

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



**ITEM: 19.13
(ID # 12831)**

MEETING DATE:
Tuesday, May 23, 2023

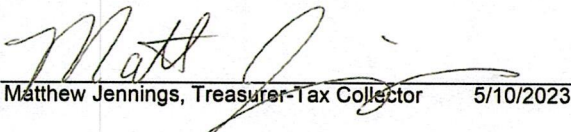
FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 212, Item 263. Last assessed to: Robert P. Broguiere, an unmarried man. District 1. [\$363,081-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Global Discoveries, Ltd., Assignee for Robert P. Broguiere, last assessee, for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 368170014-6;
2. Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., Assignee for Robert P. Broguiere in the amount of \$363,081.42, 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.

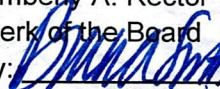
ACTION:Policy


Matthew Jennings, Treasurer-Tax Collector 5/10/2023

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, 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: May 23, 2023
xc: Tax-Collector, Auditor Controller

Kimberly A. 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	\$363,081	\$ 0	\$363,081	\$ 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 1, 2018 public auction 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 one claim for excess proceeds:

1. Claim from Global Discoveries, Ltd., Assignee for Robert P. Broguiere based on an Assignment of Right to Collect Excess Proceeds notarized January 15, 2019 and a Grant Deed recorded June 30, 2005 as Instrument No. 2005-0519355.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., Assignee for Robert P. Broguiere be awarded excess proceeds in the amount of \$363,081.42. 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 last assessee of the property.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Global

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


Stephanie Perez, Principal Management Analyst 5/17/2023


Kristine Bell-Valdez, Supervising Deputy County Counsel 5/3/2023



RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

CLAIM SUMMARY

Date: January 11, 2019
To: Riverside County Treasurer and Tax Collector
Assessors Parcel Number: 368170014-6
Last Assessee: BROGUIERE ROBERT P
Sale Date: 4/26/2018
TC: TC 212
Item Number: 263
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 Robert Broguiere as Document Number: 2005-0519355, recorded on 6/30/2005 in Riverside County, CA.
2. Affidavit declaring all name variations for Robert Broguiere
3. Assignment of Rights To Collect Excess Proceeds signed by Robert P Broguiere
4. Claim form(s) signed by Global Discoveries
5. Photo ID for Assignor: Robert P Broguiere – Please Note: The 32195 Joshua Dr. Wildomar, CA 92595 address that is listed on Mr. Broguiere's CA Driver License is one and the same address that is noted on the above referenced Grant Deed.

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

- One warrant in the amount of \$363,081.42 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: 7017-1450-0000-8509-0382



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 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 368170014-6 Tax Sale Number TC 212, Item 263 sold at public auction on 4/26/2018. I understand that the total of excess proceeds available for refund is \$ 363,081.42+/-, and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VAUABLE 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.

(Signature of Party of Interest/Assignor)

10-15-2018 (Date)

Robert P Broguiere (Name Printed)

Tax ID/SS#

32195 Joshua Drive (Address)

Wildomar, CA 92595-8403 (City/State/Zip)

951-294-2177 (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.

State of California

County of Riverside

On Oct 15 2018 before me, Rachel A Hernandez, Notary Public, personally appeared

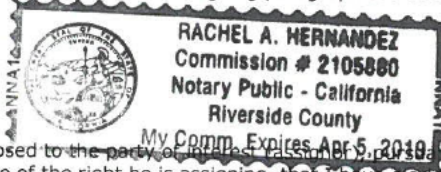
Robert Broguiere (here insert name and title of the officer)

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(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.

Rachel A. H. (seal) Signature of Notary Public



I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest assigned 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.

(Signature of Assignee)

Jed Byerly, Managing Member (Name Printed)

Tax ID/SS#

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.

State of California

County of Stanislaus

On 1/15/19 before me, Maria Mendoza, Notary Public, personally appeared

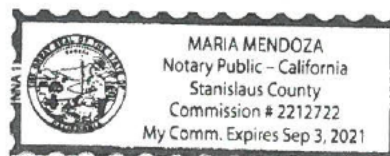
Jed Byerly (here insert name and title of the officer)

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(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.

