

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



ITEM: 19.21
(ID # 22767)

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 603. Last assessed to: The Lake Riverside Estates Community Association. District 3. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Deny the claim from Wendy C. Berman Baker, Trustee for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcel 584140013-2;
2. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$6,027.92 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.

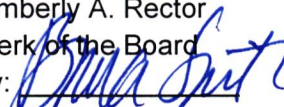
ACTION:Policy


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 Wendy C. Berman Baker, Trustee based on a Grant Deed recorded July 8, 2009 as Instrument No. 2009-0350423.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that the claim from Wendy C. Berman Baker, Trustee be denied because she was a previous property owner whose interest was removed with a Certificate of Foreclosure Sale recorded January 29, 2015 as Instrument No. 2015-0037163. Since there are no other claimants, the unclaimed excess proceeds in the amount of \$6,027.92 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 Baker


Cesar Bernal, PRINCIPAL MGMT ANALYST 9/15/2023


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

2012-01-10 08:2

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

RECEIVED

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

2020 JUL 14 AM 11:05

TC 214 Item 603 Assessment Number: 584140013-2

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

Assessee: BERMAN BAKER, WENDY C 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 \$ ALL 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. 2009-0350423; recorded on 07/08/2009. 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 18 day of November, 2019 at Los Angeles, CA
County, State

Wendy Berman Baker
Signature of Claimant

Signature of Claimant

Wendy C. Berman Baker, Trustee

Print Name

Print Name

10600 Le Conte Ave

Street Address

Street Address

Los Angeles, CA 90024

City, State, Zip

City, State, Zip

(310) 562-5341

Phone Number

Phone Number

wbermanbaker@gmail.com

Email Address

Email Address

OLD REPUBLIC TITLE

RECORDING REQUESTED BY
ROBERT ML BAKER III

WHEN RECORDED MAIL TO
AND MAIL TAX STATEMENTS TO

Robert ML Baker III
2001 Wilshire Blvd., Suite 505
Santa Monica, CA 90403

Title Order No.
Escrow No.

DOC # 2009-0350423

07/08/2009 08:00A Fee:32.00

Page 1 of 2 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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TRA. 071-308

GRANT DEED

32

THE UNDERSIGNED GRANTOR(S) DECLARE(S):

DOCUMENTARY TRANSFER TAX is 4.95 CITY TAX is —

- computed on the full value of the property conveyed, or
- computed on full value less value of liens or encumbrances remaining at the time of sale,
- Realty not sold
- Unincorporated area City of —, and



FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

TERRY ALDEN, a married man, WHO ACQUIRED TITLE AS TERRY CHARLES ALDEN

hereby GRANT(S) to

WENDY C. BERMAN-BAKER, TRUSTEE OF THE WENDY BAKER TRUST ESTABLISHED JULY 24, 2008

all of his interest in the following described real property in the city of Unincorporated Area, County of Riverside, State of California:

Lot 335 of Tract 3925, Lake Riverside Estates as recorded in Book 65 and pages 15-43 in the office of the County recorder of Riverside County; dated March 25, 1970

MORE PARTICULARLY DESCRIBED ON ATTACHED EXHIBIT "A" HERETO

A.P.N. #584-140-013 - 2

Dated: 6-19-09

Terry C. Alden
TERRY ALDEN

STATE OF MISSOURI

COUNTY OF CLINTON } SS.

On this 19 day of June in the year 2009, before me, the undersigned notary public, personally appeared Terry Alden known to me to be the person(s) whose name(s) is/ are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained. In witness whereof, I hereunto set my hand and official seal.

Laura M Bigler
NOTARY SIGNATURE

LAURA M BIGLER
NOTARY'S NAME (typed or legibly printed)



ORDER NO. : 2476008015-33

EXHIBIT A

The land referred to is situated in the County of Riverside, ^{UNINCORPORATED} ~~City of Riverside~~, State of California, and is described as follows:

Lot 335 of Tract No. 3925, in the County of Riverside, State of California, as per map recorded in Book 65, Page 15 of maps, in the Office of the County Recorder of said County.

EXCEPT THEREFROM all oil, gas, minerals and other hydrocarbon substances below a depth of 500 feet, without the right of surface entry, as reserved in an instrument recorded April 10, 1970, as Instrument No. 33659.