hereto, hed assignment of interest. I/We have listed below and attached
NOTE: YOUR CLAIM WILL NOT BE CONSIDERED	UNLESS THE DOCUMENTATION IS ATTACHED.
Sea Attached recorded lieu	· · · · · · · · · · · · · · · · · · ·
•	
have to sign the claim unless the claimant submits portion claimant may only receive his or her respective portion. If we affirm under penalty of perjury that the foregoing	is true and correct.
Executed this 20 day of September	2018 at Riverside, California County, State
Signature of Claimant	Signature of Claimant
JESSICZ Sedgwick Print Name 42430 Winchester Pd Street Address Teme(ul>, (A 97590	Print Name
Street Address	Street Address
City, State, Zip	City, State, Zip
951-294-5640 Phone Number	Phone Number
	SCO 8-21 (1-99)

RESOLUTION OF BOARD OF DIRECTORS OF K. HOVNANIAN'S FOUR SEASONS HOMEOWNERS' ASSOCIATION, INC. AUTHORIZING AGENTS TO COLLECT DELINQUENT ASSESSMENTS AND EXCESS PROCEEDS FROM FORECLOSURE SALE

WHEREAS, the Association's Declaration of Covenants, Conditions and Restrictions ("CC&Rs") provides that the Association has the right and power to enforce the provisions of the Association's CC&Rs;

WHEREAS, the Association's CC&Rs states that each owner of a separate interest is required to pay maintenance assessments, special assessments, etc. and related charges (collectively, the "Assessments") in a timely manner;

WHEREAS, the former owners of the property (separate interest) located at Assessor's Parcel Number: 920-311-021 and commonly known as 30035 Iron Horse Drive, Murrieta, California 92563 (the "Unit") are delinquent in payment of the Assessments;

WHEREAS, on or about September 27, 2017, the Association recorded a notice of delinquent assessment lien against the against the Unit for non-payment of the Assessments (the "Lien") pursuant to the Association's CC&Rs and California Civil Code Section 4000, et seq.;

WHEREAS, on or about May 1, 2018, the Unit was foreclosed on and sold at public auction by the County of Riverside Treasurer - Tax Collector's Office (the "Foreclosure <a href="Sale"); and

WHEREAS, the Foreclosure Sale resulted in excess proceeds for which the Association claims a right to all or a portion of said proceeds based upon its Lien.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Directors, in accordance with the Association's CC&Rs and California Civil Code Section 4000, et seq., the Association, since at least, January 1, 2018, has authorized and continues to authorize the Law Offices of Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP and Equity Management and Realty Services and their agents, including, but not limited to, Amber Effinger, as its agents to collect proceeds from the Foreclosure Sale.

Dated: March 9, 2021

BOARD, OF DIRECTORS

: /////

member of the Board of Directors

See attachment

dated

CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California	_ }
County of Riverside	_ }
on 13 109 mm before me	Lessly Giselle Rodriguez, Notary Public
personally appeared PUSSUL	(Here insert name and title of the officer)
who proved to me on the basis of satis	sfactory evidence to be the person(x) whose
versiterine executed the same in his/	n instrument and acknowledged/to me that her/their authorized capacity(les), and that by
his/hel/their signature(s) on the instrur	nent the personts), or the entity upon behalf of
which the person(s) acted, executed the	ne instrument. /
I certify under PENALTY OF PERJUR	Y under the laws of the State of California that
the foregoing paragraph is true and co	rrect.
WITNESS my hand and official seal.	COMM. #2203829
A continue and official seal.	Notary Public - California RIVERSIDE COUNTY My Comm Expires JUL. 02, 2021
Notary Public Signature	your
• (N	otaty Public Se(al)
ADDITIONAL OPTIONAL INFORMAT	
DESCRIPTION OF THE ATTACHED DOCUMENT	from other states may be completed and attached to the document. Acknowledgments
(Title or description of attached document)	as the wording does not require the California notary to violate California notary law.
(Title or description of attacked document continued)	 State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment Date of notarization must be the date that the signer(s) personally appeared which
Number of Pages Document Date	The notary public must print his or her name as it appears within his or her.
	 Print the name(s) of document signer(s) who personally appear at the time of
CAPACITY CLAIMED BY THE SIGNER Individual (s)	 Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/hey, is /are.) or circling the correct forms. Failure to correctly indicate this
☐ Individual (s) ☐ Corporate Officer	The notary seal impression must be clear and photographically reproducible.
(Title)	sufficient area permits, otherwise complete a different acknowledgment form
□ Partner(s)□ Attorney-in-Fact	Signature of the notary public must match the signature on file with the office of the county clerk Additional information is not recovered but could halve to exact the county clerk.
☐ Trustee(s) ☐ Other	acknowledgment is not misused or attached to a different document Indicate title or type of attached document, number of pages and date.
	endicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary)
v.Notary Classes com 300 5.73-9365	 Securely attach this document to the signed document with a staple.

WHEN RECORDED MAIL TO:

MARK J. ROSENBAUM, ESQ. WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP 11400 W. Olympic Blvd., 9th Floor Los Angeles, CA 90064



080

NOTICE OF DELINQUENT ASSESSMENT

In accordance with Section 4000, et seq., of the Civil Code of the State of California and the Declaration of Covenants, Conditions and Restrictions for K. Hovnanian's Four Seasons Homeowners' Association, Inc. recorded on January 2, 2001, as Instrument No. 2001-000098 in the office of the County Recorder of Riverside County, California, and any recorded amendments thereto, the following is recorded as a lien on the property described below:

- 1. Delinquent assessments, special assessments (if any) and related charges for the period from April 1, 2016, through July 1, 2017: \$2,486.00;
 - 2. Attorney's fees of \$450.00 and attorney's costs of \$56.94; and
- 3. This lien includes subsequent delinquent monthly maintenance and special assessments (and credit for partial payments), late charges, the cost of assessment lien, reasonable attorney's fees, and interest at the maximum rate allowed by law and accrue after the later date set forth in paragraph 1 above.

A copy of the itemized statement of the delinquent amounts, excluding attorney's fees and costs, is attached hereto.

The real property subject to the lien securing the charges set forth above is legally described as:

Lot 36 of Tract 24778-2, as shown on the applicable recorded Tract Map in the records of Riverside County, California.

2749478.1

Assessor's Parcel Number: 920-311-021.

The real property subject to the lien securing the charges set forth above is commonly described as: 30035 Iron Horse Drive, Murrieta, California 92563.

The mailing address is: 30035 Iron Horse Drive, Murrieta, California 92563.

