

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



ITEM: 19.18
(ID # 21755)

MEETING DATE:
Tuesday, June 27, 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 866. Last assessed to: Oscar V. Hernandez, District 4. [\$35,389-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Global Discoveries, Ltd., Assignee for Oscar V. Hernandez, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 693132038-7;
2. Deny the claim from Jack Gosch Ford Inc., dba Gosch Towing for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 693132038-7;
3. Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., Assignee for Oscar V. Hernandez in the amount of \$35,389.72, 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:


Matthew Jennings, Treasurer-Tax Collector 6/15/2023

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Washington 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: June 27, 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**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 35,389	\$ 0	\$ 35,389	\$ 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 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:

1. Claim from Global Discoveries, Ltd., Assignee for Oscar V. Hernandez based on an Assignment of Right to Collect Excess Proceeds notarized May 23, 2019 and a Quitclaim Deed recorded March 21, 2013 as Instrument No. 2013-0136936.
2. Claim from Jack Gosch Ford Inc., dba Gosch Towing based on an Abstract of Judgment recorded June 7, 2016 as Instrument No. 2016-0231583.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., Assignee for Oscar V. Hernandez be awarded excess proceeds in the amount of \$35,389.72. The claim from Jack Gosch Ford Inc., dba Gosch Towing be denied since the judgment is unrelated to the last assessee or the property sold. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants 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):

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

ATTACHMENT A. Claim Global

ATTACHMENT B. Claim Gosch


Cesar Bernal, PRINCIPAL MGMT ANALYST 6/15/2023


Kristine Bell-Valdez, Supervising Deputy County Counsel 5/10/2023

CLAIM SUMMARY

Date: May 22, 2019
To: Riverside County Treasurer and Tax Collector
Assessors Parcel Number: 693132038-7
Last Assessee: HERNANDEZ OSCAR V
Sale Date: 4/26/2018
TC: TC 212
Item Number: 866
Deadline: 6/26/2019

RECEIVED
2019 JUN -3 PM 1:03
RIVERSIDE COUNTY
TREASURER & TAX COLLECTOR

Dear Treasurer/Tax Collector:

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

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

1. Quitclaim Deed granting interest to Oscar V. Hernandez, as Document Number: 2013-0136936, Recorded on 3/21/2013 in Riverside County, CA.
2. Expired California Identification Card for Oscar V Hernandez
 - a) ID references Oscar previously reporting to the **73640 PACHETA SQ NORTH THOUSAND PALMS CA 92276** address; which is one and the same address that is listed on the above referenced Quitclaim Deed.
3. Affidavit signed by Oscar V Hernandez declaring under penalty of perjury his identity as well as his name variations.
4. Assignment of Rights To Collect Excess Proceeds signed by Oscar V Hernandez
5. Claim form(s) signed by Global Discoveries
6. Photo ID for Assignor: Oscar V Hernandez

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

- One warrant in the amount of \$35,389.72 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: 7018-2290-0002-2081-4725

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 693132038-7 Tax Sale Number TC 212, Item 866 sold at public auction on 4/26/2018. I understand that the total of excess proceeds available for refund is \$ 35,389.72+/-, 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)

5/10/19 (Date)

Oscar V Hernandez (Name Printed)

Tax ID/SS#

33321 Westchester Dr (Address)

Thousand Palms, CA, 92276-3936 (City/State/Zip)

760-641-3290 (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 CA

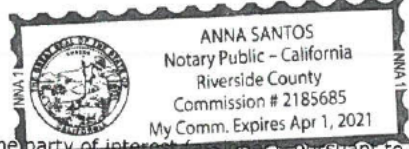
County of RIVERSIDE

On 5-10-19 before me, ANNA SANTOS Notary Public personally appeared

OSCAR V. HERNANDEZ (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. Signature of Notary Public



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.

(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 5/23/19 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. 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: 693132038-7

Tax Sale Number: TC 212

Item Number: 866

Date of Sale: 4/26/2018

The undersigned claimant, Global Discoveries, Ltd., claims \$35,389.72+/- 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 23rd day of May, 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

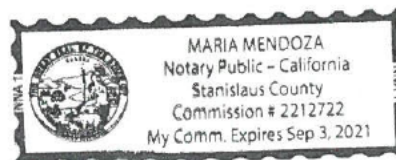
On 5/23/19 before me, Maria Mendoza, Notary Public, personally appeared
(Date) (here insert name and title of the officer)

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
Leticia Hernandez

Page 1 of 1
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

AND WHEN RECORDED MAIL DOCUMENT AND
TAX STATEMENT TO:



