

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



ITEM: 19.26  
(ID # 21568)

**MEETING DATE:**  
Tuesday, May 23, 2023

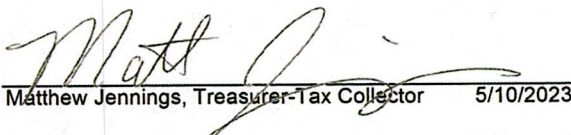
**FROM :** TREASURER-TAX COLLECTOR:

**SUBJECT:** TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 212, Item 489. Last assessed to: Donald K. Smith, a single man as his sole and separate property. District 3. [\$0]

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

1. Deny the claim from Eric Jun, Attorney for American Express Centurion Bank for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 459172015-8;
2. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$28,557.00 to the County General Fund pursuant to Revenue and Taxation Code Section 4674, no sooner than ninety days from the date of this order.

**ACTION:Policy**

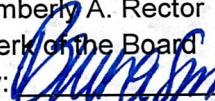
  
Matthew Jennings, Treasurer-Tax Collector 5/10/2023

---

**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

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$0	\$ 0	\$0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b>			<b>Budget Adjustment:</b>	N/A
			<b>For Fiscal Year:</b>	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.

Revenue and Taxation Code 4676 (b) states that the county shall make reasonable effort to obtain the name and last known mailing address of the parties of interest. Then, if the address of the party of interest cannot be obtained, the county shall publish notice of the right to claim excess proceeds in a newspaper of general circulation in the county as per Revenue and Taxation Code 4676 (c). The Treasurer-Tax Collector's office has made it a policy to take the following actions to locate the rightful party of the excess proceeds.

1. Examined Parties of Interest Reports to notify all parties of interest attached to the parcel.
2. Researched all last assessees through the County's Property Tax System for any additional addresses.
3. Used Accurint (people finder) to notify any new addresses that may be listed for our last assessees.
4. Advertised in newspapers for three consecutive weeks in The Desert Sun, Palo Verde Valley Times, and The Press Enterprise referring any parties of interest to file a claim for the excess proceeds.
5. Sent out a certified mailing within 90 days as required by Revenue and Taxation Code 4675 (b).

According to Revenue and Taxation Code 4675 (a) Any party of interest in the property may file with the county a claim for the excess proceeds, in proportion to his or her interest held with others of equal priority in the property at the time of the sale, at any time prior to the expiration



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

of the one year following the recordation of the Tax Collector's deed to the Purchaser, which was recorded on June 26, 2018.

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

1. Claim from Eric Jun, Attorney for American Express Centurion Bank based on an Abstract of Judgment recorded June 5, 2013 as Instrument No. 2013-0267654.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that the claim from Eric Jun, Attorney for American Express Centurion Bank be denied since the judgment is unrelated to the last assessee or the property sold. Since there are no other claimants, the unclaimed excess proceeds in the amount of \$28,557.00 will be transferred to the County General Fund. Supporting documentation has been provided. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.

**Impact on Residents and Businesses**

Excess proceeds will be transferred to the County General Fund.

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

**ATTACHMENT A. Claim AMEX**

  
Stephanie Perez, Principal Management Analyst 5/17/2023

  
Kristine Bell-Valdez, Supervising Deputy County Counsel 5/4/2023

1627177,1485,2

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

RECEIVED

2018 AUG -8 PM 2:39

RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 212 Item 489 Assessment Number: 459172015-8

Assessee: SMITH, DONALD K

Situs: 31764 WAKEFIELD AVE HOMELAND 92548

Date Sold: May 1, 2018

Date Deed to Purchaser Recorded: June 26, 2018

Final Date to Submit Claim: June 26, 2019

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 3,797.23 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. 2013-0267654; recorded on 06/05/2013. 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.

