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



ITEM: 19.10 (ID # 14763)

MEETING DATE:

FROM: TREASURER-TAX COLLECTOR:

Tuesday, August 01, 2023

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 212, Item 283. Last assessed to: Theodore M. Bonnigson and Evelyn Bonnigson, husband and wife; and Esther Fountain, a married woman; Mark Fountain, a single man; and Erik Fountain, a single man, as tenants in common. District 2. [\$1,401-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

- 1. Approve the claim from Larry Bonnigson AKA Larry M. Bonnigson, Successor Trustee of the Theodore M. and Evelyn J. Bonnigson Living Trust, last assessees for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcel 373238020-8:
- 2. Authorize and direct the Auditor-Controller to issue a warrant to Larry Bonnigson AKA Larry M. Bonnigson, Successor Trustee of the Theodore M. and Evelyn J. Bonnigson Living Trust in the amount of \$1,401.61, 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:
- 3. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$4,204.85 to the County General Fund pursuant to Revenue and Taxation Code Section 4674.

ACTION:Policy

Matthew Jennings, Treasurer-Tax Collector 7/19/2023

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, Perez, Washington, and Gutierrez

Navs:

None

Absent: Date:

None

August 1, 2023

XC:

Treasurer

19.10

Kimberly A. Rector

Clerk of the Board

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	\$ 1,401	\$ 0	\$ 1,401	\$ 0
NET COUNTY COST	\$0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:	Fund 65595 Excess Proc	eeds from Tay Sale	Budget Adjus	stment: N/A
CCC. CCL SI I ONDO.	Tulia 00000 Excess 1 100	cods iroin rax dale.	For Fiscal Ye	ar: 23/24

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 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 Report's, 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 assessee's 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 4676 (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:

 Claim from Larry Bonnigson AKA Larry M. Bonnigson, Successor Trustee of the Theodore M. and Evelyn J. Bonnigson Living Trust based on a County Tax Collector's Deed recorded December 16, 1976 as Instrument No. 1976-193751, a copy of The Theodore M. and Evelyn J. Bonnigson Living Trust dated March 18, 1997, a Certificate of Death for Theodore Martin Bonnigson, and a Certificate of Death for Evelyn Jean Bonnigson.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Larry Bonnigson AKA Larry M. Bonnigson, Successor Trustee of the Theodore M. and Evelyn J. Bonnigson Living Trust be awarded excess proceeds in the amount of \$1,401.61. Since there are no other claimants, the unclaimed excess proceeds in the amount of \$4,204.85 will be transferred to the County General Fund. 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 an heir of last assessees of the property and transferred to the County General Fund.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Bonnigson

Kristine Bell-Valdez, Kristine Bell-Valdez, Supervising Deputy County County

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

To: Jon Christensen, Treasurer-Tax Colle	ector
Re: Claim for Excess Proceeds	
TC 212 Item 283 Assessment Number: 3	73238020-8
Assessee: BONNIGSON, THEODORE M &	EVELYN & FOUNTAIN, ESTHER & FOUNTAIN, MARK
Situs:	TOTAL
Date Sold: May 1, 2018	
Date Deed to Purchaser Recorded: June 26, 2	018
Final Date to Submit Claim: June 26, 2019	
owner(s) [check in one box] at the time of the Document No.	ode Section 4675, hereby claim excess proceeds in the appoint of nentioned real property. I/We were the lienholder(s), property e sale of the property as is evidenced by Riverside County Recorder's A copy of this document is attached hereto. I/We are the nment of interest. I/We have listed below and attached hereto each item.
NOTE: YOUR CLAIM WILL NOT BE CONSIDE	RED UNLESS THE DOCUMENTATION IS ATTACHED.
If the property is held in Joint Tenancy, the taxsa have to sign the claim unless the claimant submiclaimant may only receive his or her respective polywe affirm under penalty of perjury that the forego	ale process has severed this Joint Tenancy, and all Joint Tenants will its proof that he or she is entitled to the full amount of the claim, the rtion of the claim. Doing is true and correct.
Executed this 26 day of 3	, 2019 at Reversion CA County, State
Concrete Bonnes	
Signature of Claimant	Signature of Claimant
Mr. Larry Bonnigson 33369 Silver Sage Way Wildomar, CA 92595	Print Name
Street Address	Street Address
City, State, Zip	City, State, Zip
Phone Number	Phone Number
SERRORUE 100 gma, a	iei
Email Address 3	Email Address