The name(s) of the record owner(s) thereo	of: Helen Thompson and Terry A. Frazer.
DATED: 9/15/17	K. Hovnanian's Four Seasons Homeowners' Association, Inc. By: DANIEL MEDIONI, Agent
A notary public or other officer completing this ce individual who signed the document to which this accuracy, or validity of that document.	ertificate verifies only the identity of the certificate is attached, and not the truthfulness.
STATE OF CALIFORNIA) ss COUNTY OF LOS ANGELES)	
On this Is day of September, 2017 Leve E. Willin, a Notary MEDIONI, who proved to me on the basis of satis is subscribed to the within instrument and acknowleauthorized capacity, and that by his signature on the behalf of which the person acted, executed the inst	ledged to me that he executed the same in his are instrument, the person, or the entity upon
I certify under PENALTY OF PERJURY u the foregoing paragraph is true and correct.	ander the laws of the State of California that
WITNESS my hand and official seal. Signature	LENE E. VIGULIN Notary Public - California Los Angeles County

Helen Thompson Terry A. Frazer 30035 Iron Horse Drive Murrieta, California 92563

MA = monthly assessment LC = late charge

Post-judgment account ledger

16-Apr \$	146.00 MA
\$	10.00 LC
16-May \$	145.00
\$ \$	146.00 MA 10.00 LC
*	10.00 (
16-Jun \$	146.00 MA
\$	10.00 LC
16-Jul \$	
16-Jul \$ \$	146.00 MA
Ş	10.00 LC
16-Aug \$	146.00 MA
\$	10.00 LC
16-Sep \$	146.00 MA
\$	10.00 LC
16-Oct \$	146.00 MA
\$	10.00 LC
16-Nov \$	146.00 MA
\$	10.00 LC
16-Dec \$	146.00 MA
\$	10.00 LC
	20.00 20
17-Jan \$	146.00 MA
\$	10.00 LC
17-Feb \$	146.00 MA
\$	10.00 LC
	20.00 20
17-Mar \$	146.00 MA
\$	10.00 LC
17-Apr \$	146.00 MA
17-Apr \$	10.00 LC
-	20.00 EC

17-May \$	146.00 MA
\$	10.00 LC
17-Jun \$	146.00 MA
\$	10.00 LC
17-Jul \$	146.00 MA
\$	2,486.00

TOTAL



LAW OFFICES WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP

DANIEL MEDIONI

File No. 04201-029

August 15, 2018

VIA EMAIL - rette@riveo.org, U.S. MAIL AND CERTIFIED MAIL RETURN RECEIPT REQUESTED

Jon Christensen Treasurer-Tax Collector Attention: Excess Proceeds

P.O. Box 12005

Riverside, California 92502-2205

K. Hovnanian's Four Seasons Homeowners' Association, Inc. (the "Association")

v. Thompson/Frazer

Assessment No.: 920311021-5 Tax Sale Date: May 1, 2018

Property Address: 30035 Iron Horse Drive, Murrieta, California 92563

Riverside Superior Court case no.: RIC1805311

Dear Mr. Christensen:

This letter is in response to the July 18, 2018, letter which I received from you requesting the total amount claimed by the Association against surplus funds after the May 1, 2018, sale of the above-referenced property.

The total amount of the Association's claim is \$10,008.73. The Association's notice of delinquent assessment lien ("Lien") was recorded on September 27, 2017, as instrument number 2017-0401045 in the Riverside County Recorder's Office. A conformed copy of the Lien is enclosed. Thus, for priority purposes, the Association's claim relates back to September 27. 2017.

Please issue a check in the amount \$10,008.73 payable to the Association in care of this office. A breakdown of the \$10,008.73 claimed by the Association is enclosed.

If you have any questions, or require any additional information, please contact me.

Jon Christensen Treasurer-Tax Collector Attention: Excess Proceeds August 15, 2018 Page 2

Nothing contained herein or omitted herefrom is intended, nor shall be construed, to operate as an admission, limitation, or waiver of any of the Association's rights, remedies or defenses, at law and/or in equity, all of which are hereby expressly reserved.

Very truly yours,

WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP

DANIEL MEDIONI

Enclosures

cc: Equity Management and Realty Services

Attn: Jessica and Lisa (without enclosures)

AFFIDAVIT

I, Val Kett , an officer of K. Hovnanian's Four Seasons Homeowners' Association, Inc., declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

WHEREAS, on May 1, 2018, Tax Sale No. TC 212 Item 942 Assessment number: 920311021-5 was held by The Riverside County Tax Collector's Office, who sold the real property commonly known as 30035 Iron Horse Drive, Murrieta California 92563 (the "Property"), as a result of the properties tax defaulted status.

WHEREAS, K. Hovnanian's Four Seasons Homeowners' Association, Inc. (hereinafter referred to as "Claimant") is a Beneficiary of the excess proceeds pursuant to the Notice of Assessment recorded on September 27, 2017, as instrument number 2017-0401045 in the Riverside County Recorder's Office (the "Notice of Assessment");

WHEREAS, the Tax Sale on May 1, 2018, resulted in the sale of the Property located in the County of Riverside, State of California, with The Riverside County Tax Collector's Office having surplus funds after satisfaction of the foreclosure sale expenses and the claims of the Beneficiary; and

WHEREAS, Claimant warrants and represents: (a) That it is now the owner and holder of the above-mentioned Notice of Assessment, and (b) That it has not assigned or transferred said obligations or any portion thereof, and (c) That the amount owing is the sum of \$10,008.73.

Claimant acknowledges that this affidavit's specific purpose of inducing The Riverside County Tax Collector's Office to release said surplus in the amount of \$10,008.73 to Claimant.

"A," is a true and correct copy of an account ledger reflecting a balance due of \$10,008.73
IN WITNESS WHEREOF, Claimant has duly executed this affidavit day of August, 2018.
K. Hovnanian's Four Seasons Homeowners' Association,
By: While K willy An Officer of the Association
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
On this day of
On this
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
(See attached Acknowledgment)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

validity of that document.	
State of California County of Riverside)	
	bin Faz, Notary Public (insert name and title of the officer)
personally appeared Paul Kreitz who proved to me on the basis of satisfactory evider subscribed to the within instrument and acknowledg his/her/their authorized capacity(ies), and that by his person(s), or the entity upon behalf of which the person I certify under PENALTY OF PERJURY under the la paragraph is true and correct.	nce to be the person(e) whose name(e) is/are ed to me that he/she/they executed the same in s/her/their signature(s) on the instrument the son(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

(Seal)

ROSIN FAZ
Commission # 2108897
Notary Public - California
Orange County
My Comm. Expires Apr 26, 2019

Account History Report K. Hovnanian's Four Seasons Homeowners' Association Helen Thompson & Terry Frazer

Community Address: 30035 Iron Horse Drive

Murrieta, CA 92563

Mailing Address:

