

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



ITEM: 19.16
(ID # 23193)

MEETING DATE:
Tuesday, November 28, 2023

FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 217, Item 4059. Last assessed to: Mary Ruth Townsend, an unmarried woman. District 1. [\$25,675-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Global Discoveries, Ltd., Assignee for Michael Allen Townsend as heir to the Estate of Mary Ruth Townsend, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 322230008;
2. Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., Assignee for Michael Allen Townsend as heir to the Estate of Mary Ruth Townsend in the amount of \$25,675.61, 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 \$51,351.20 to the County General Fund pursuant to Revenue and Taxation Code Section 4674.

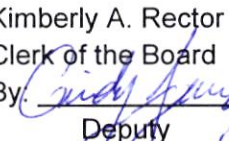
ACTION:Policy


Matthew Jennings, Treasurer-Tax Collector 11/13/2023

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington and Perez and Gutierrez
Nays: None
Absent: None
Date: November 28, 2023
xc: Tax Collector

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 25,675	\$ 0	\$ 25,675	\$ 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 May 18, 2021 public auction sale. The deed conveying title to the purchasers at the auction was recorded July 28, 2021. 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 4, 2021 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 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

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STATE OF CALIFORNIA**

of the one year following the recordation of the Tax Collector's Deed to the Purchaser, which was recorded on July 28, 2021.

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

6. Claim from Global Discoveries, Ltd., Assignee for Michael Allen Townsend as heir to the Estate of Mary Ruth Townsend based on an Assignment of Right to Collect Excess Proceeds notarized August 10, 2021, a Quitclaim Deed recorded January 4, 1995 as Instrument No. 1995-1713, an Affidavit for Collection of Personal Property notarized July 23, 2021, and a Certificate of Death for Mary Ruth Townsend.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., Assignee for Michael Allen Townsend as heir to the Estate of Mary Ruth Townsend be awarded excess proceeds in the amount of \$25,675.61. Since there are no other claimants, the unclaimed excess proceeds in the amount of \$51,351.20 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 to the estate of the last assessee and transferred to the County General Fund.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Global


Cesar Bernal, PRINCIPAL MGMT ANALYST 11/17/2023


Aaron Gettis, Deputy County Counsel 10/27/2023

CLAIM SUMMARY

Date: August 10, 2021
To: Riverside County Treasurer and Tax Collector
Assessors Parcel Number: 322230008
Last Assessee: TOWNSEND MARY RUTH
Sale Date: 5/13/2021
TC: *TC 217*
Item Number: 4059

RECEIVED
2021 SEP - 7 PM 4: 10
RIVERSIDE COUNTY
TREAS - TAX COLLECTOR

Dear Treasurer/Tax Collector:

1. Claimant(s): Global Discoveries, Ltd.

The following proof of claim(s) for excess proceeds and documents are attached:

1. **Explanation of Events**
2. Quitclaim deed releasing interest to Mary Ruth Townsend, an unmarried woman as Document Number: 1995-1713, Recorded on 01/04/1995 in Riverside County, CA.
3. **Certified** Certificate of Death for Mary Ruth Townsend
4. Probate Affidavit for the Estate of Mary Ruth Townsend signed by Michael Allen Townsend
5. Certificate of Birth for Michael Allen Townsend
 - a. **Mary Ruth Sanchez is listed as "Mother", Sanchez is Mary's maiden last name**
6. Affidavit signed by Michael Allen Townsend declaring under penalty of perjury his identity.
7. Assignment of Rights To Collect Excess Proceeds signed by Michael Allen Townsend as heir to the Estate of Mary Ruth Townsend
8. Claim form(s) signed by Global Discoveries, Ltd.
9. Photo ID for Assignor: Michael Allen Townsend

Upon approval, claimant(s) request that the Treasurer and Tax Collector issue its warrant(s) as follows:

- One warrant in the amount of \$25,961.34 or 100% of the claimant's share of the excess proceeds made payable to Global Discoveries Ltd. and mailed to P.O. Box 1748, Modesto, CA 95353-1748.

Please address questions regarding the attached claim(s) to Jed Byerly, Managing Member, at (209) 593-3913, or e-mail to jed@gd-ltd.com.

The Client(s) and the staff of Global Discoveries, Ltd., thank you in advance for your timely review and approval of the attached claim(s).

Certified Tracking Number: 7020-3160-0000-7617-5126



ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS.

As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby assign to Global Discoveries Ltd, my right to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 322230008 Tax Sale Number 76217, Item 4059 sold at public auction on 5/13/2021. I understand that the total of excess proceeds available for refund is \$ 77,884.00+/-, and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VAULABLE CONSIDERATION RECEIVED I HAVE SOLD THIS RIGHT OF COLLECTION (assignment) TO THE ASSIGNEE. I certify under penalty of perjury that I have disclosed to the assignee all facts of which I am aware relating to the value of this right I am assigning.