Recorded at request of Tax Collector

When recorded return to:

Jam Borniggon 1112 West Lakeshore Drive Taks Elsinere, California 92550

Mail tax bills to:

MECELYED FOR RECORD A I g Transitor 디딩

COUNTY TAX COLLECTOR'S DEED

DONNA BOUER BABCOCK, as Tax Collector of the County of Riverside, State of California, grants to Theodore N. Bounigson and Evelyn Bounigson, hasband and wife; and Esther Fountain, a Married Woman; Mark Fountain, a Single Man; and Erik Fountain, a Single Man, as lements in County of Riverside, the real property in the City of Iohn Elsinore . County of Riverside, State of California, described as:

N 1/2 Lot 71 Elsinore Lake Park ir Unit 2 MB 12/2

(Incorpore ted)

.55 DOCUMENTARY TRAMPER TAX IL COMPLETED ON PART VALUE OF PROPERTY CONVEYED OR CONJUTED ON PAUL YALVE USS LIENSJAND DHCUA DOPURA BOUER BANKDER, CO. TAX COLLISION

一個の個性の情報を表現の場合を表現しているのでは、これのでは、これのできません。これのできません。

Said property was duly sold and conveyed to the State of California for nonpayment of taxes which had been legally levied and were a lien thereon; the State, through said Tax Collector, has sold said property at public auction to the above named purchaser for \$400.00 inclusive of advertising and recording costs; no taxing agency objected to said sale; and said property is therefore conveyed to the purchaser according to law.

Dated November 15, 1976

Sale No. Code Area

516/1971 0501 373-258-001-1

Parcel No.

Donna Bour Batus

DONNA BOUER BARCOCK, as Tax Collector of the County of Riverside, State of California

STATE OF CALIFORNIA) COUNTY OF RIVERSIDE)

On November 15, 1976 , before me personally appeared Donna Bouer Babcock. Known to me to be the Tax Collector of said County of Riverside and the person whose name is subscribed to the foregoing deed and acknowledged to me that she executed the same as said Tax Collector.

DONALD D. SULLIVAN, County Clerk and EX-Officio Clerk of the Superior Court of the State of California in and for the County of Riverside.

Edmist Deputy

117-26

END REGORDED DOCUMENT

W. D. BALOGH, COUNTY RECORDER

Non-Order Search Doc: RV:1976 00193751

Page 1 of 1

Form 3: AB Living Trust

The ① THEODORE M. AND EVELYN J. BONNIGSON AB Living Trust.
your name (or name of trust, if different)
DECLARATION OF TRUST
I. TRUST NAME
This trust shall be known as The 1 THEODORE M. AND EVELYN J. BONNIGSON
Your names
Living Trust.
II. TRUST PROPERTY
(A) Property Placed in Trust
THEODORE M AND EVELYN J. BONNIGSON, called the grantors or
your names
trustees, declare that they have set aside and hold in The ① THEODOREM AND EVELYN J. BONNIGSON
Living Trust all their interest in the property described in the attached Schedules A, B and C. ②
The trust property shall be used for the benefit of the trust beneficiaries and shall be administered and
distributed by the trustees in accordance with this Declaration of Trust.
(B) Rights Retained by Grantors
As long as both grantors are alive, both grantors retain all rights to all income, profits and control of the
trust property listed on Schedule A of The 1 THEODORE M. AND EVELYN J. BONNIGSON Living Trust.
your names
(1) As long as <u>EVELYN J. BONNIGSON</u> is alive, she shall retain all rights to all income,
profits and control of her separate property listed on Schedule B of The
1 THEODURE M. AND EVELYN J. BONNIGSON Living Trust.

husband's name

profits and control of his separate property listed on Schedule C of The 1 THEOUORE M. AND EVELYN J. BUNNIGSUN Living Trust.

(2) As long as THEODURE M. BUNNIGSUN is alive, he shall retain all rights to all income,

(C)	Additional	or	After-Acquired	Property
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Either grantor, or both, may add property to the trust at any time.