30035 Iron Horse Drive

Murrieta, CA 92563

Date Settled:

Unit Type:

SFH - Single Family Homes

Last payment date: Wed Jul 19, 2017

Last payment amount:

13.00

Current balance:

10,101.73

Trans Date	Transaction	Charges	Payments	Balance	Date Billed	Reference	Comments
02/28/2017	Balance Forward	3,629.00		3,629.00		As of 2/28/2017	Prior Mgmt Balance
03/01/2017	Association Fee	146.00		3,775.00		Monthly Charges	
04/01/2017	Association Fee	146.00		3,921.00		Monthly Charges	3
04/16/2017	Late Fee	10.00		3,931.00		Late Fee	Late Fee: 04/16/2017
04/27/2017	Legal Fee /	200.00		4,131.00		Attorney Fee	Attorney Fee: 02/28/17
04/30/2017	Late Interest	39.21		4,170.21		Late Interest	Late Interest: 04/30/2017
05/01/2017	Association Fee	146.00		4,316.21		Monthly Charges	
05/04/2017	Late Interest		-39.21	4,277.00		, ,	rc Reverse 04/30/2017 Late Inter
05/16/2017	Late Fee	10.00		4,287.00		Late Fee	Late Fee: 05/16/2017
05/18/2017	Late Fee		-10.00	4,277.00		Courtesy Waiver	Reverse 04/16/2017 Late Fee
05/25/2017	Legal Fee	/ 58.50		4,335.50		Attorney Fee	Attorney Fee: 04/30/17
05/30/2017	Late Interest	40.67		4,376.17		Late Interest	to the contract of the state of the contract o
06/01/2017		146.00		4,522.17			Late Interest: 05/30/2017
06/06/2017		740.00	-40.67	4,481.50		Monthly Charges	Recurring Charges: 06/01/2017
06/16/2017		10.00	-40.07			Remove Int/ Brd	Reverse 05/30/2017 Late Inter
	Association Fee	146.00		4,491.50		Late Fee	Late Fee: 06/16/2017
07/16/2017	I SUSPENDENT OF THE	10.00		4,637.50		Monthly Charges	Recurring Charges: 07/01/2017
07/19/2017		10.00	-13.00	4,647.50		Late Fee	Late Fee: 07/16/2017
07/20/2017	• •	/ 190.00	-13.00	4,634.50		34688	WOLF, RIFKIN, SHAPIRO, SCHULMA
08/01/2017		146.00		4,824.50		Attorney Fee	Attorney Fee: 6/30/17
08/16/2017				4,970.50		Monthly Charges	Recurring Charges: 08/01/2017
08/18/2017		10.00		4,980.50		Late Fee	Late Fee: 08/16/2017
08/22/2017		250.00		5,230.50		Fine Charge	CC & R Violation
	Legal Fee / Association Fee	/ 553.69		5,784.19		Attorney Fee	Attorney Fee 7/31/17
09/16/2017		146.00		5,930.19		Monthly Charges	Recurring Charges: 09/01/2017
10/01/2017		10.00		5,940.19		Late Fee	Late Fee: 09/16/2017
		146.00		6,086.19		Monthly Charges	Recurring Charges: 10/01/2017
10/16/2017		10.00		6,096.19		Late Fee	Late Fee: 10/16/2017
10/19/2017	•	_ 35.50		6,131.69		Attorney Fee	Attorney Fee 9/19/17
10/19/2017		250.00		6,381.69		Fine Charge	CC&R Violation
11/01/2017	Association Fee	146.00		6,527.69		Monthly Charges	Recurring Charges: 11/01/2017
11/16/2017	Late Fee	10.00		6,537.69		Late Fee	Late Fee: 11/16/2017
11/29/2017	Legal Fee /	155.47		6,693.16		Attorney Fee	Attorney Fee 10.31.17
12/01/2017		146.00		6,839.16		Monthly Charges	Recurring Charges: 12/01/2017
12/16/2017	Late Fee	10.00		6,849.16		Late Fee	Late Fee: 12/16/2017
12/22/2017	Compliance Fine	250.00		7,099.16		Fine Charge	CC&R Violation
	Association Fee	146.00		7,245.16		Monthly Charges	Recurring Charges: 01/01/2018
	Late Fee	10.00		7,255.16		Late Fee	Late Fee: 01/16/2018
	Legal Fee 🗸	210.00		7,465.16		Attorney Fee	Attorney Fee & Costs 12/31/17
	Late Fee		-10.00	7,455.16		Credit per BOD ap	Reverse 01/16/2018 Late Fee
	Association Fee	146.00		7,601.16		Monthly Charges	Recurring Charges: 02/01/2018
	Late Fee	10.00		7,611.16			Late Fee: 02/16/2018
	Legal Fee /	19.57		7,630.73			Attorney Fee 1/31/18
	Compliance Fine	250.00		7,880.73			CC&R Violation
3/01/2018	Association Fee	146.00		8,026.73			Recurring Charges: 03/01/2018
13/46/2010	Late Fee	10.00		8,036.73		, ,	
3/16/2018	2010 1 00	1,145.00		0,030.73		Late Fee	Late Fee: 03/16/2018

Account History Report K. Hovnanian's Four Seasons Homeowners' Association Helen Thompson & Terry Frazer

Trans Date	Transaction	Charges	Payments	Balance	Date Billed	Reference	Comments
04/01/2018	Association Fee	146.00		9,327.73		Monthly Charges	Recurring Charges: 04/01/2018
04/16/2018	Late Fee	10.00		9,337.73		Late Fee	Late Fee: 04/16/2018
04/23/2018	Legal Fee	✓ 75.00		9,412.73		Attorney Fee	Attorney Fee 3/31/18
05/01/2018	Association Fee	146.00	,	9,558.73		Monthly Charges	Recurring Charges: 05/01/2018
05/16/2018	Late Fee	10.00	. /	3,568.7 3		Late Fee	Late Fee: 05/16/2018
05/25/2018	Legal Fee	150.00	h /	9,718.73		Attorney Fee	Attorney Fee 4/30/18
06/01/2018	Association Fee	146.00	/	9,864.73		Monthly Charges	Recurring Charges: 06/01/2018
06/16/2018	Late Fee	10.00	\$	9,874.73		Late Fee	Late Fee: 06/16/2018
06/22/2018	Legal Fee /	(175.00)	1	9,949.73		Attorney Fee	Attorney Fee 5/31/18
06/28/2018	Legal Fee		-150,00	9,799.73		Credit	Erroneous Charge to Account
7/01/2018	Association Fee	146.00	\ \ \	9,945,73		Monthly Charges	Recurring Charges: 07/01/2018
7/16/2018	Late Fee	10.00	\ /	9,955.73		Late Fee	Late Fee: 07/16/2018
08/01/2018	Association Fee	146.00	\vee	10,101.73		Monthly Charges	Recurring Charges: 08/01/2018
		P for	reclosed	\$9,763. \$10,008. on May	73	018.	

