

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



**ITEM: 19.26
(ID # 14852)**

MEETING DATE:
Tuesday, April 18, 2023


FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 209, Item 207. Last assessed to: Bartolo Maria, a married man as his sole and separate property. District 5. [\$42,225-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Israel Lopez, Assignee for Virginia Canedo Maria AKA Virginia Canedo Lopez, heir to the Estate of Bartolo Maria AKA Bartolo Maria Vargas, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcel 435211041-7;
2. Authorize and direct the Auditor-Controller to issue a warrant to Israel Lopez, Assignee for Virginia Canedo Maria AKA Virginia Canedo Lopez, heir to the Estate of Bartolo Maria AKA Bartolo Maria Vargas in the amount of \$42,225.84, no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

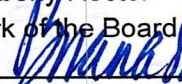
ACTION:Policy


Matthew Jennings, Treasurer-Tax Collector 4/5/2023

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: April 18, 2023
xc: Tax Collector

Kimberly Rector
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$42,225	\$ 0	\$42,225	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale.			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 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.

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

1. Claim from Israel Lopez, Assignee for Virginia Canedo Maria AKA Virginia Canedo Lopez, heir to the Estate of Bartolo Maria AKA Bartolo Maria Vargas based on an Assignment of Right to Collect Excess Proceeds notarized September 19, 2020, a Grant Deed recorded February 24, 1988 as Instrument No. 1988-47407, an Affidavit for Collection of Personal Property Under California Probate Code Sections 13100-16106 notarized November 14, 2020, and a Certificate of Death for Bartolo Maria Vargas.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Israel Lopez, Assignee for Virginia Canedo Maria AKA Virginia Canedo Lopez, heir to the Estate of Bartolo Maria AKA Bartolo Maria Vargas be awarded excess proceeds in the amount of \$42,225.84. 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 released to the heir of the last assessee to the property.

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

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Lopez


Stephanie P., Principal Management Analyst 4/10/2023


Ronak Patel, Deputy County Counsel 3/14/2023

1270732.1.2

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

RECEIVED
2018 MAY -3 PM 1:03
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 209 Item 207 Assessment Number: 435211041-7

Assessee: MARIA, BARTOLO

Situs: 23845 S SANTA FE ST SAN JACINTO 92583

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 \$ 42,225.44 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. 47407; recorded on 2/24/1988. 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 Deed, Copy of Deed of Trust, Death Certificate
Probate Code 13100 AFFIDAVIT, MARRIAGE CERTIFICATE
Birth Certificate

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 3 day of May, 2018 at Riverside California
County, State CA 92506

[Signature]
Signature of Claimant

Signature of Claimant

Israel Lopez
Print Name

Print Name

5999 Shaker Drive
Street Address

Street Address

Riverside CA 92506
City, State, Zip

City, State, Zip

951-906-7680
Phone Number

Phone Number

ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, 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's claim 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 Israel Lopez 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 435211041-7 sold at public auction on 4/27/2017 5/2/2017 understand that the total of excess proceeds available for refund is \$ 58,600.00 and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VALUABLE 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.

Virginia Canedo Maria
(Signature of Party of Interest/Assignor)

Virginia Canedo Maria
(Name Printed)

1202 S. Santa Fe Ave.
(Address)

STATE OF CALIFORNIA)ss.
COUNTY OF _____)

San Jacinto 92583
(City/State/Zip)

(951) 255-9503
(Area Code/Telephone Number)

On _____, before me, _____, 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 forgoing paragraph is true and correct.

WITNESS my hand and official seal.

see attached
California
Acknowledgment

(This area for official seal)

(Signature of Notary)

I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest (assignor), pursuant to Section 4675 of the California Revenue and Taxation 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 HAVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT.

Israel Lopez
(Signature of Assignee)

Israel Lopez
(Name Printed)

5999 Shaker Drive
(Address)

STATE OF CALIFORNIA)ss.
COUNTY OF _____)

Riverside CA 92506
(City/State/Zip)

On _____, before me, the undersigned, a Notary Public in and for said State, 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.

WITNESS my hand and official seal.

see attached
California
Acknowledgment

(This area for official seal)

(Signature of Notary)

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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.

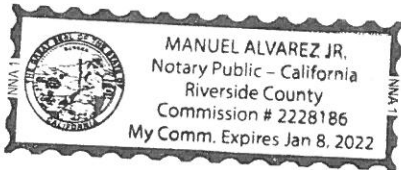
State of California

County of Riverside }

On the 19th of September of 2020 before me, Manuel Alvarez, Jr., Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Virginia Canedo Maria and Israel Lopez
Name(s) of Signer(s)

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 paragraph is true and correct.

WITNESS my hand and official seal.

Signature Manuel Alvarez
Signature of Notary Public

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: Assignment of Right to Collect Excess Proceeds

Document Date: September 19, 2020 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

- Signer's Name: _____
- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

- Signer's Name: _____
- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer is Representing: _____

Signer is Representing: _____

RECORDING REQUESTED BY
AMERICAN TITLE CO.