(D) Character of Property Placed in Trust

While both grantors are alive, property transferred to this trust shall retain its original character. If the

trust is revoked, the trustee shall distribute the trust property to the grantors based on the same ownership rights
they had before the property was transferred to the trust.
Specifically:
1. Shared Property
All trust property listed on Schedule A:
4 community property
identify the character of shared property listed in Schedule A
2. Separate Property
The trust property listed on Schedule B shall retain its character as the separate property of
EVELYN J. BONNIGSON
Schedule C shall retain its character as the separate property of THEOVORL M. DONNIGOON
husband's name
[Make appropriate deletions if wife and/or husband has no separate property.]
(E) Revocation
As long as both grantors live, either grantor may revoke The DIHEUDOKE M. AND EVELY. J. JON. IG. ON
your names
Living Trust at any time by writing given to the other grantor. No beneficiary need be given any notice of
revocation. After the death of a spouse, the surviving spouse can amend his or her continuing revocable living
trust, Trust B, as defined in Section V, paragraph (B).
(F) Amendment
As long as both grantors live, The 1 THEOTORE M. AND EVELYN J. BONNIGSON
your names Living Trust may be altered, amended or modified only by a writing signed by both grantors.

After the death of a spouse, the surviving spouse can amend his or her revocable living trust, Trust B, The Surviving Spouse's Trust, as defined in Section V.

(G) Homestead Rights

If the Grantors' principal residence is transferred to the trust, Grantors have the right to possess and occupy it for life, rent-free and without charge, except for taxes, insurance, maintenance and related costs and expenses. This right is intended to give Grantors a beneficial interest in the property and to ensure that the Grantors, or either of them, do not lose eligibility for a state homestead tax exemption for which either Grantor otherwise qualifies.

III. TRUSTEES

(A) Original Trustees

The trustees of The ① THEODORE M. AND EVELYN J. BONNIGSON

Living Trust and any other trusts or childrens subtrusts created under this Declaration of Trust shall be

1 THEODORE M. AND EVELYN J. BONNIGSON

your name

Either trustee may act for, and represent, the trust, in any transaction.

(B) Trustee on Death or Incapacity of Original Trustee

Upon the death or incapacity, as certified in writing by a licensed physician, of

EVELYN J. BONNIGSON

THEODORE M. BONNIGSON

wife's name

husband's name

the other spouse shall serve as sole trustee of this trust and all trusts and any child's subtrusts created under this Declaration of Trust.

(C) Trustee's Responsibility

The trustee in office shall serve as trustee of this trust and all trusts and any child's subtrusts created under this Declaration of Trust.

(D) Terminology

In this Declaration of Trust, the term "trustee" includes any successor trustee or trustees. The singular "trustee" also includes the plural.

(E) Successor Trustee

	©Upon th	ne death or in	capacity of the surv	viving spouse,	or the	incapacity	of both spouses, the successo	ЭĽ
trustee :	shall be ⑥_	LARRY M.	BONNIGSON]	If	he		
			name(s)				he/she/all of them	
is/are ur	nable to serv	e or to contin	ue serving as succes	ssor trustee, th	ne nex	t successor i	rustee shall be	
6	KATHY A.	BONNIGSON	1	ŕ				
		0.0000					•	

[If you named more than one successor trustee, include ONE of the following two paragraphs here:]

Any of the successor trustees has full and independent authority to act for and represent the trust.

[or]

All of the successor trustees must consent, in writing, to any transaction involving the trust or trust property.

(F) Resignation of Trustee

Any trustee in office may resign at any time by signing a notice of resignation. The resignation must be delivered to the person or institution who is either named in this Declaration of Trust, or appointed by the trustee under Section III, Paragraph (G), to next serve as the trustee.

(G) Power to Appoint Successor Trustee

If all the successor trustees named in this Declaration of Trust cease to, or are unable to, serve as trustee, any trustee may appoint an additional successor trustee or trustees to serve in the order nominated. The appointment must be made in writing, signed by the trustee and notarized.

(H) Bond Waived

No bond shall be required of any trustee.

(I) Compensation

No trustee shall receive any compensation for serving as trustee, unless the trustee serves as a trustee of an A trust or child's subtrust created by this Declaration of Trust.

(J) Liability of Trustee

With respect to the exercise or non-exercise of discretionary powers granted by this Declaration of Trust, the trustee shall not be liable for actions taken in good faith.