McDowell, Johnisha

From:

Daniel Medioni < DMedioni@wrslawyers.com>

Sent:

Tuesday, March 8, 2022 4:10 PM

To:

RCTTC Excess Proceeds

Cc:

Gina Fonseca

Subject:

RE: EP 212-942/EXCESS PROCEEDS

CAUTION: This email originated externally from the <u>Riverside County</u> email system. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe.

Hi Johnisha,

Thanks for the follow-up email. This will confirm that the amount owed to the Association through the May 1, 2018, tax sale remains \$10,008.73.

Please let me know if you need any additional information.

Best,

Daniel

Daniel Medioni, Esq. Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP 11400 W. Olympic Blvd. 9th Floor Los Angeles, California 90064

Los Angeles, California 90064 PH: 310-478-4100 Ext. 6604

FAX: 310-479-1422

E-Mail: <u>dmedioni@wrslawyers.com</u>

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From: RCTTC Excess Proceeds < RCTTCExcessProceeds@rivco.org>

Sent: Tuesday, March 08, 2022 4:03 PM

To: Daniel Medioni < DMedioni@wrslawyers.com>

Subject: EP 212-942/EXCESS PROCEEDS

CAUTION: EXTERNAL EMAIL

Good afternoon,

Thank you again for taking my call today on the status of your claim for excess proceeds. I realized while on the call I didn't get a chance to request if you could send confirmation of what was discussed on our call today in a quick email. Once received I will move this file forward.

Best Regards,
Johnisha McDowell
Sr. Accounting Assistant
Tax Sale Operations/Excess Proceeds
951-955-3336 or RetteExcessProceeds@riveo.org

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County of Riverside California



Jon Christensen Miriam C. Marquez Riverside County Treasurer-Tax Collector Attention: Excess Proceeds P.O. Box 12005 Riverside, California 92502-2205

Re: K. Hovnanian's Four Seasons Homeowners' Association, Inc. (the "Association")

v. Thompson/Frazer

Assessment No.: 920311021-5 Tax Sale Date: May 1, 2018

Property Address: 30035 Iron Horse Drive, Murrieta, California 92563

Riverside Superior Court case no.: RIC1805311

March 18, 2021

Dear Ms. Marquez and Mr. Christensen:

Per your request, enclosed find the original notarized authorization signed by the Association's Managing Agent, on behalf of the Association's Board of Directors. I/We authorize law firm, Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP, and our Association's management company, Equity Management and Realty Services, and their respective agents to collect excess proceeds in the amount of \$10,008.73 on the Association's behalf from the foreclosure sale that took place on May 1, 2018, for the real property commonly known as 30035 Iron Horse Drive, Murrieta, California 92563. The said amount remains due and owing to date.

If you have any questions, or require any additional information, please contact our General Manager, Amber Effinger at 951-461-0072 ext. 103, or email aeffinger@cquitymgt.com.

18th day of March, 2021 at Riverside County

CALIFORNIA ALL-PURPOSE ACKNOWLEDGM

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

SCOMMINISTER MANTHER M 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 Date personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing CINTHI: XNOERZER paragraph is true and correct. ctary Public - California Riverside County WITNESS my Kand and official seal Commission - 226:66.1 My Commi Expires Oct 27, 2022 Signature Place Notary Seal and/or Stamp Above OPTIONAL Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. Description of Attached Document Title or Type of Document: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Signer's Name: ☐ Corporate Officer - Title(s): ☐ Corporate Officer - Title(s): □ Partner - □ Limited □ General ☐ Partner - ☐ Limited ☐ General □ Individual ☐ Attorney in Fact □ Individual ☐ Attorney in Fact □ Trustee ☐ Guardian or Conservator ☐ Trustee ☐ Guardian or Conservator

☐ Other:

Signer is Representing:

Signer is Representing:

□ Other:

LAW OFFICES OF

KLINKERT, GUTIERREZ & NEAVEL

JAMES E. KLINKERT PAUL J. GUTIERREZ KELLY A. NEAVEL

1407 N. BATAVIA STREET
SUITE 202
ORANGE, CALIFORNIA 92867

AREA CODE 909
TELEPHONE 390-9999
FACSIMILE 390-9990

December 7, 2021

By electronic mail to APotenciano@RIVCO.ORG

Adrian Potenciano
Deputy Treasurer-Tax Collector
Tax Sale, Bankruptcy and Tax Enforcement
Riverside County Treasurer-TaxCollector
John F. Tavaglione Executive Annex
4080 Lemon St.
Riverside, CA 92501

Re:

Global Discoveries Ltd. - Excess Proceeds Claim EP 212-942

Sale Date:

4/26/2018

Parcel No.:

920311021-5

Assessee:

Thompson Helen Frazer Terry A

Dear Mr. Potenciano:

This firm represents Global Discoveries Ltd. ("Global"). In connection with the ciaim for excess proceeds following tax sale identified above ("Claim"), attached please find the copy you requested of the Claim previously transmitted to you in January, 2019. Please note that as you were previously advised, the tracking number set forth on the claim summary was inadvertently misstated. The correct tracking number was and is 7017-1450-0000-8509-0399.

Global very much appreciates the good relationship it has enjoyed for many years with the Riverside County Treasurer-Tax Collector and sincerely hopes this unfortunate matter can be resolved without further inconvenience. Should you or County counsel have any questions or wish to discuss this matter, please contact me at your earliest convenience. Thank you very much.

Very truly yours,

/s/
James E. Klinkert

JEK:

cc:

Jed Byerly

Global Discoveries Ltd.

encl. (stated)

Abril, Adelina

From:

RCTTC Excess Proceeds

Sent:

Wednesday, July 21, 2021 4:06 PM

To:

Abril, Adelina

Subject:

FW: Global Discoveries Pending APNs/Claims for Excess Proceeds

Attachments:

gd_35260_claim_package.pdf

From: Michelle Barajas <michelle.barajas@gd-ltd.com>

Sent: Wednesday, July 21, 2021 3:46 PM

To: RCTTC Excess Proceeds < RCTTCExcessProceeds@rivco.org>

Cc: Jed Byerly <jed.byerly@gd-ltd.com>

Subject: RE: Global Discoveries Pending APNs/Claims for Excess Proceeds

Hi Ana,

Attached is a copy of the claim we mailed on January 02, 2019, I tried to search the tracking number online, but it is too old to show the status. Can you double check? I don't see that we got the certified receipt back from the post office so my fear is that it got lost in the mail somehow?