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

NAME BARTOLO MARIA
ADDRESS 1202 Santa Fe
CITY & STATE ZIP San Jacinto, California 92383

Title Order No. Escrow No. 1338

47407

RECEIVED FOR RECORD
AT 8:30 O'CLOCK A.M.

FEB 24 1988
Recorded in Official Records
of Riverside County, California

William F. Pandy
Recorder



SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned declares that the documentary transfer tax is \$ 42.90 and is
 Xcomputed on the full value of the interest or property conveyed, or is
 computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land, tenements or realty is located in
 unincorporated area city of San Jacinto and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
James L. Staub and Ruth E. Staub, Husband and Wife

hereby GRANT(S) to
BARTOLO MARIA, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY

the following described real property in the unincorporated area
county of Riverside, state of California:
Lots 22 and 23 in Town Block 40 of the Estudillo Land and Water
Company's Addition to San Jacinto, in the County of Riverside, State
of California, as per map recorded in Book 9, page 410 of Maps, in the
office of the County Recorder of San Diego County, California.

Prop address
1234 Santa Fe
San Jacinto

Dated January 15, 1988

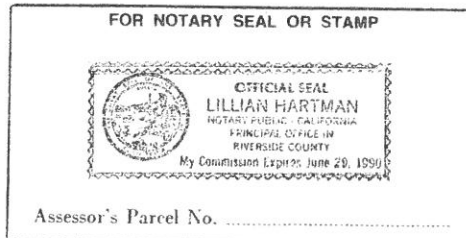
James L. Staub
JAMES L. STAUB
Ruth E. Staub
RUTH E. STAUB

STATE OF CALIFORNIA)
COUNTY OF Riverside) ss.

On this the 19th day of January 1988, before me the undersigned, a
Notary Public in and for said County and State, personally appeared James L. Staub and Ruth E. Staub

_____, personally known
to me or proved to me on the basis of satisfactory evidence to be the
person _____ whose name _____ subscribed to the within instrument
and acknowledged that they executed the same.

Lillian Hartman
Signature of Notary



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name Street Address City & State



ESTADOS UNIDOS MEXICANOS
REGISTRO CIVIL
ESTADO DE AGUASCALIENTES

No. DE CONTROL
3163
Valor \$ 1,000.00



EN NOMBRE DEL ESTADO LIBRE Y SOBERANO DE AGUASCALIENTES, AGS.
Y COMO DIRECTOR DEL REGISTRO CIVIL EN EL ESTADO, CERTIFICO; QUE EN EL LIBRO No. 05 DEL ARCHIVO GENERAL DEL REGISTRO CIVIL EN LA FOJA 1612 SE ENCUENTRA ASENTADA EL ACTA No. 1612 LEVANTADA POR EL C. OFICIAL 010 DEL REGISTRO CIVIL LIC. MARIA ALICIA DE LA ROSA LOPEZ el 19/10/88 RESIDENTE EN: AGUASCALIENTES, AGS.
EN LA CUAL SE CONTIENEN LOS SIGUIENTES DATOS.

ACTA DE DEFUNCION
FINADO (A)

NOMBRE BARTOLO MARIA VARGAS SEXO: MASCULINO FEMENINO
ESTADO CIVIL Casado NACIONALIDAD Mexicana EDAD 56 Años
NOMBRE DEL CONYUGE _____ NACIONALIDAD _____
NOMBRE DEL PADRE Romulo María Pérez NACIONALIDAD _____
NOMBRE DE LA MADRE Dolores Vargas Avelar NACIONALIDAD _____
DESTINO DEL CADAVER: INHUMACION CREMACION
NOMBRE DEL PANTEON O CREMATARIO MUNICIPAL. (TRASLADO)
UBICACION Apozol, Zacatecas.

FALLECIMIENTO

FECHA DE LA DEFUNCION: DIA 19 MES Octubre AÑO 1988 HORA 10:00
LUGAR Luis Adolfo No.304 Lindavista .
CAUSA(S) DE LA MUERTE SIRPA.SHOCK SEPTICO. COLECISTITIS AGUDA . =

NOMBRE DEL MEDICO QUE CERTIFICO LA DEFUNCION No. DE CEDULA PROFESIONAL No. DE CERTIFICADO
Dr. Francisco Javier Zapata C. _____

DECLARANTE

NOMBRE José Juan Juárez Valadez EDAD 23 Años
NACIONALIDAD Mexicana PARENTESCO Ninguno

TESTIGOS

NOMBRE Luis Ernesto Juárez Valadez EDAD 20 Años
NACIONALIDAD Mexicana PARENTESCO Ninguno
NOMBRE Román Benitez Martínez EDAD 40 Años
NACIONALIDAD Mexicana PARENTESCO Ninguno

SE EXTIENDE ESTA CERTIFICACION, EN CUMPLIMIENTO DEL ARTICULO 41 DEL CODIGO CIVIL VIGENTE EN EL ESTADO, EN LA CIUDAD DE Aguascalientes CAPITAL DEL ESTADO DE Ags. A LOS 19 DIAS DEL MES DE Octubre DE 1988 DOY FE: 19