IV. BENEFICIARIES

(A) Wife's Specific and Alternate Beneficiaries

Upon the death of ________, trust property owned by _______, as her share of the trust property listed on Schedule A and any separate property listed on Schedule B shall be distributed as specified to the beneficiaries named in this section. ⑦1._____ shall be given beneficiary's name(s) property identified If ______ does not survive _______ wife's name that property shall be given to _____ alternate beneficiary D2. _________beneficiary's name(s) _____shall be given property identified If ______ does not survive _____ that property shall be given to _____ alternate beneficiary shall be given beneficiary's name(s) property identified does not survive beneficiary that property shall be given to _____ alternate beneficiary (B) Husband's Specific and Alternate Beneficiaries husband's name trust property owned by Upon the death of as his share of the trust property listed on Schedule A and busband's name any separate property listed on Schedule C shall be distributed as specified to the beneficiaries named in this section.

Ø1	shall be given
beneficiary's name(s)	
property identified	
If does not survive	
beneficiary	husband's name
that property shall be given to	
alternate beneficiary	
D2. beneficiary's name(s)	shall be given
property identified	
If does not survive	
beneficiary	husband's name
that property shall be given to	·
· alternate beneficiary	
Deneficiary's name(s)	shall be given
heneficiary's name(s)	
property identified	1
If does not survive	
beneficiary	husband's name
that property shall be given to	
alternate beneficiary	
(C) Remaining Trust Property	
Except as provided by Section IV, Paragraph (A) or (B), all	other trust property of the deceased spouse
shall be transferred to, and administered as part of, Trust A, The Mar	rital Life Estate Trust, defined in Section V.
V. CREATION OF TRUST A, THE MARITAL LIFE ESTAT ON DEATH OF DECEASED SPOUSE	TE TRUST,
(A) Terminology	
1. The first grantor to die shall be called the "deceased spous	se." The living grantor shall then be called the
"surviving spouse."	
2. The "trust property of the deceased spouse" shall consist of	f all property of The
THEODORE M. AND EVELYN J. BONNIGSON Li	iving Trust owned by the deceased spouse
at the time it was transferred to the trust, plus accumulated income, a	ppreciation in value and the like attributable
to the ownership interest of the deceased spouse, and his or her share	of all property acquired in the trust's name.

3. The "trust property of the surviving spouse" shall consist of all property of The
THEODORE M. AND EVELYN J. BONNIGSON Living Trust owned by the surviving spouse at
your names
the time it was transferred to the trust, plus accumulated income, appreciation in value and the like, attributable
the ownership interest of the surviving spouse, and his or her share of all property acquired in the trust's name.
(B) Division of Trust Property on Death of Deceased Spouse
1. Upon the death of the deceased spouse, the trustee shall divide the property of The
① THEODORE M. AND EVELYN T. BONNIGSON Living Trust listed on Schedules A, B and C
into two separate trusts, Trust A and Trust B.
2. All trust assets of the deceased spouse, as defined in Section V, Paragraph (A)2, shall be placed in a
trust known as Trust A, the Marital Life Estate Trust, after making any specific gifts provided for in Section IV,
Paragraph (A) or (B), subject to any provision in this Declaration of Trust that creates childrens' subtrusts or
creates custodianship under the Uniform Transfers to Minors Act.
3. The trustee shall place all trust assets of the surviving spouse, as defined in Section V, Paragraph (A)3,
in a trust known as Trust B (The Surviving Spouse's Trust).
4. Physical segregation of the assets of The ① THEODORE M. AND EVELYN J. BONNIGSON your names
Living Trust is not required to divide that trust's property into Trust A and Trust B. The trustee shall exclusively
determine what records, documents and actions are required to establish and maintain Trust A and Trust B.
(C) Administration of Trust A
All property held in Trust A shall be administered as follows:
1. Upon the death of the deceased spouse, Trust A shall be irrevocable.
2. The life beneficiary of Trust A shall be the surviving spouse.
3. If <u>EVELYN J. BONNIGSON</u> is the deceased spouse, the final wife's name
peneficiaries of Trust A shall be:
B LARRY M. BONNIGSON
KATHY A. BONNIGSON
ELEANOR E. MC MILLEN