From: Jed Byerly < <u>ied.byerly@gd-ltd.com</u>>
Sent: Wednesday, July 21, 2021 3:24 PM

To: Michelle Barajas < michelle.barajas@gd-ltd.com >

Cc: RCTTCExcessProceeds@rivco.org

Subject: FW: Global Discoveries Pending APNs/Claims for Excess Proceeds

Hi Michelle – Please see below from Ana. This is for our file 35260. Please send her a copy of our claim etc.

Thanks!

Jed Byerly Global Discoveries, Ltd (800) 370-9413 globaldiscoveries.com

GLOBAL DISCOVERIES, LTD

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From: RCTTC Excess Proceeds < RCTTCExcessProceeds@rivco.org>

Sent: Wednesday, July 21, 2021 3:19 PM

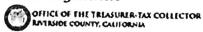
To: Jed Byerly < ied.byerly@gd-ltd.com>

Subject: RE: Global Discoveries Pending APNs/Claims for Excess Proceeds

We have gone ahead and pulled the file but it appears a claim from Global was not submitted for PIN 920311021-5 TC 212 Item 942.

Best Regards,

Ana C. Galindo



Tax Sale Operations/Excess Proceeds

PH: (951) 955-3848 FAX: (951) 955-3990

From: Jed Byerly < <u>ied.byerly@gd-ltd.com</u>>
Sent: Wednesday, July 21, 2021 2:57 PM

To: RCTTC Excess Proceeds < RCTTCExcessProceeds@rivco.org>

Subject: RE: Global Discoveries Pending APNs/Claims for Excess Proceeds

Hello Ana - It's 920311021-5.

Thanks!

Jed Byerly Global Discoveries, Ltd (800) 370-9413 globaldiscoveries.com

GLOBAL DISCOVERIES, LTD

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From: RCTTC Excess Proceeds < RCTTCExcessProceeds@rivco.org>

Sent: Wednesday, July 21, 2021 2:56 PM To: Jed Byerly <ied.byerly@gd-ltd.com>

Subject: RE: Global Discoveries Pending APNs/Claims for Excess Proceeds

Hello Mr. Byerly,

Can you please provide us the parcel number for this file?

Best Regards,

Ana C. Galindo

OFFICE OF THE TREASURER-TAX COLLECTOR RYTESIDE COUNTY, CALIFORNIA

Tax Sale Operations/Excess Proceeds

PH: (951) 955-3848 FAX: (951) 955-3990

From: Jed Byerly < <u>ied.byerly@gd-ltd.com</u>>
Sent: Wednesday, July 21, 2021 1:54 PM

To: RCTTC Excess Proceeds < RCTTCExcessProceeds@rivco.org >; Michelle Barajas < michelle.barajas@gd-ltd.com >;

Galindo, Ana < ACGalindo@Rivco.org>

Subject: RE: Global Discoveries Pending APNs/Claims for Excess Proceeds

Hello Adrian – I was just following up on TC 212 Item 942 (Global file 35260). Please let me know if you've been able to look into this one.

Best.

Jed Byerly Global Discoveries, Ltd (800) 370-9413 globaldiscoveries.com

GLOBAL DISCOVERIES, LTD

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From: RCTTC Excess Proceeds < RCTTCExcessProceeds@rivco.org>

Sent: Monday, June 21, 2021 11:46 AM

To: Michelle Barajas <michelle.barajas@gd-ltd.com>; Galindo, Ana <ACGalindo@Rivco.org>

Cc: RCTTC Excess Proceeds < RCTTCExcessProceeds@rivco.org >; Jed Byerly < jed.byerly@gd-ltd.com >

Subject: RE: Global Discoveries Pending APNs/Claims for Excess Proceeds

Hi Michelle,

I apologize, I was in a meeting this morning; however, this is to confirm that we did received your email with the list of Excess Proceeds files. We will be sending out a calendar event this week for the follow-up.

Thank you,

Adrian Potenciano

From: Michelle Barajas <michelle.barajas@gd-ltd.com>

Sent: Monday, June 21, 2021 11:34 AM To: Galindo, Ana < ACGalindo @ Rivco.org >

Cc: RCTTC Excess Proceeds <RCTTCExcessProceeds@rivco.org>; Jed Byerly <jed.byerly@gd-ltd.com>

Subject: RE: Global Discoveries Pending APNs/Claims for Excess Proceeds

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Good Morning Adrian,

I just left you a voice mail, just wanted to confirm you received my email below along with our list of priority files. Can you confirm? Thank you and have a great day!

Michelle Barajas

Manager of Claims Processing P.O. Box 1748 Modesto, CA 95353

Fax: 209-593-3904

Toll Free: 1-800-370-9109 or 209-593-3904

GLOBAL DISCOVERIES, LTD

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From: Michelle Barajas

Sent: Thursday, June 17, 2021 11:44 AM
To: Galindo, Ana < ACGalindo @ Rivco.org >

Cc: RCTTC Excess Proceeds < RCTTCExcessProceeds@rivco.org>; Jed Byerly < jed.byerly@gd-ltd.com>

Subject: Global Discoveries Pending APNs/Claims for Excess Proceeds

Importance: High

Good Morning,

It was a pleasure speaking with you today, per our discussion, we are attaching a list of priority claims. These claims have an excess of 3-5 years after the legal filing deadline. Thank you in advance for your assistance in this matter.

Have a great day!

Michelle Barajas

Manager of Claims Processing P.O. Box 1748 Modesto, CA 95353 Fax: 209-593-3904

Toll Free: 1-800-370-9109 or 209-593-3904



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County of Riverside California



Ph: 209-593-3900 or 600-370-0372 Fx: 209-549-9299 | Info@gd-ltd.com

1120 13th Street, Suite A | Modesto, CA 95354

CLAIM SUMMARY

Date:

January 2, 2019

To:

Riverside County Treasurer and Tax Collector

Assessors Parcel Number:

920311021-5

Last Assessee:

THOMPSON HELEN FRAZER TERRY A

Sale Date:

4/26/2018

TC:

TC 212

Item Number:

942

Deadline:

6/26/2019

Dear Treasurer/Tax Collector:

1. Claimant(s): Global Discoveries, Ltd.

The following proof of claim(s) for excess proceeds and documents are attached:

