

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



**ITEM:** 19.4  
(ID # 13619)

**MEETING DATE:**

Tuesday, November 07, 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 471. Last assessed to: National Church. District 5. [\$36,762-Fund 65595 Excess Proceeds from Tax Sale]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the claim from Pinnacle Legal, P.C., Attorney for National Church, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcel 443101036-2;
2. Authorize and direct the Auditor-Controller to issue a warrant to Pinnacle Legal, P.C., Attorney for National Church in the amount of \$36,762.75, 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 10/25/2023

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Perez, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington and Perez  
Nays: None  
Absent: Gutierrez  
Date: November 7, 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**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
COST	\$ 36,762	\$ 0	\$ 36,762	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale.</b>			<b>Budget Adjustment:</b>	N/A
			<b>For Fiscal Year:</b>	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 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 Pinnacle Legal P.C., Attorney for National Church based on a Quitclaim Deed recorded November 23, 2010 as Instrument No. 2010-0563703 and a Declaration of Christopher John Franke and Frederick Paul Franke in Support of National Church's Claims for Excess Proceeds and Authorization to Release Proceeds to Pinnacle Legal P.C. (formerly known as Renda Law Offices, P.C.) notarized November 15, 2021.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Pinnacle Legal P.C., Attorney for National Church be awarded excess proceeds in the amount of \$36,762.75. 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 Pinnacle**

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

*Cesar Bernal*  
Cesar Bernal, PRINCIPAL MGMT ANALYST 10/27/2023

*Aaron Gettis*  
Aaron Gettis, Deputy County Counsel 9/26/2023

**CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY**  
(SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

RECEIVED

2018 OCT 31 AM 9:40

RIVERSIDE COUNTY  
TREAS-TAX COLLECTOR#

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 212 Item 471 Assessment No.: 443101036-2

Assessee: NATIONAL CHURCH

Situs:

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 \$ 41,700.00 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. 2010-0563703; recorded on 11/23/2010. 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.**

Quitclaim Deed  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 24 day of October, 2018 at San Diego, California  
County, State

[Signature]  
\_\_\_\_\_  
Signature of Claimant

VINCENT RENDA, ESQ.  
RENDA LAW OFFICES, P.C.  
\_\_\_\_\_  
Print Name

600 W. BROADWAY #400  
\_\_\_\_\_  
Street Address

SAN DIEGO, CA 92101  
\_\_\_\_\_  
City, State, Zip

(619) 819-0013  
\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature of Claimant

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone Number

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO  
AND MAIL TAX STATEMENTS TO



NAME National Church  
ADDRESS P.O. Box 5460  
CITY Hemet  
STATE & ZIP California 92544

S	R	U	FAUC	SIZE	JA	MISC	LUNG	RFD	COPY
1			2						
M	A	L	485	426	PCOR/NCOR	SMF	NCHG	EXAM	704
DIT									

18  
C  
704

TITLE ORDER NO. ESCROW OR LOAN NO. APN NO.

QUITCLAIM DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$ \_\_\_\_\_ CITY TAX \$ \_\_\_\_\_

- computed on full value of property conveyed, or  computed on full value less value of liens or encumbrances remaining at time of sale,
- Unincorporated area:  City of \_\_\_\_\_, and

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

Richard H. Franke, an unmarried man

hereby remise, release and forever quitclaim to

National Church

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

Parcel 1: The North 52 feet of the South 104 feet of the North 278 feet of the West 200 feet as measured from the center line of Palm Avenue, of the South half.... Complete legal description attached as Exhibit A

Dated November 23, 2010

*Richard H. Franke*  
Richard H. Franke

State of California

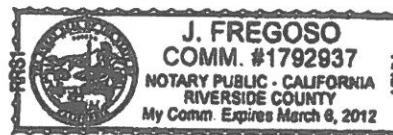
County of Riverside

On Nov 23, 2010 before me, J. Fregoso Notary, personally appeared Richard H. Franke, who proved to me on the basis of satisfactory evidence of identification 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 *J. Fregoso*



**LEGAL DESCRIPTION ATTACHED AS EXHIBIT A**

**PARCEL 1:** The North 52 feet of the South 104 feet of the North 278 feet of the West 200 feet as measured from the center line of Palm Avenue, of the South half of the South half of Farm Lot 181 of the lands of the San Jacinto Land Association, in the City of Hemet, County of Riverside, State of California, as per map recorded in Book 6 Page 357 of Maps, in the office of the County Recorder of the San Diego County.

**PARCEL 2:** The South 52 feet of the North 278 feet of the West 200 feet as measured from the center line of Palm Avenue, of the South half of the South half of Farm Lot 181 of the lands of the San Jacinto Land Association in the City of Hemet, County of Riverside, State of California, as per map recorded in Book 6 Page 357 of Maps, in the office of the County Recorder of San Diego County.