Michael Allen Townsend 7/23/21
(Signature of Party of Interest (Assignor)) (Date)

Michael Allen Townsend as heir to the Estate of Mary Ruth Townsend
(Name Printed)
25493 Van Leuven Street #B
(Address)
Loma Linda, CA, 92354-2392
(City/State/Zip)
951-204-5265
(Area Code/Telephone Number)

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

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 Bernardino
On 7/23/21 before me,
(Date) (here insert name and title of the officer)

DO NOT see attached acknowledgment

_____, 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.

(seal)
Signature of Notary Public

I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest (assignor), pursuant to Section 4675 of the California Revenue and Taxation Code, all facts of which I am aware relating to the value of the right he is assigning, that I have disclosed to him the full amount of excess proceeds available, and that I HAVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT.

(Signature of Assignee)

Jed Byerly, Managing Member of Global Discoveries, Ltd
(Name Printed)
P.O. Box 1748
(Address)
Modesto, CA 95353-1748
(City/State/Zip)
Phone: (209) 593-3913

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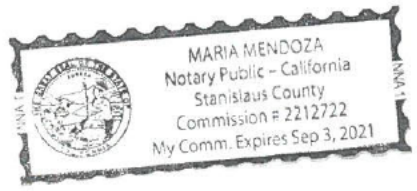
State of CALIFORNIA
County of STANISLAUS
On 8/10/21 before me, Maria Mendoza, Notary Public
(Date) (here insert name and title of the officer)

_____, 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.

(seal)
Signature of Notary Public
117-174 (3/85) (Ret-Perm)



CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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 Bernardino }

On 7/23/21 before me, Darla Stern, Notary Public,
(Here insert name and title of the officer)

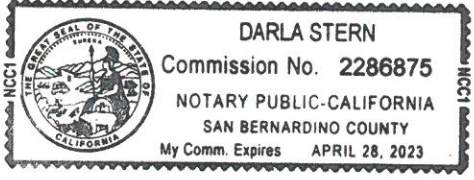
personally appeared Michael Allen Townsend,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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.

Darla Stern
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
Assignment of Right to Collect Excess Proceeds
(Title or description of attached document)
Collect Excess Proceeds
(Title or description of attached document continued)
Number of Pages 1 Document Date 7/23/21

CAPACITY CLAIMED BY THE SIGNER

Individual (s)
 Corporate Officer

(Title)

Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

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

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC Item 4059 Parcel Identification Number: 322230008

Assessee: TOWNSEND MARY RUTH

Situs: PERRIS CA 92570 (VACANT)

Date Sold: 5/13/2021

Date Deed to Purchaser Recorded: 7/28/21

Final Date to Submit Claim: 7/28/22

RECEIVED
2021 SEP -7 PM 4:36
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$25,961.34 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. 1995-1713 recorded on 01/04/1995. 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.

Please Refer to Claim Summary and Supporting Documents Enclosed

If the property is held in Joint Tenancy, the tax sale 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 28th day of July, 2021 at MODESTO, CA
County, State

Jed Byerly
Signature of Claimant
Tax ID #

Signature of Claimant

Jed Byerly, Managing Member of
Global Discoveries, Ltd.

Print Name

Print Name

1120 13th St. Suite A
Street Address

Street Address

Modesto, CA 95354
City, State, Zip

City, State, Zip

(209) 593-3913
Phone Number

Phone Number

11
RECORDING REQUESTED BY
INVESTORS TITLE COMPANY

1713
WHEN RECORDED MAIL TO:
Northern Trust Bank of California
355 South Grand Ave., Suite 2700
Los Angeles, Ca 90071
Attn: Evelyn Fierro
MAIL TAX STATEMENT TO:
Mary Ruth Townsend
1675 Baseline
San Bernardino, Ca 92411

RECEIVED FOR RECORD
AT 8:00 OCLOCK

JAN 4 - 1995

Presented to County Recorder
of Riverside County, California
Presented by
Form 9

SPACE ABOVE THIS LINE FOR RECORDER'S USE ME

APN: 323-230-008-2

THE UNDERSIGNED DECLARES THAT THE DOCUMENTARY TRANSFER TAX IS \$ 0
AND IS

...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; OR
...Zero because: This is a transfer back to the Trustor of a revocable trust and is exempt from transfer tax per RTC Code Section 62 (d).

A-1002

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, NORTHERN TRUST BANK OF CALIFORNIA N.A., Successor to Pioneer Title Insurance and Trust Company Trust S-1053

does hereby REMISE, RELEASE AND FOREVER QUITCLAIM to MARY RUTH TOWNSEND, an unmarried woman

the real property in the City of _____, State of California, described as

Parcel 3, per Record of Survey on file in Book 30, Pages 55 and 56 of Records of Survey. Being a portion of Section 23, Township 4 South, Range 4 West, San Bernardino Base and Meridian.