- 1. Grant Deed granting interest to Helen Thompson and Terry A. Frazer as Joint Tenants s Document Number: 2012-0056164, recorded on 02/07/2012 in Riverside County, CA.
- 2. Certified Death Certificate for Helen M. Thompson leaving Terry A. Frazer as surviving Joint Tenant and sole owner of the above referenced property. - Please Note: The 30035 Iron Horse Dr. Murrieta, CA 92563 address that is listed as the residence on Ms. Thompson's death certificate is one and the same address that is noted on the above -mentioned Grant Deed.
- 3. General Power of Attorney signed by Terry A. Frazer appointing Kathy Marie Randall as her attorney-in-fact.
- 4. Affidavit stating that Terry A. Frazer is one and the same person who is listed on the above referenced grant Deed and listed all name variations for Terry A. Frazer.
- 5. Assignment of Rights To Collect Excess Proceeds signed by Kathy Marie Randall as Attorney in Fact for Terry A. Frazer
- 6. Claim form(s) signed by Global Discoveries
- 7. Photo ID for: Terry A. Frazer Please Note: The 30035 Iron Horse Dr. Murrieta, CA 92563 address that is listed on Ms. Frazer's CA Driver License is one and the same address that is noted on the above -mentioned Grant Deed.
- 8. Photo ID for: Kathy Marie Randall

Upon approval, claimant(s) request that the Treasurer and Tax Collector issue its warrant(s) as follows:

• One warrant in the amount of \$345,008.28 or 100% of the claimant's share of the excess proceeds made payable to Global Discoveries Ltd. and mailed to P.O. Box 1748, Modesto, CA 95353-1748. Please address questions regarding the attached claim(s) to Jed Byerly, Managing Member, at (209) 593-3913, or e-mail to jed@gd-ltd.com.

The Client(s) and the staff of Global Discoveries, Ltd., thank you in advance for your timely review and approval of the attached claim(s).

Certified Tracking Number: 7017-1450-0000-8509-0344

GD Number: 35260-221389

DOC # 2012-0056164 Recording requested by: 02/07/2012 02:44P Fee:15.00 Page 1 of 1 Recorded in Official Records John S. Cha County of Riverside Larry W. Word And when recorded, mail this deed and tax County Clerk statements to: John S. Cha Stone Rosenblatt & Cha 21550 Oxnard Street, Suite 200

LONG COPY M A

426

465

GRANT DEED

APN: 920-311-021-5

Woodland Hills, California 91367

UNI DOCUMENTARY TRANSFER TAX: \$0

CORNCOR

SMF

NCHG

019

EXEMPTION (R&T CODE): R & T 11930

EXPLANATION: This conveyance transfers an interest out of a Living Trust, R & T 11930.

For a valuable consideration, receipt of which is hereby acknowledged,

Helen Thompson, an unmarried woman, Trustee of the Thompson Living Trust, dated June 2, 2004,

hereby grants to

HELEN THOMPSON AND TERRY A. FRAZER, AS JOINT TENANTS

the following real property in the City of Murrieta, County of Riverside, California:

Lot 36 of Tract 24778-2, as per Map recorded December 22, 2000, at Book 299, Pages 49 through 57, inclusive, of Maps, in the Office of the County Recorder of Riverside County, California.

Property commonly known as: 30035 Iron Horse Drive, Murrieta, CA.

Date: January 31, 2012

(Signature of declarant) Helen Thompson

State of California County of Say Ungles

On 1/3/ 20/2 before me, fully Drawllett, a notary public, personally appeared HELEN THOMPSON, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/ase subscribed to the within instrument and acknowledged to me that be/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 scal.

Signature of Notary

JULIE BROUILLETTE Commission # 1890735 Notary Public - California Los Angeles County

My Comm. Expires May 23, 2014

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC HEALTH

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ANY ALTERATION OR ENASURE VOIDS THIS CERTIFICATE

General Power of Attorney

#2 Notice: This is an important document. Before signing this document, you should be important facts. By signing this document, you are not giving up any powers or rights to control your finances and property yourself. Is addition to your own powers and rights, you may be giving another person, your attorney-in-fact, broad powers to handle your finances and property. This general power of attorney may give the person whom you designate (your "attorney-in-fact") broad powers to handle your finances and property, which may include powers to encumber, sell or otherwise dispose of any real or personal property without advance notice to you or approval by you. THE POWERS WILL NOT EXIST AFTER YOU BECOME DISABLED OR INCAPACI-TATED. This document does not authorize anyone to make medical or other health care decisions for you. If you own complex or special assets such as a business, or if there is anything about this form that you do not understand, you should ask a lawyer to explain this form to you before you sign it. If you wish to change your general power of attorney, you must complete a new document and revoke this one. You may revoke this document at any time by destroying it, by directing another person to destroy it in your presence or by signing a written and dated statement expressing your intent to revoke this document. If you revoke this document, you should notify vour attorney-in-fact and any other person to whom you have given a copy of the form. You also should notify all parties having custody of your assets. These parties have no responsibility to you unless you actually notify them of the revocation. If your attorney-in-fact is your spouse and your marriage is annulled, or you are divorced after signing this document, this document is invalid. Since some 3rd parties or some transactions may not permit use of this document, it is advisable to check in advance, if possible, for any special requirements that may be imposed. You should sign this form only if the attorney-in-fact you name is reliable, trustworthy and competent to manage your affairs.

1. Terry Ana Frazer of Temerila.
City of Temecula, State of California, as principal, do hereby
appoint Kathy marie Randall, of Temecula
City of Temecula, State of California
to act in my name, place and stead in any way which I myself could do, if I were personally present, with respect to
the following matters to the extent that I am permitted by law to act through an agent:
(a) real estate transactions;
(b) goods and services transactions;
(c) bond, share and commodity transactions;
(d) banking transactions;
(e) business operating transactions;
(f) insurance transactions;
(g) estate transactions;
(h) claims and litigation;
(i) personal relationships and affairs;
(j) benefits from military service;
(k) records, reports and statements;
(1) retirement benefit transactions;
(m) making gifts to my spouse, children and more remote descendants, and parents:

(n) tax matters;	
(o) all other matters;	
(p) full and unqualified authority to my attorney-in-fact to delegate any or all of the foregoing powers to a persons whom my attorney-in-fact shall select;	
(q) unlimited power and authority to act in	all of the above situations (a) through (p)
tur no	
Signature and Declaration of Principal	
Terry Ano Frazer	, the principal, sign my name to this power of attorney
another to sign for me, that I execute it as my free and	wohistory and first a man I sign it willingly, or willingly direct
ney and that I am eighteen years of age or older, of sou	and mind and under no constraint or undue influence
(MAXXXX)	and the same state of the same
Signature of Principal	