If EVELYN J. BONNIGSON wife's name	is the deceased spouse, the alternate final beneficiaries of
Trust A shall be: BLARRY M. BONNIGSON KELSEY	CRAVEN
KATHY A. BONNIGSON	
ELEANOR E. MC MILLEN	
4. IfTHEODOREM. BONNIGSON	is the deceased spouse, the final beneficiaries
of Trust A shall be: LARRY M. BONNIGSON	
KATHY M. BONNIGSON	
ELEANOR E. MC MILLEN	
If FITEODORE M. FONNIGSON husband's name	is the deceased spouse, the alternate final beneficiaries of
Trust A shall be: KULSEY CRAVEN	
spouse the net income of Trust A in quarter-annual or m spend for the benefit of the surviving spouse any sums fro	
spouse's health, education, support and maintenance, in	his or her accustomed manner of living.
6. (2) No accounting of Trust A shall be require	d of the trustee, except that the final beneficiaries shall be
provided with copies of the annual federal income tax rel	turn.
7. The trustee shall be entitled to reasonable con	impensation from assets of Trust A for services rendered
managing Trust A, without court approval.	
8. Upon the death of the life beneficiary, the tru	stee shall distribute the property of Trust A to the final
beneficiary or beneficiaries.	

VI. TRUST B: THE SURVIVING SPOUSE'S TRUST

(A) Creation of Trust B, The Surviving Spouse's Trust

Upon the death of the deceased spouse, all trust property owned by the surviving spouse, as defined in Section V, Paragraph (A)3, shall be held in Trust B, The Surviving Spouse's Trust.

(B) Administration of Trust B

Until the death of the surviving spouse, the surviving spouse retains all rights to all income, profits and control of the property in Trust B. The surviving spouse may amend or revoke Trust B at any time during his or her lifetime, without notifying any beneficiary.

- (C) Distribution of Property in Trust B
- 1. Upon the death of the surviving spouse, Trust B becomes irrevocable.
- 2. The trustee shall first distribute any specific gifts of the surviving spouse to the beneficiaries named in Section IV, Paragraph (A) or (B). The trustee shall then distribute all remaining property of Trust B to his or her final, or alternate the distribute all remaining property of Trust B to his or her final, or alternate the distribute all remaining property of C)4.
- 3. All distributions under Section VI, Paragraph (C), are subject to any provision in this Declaration of Trust that creates children's subtrusts or creates custodianships under the Uniform Transfers to Minors Act.

VII. INCAPACITY

- (A) Incapacity of Both Graniors
- (5) If both granters of The (1) THEODORE M. AND EVELYN J. BONNIGSON

your name

Living Trust become obysically or mentally incapacitated, as certified in writing by a licensed physician, the successor trustee shall manage. The Order M. AND EVELYN J. BONNIGSON your names.

Living Trust, and pay roust income at least annually to, or for the benefit of, the grantors and may also spend any amount of trust principal necessary in the successor trustee's discretion, for the health, education, support and maintenance of the grantors, in accordance with their accustomed standard of living, until a licensed physician certifies that the grantors, or either of them, are again able to manage their own affairs, or until their deaths.

(B) Incapacity of Surviving Spouse

If, after the death of the deceased spouse, the surviving spouse becomes physically or mentally incapacitated, as conflict in writing by Elicensed physician, the successor trustee shall:

If Manage Trust B and pay trust income at least annually to, or for the benefit of, the surviving spouse, and may also spend any amount of that trust's principal necessary in the successor trustee's discretion, for the proper health, editation, support and maintenance of the surviving spouse, in accordance with his or her accustomed standard of living, until a licensed physician certifies that the surviving spouse is again able to manage his or her own affains or until his or her death.

Any income in excess of amounts spent for the benefit of the surviving spouse shall be accumulated and added to the property of Trust B.

2. Manage Trust A, under the terms of this Declaration of Trust, until a licensed physician certifies that the surviving spouse is again able to manage into or her own affairs and is able to serve as trustee of that trust, or until the death of the surviving spouse.

VIII. SIMULTANEOUS DEATH

impossible to determine who predecessed the other, it shall be conclusively presumed that both died at the same moment, and neither shall be presumed to have survived the other for purposes of this living trust.

IX. TRUSTEE'S POWERS AND DUTTES

(A) Powers Under State Law

To carry out the provisions of this Declaration of Trust and to manage the trust property of The

① THEOGORE M. ANY EVELYN J. BONNIGSON Living Trust, Trust A and

Trust B, and any child's subtrust created under this Declaration of Trust, the trustee shall

have all surhority and power allowed or conferred under California law, subject to the your state

trustee's (identary duty to the grantors and the beneficiaries.