The undersigned executes this Quitclaim Deed as such Trustee and not individually, and is not to be held liable in its individual capacity in any way by reason of this Quitclaim Deed. Any recourse under and by virtue of this Quitclaim Deed shall be against the trust estate only.

Dated: September 27, 1994

This document filed for record by investors Title Company as an accommodation only. It has not been examined as to its execution or as to its effect upon the title.

NORTHERN TRUST BANK OF CALIFORNIA N.A.

By: Thomas M. Mendelson
Its: Vice President

By: David Young
Its: Second Vice President

ALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

NA 5907

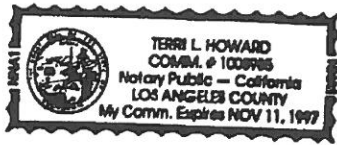
State of California

County of Los Angeles

On September 27, 1994 before me, TERRI L. HOWARD Notary Public

personally appeared Thomas M. Mendelson & DAVID YOUNG

personally known to me - OR - 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.



WITNESS my hand and official seal.

TERRI L. HOWARD
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

INDIVIDUAL
 CORPORATE OFFICER
Vice President & Second Vice President
TITLE(S)

Quitclaim Deed
TITLE OR TYPE OF DOCUMENT

PARTNER(S) LIMITED
 GENERAL

1
NUMBER OF PAGES

ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

9-27-94
DATE OF DOCUMENT

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
Northam Trust Bank

SIGNER(S) OTHER THAN NAMED ABOVE

AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY

The undersigned state(s) as follows:

1. Mary Ruth Townsend died on 05/28/2015 in the County of San Bernardino, State of California;
2. At least 40 days have elapsed since the death of the decedent, as shown by the attached certified copy of the decedent's death certificate;
3. No proceeding is now being or has been conducted in the State of California for administration of the decedent's estate;
4. The current gross fair market value of the decedent's real and personal property in California, excluding the property described in section 13050 of the California Probate Code, does not exceed \$166,250.00.
5. The following property is to be paid, transferred or delivered to the undersigned under the provisions of California Probate Code Section 13100 (please describe the property in below space):

The excess proceeds [as defined in *California Revenue and Taxation Code*, Section 4675, et seq] in the approximate amount of approximately \$77,884.00 +-, generated from Assessor's Parcel Number(s) 322230008, sold at the Riverside County, California, public auction of tax-defaulted property held on 5/13/2021.

6. The successor(s) of the decedent, as defined in California Probate Code Section 13006, is/are:

Michael Allen Townsend, Brian Townsend, Yolanda Townsend

7. The undersigned (please check which box(s) applies):

- Is successor(s) of the decedent to the decedent's interest in the described property, or
- Is authorized under California Probate Code Section 13051 to act on behalf of the successor(s) of the decedent with respect to the decedent's interest in the described property;

8. No other person has a superior right to the interest of the decedent in the described property;
9. The undersigned request that the described property be paid, delivered or transferred to the undersigned.

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

7/23/21
(DATE)

(DATE)

(DATE)

(DATE)

(DATE)

(DATE)

Michael Allen Townsend
Printed Name

Brian Townsend
Printed Name

Yolanda Townsend
Printed Name

Printed Name

Printed Name

Michael Allen Townsend
signature

signature

signature

signature

signature

(Attach Additional Sheet if Necessary)

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

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 Bernardino)

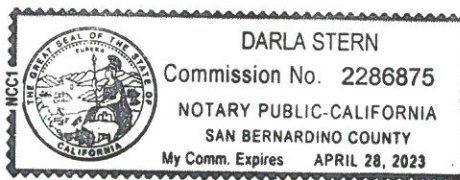
On 7/23/21 before me, Darla Stern, Notary Public, personally appeared
(Date) (here insert name and title of the officer)

Michael Allen Townsend, 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.

Darla Stern (seal)
Signature of Notary Public



STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF SAN BERNARDINO

SAN BERNARDINO, CALIFORNIA

3052015108599

CERTIFICATE OF DEATH

3201536005627

Form with sections: DECEDENT'S PERSONAL DATA, USUAL RESIDENCE, INFO - MARRIAGE, SPOUSE/SRDP AND PARENT INFORMATION, FUNERAL DIRECTOR/LOCAL REGISTRAR, PLACE OF DEATH, CAUSE OF DEATH, PHYSICIANS CERTIFICATION, CORONER'S USE ONLY. Includes fields for name, date of birth, cause of death, and certifier information.

CERTIFIED COPY OF VITAL RECORD

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

This is a true and exact reproduction of the document officially registered and placed on file in the OFFICE OF THE SAN BERNARDINO ASSESSOR-RECORDER-CLERK.

DATE ISSUED

JUN 18 2021

Signature of Bob Dutton

BOB DUTTON ASSESSOR-RECORDER-CLERK

This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the Assessor-Recorder-Clerk.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

CASANBERG