SECTIONAL JUNA! WITH AFFIANT STA	CODE & B
☐ See Attached Document (Notary to cross ou ☐ See Statement Below (Lines 1–6 to be comp	nt lines 1-6 below) bleted only by document signer(s), not Notary)
	71 8 3
Signature of Focument Signer No. 1	Signature of Document Signer No. 2 (if any)
	cate verifies only the identity of the individual who signed the truthfulness, accuracy, or validity of that document.
tate of California county of Riversidal	Subscribed and swom to (or affirmed) before monthis 20th day of <u>December</u> 20/8 by Date Month Year (1) Terry Agg Frater
	(1) Terry And Frazer (and (2)
APRIL VETTOREL Comm. #2232252 Notary Public-California fi Riverside County Comm. Expires Feb 24, 2022	(and (2) Name(s) of Signer(s) proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me
	Signature Am / Vettore
	Signature of Notary Public
Seal Place Notary Seal Above	
nough this section is optional, completing this fraudulent reattachment of the	TONAL Information can deter alteration of the document or form to an unintended document.
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e or Type of Document: General PDA	Document Date: 12/20/18
mber of Pages: Signer(s) Other Than Ner	The Above

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CALIFORNIA JURAT WITH AFFIANT STATEMENT

AFFIDAVIT

- I, Kathy Marie Randall as Attorney in Fact for Terry A. Frazer, do hereby declare:
 - 1. I am over the age of 18 and a resident of Temecula, CA. The facts set forth herein are true of my own personal knowledge. If called to testify as a witness in a judicial proceeding, I could, and would, testify truthfully and competently thereto.
 - Terry A. Frazer am one and the same person who is noted on the Grant Deed as Document Number: 2012-0056164, Recorded in Riverside County on 02/07/2012.
 - 3. Terry A. Frazer am one and the same person as Terry Ann Frazer and Terry Frazer.
 - 4. I, Kathy Marie Randall am one and the same person listed on the General Power of Attorney signed by Terry A, Frazer on 12/20/2018.
 - I assigned the excess proceeds to Global Discoveries, Ltd., for <u>Riverside</u> County Assessors Parcel Number <u>920311021-5.</u>

I declare under penalty of perjury that the foregoing is true and correct. Executed this 21 day of December, 2018, in Riverside, California.

Kathy Marie Randall as Attorney in Fact for Terry A. Frazer Teny A frager

JURAT

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 <u>Pulifornia</u>
County of Riverside

Subscribed and sworn to (or affirmed) before me on this

2/st day of <u>Necember</u>, 20/8, 1
Date Month Year

Katky Marie Randall

Name of Singer

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Am Hettore?
Signature of Notary Public

Riverside County
Comm. Expires Feb 24, 2022

APRIL VETTOREL
Comm. #2232252
ptary Public California

(Place Notary Seal Above)

GD Number: 35260-221389

ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS To expedite processing of this daim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS. As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby assign to Global Discoveries Ltd. my right to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 920311021-5 Tax Sale Number TC 212, Item 942 sold at public auction on 4/26/2018 I understand that the total of excess proceeds available for refund is \$ 345,008.28+/-, and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VAULABLE CONSIDERATION RECEIVED I HAVE SOLD THIS RIGHT OF COLLECTION (assignment) TO THE ASSIGNEE. I certify under penalty of perjury that I have disclosed to the assignee all facts of which I am aware relating to the value of this right I am assigning. in fact for Teas Kathy Marie Randa (Signature of Party of Interest/Assignor) Kathy Marie Randall as Attorney In Fact for Terry A. Frazer (Name Printed) 12-21-2018 Tax ID/SS# 20 (City/State/Zip) 319.9625 (Area Code/Telephone Number) CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC 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. personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)(s/ere subscribed to the within instrument and acknowledged to me that he sing they executed the same in his negligible authorized capacity(ies), and that by his negligible signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. APRIL VETTOREL Comm. #2232252 (seal) Notary Public California **Riverside County** Comm. Expires Feb 24, 2022 uant to Section 4675 of the California Revenue I, the undersigned, certify under perialty of perjury that I have disclosed to him the California Ru and Taxariori Code, all facts of which I am aware relating to the value of the right he is assigning, that I have disclosed to him the full amount of excess proceeds available, and that I AVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT. Jed Byerly, Managing Member (Signature of Assignee) (Name Printed) Tax 10/55# Global Discoveries Ltd. (Address) P.O. Box 1748 Modesto, CA 95353-1748 (City/State/Zip) Phone: (209) 593-3913 CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC 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. California County of i before me, Dria (Date) (here insert name and title of the officer) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(les), 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.

(seal)

WATNESS my hand and official seal.

Signature of Notary Public

FURTHER INSTRUCTIONS FOR COMPLETING ASSIGNMENT FORM (See Assignment Form on Reverse Side)

The California Revenue and Taxation Code, Section 4675, states in part

"For the purposes of this article, parties of interest and their order of priority are:

- a) First, lien holders of record prior to the property becoming subject to the tax collector's power of sale on tax defaulted property or to any other taxing agency, the order of their priority, as to liens that were extinguished by the tax collector's issuance of the declaration of power to sell; and
- b) Then, any person who would have retained title to all or any portion of the property should the property have been redeemed immediately prior to the sale by the tax collector."
- c) A party of interest in the property at the time of the sale may assign his or her right to claim the excess proceeds only by a dated, written instrument that explicitly states that the right to claim the excess proceeds is being assigned, and only after each party to the proposed assignment has disclosed to each other party to the proposed assignment all facts of which he or she is aware relating to the value of the right that is being assigned (§4675).

If you consider yourself to be a party of interest in the sale of tax defaulted property as defined above, please fill out the reverse of this form. If you need help in filling out the form, please contact our office by telephone, mail, or in person. Our telephone number is (951) 955-3842. You must attach copies of documents to support your claim as a party of interest as follows:

- In case (a), attach a copy of your trust deed or other evidence of lien or security interest, along with a statement under penalty of perjury setting forth the original amount of the lien or interest, the total amount of payments received reducing the original amount of the lien or interest, and the amount still due and payable as of the date of the sale of the tax defaulted property by the tax collector.
- 2. In case (b), attach copies of any other documents supporting your claim (e.g., deed, death certificate, will, court order, etc.).
- 3. Any person or entity who in any way acts on behalf of, or in place of, any party of interest with respect to filing a claim for any excess proceeds shall submit proof with the claim that the amount of excess proceeds has been disclosed to the party of interest and that the party of interest has been advised of his or her right to file a claim for the excess proceeds on his or her own behalf (§4675).
- 4. Mail completed form to:

Don Kent, Treasurer-Tax Collector P.O. Box 12005 Riverside, CA 92502-2205 Attn: Tax Sale Operations

PLEASE NOTE: Claims will be processed after one year has passed from the date of the recording of the deed to the purchaser. In order to receive consideration by the County Board of Supervisors, claims must be received BEFORE THE EXPIRATION OF ONE YEAR following the date of the recording of the deed to the purchaser (see the "Date Deed to Purchaser Recorded" on the attached notice). Following the Board's review, the claim will be either approved or denied. The Clerk of the Board of Supervisors will notify you of the action taken by the Board. Should the claim be approved, the Auditor-Controller will, after 90 days, issue a county warrant in payment.