EL C. DIRECTOR DEL REGISTRO CIVIL

NOMBRE

FIAMA

SELLO DE LA OFICIALIA DEL REGISTRO CIVIL



Este traslado fue autorizado por el INSTITUTO DE SALUD DEL ESTADO DE SALUD DEL ESTADO DE AGUASCALIENTES, .En Oficio No. 2830 de fecha de hoy.

no. 1

THIS OFFICIAL MEXICAN REPORT OF DEATH
WAS FROM AGUASCALIENTES (THE PLACE WHERE
HI PASSED AWAY) TO APOZOL CAGATECAZ.,
the place where HE WAS TRANSFER FIRST.-
(THIS MEXICAN REPORT OF DEATH WAS CHANGED
FOR THE ANOTHER ONE THAT SAYS:-
FINALY HE WAS SENT TO : HEMET CALIF. USA

Marriage Certificate

State of California

County of Riverside

I hereby certify that on June 19 1981
Month Day

at Riverside California, under authority

of a license issued by the County Clerk of the County of Riverside, I, the

undersigned, as a Judge of the Superior Court joined in marriage

Bartolo Vargas Maria and Virginia Canedo Lopez

in the presence of Juanita C. Robles, residing at Riverside

California, and [Signature], residing at Riverside

California.

[Signature]

Signature of Person Solemnizing Marriage

**AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY
UNDER CALIFORNIA PROBATE CODE SECTIONS 13100-13106**

The undersigned state(s) as follows:

1. (Decedent's Name) Bartolo Maria AKA Bartolo Maria Vargas died on (date) 10-19-1988, in County of Agua Calientes AGS., State of California [before April 1, 2022].
2. At least 40 days have elapsed since the death of the decedent, as shown in a certified copy of the decedent's death certificate attached to this affidavit or declaration.
3. (Check one):
 - No proceeding is now being or has been conducted in California for administration of the decedent's estate.
 - The decedent's personal representative has consented in writing to the payment, transfer, or delivery to the affiant or declarant of the property described in the affidavit or declaration.
4. The current gross fair market value of the decedent's real and personal property in California, excluding the property described in Section 13050 of the California Probate Code, does not exceed \$166,250.
5. (Check one):
 - An inventory and appraisal of the real property included in the decedent's estate is attached.
 - There is no real property in the estate.
6. The following property is to be paid, transferred, or delivered to the undersigned under the provisions of California Probate Code Section 13100:
Virginia Canebo Maria Age 73 relinquish All proceeds To my son
Israel Lopez Age 48 58,600.00 for the sold property at
1234 S. Santa Fe Ave San Jacinto, Ca 92583. No other siblings contesting this
Property
7. The successor(s) of the decedent, as defined in California Probate Code Section 13006, is/are:
Virginia Canebo Maria
8. The affiant or declarant (check one):
 - Is/are the successor(s) of the decedent (as defined in Section 13006 of the California Probate Code) to the decedent's interest in the described property.
 - Is/are authorized under Section 13051 of the California Probate Code to act on behalf of the successor of the decedent (as defined in Section 13006 of the California Probate Code) with respect to the decedent's interest in the described property.
9. No other person has a superior right to the interest of the decedent in the described property.
10. The affiant or declarant requests that the described property be paid, delivered or transferred to the affiant or declarant.

The affiant or declarant affirms or declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: 11-14-2020

Name: Virginia Canebo Maria

Dated: _____

Name: _____

ACKNOWLEDGEMENT

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.

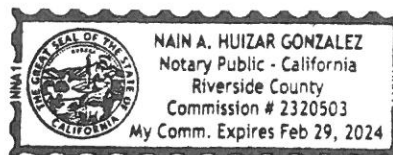
STATE OF CALIFORNIA
COUNTY OF ~~MENDOCINO~~ *Riverside*

On November 14, 2020 before me, Nain A Huizar Gonzalez, Notary Public, personally appeared Virginia Canedo Maria, 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 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.

Nain A Huizar Gonzalez (Seal)
Signature of Notary Public



I Affirm under penalty of forgoing is True and Correct

This is a list of names prior to my last marriage

Maiden Name = Virginia Cañedo Muñoz

First Marriage = Virginia Cañedo Lopez

2nd Marriage = Virginia Cañedo Maria

I have not gone with any other name other
Then my second married name shown in my
California I. D. License

Virginia Cañedo Maria

9-19-2020

See attached California
Juraf

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

1 _____

2 _____

3 _____

4 _____

5 _____

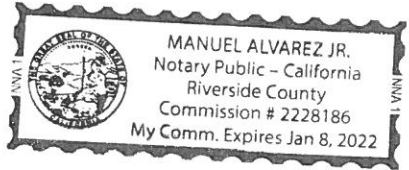
6 _____

Signature of Document Signer No. 1 *Signature of Document Signer No. 2 (if any)*

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

Subscribed and sworn to (or affirmed) before me
 on this 19th day of September, 2020,
 by Virginia Carredo Maria
 (1) _____



(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.

Place Notary Seal and/or Stamp Above

Signature Manuel Alvarez
Signature of Notary Public

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: one page letter listing previous names prior to marriage

Document Date: September 19, 2020 Number of Pages: 1

Signer(s) Other Than Named Above: _____