- IIII Specified Powers
- III *mistee's powers include, but are not limited to:
- 1. The power to sell trust property, and to borrow money and to encumber property, specifically including trust real (16), by mortgage, deed of trust or other method.

- 2. The power at manage trust it illustrate as it flac trustee were the absolute owner of it, including the power to lease (even if the lease term may extend beyond the period of any trust) or grant options to lease the property, to make repairs or alterations and to insure against loss.
- 3. The power to sell or grant options for the sale or exchange of any trust property, including stocks, bonds, debentures and any other form of security or security account, at public or private sale for cash or on credit.
- 4. The power to invest trust property in property of any kind, including but not limited to bonds, debentures, notes, make these and stocks.
- 5. The power is receive additional property from any source and add to any trust created by this Declaration of Trust.
- 6. The power of employ and per section of fees to accountants, lawyers or investment experts for information or advice of entures the trest
 - 7. The power deposit and hold trust funds in both interest-bearing and non-interest-bearing accounts.
 - 8. The power of deposit funds in bank or other accounts uninsured by FDIC coverage.
 - 9. The power into electronic fund transfer or safe deposit arrangements with financial institutions.
 - 10. The power to continue any business of either grantor.
 - 11. The power to institute or defend legal actions concerning the trust or the grantors' affairs.
- 12. The proved presente any documents recessary to administer any trust created in this Declaration of Trust.
- 13. The power to diversify investments, including authority to decide that some or all of the trust property need not produce income.
 - (C) Payment sy the Trustee the Grantons' Debts and Taxes
 - 1. Wife's Debts and Taxes

	ENETAH	J. BOM	INIGSAN			s debt	s and de	eath	taxes shall	be p	paid
		v	rife's mad								
by the tru	istee. The things	shall pa	ay these from th	ne following t	rust	prope	rty:				
Вап	k of America	a joir	it chroking	account	in	the	name	06	EVELYN	J.	BONNIGSON
AND	LAWRENCE M	. BONN	VIGSON								

	2. I hand's Debts are Taxes
-	THEODORE M. BONNICSON 's debts and death taxes shall be paid
by the tru HECKING	Ister. The trustee shall ear these from the following trust property: PREVIOUSLY MENTIONED ACCOUNT
3	3. If Specified Property Insufficient
[f the property specified above is insufficient to pay all a grantor's debts and death taxes, the trustee sha
determine	how such debts and death raves shall be paid from that grantor's trust property, except as limited by a
law, or IR	S regulation, controlling the property in Trust A.
X. GENE	RAL ADMINISTRATIVE PROVISIONS
(A Controlling Law
7	The validity of The (1) THEODORE F. BONNIGSON & EVELYN J. BONNIGSON Ving Trust and
constructi	on of its provisions do be governed by the laws of California your names California your state
(TO Severability
Ī	facty provision of this Techaration of Trust is ruled unenforceable, the remaining provisions shall
neverthele	ass temain in effect.
(Amendments
7	The term "Declaration Trust" includes any provisions added by valid amendment.
XI. CHII.	JUZEN'S SUBTRUS (1)
Ą	the trust property left to any of the miggin or young adult beneficiaries listed below in Section XI,
Paragraph	(A), shall be retained in trust for each such beneficiary in a separate subtrust of this
① THE	OF ORE M. AND EVELYN J. BONNIGSON Living Trust.

(A) Subtrust Beneficiaries and Age Limits

A subtrust shall end when the beneficiary of that subtrust, listed below, becomes 35, except as otherwise specified in this section:

10 Subtrest for	WELOTH A DAME	Shall end at age
	KELSEY CRAVEN	35
		
CR 188 Okt had a Committee		
	The state of the s	

- (B) Powers and Duties of Subtrust Trustee
- 1. Until a child's subtrust errors, the trustee may distribute to or use for the benefit of the beneficiary as much of the net income or principal or the child's subtrust as the trustee deems necessary for the beneficiary's health, support, maintenance or education. Education includes, but is not limited to, college, graduate, postgraduate and vocational studies, and reasonably related living expenses.
- 2. In deciding whether to move a distribution to the beneficiary, the trustee may take into account the beneficiary's other income, resources and sources of support.
- Any subtrust income that is not distributed to a beneficiary by the trustee shall be accumulated and added to the principal of the subtrust for that beneficiary.
- 4. The trustee of a child's subrous: # not required to make any accounting or report to the subtrust beneficiary.
 - (C) Assignment of Interes. The manual Prohibited

The interests of the beneficiary of a child's subtrust shall not be transferable by voluntary or involuntary assignment or by operation of law before actual receipt by the beneficiary. These interests shall be free from the claims of creditors and from attachm. The complete and analysis of creditors and from attachm. The complete analysis of creditors and from attachm.