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY

Riverside County Treasurer and Tax Collector Assessor's Parcel No: 920311021-5 Tax Sale Number: TC 212 Item Number: 942 Date of Sale: 4/26/2018 The undersigned claimant, Global Discoveries, Ltd., claims \$345,008.28+/- or 100% of the claimant's share of the actual amount of excess proceeds from the sale of the property referenced above. Global Discoveries, Ltd., claims its status as a party of interest pursuant to Section 4675 of the California Revenue and Taxation Code based upon the attached documentation: Please refer to Claim Summary and attached Documents I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. at Modesto, California. Bv: Jed Byerly, Managing Member Global Discoveries Ltd. Tax ID # P.O. Box 1748 Modesto, CA 95353-1748 CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC 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. before me. (here insert name and title of the officer) basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that be/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.

MARIA MENDOZA

Notary Public – California Stanislaus County Commission # 2212722 My Comm. Expires Sep 3, 2021

GD Number: 35260-221389

Signature of Notary Public

WHINESS my hand and official seal.

Global Discoveries Ltd. LLC, a Nevada limited-liability company ("Global", the "Indemnitor") hereby agrees, to defend, indemnify and hold harmless the County of Riverside ("County"), its Board of Supervisors, officers, elected officials, agents, volunteers, and employees, individually and collectively, from and against all costs, losses, claims, demands, suits, actions, expenses, liability, damage, injury, payments and judgments, including legal and attorney fees, arising out of or in connection with the approval of Global's claim for excess proceeds resulting from the County's tax sale of parcel number 920311021-5 on or about April 26, 2018, identified by the County as Tax Sale 212, Item 942, including without limitation the payment of all consequential damages and attorney fees and other related costs and expenses.

The Indemnitor shall defend, at the Indemnitors' own cost, expense, and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against the County, its Board of Supervisors, officers, elected officials, agents, volunteers, and employees, individually and collectively. The Indemnitor shall pay and satisfy any judgment, award or decree that may be rendered against the County, its Board of Supervisors, officers, elected officials, agents, volunteers, and employees, individually and collectively, in any such suit, action or other legal proceeding resulting from said approval of Global's claim for excess proceeds. The Indemnitor shall reimburse the County, its Board of Supervisors, officers, elected officials, agents, volunteers, and employees, individually and collectively, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. The Indemnitor's obligation to indemnify shall not be limited or restricted in any way by the existence or coverage amount of insurance or by any other legal or financial protection inuring to the benefit of the County, its Board of Supervisors, officers, elected officials, agents, volunteers, and employees, individually and collectively.

GLOBAL DISCOVERIES LTD. LLC, a Nevada limited-liability company

By: Jed Byerly, Managing Member

Date: 10-17-2022

From: Jed Byerly < jed@gd-ltd.com Sent: Friday, December 9, 2022 9:03 AM

To: COB < COB@RIVCO.ORG >

Subject: December 13, 2022 Agenda Item 20594: Treasurer Tax Collector

Dear Clerk of The Board – Please find attached supplemental correspondence regarding agenda item 20594 which will be heard at the 12/13/2022 meeting. I kindly ask for your assistance in forwarding it to the Board Members in advance of the meeting.

Best regards,

Dear Board – On 9/13/2022 you heard agenda item 19778 referenced below from the statement of proceedings. At the hearing, you agreed to pay the claim filed by Global Discoveries, Ltd. on behalf of our client, Terry Frazier. The board simply requested that Global provide an indemnity and hold harmless agreement to the county which Global gladly and quickly provided to the Treasurer's office. It has now been three additional months since that meeting, which makes it four years and eight months since our client's property was sold at tax auction. The Treasurer's office has placed the Global claim on the agenda for approval with a condition that the funds are not paid out until after a 90-day waiting period. There is no competing claim, and it has been over 90 days from the board's recommendation for approval, so we see no statutory legal bases for any further payout delays. It seems redundant. The original hearing was 9/13/2021. No party has contested the board's decision to approve the claim and we have provided the indemnification that the board requested. The Treasurer is bringing this before the board again for their final blessing, but there is no need for any further payout delays. We respectfully request that the checks be cut once approved by the board at the 12/13/2022 so that our client can finally be paid the money due here prior to Christmas. Again, there is no legal basis for yet another 90 days of delay as no one has contested the decision from 9/13/2022 and Global has fulfilled all the requirements set forth by the board.

September 13, 2022

9778 TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 212, Item 942. Last assessed to: Helen Thompson and Terry A. Frazer, as joint tenants. District 3. [\$9,558 -Fund 65595 Excess Proceeds from Tax Sale] [Continued from 8/2/2022 MT # 14845/ Item 19.1]

(APPROVED TENTATIVE FINDING)

December 13, 2022:

20594: TREASURER-TAX COLLECTOR: Recommendation for Distribution of Excess

19. Proceeds for Tax Sale No. 212, Item 942. Last assessed to: Helen Thompson and Terry

A. Frazer, as joint tenants. District 3. [\$345,008 -Fund 65595 Excess Proceeds from Tax Sale - 100%] [Continued from 09/13/2022 MT # 19778 - Item 19.1]

- Action Item Form 11
- a. Claim K. Hovnanian
- b. Claim Global
- c. <u>Indemnification Agreement</u>

Jed Byerly Global Discoveries, Ltd (800) 370-9413 globaldiscoveries.com

12/13/22 2.19

From: COB

Sent: Friday, December 9, 2022 11:31 AM

To: Jed Byerly <jed@gd-ltd.com> **Cc:** COB <COB@RIVCO.ORG>

Subject: December 13, 2022 Agenda Item 2.19 Public Comment on Excess Proceeds (Jed Byerly)

Good morning Mr. Byerly,

The Clerk of the Board of Supervisors has received and will distribute your Public Comment below to all Board members as requested.

You may provide verbal comment on this Board Item (2.19) as well, in person or by registering on the COB website (noted below) to 'Request to Speak' by phone

Please feel free to contact us if you need assistance.

Thank you kindly,



Clerk of the Board of Supervisors 4080 Lemon Street, 1st Floor, Room 127 Riverside, CA 92501 (951) 955-1069 Fax (951) 955-1071 Mail Stop #1010

cob@rivco.org

website: http://rivcocob.org/

https://www.facebook.com/RivCoCOB/



NOTICE: This communication is intended for the use of the individual or entity to which it is addressed and may contain **information that is privileged, confidential** and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email or by telephone and immediately delete this communication and all its attachments.

The County Administrative Center is open Monday through Friday. Business hours for the Clerk of the Board Office are 8:00 a.m. to 5:00 p.m