Abstract of Judgment

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 6 day of August, 2018 at Los Angeles, CA  
County, State

  
Signature of Claimant

Signature of Claimant

Eric Jun, Esq. on behalf of AMEX  
Print Name

Print Name

700 N. Brand Blvd. Suite 500  
Street Address

Street Address

Glendale, CA 91203  
City, State, Zip

City, State, Zip

818-240-1026 ext. 229  
Phone Number

Phone Number

EJun@Zwickerpc.com  
Email Address

Email Address

RECORDING REQUESTED BY

The Moore Law Group, APC.  
P.O. Box 25145  
Santa Ana, CA 92799-2652

AND WHEN RECORDED MAIL TO:

The Moore Law Group, APC.  
P.O. Box 25145  
Santa Ana, CA 92799-2652

DOC # 2013-0267654  
06/05/2013 12:04P Fee:44.00  
Page 1 of 3  
Recorded in Official Records  
County of Riverside  
Larry W. Ward  
Assessor, County Clerk & Recorder

C  
606

4552



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
	1		3		1		150		
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
NOTICE SENT						T:	CTY	UNI	606

ABSTRACT OF JUDGMENT

Title of Document

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number)

Recording requested by and return to

Harvey M. Moore, Esq. (101128)  
Amy Lief, Esq.(263419)  
The Moore Law Group, A Professional Corporation  
3710 S. Susan St., Ste. 210  
P.O. Box 25145, Santa Ana, CA 92799-5145  
800-506-2652

ATTORNEY FOR  JUDGMENT CREDITOR  ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Riverside

STREET ADDRESS: 41002 County Center Dr

FOR RECORDER'S USE ONLY

MAILING ADDRESS:

CITY AND ZIP CODE: Temecula CA 92591

BRANCH NAME:

PLAINTIFF: American Express Centurion Bank

CASE NUMBER

TEC1206899

DEFENDANT: Don Smith, an individual

**ABSTRACT OF JUDGMENT—CIVIL AND SMALL CLAIMS**  Amended

FOR COURT USE ONLY

1. The  judgment creditor  assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

Don Smith, an individual  
101 Mercado St  
Perris CA 92570-0000

b. Driver's license no. [last 4 digits] and state:

Unknown

c. Social security no. [last 4 digits]:

Unknown

d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address):

Don Smith, an individual  
101 Mercado St  
Perris CA 92570-0000

2.  Information on additional judgment debtors is shown on page 2.

4.  Information on additional judgment creditors is shown on page 2.

3. Judgment creditor (name and address):

American Express Centurion Bank  
C/O The Moore Law Group, A Professional Corporation  
P.O. Box 25145, Santa Ana, CA 92799-5145

5.  Original abstract recorded in this county:

a. Date:

b. Instrument No.:

Date: May 8, 2013

Amy Lief, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:  
\$ 3922.73

10.  An  execution lien  attachment lien is endorsed on the judgment as follows:

a. Amount: \$ 0.00

b. In favor of (name and address):

7. All judgment creditors and debtors are listed on this abstract.

8. a. Judgment entered on (date): April 4, 2013

b. Renewal entered on (date):

9.  This judgment is an installment judgment.

11. A stay of enforcement has

a.  not been ordered by the court.

b.  been ordered by the court effective until (date):

12. a.  I certify that this is a true and correct abstract of the judgment entered in this action.

b.  A certified copy of the judgment is attached.

(SEAL)



This abstract issued on (date):  
MAY 15 2013

Clerk, by

*P. Poweji*

Deputy

2013-0607654  
06/09/2013 12:04P  
2 of 3





PLAINTIFF: American Express Centurion Bank	CASE NUMBER TEC1206899
DEFENDANT: Don Smith, an individual	

**NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:**

13. Judgment creditor (*name and address*):

14. Judgment creditor (*name and address*):

15.  Continued on Attachment 15.

**INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:**

16. Name and last known address

17. Name and last known address

Driver's license no. [last 4 digits] and state:  Unknown

Driver's license no. [last 4 digits] and state:  Unknown

Social security no. [last 4 digits]: \*\*\*-\*\*-\*\*\*\*  Unknown

Social security no. [last 4 digits]:  Unknown

Summons was personally served at or mailed to (*address*):

Summons was personally served at or mailed to (*address*):

18. Name and last known address

19. Name and last known address

Driver's license no. [last 4 digits] and state:  Unknown

Driver's license no. [last 4 digits] and state:  Unknown

Social security no. [last 4 digits]:  Unknown

Social security no. [last 4 digits]:  Unknown

Summons was personally served at or mailed to (*address*):

Summons was personally served at or mailed to (*address*):

20.  Continued on Attachment 20.

2013-0067654  
 06/05/2013 12:04P  
 3 of 3

