

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



ITEM: 19.18
(ID # 22695)

MEETING DATE:
Tuesday, September 26, 2023

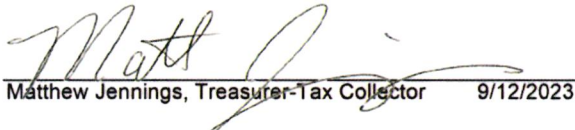
FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 214, Item 395. Last assessed to: Rosetta Family Investments, LLC, a California limited liability company. District 1. [\$15,856-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Rosetta Family Investments, LLC for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 382150052-2;
2. Authorize and direct the Auditor-Controller to issue a warrant to Rosetta Family Investments, LLC in the amount of \$15,856.55 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.

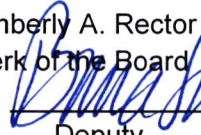
ACTION:Policy


Matthew Jennings, Treasurer-Tax Collector 9/12/2023

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Perez, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: September 26, 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	\$ 15,856	\$ 0	\$ 15,856	\$ 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:	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 June 4, 2019 public auction sale. The deed conveying title to the purchasers at the auction was recorded August 13, 2019. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on August 27, 2019, 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 Rosetta Family Investments, LLC based on a Correcting Deed recorded September 4, 2012 as Instrument No. 2012-0419394.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Rosetta Family Investments, LLC be awarded excess proceeds in the amount of \$15,856.55. 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 Rosetta

Cesar Bernal
Cesar Bernal, PRINCIPAL MGMT ANALYST

9/15/2023

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

8/24/2023

2213341.000.2

RECEIVED

2020 MAY -7 PM 1:07

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

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 214 Item 395 Assessment Number: 382150052-2

Assessee: ROSETTA FAMILY INV

Situs:

Date Sold: June 4, 2019

Date Deed to Purchaser Recorded: August 13, 2019

Final Date to Submit Claim: August 13, 2020

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 18,890.04 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. 2012-0419394; recorded on 9/4/2012. 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.

DEED

LLC ARTICLES OF FORMATION AND AMENDMENT

LLC AGREEMENT AND AMENDMENTS

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 4TH day of MAY, 2020 at SAN DIEGO, CALIFORNIA
County, State

[Signature]
Signature of Claimant

Signature of Claimant

BRYAN SMITH, V.P. OF ROSETTA
Print Name FAMILY INVESTMENTS, LLC

Print Name

674 VIA DE LA VALLE #310
Street Address

Street Address

SCANA BEACH, CA 92075
City, State, Zip

City, State, Zip

858 444 5709
Phone Number

Phone Number

bsmith@fenwayca.com
Email Address

Email Address

DOC # 2012-0419394
 09/04/2012 10:28A Fee:24.00
 Page 1 of 4
 Recorded in Official Records
 County of Riverside
 Larry W. Ward
 Assessor, County Clerk & Recorder



**RECORDING REQUESTED BY AND
 WHEN RECORDED MAIL TO:**

PALMIERI, TYLER, WIENER,
 WILHELM & WALDRON LLP (EMK)
 2603 Main Street, East Tower Suite 1300
 Irvine, California 92614

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
			4						
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
							T:	CTY	UNI

SPACE ABOVE THIS LINE FOR RECORDER'S USE

TRA:

DTT: -0-

CORRECTING DEED



THIS AREA FOR RECORDER'S USE ONLY

THIS DEED IS BEING RECORDED TO CORRECT THE
 VESTING AND LEGAL DESCRIPTION IN THE DEED
 RECORDED ON MAY 8, 2009 AS INSTRUMENT NO:
 2009-0230380

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
 (\$3.00 Additional Recording Fee Applies)

A.P. No. 382-150-052-2
 ROSETTA FAMILY INVESTMENTS, LLC

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Rosetta Family Investments, LLC
c/o Fenway Asset Management, LLC
3721 Valley Centre Drive, Suite 100
San Diego, California 92130

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

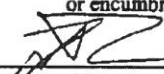
Rosetta Family Investments, LLC
c/o Fenway Asset Management, LLC
3721 Valley Centre Drive, Suite 100
San Diego, California 92130

**This conveyance corrects an error in a
previously recorded deed, R&T 11911**

DOCUMENTARY TRANSFER TAX \$ 0

— Computed on the consideration or value of
property conveyed; OR

— Computed on the consideration or value less liens
or encumbrances remaining at time of sale.


Signature of Declarant or Agent determining tax

CORRECTING DEED*

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, WILDOMAR-RIVERSIDE, L.P., a California limited partnership does hereby **REMISE, RELEASE AND FOREVER QUITCLAIM** to ROSETTA FAMILY INVESTMENTS, LLC, a California limited liability company, and the successor owner of the servient tenement (referenced in the Instrument described in the legal description below) that certain real property in the City of Wildomar, County of Riverside, State of California, described as follows:

LOT 96 OF TRACT NO. 29513, AS SHOWN BY MAP ON FILE IN BOOK 403, PAGES 70-78, INCLUSIVE, (INSTRUMENT NO. 2006-039-1883) RECORDS OF RIVERSIDE COUNTY, CALIFORNIA (A.P. No. 382150052-2)


*** THIS DEED IS BEING RECORDED TO CORRECT THE VESTING AND LEGAL DESCRIPTION IN THE DEED RECORDED ON MAY 8, 2009, AS INSTRUMENT NO.: 2009-0230380.**

August 27, 2012
Dated: ~~July~~, 2012

WILDOMAR-RIVERSIDE, L.P.,
a California limited partnership

By: MSII/SEPII GP, LLC,
a California limited liability company,
its General Partner

By: Hearthstone, Inc.,
a California corporation,
its Manager

By: 
Name: TRACY T. CARVER
Its: ENP - General Counsel

**Notary Acknowledgement Attached
MAIL TAX STATEMENTS AS INDICATED ABOVE**

ACKNOWLEDGMENT

State of California
County of MARIN

On August 27, 2012, before me, ANGIE WONG, Notary Public,
(insert name and title of the officer)

Notary Public, personally appeared TRACY T. CARVER, 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.


Notary Public



(seal)