NAME Oscar V hernandez

STREET ADDRESS 73640 Pacheta Sq

CITY, STATE & Thousand Palms

ZIP CODE CA 92276

TITLE ORDER NO. _____

ESCROW NO. _____

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25.50

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

QUITCLAIM DEED

TRA: _____

APN: 693132038-7

The undersigned grantor(s) declare(s)
DOCUMENTARY TRANSFER TAX \$ 0

computed on full value of property conveyed, or
 computed on full value less liens and encumbrances remaining at time of sale.
 Unincorporated Area City of _____

C
806

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, I (We) _____

Leticia Hernandez

(NAME OF GRANTOR(S))

hereby remise, release and quitclaim to _____

Oscar V Hernandez

(NAME OF GRANTEE(S))

the following described real property in the City of Indio, County of Riverside
State of California

(Insert Legal Description)
Lot 38 MB 060/029 TR 3774

DATED: 03/20/2013

Leticia Hernandez
Leticia Hernandez

STATE OF CALIFORNIA
COUNTY OF Riverside

On 03/20/2013 before me, F.J Vazquez, Notary Public, personally appeared
(here insert name and title of the officer)

Leticia Hernandez

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 *F. J. Vazquez* (SEAL)



MAIL TAX STATEMENT AS DIRECTED ABOVE

AFFIDAVIT

I, Oscar V Hernandez, do hereby declare:

1. I am over the age of 18 and a resident of Thousand Palms, 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, Oscar V. Hernandez am one and the same person who is listed on Quitclaim Deed as Document Number# 2013-0136936, recorded on 3/21/2013 in Riverside County, CA.
3. I, Oscar V. Hernandez am one and the same person as Oscar Hernandez, Oscar Vitelio Hernandez and Oscar V. Hernandez Vargas.
4. I assigned the excess proceeds to Global Discoveries, Ltd., for Riverside County Assessors Parcel Number 693132038-7.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 16 day of May, 2019, in Thousand Palms, CA.

x [Signature]
Oscar V Hernandez

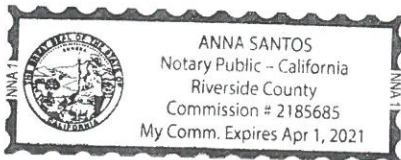
JURAT

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 CA
County of RIVERSIDE

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

16 day of MAY, 2019, by
Date Month Year
OSCAR V HERNANDEZ
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)

1627177_2678_2

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

RECEIVED

2018 AUG 20 PM 2:11

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 212 Item 866 Assessment Number: 693132038-7

Assessee: HERNANDEZ, OSCAR V

Situs: 73640 PACHETA SQ N THOUSAND PLMS 92276

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 \$2,611.00 from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No 2016-0231583; recorded on 6-7-2016. 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.

#1. Riverside Superior Court - Hemet, CA, case# HES1500009 Notice of entry of Judgment dated 3-6-15.

#2. Certified Copy of Abstract of Judgment - Civil and small claims date 6-7-2016 and on file with Riverside County

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 7th day of AUGUST, 2018 at RIVERSIDE, CA
County, State

Daniel Turner CFO
Signature of Claimant

Signature of Claimant

DANIEL TURNER
Print Name

Print Name

150 CARRIAGE CIRCLE
Street Address

Street Address

HEMET, CA 92545
City, State, Zip

City, State, Zip

951-232-1029
Phone Number

Phone Number

dturner@goschmail.com
Email Address

Email Address



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number):
Recording requested by and return to:

Jack Gosch Ford Inc., dba Gosch Towing

150 Carriage Circle
Hemet CA 92545

951-492-4509

ATTORNEY FOR JUDGMENT CREDITOR ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS:
MAILING ADDRESS:
CITY AND ZIP CODE:
BRANCH NAME:

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PLAINTIFF: **Jack Gosch Ford Inc., dba Gosch Towing**

DEFENDANT: **Oscar Hernandez**

CASE NUMBER: **26-50**

HES150009

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

Oscar Hernandez

11085 Rocky Ridge Rd,
Moreno Valley Ca 92557

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):

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

3. Judgment creditor (name and address):
Jack Gosch Ford Inc., dba Gosch Towing
150 Carriage Circle
Hemet CA 92545

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

5. Original abstract recorded in this county:

a. Date:
b. Instrument No.:

Date: 05/16/16

Jack Gosch Ford Inc., dba Gosch Towing
(TYPE OR PRINT NAME) _____ (SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
\$2,611.00

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

8. a. Judgment entered on (date): 03/06/15
b. Renewal entered on (date):

9. This judgment is an installment judgment.

10. An execution lien attachment lien is endorsed on the judgment as follows:
a. Amount: \$
b. In favor of (name and address):



This abstract issued on (date):
06/07/16

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.

Clerk, by R. Morales, Deputy