(D) Compressation of Trustee

Any trustee of a child's subtrust created and in this Declaration of Trust shall be entitled to reasonable compensation without court approval out of the subtrust assets for ordinary and extraordinary services, and for all services in connection with the termination of any subtrust.

(E) Termination of Subtrusts

A child's subtrust shall end when any of the following events occurs:

- 1. The beneficiary reaches the age specified in Section XI, Paragraph (A). If the subtrust ends for this reason, the remaining principal and accumulated income of the subtrust shall be given outright to the beneficiary.
- 2. The beneficiary dies. If the subtrust ends for this reason, the subtrust property shall pass to the beneficiary's heirs.
 - 3. The trustee distributes all subtrust property under the provisions of this Declaration of Trust.

XII. CUSTODIANSHIPS UNDER THE UNIFORM TRANSFERS TO MINORS ACT

1. All property ① <u>Kelsey Craven</u>		becomes entitled to
	beneficiary	occomes entitled to
under this trust document shall be given to	ELEANOR E. BONNIGSON	as
	cuerodian's name	
custodian for KELSEY CRAVEN beneficiary	under the	California
Liniform Terrorian and Maria A		state
Uniform Transfers to Minors Act, until	beneficiary	reaches age
2	-	
2. All property ①		becomes entitled to
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Certification by Grantors		
We certify that we have read this Declaration	on of Trust and that it correctly	states the terms and
conditions under which the trust property is to be hel	d, managed and disposed of by	the trustees and we approve
the Declaration of Trust.		••
the Dectaration of Trust.		
Dated: March 18, 1997		
Strantor and Trustee Grantor and Trustee Grantor and Trustee	onnigson	
Grantor and Trustee	1	
	r V	1 man
Grantor and Trustee	man Courteyer . A.	6/8
Startion and Trustee	10	, , ,

NOTARY'S ACKNOWLEDGMENT

State of CHLIFORNIA	
County of RIVERSIDE	
On MARCH 18 ,19	97, before me, DIANA REA THOMSEN
a notary public in and for said state, personally appea	red T.M. Bonnigson + ElEANDRE E. M.M. LOT
	, personally known to me (or proved to me on the basis of
satisfactory evidence) to be the persons whose names	are subscribed to the within Declaration of Trust, and
acknowledged to me that they executed the same in t	heir authorized capacities and that by their signatures on the
instrument they executed the Declaration of Trust.	
Diana (Sea Thomsen)	
Signature of Notary	[SEAL]



SCHEDULE A 3

SHARED PROPERTY PLACED IN TRUST

The house and all conto 12 Met 30255 Silver Sage Way Wildomar, CA

The house at 32841 Almond St. Williaman, CA

The house at 33360 Silv Sage Wildomar, CA

The house at 9552 Am & Bombay brach, CA

The mobile home at 4314 store

SCHEDULE B

WIFE'S SUPARATE PROPERTY PLACED IN TRUST

All Wife's interest in the foll-lying property:

SCHEDULE C

HUSBAND'S SETABATE PROPERTY PLACED IN TRUST

All Husband's interest in the following property:

RESPONDENT RELINQUISHES ORIGINAL DOCUMENTS TO PETITIONER TO REHAND WRITING ANALYSIS

The following original documents have been received by Mr. Chris Mulder. Five documents are signed by Evelyn Bonnigson in blue ink and one is signed in black ink. On Tuesday May 5, 2010, Respondent placed his initials LAB in the lower right hand corner of each document in blue ink:

- 1. AMENDMENTS TO THE THEODOREM, AND EVELYN J. BONNIGSON AB LIVING This document is three sections with a separate date for each: July 27, 1999; TRUST July 27, 1999; Oct 5, 05.
- 2. Distribution of Gifts update dated 4/6/2004.* 3 Neithbre of Alexe Contain the

