

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



ITEM: 19.19
(ID # 22706)

MEETING DATE:
Tuesday, September 26, 2023

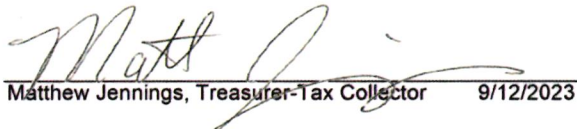
FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 214, Item 608. Last assessed to: Veneranda G. Dupra and Luisa S. Sibal as Trustee for the Luisa S. Sibal Revocable Living Trust dated October 19, 2001. District 3. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Deny the claim from Michael G. Kim, Attorney for Lake Riverside Estates Community Association for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcel 584270016-7;
2. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$6,459.91 to the County General Fund pursuant to Revenue and Taxation Code Section 4674, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

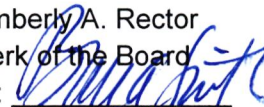
ACTION:Policy


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	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:			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 tax 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.

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 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 of the one year following the recordation of the Tax Collector's Deed to the Purchaser, which was recorded on August 13, 2019.

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

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

1. Claim from Michael G. Kim, Attorney for Lake Riverside Estates Community Association based on a Notice of Delinquent Assessment/Lien recorded November 13, 2018 as Instrument No. 2018-0445307.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that the claim from Michael G. Kim, Attorney for Lake Riverside Estates Community Association be denied since their lien was released on July 5, 2022 as Instrument No. 2022-0300188. Since there are no other claimants, the unclaimed excess proceeds in the amount of \$6,459.91 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 transferred to the County General Fund.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim LakeRiverside


Cesar Bernal, PRINCIPAL MGMT ANALYST 9/15/2023


Kristine Bell-Valdez, Supervising Deputy County Counsel 8/24/2023

201911052

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

RECEIVED

To: Jon Christensen, Treasurer-Tax Collector

2019 DEC -4 PM 4:46

Re: Claim for Excess Proceeds

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

TC 214 Item 608 Assessment Number: 584270016-7

Assessee: DUPRA, VENERANDA G & SIBAL, LUISA S TR

Situs:

Date Sold: June 4, 2019

Date Deed to Purchaser Recorded: August 13, 2019

Final Date to Submit Claim: August 13, 2020

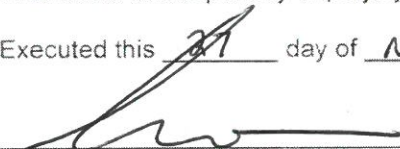
I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 6552.00 from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 2018-0445307; recorded on 11/13/2018. 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.

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 21 day of November, 2019 at San Diego County, California
County, State



Signature of Claimant

Signature of Claimant

MICHAEL G KIM

Print Name

Print Name

2173 SALK AVE, STE-250

Street Address

Street Address

CARLSBAD CA 92008

City, State, Zip

City, State, Zip

760 579 7390

Phone Number

Phone Number

MKIM@MIKELKIMAW.COM

Email Address

Email Address

2018-0445307

11/13/2018 12:48 PM Fee: \$ 111.00

Page 1 of 5

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
LAW OFFICES OF MICHAEL G. KIM, APC
2173 SALK AVE., STE. 250
CARLSBAD, CALIFORNIA 92008
APN: 584-270-016

080

NOTICE OF DELINQUENT ASSESSMENT/LIEN

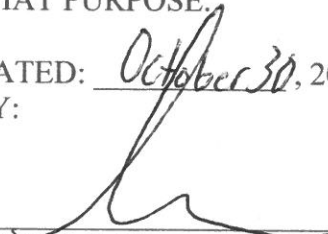
NOTICE IS HEREBY GIVEN that the Board of Directors of Lake Riverside Estates Community Association ("Association"), pursuant to the powers conferred upon it by that certain Declaration, as defined in the California Civil Code Section 4135, recorded in the Official Records, Riverside County Recorder, State of California, on June 22, 2005, as File/Page No. 2005-0493617 and California Civil Code Sections 5600 et seq, levied assessments and other charges on that certain property located at **Lot 983 Crazy Horse Canyon Road, Aguanga, CA 92536**, legally described as APN **584-270-016** the record owner(s) of which is/are **Veneranda G. Dupra and Luisa S. Sibal**.

1. The Association claims a lien imposed on the Property by this notice in the amount of **\$6552.00** (see attached itemized statement) currently due and owing, PLUS ANY ADDITIONAL ASSESSMENTS AND COSTS ACCRUED AND OWING AFTER THE DATE OF RECORDATION TO THE DATE OF SATISFACTION HEREOF, which includes the following: (a) assessments, late charges, interest and of collection costs in the amount of **\$6552.00**, currently due and owing as of September 1, 2018; and (b) attorneys' fees and costs in the amount of **\$561.88** as of October 30, 2018.

2. The name and address of the trustee authorized by the Association to enforce the lien by sale is LAW OFFICES OF MICHAEL G. KIM, APC, 2173 SALK AVE., STE. 250, CARLSBAD, CALIFORNIA 92008. LAW OFFICES OF MICHAEL G. KIM, APC IS ACTING IN THE FUNCTION AS A DEBT COLLECTOR, ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

DATED: October 30, 2018 Lake Riverside Estates Community Association.

BY:



Michael G. Kim, as Trustee, Attorney, and Authorized
Representative for Lake Riverside Estates Community Association

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
MICHAEL G. KIM, APC
2173 SALK AVE., STE. 250
CARLSBAD, CALIFORNIA 92008

APN: 584-270-016

2022-0300188

07/05/2022 12:52 PM Fee: \$ 102.00

Page 1 of 2

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder




339

RELEASE OF LIEN

On November 13, 2018, Lake Riverside Estates Community Association ("Association"), pursuant to the powers conferred upon it by that certain Declaration, as defined in the California Civil Code Section 4135, recorded in the Official Records, Riverside County Recorder, State of California, and California Civil Code Sections 5660, et seq, caused a lien to be recorded against the property described as Lot 983 Crazy Horse Canyon, Aguanga, CA 92536, legally described as APN 584-270-016 the record owner(s) of which is/are Veneranda G. Dupra and Luisa S. Sibal. Said lien was duly recorded as Document No.: 2018-0445307.

In receipt of consideration, receipt of which is hereby acknowledged, Association releases the above-described property from the above described lien, and does hereby authorize and direct that the above mentioned lien be discharged of record.

Dated: Nov 30, 2022


Michael G. Kim, as Trustee, Attorney, and Authorized
Representative for Lake Riverside Estates Community Association

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 San Diego
On 06-30-2022 before me, Megan Jean Kim Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Michael G. Kim
Name(s) of Signer(s)

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 Megan Jean Kim
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____
Document Date: _____ Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____