Maria Mendoza (seal) Signature of Notary Public 117-174 (3/85) (Ret-Perm)



CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY

To: Riverside County Treasurer and Tax Collector

Assessor's Parcel No: 368170014-6
Tax Sale Number: TC 212
Item Number: 263
Date of Sale: 4/26/2018

The undersigned claimant, Global Discoveries, Ltd., claims \$363,081.42+/- 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.

Executed this 14th day of January, 2019 at Modesto, California.

By: [Signature]
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.

State of California

County of Stanislaus

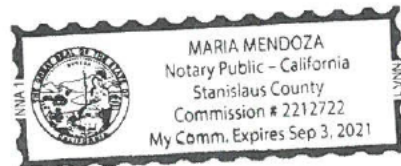
On 1/15/19 before me, Maria Mendoza Notary Public, personally appeared
(Date) (here insert name and title of the officer)

Jed Byerly, 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] (seal)
Signature of Notary Public



RECORDING REQUESTED BY
Lawyers Title Co
WHEN RECORDED MAIL THIS DOCUMENT
AND TAX STATEMENTS TO:
Robert P. Brogulere
43533 Dodaro Drive
Temecula, ca 92592



M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		2				1	1	
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

APN: 368-170-014
Escrow No: 07501988-705-PC
Title No:

TRA 065057

GRANT DEED

40



THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX IS \$658.90, CITY TAX \$ 0.00
computed on full value of property conveyed,, AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Theodore V. Lopez, an unmarried man
hereby GRANT(S) to

Robert P. Brogulere, an unmarried man

the following described real property in the City of Wildomar, County of Riverside, State of California:
That certain property situated in the unincorporated area of the County of Riverside, State of California, described as follow:

Parcel 4 of Parcel Map 7277, as shown by parcel map on file in Book 23, Page 100 of Parcel Maps, records of Riverside County, California.

Commonly known as: 32195 Joshua Drive, Wildomar, CA 92595

Dated: May 4, 2005

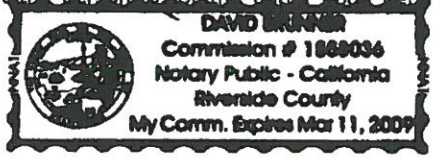
[Signature]
Theodore V. Lopez

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE } SS:

On MAY 24th 2005, before me, DAVID BRUNNER Notary Public,
personally appeared THEODORE V. LOPEZ

~~personally known to me~~ (or 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.
Signature *[Signature]*



FOR NOTARY SEAL OR STAMP

MAIL TAX STATEMENTS AS DIRECTED ABOVE

PENALTY OF PERJURY FOR NOTARY SEAL

(GOVERNMENT CODE 27361.7)

I certify under penalty of perjury that the Notary Seal on the document to which this statement is attached reads as follows:

NAME OF NOTARY: David Brunner

DATE COMMISSION EXPIRES: 3/11/09

COUNTY WHERE BOND IS FILED (if applicable): RUSD

STATE WHERE BOND IS FILED: Ca

COMMISSION NUMBER (if applicable): 1558036

PLACE OF EXECUTION: San Bruno (CITY & STATE)

DATE: 6/29/05

SIGNATURE: [Signature]

PRINT NAME: Shelly Sanchez

AFFIDAVIT

I, Robert P Broguiere, do hereby declare:

1. I am over the age of 18 and a resident of Wildomar, 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.
2. I, Robert P. Broguiere am one and the same person who is noted on Grant Deed as Document Number: 2005-0519355, recorded on 6/30/2005 in Riverside County, CA.
3. I, Robert P. Broguiere am one and the same person as Robert Broguiere and Robert Paul Broguiere.
4. I assigned the excess proceeds to Global Discoveries, Ltd., for Riverside County Assessors Parcel Number 368170014-6.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 15 day of OCT, 2018, in LAKE ELSINORE CALIFORNIA

x [Signature]
Robert P Broguiere

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.

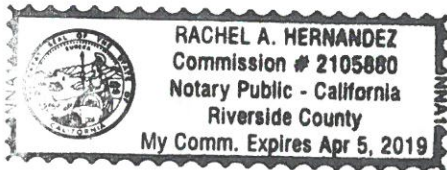
State of California

County of Riverside

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

15 day of October, 2018, by
Date Month Year
Robert P. Broguiere,
Name of Signer

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



Signature [Signature]
Signature of Notary Public

(Place Notary Seal Above)