 3. Distribution of Gifts update dated 4/6/2004.* 3 "BADY BENS" NOTATION IN HONOR TIME

 4. AMENDMENT TO SCHEDULE IN WIFE'S SERVED A TOTAL WITH THE WOTATION WITH THE WOTATION
- 4. AMENDMENT TO SCHEDULE | WIFE'S SEPARATE PROPERTY PLACED IN TRUST dated April 24, 2005.
- 5. AMENDMENT TO EVELYN, J. BONNIGSON'S CONTINUING REVOCABLE LIVING TRUST, TRUST B dated April 24, 2005.
- 6. Benificiary Addendum dated May 14, 2005.

I have received these documents, purported to be originals, on Wednesday May 5, 2010 and promise to return them to Respondent within ten days.

AMENDMENTS TO

THE THEODORE AND EVELYN J. BONNIGSON DIVING TRUST

Date: July 27, 1999

Page 7, section C

ELEANOR E. MCMILLEN shall no removed from the beneficiaries list.

Page 8, Section 4

ELEANOR E. MCMILLEN shall - removed from the beneficiaries list.

Page 14 Section XIII

Kathlene Bonnigson shall the custodian in the place of Eleanor E. McMillen.

EVELYN J. BONNIGSON'S inhelited interest in the house located at 30065 Spray Drive shall be diffted entirely to LARRY BONNIGSON because of his shared responsibility for taking care of ELEANOR E. MCMILLEN.

In the event that the Larry and myself die, the house is bequenthed to Rathlene Bonnigson.

DATE 7 37 1999

I gift to my son, LARRY BOUNTGSON, as his sole and separate property, the following parcels of land: Assessors parcel numbers-366-240-070, 366-240-071, and 366-240-072 further described as: Parcels 2,.3, &4 of Parcel Map 13779 in Map Book 48, pg 68

Handyon Je Bonningson date: Ot 5, 05

fund

April 6, 2004

Distribution of Gifts update.

TO LARRY BONNIGSON- My share of any and all vehicles or recreational vehicles including trailers, boats, and airplanes or after sale cash value in which I am a partner with my son.

TO LARRY BONNIGSON- My share of that certain parcel of real property commonly known as 33340 Mitchell Dr. Lake Elsinore, CA.

TO LARRY BONNIGSON- My share of that certain parcel of real property commonly known as 33360 Silver Sage Way, Wildomar, CA

TO KATHY BONNIGSON AND LARRY BONNIGSON- That certain parcel of real property commonly known as 33255 Silver Sage Way, Wildomar, CA. in equal shares. Share and share alike.

TO KATHY AND LARRY BONNICSON- Any and all stocks and bonds in equal shares. Share and share alike.

TO KATHY BONNIGSON AND KELSEY CRAVEN- Any and all jewelry, clothing, and personal effects.

TO KATHY BONNIGSON AND KEESEY CRAVEN- The porceline doll collection and furniture in equal shares. Share and share alike.

TO KATHY BONNIGSON, KELSET CRAVEN, AND LARRY BONNIGSON- Any and all stocks and or bonds in equal share. Share and share alike.

TO KATHY AND LARRY BONNIGNON- Any and all cash in savings accounts and mutual funds in equal share. Share and share alike

TO LARRY BONNIGSON- My share of that certain parcel of real property commonly known as 30065 Spray Dr. Canyon Lake, CA

Evelyn I Bonnigson

date: 1/6/2004

x May Mass

Luis

STATEOFICALIFORNIA

CERTIFICATION OF VITAL RECORD

STATE OF CALIFORNIA

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DEPARTMENT OF PUBLIC HEALTH

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James friends moms

JAMES GREENE, MD. MS
STATE REGISTRAR OF VITAL RECORDS

This copy is not valid unless prepared on an engraved border, displaying the date, seal and signature of the State Registrar.

CACDPH--04

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

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STATE OF CALIFORNIA COUNTY OF RIVERSIDE SS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the County of Riverside,
Department of Health

DATE ISSUED

Eric Frykman, M.D., Local Registrar RIVERSIDE COUNTY, CAUFORNIA



REGISTRAL OF VITAL STATISTIC

This copy not valid unless prepared on engraved border displaying scal and against of Registrar