2010-0563703  
11/23/2018 01:41P  
2 of 2

1 Vincent Renda, Esq. (SBN 213985)  
Jonathan Choi, Esq. (SBN 325454)  
2 PINNACLE LEGAL, P.C.  
3 9565 Waples Street, Suite 200  
San Diego, CA 92121  
4 Telephone: 858.868.5000  
Facsimile: 866.303.8383  
5 Email: vr@pinlegal.com

6 Attorneys for Christopher John Franke, Frederick Paul Franke, and National Church  
7

8 **DECLARATION OF CHRISTOPHER JOHN FRANKE AND FREDERICK PAUL**  
9 **FRANKE IN SUPPORT OF NATIONAL CHURCH'S CLAIMS FOR EXCESS**  
10 **PROCEEDS AND AUTHORIZATION TO RELEASE PROCEEDS TO PINNACLE**  
11 **LEGAL, P.C.**

12 I, Christopher John Franke, and I, Frederick Paul Franke, hereby declare as follows:

13 1. We make this declaration in support of the Claims filed for Excess Proceeds with the  
14 County of Riverside on behalf of National Church; Entity No. 5342479-0145.

15 2. Pinnacle Legal, P.C. represents National Church in the matter of this Claim filed for  
16 Excess Proceeds and is authorized to request, accept, and receive the Excess Proceeds from the  
Sale of Tax-Defaulted Property; Assessment No.: 442053019-2 and 443101036-2.

17 3. The Claim for Excess Proceeds originated from the tax default sale of two properties that  
18 National Church owned: Assessment No.: 442053019-2 and 443101036-2 also identified as APN  
19 442-053-019-2 and APN 443-101-036-2.

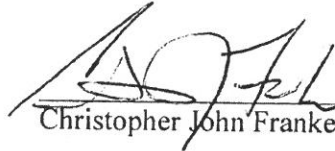
20 4. The National Church described in the Articles of Organization provided to the Riverside  
21 County Excess Proceeds desk is one and the same as the National Church that owned the real  
22 property; APN 442-053-019-2, as Quitclaimed from Richard Herman Franke to National Church  
23 on November 23, 2010.

24 5. The National Church described in the Articles of Organization provided to the Riverside  
25 County Excess Proceeds desk is one and the same as the National Church that owned the real  
26 property; APN 443-101-036-2, as Quitclaimed from Richard Herman Franke to National Church  
27 on November 23, 2010.

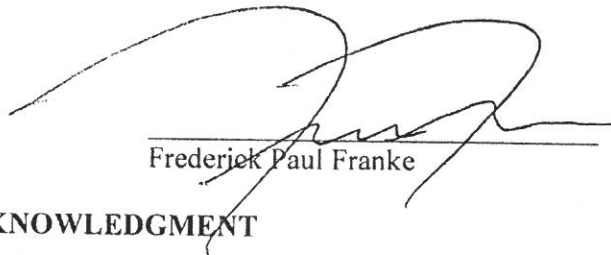
28 ///

1 We declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct.

3  
4  
5 Dated: November 15, 2021

6   
Christopher John Franke

7  
8 Dated: November 15, 2021

9  
10   
11 Frederick Paul Franke

12 **ACKNOWLEDGMENT**

13 A notary public or other officer completing this certificate verifies only the identity of the  
14 individual who signed the document to which this certificate is attached, and not the  
truthfulness, accuracy, or validity of that document.

15 STATE OF CALIFORNIA

16 COUNTY OF SAN DIEGO

17  
18 On \_\_\_\_\_ (date) before me, \_\_\_\_\_,  
19 Notary Public, personally appeared Christopher John Franke and Frederick Paul Franke, who  
20 proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed  
21 to the within instrument and acknowledged to me that they executed the same on their  
authorized capacity, and that by their signature on the instrument, the persons, or the entities  
upon behalf of which the persons acted, executed the instrument.

22 I certify under PENALTY OF PERJURY under the laws of the State of California that the  
23 foregoing paragraph is true and correct.

24 WITNESS my hand and official seal.

25 **See Attached Certificate**

26 (Seal)

27 \_\_\_\_\_  
Signature of Notary

28  
Declaration of Christopher John Franke and Frederick Paul Franke in Support of  
Claims re: Excess Proceeds and National Church Identity



**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 Nov. 15, 2021 before me, Thomas Fell Notary Public,

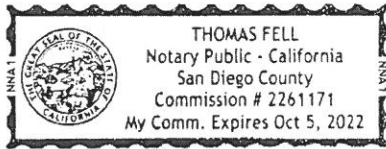
personally appeared Christopher John Franke

*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

*Thomas Fell*

*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: Dec. of Christopher John Franke and Frederick Paul Franke  
Document Date: Nov. 15, 2021 Number of Pages: 2  
Signer(s) Other Than Named Above: NA *Auth. To release proceeds*

**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: \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

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State of California

County of San Diego

On Nov. 15, 2021 before me, Thomas Fell Notary Public

Date

Here Insert Name and Title of the Officer

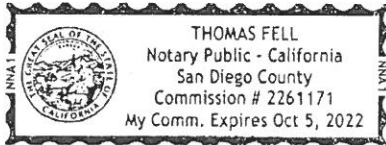
personally appeared Frederick Paul Franke

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 [Handwritten Signature]  
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: Dec. of Christopher John Franke and Frederick Paul Franke Auth.  
Document Date: Nov. 15, 2021 Number of Pages: 2 To Release Proceeds  
Signer(s) Other Than Named Above: NA

**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: \_\_\_\_\_