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



ITEM: 19.13 (ID # 22989)

MEETING DATE:

Tuesday, February 27, 2024

Kimberly A. Rector

Clerk of the Board

Deputy

By: [[lannu

FROM: TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 215, Item 1163. Last assessed to: Investment Property Trust dated May 9, 2011. District 2. [\$2,065-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

- Approve the claim from Alvin Cox, Trustee of the Investment Property Trust dated May 9, 2011, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 375052033;
- 2. Authorize and direct the Auditor-Controller to issue a warrant to Alvin Cox, Trustee of the Investment Property Trust dated May 9, 2011 in the amount of \$2,065.34 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 2/13/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, 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, Perez and Gutierrez

Nays: Absent: None None

Date:

February 27, 2024

XC:

Tax Collector

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 2,065	\$ 0	\$ 2,065	\$ 0
NET COUNTY COST	\$0	\$ 0	\$0	\$ 0
SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale.			Budget Adjustme	ent: 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 5, 2020 public auction sale. The deed conveying title to the purchasers at the auction was recorded July 15, 2020. 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 24, 2020, 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 Alvin Cox, Trustee of the Investment Property Trust dated May 9, 2011 based on an Amended Judgment recorded March 20, 2012 as Instrument No. 2012-0128498

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Alvin Cox, Trustee of the Investment Property Trust dated May 9, 2011 be awarded excess proceeds in the amount of \$2,065.34. 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 Cox

Cesar Bernal . PRINCIPAL MGM1 ANALYST 2/16/2024 Aaron Gettis, Deputy County Sounsel 9/27/2023

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

2021 MAR 25 AM 11: 05 To: Jon Christensen, Treasurer-Tax Collector RIVERSIDE COUNTY Re: Claim for Excess Proceeds TC 215 ITEM 1163 Parcel Identification Number: 375052033 Assessee: INVESTMENT PROP TRUST Situs: Date Sold: May 5, 2020 Date Deed to Purchaser Recorded: July 15, 2020 Final Date to Submit Claim: July 15, 2021 I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 100% of total from the sale of the above mentioned real property. I/We were the III lienholder(s), I 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. 2012-0128498; recorded on 3/20/2012. 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. Investment Property Trust acquired its an undivided interest in the property pursuant to the Amended Judgment of the Superior Court recorded as document 2012-0128498 on March 20, 2012. The certificate of trust for Investment Property Trust 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 23rd day of March 2021 at Alameda County, California County, State Signature of Claimant Signature of Claimant Alvin Cox, Trustee of Investment Property Trust **Print Name Print Name** 360 E. First St. #768 Street Address Street Address Tustin, CA 92780 City, State, Zip City, State, Zip 714-726-4346 Phone Number Phone Number **Email Address Email Address**

RECORDING REQUESTED BY:

Investment Property Trust

AND WHEN RECORDED MAIL TO:

Investment Property Trust P. O. Box 7096 Beverly Hills, CA 90212

DOC # 2012-0128498 03/20/2012 11:52A Fee:165.00

Page 1 of 51 Recorded in Official Records County of Riverside Larry W. Ward Assessor, County Clerk & Recorder





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AMENDED JUDGMENT

Title of Document



SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

10	ALVIN COX, an individual, et al.) Case No.: CIVSS 700274
11	Plaintiffs) Assigned to: Honorable Donna Gunnell Garza
12	V.) Dept.: S38
13	SITL INVESTMENT, LLC, et al,))
14	100 mm m) [PROPOSED] AMENDED JUDGMENT
15	Defendants))
16	SITL INVESTMENT, LLC et al.))
17)
18	Cross-Complainant v.))
19	ALVIN COX, et al.,)
20		ý .
21	Cross-Defendants))

This Amended Judgment is pursuant to Stipulation between Plaintiffs and Cross-Defendants, ALVIN COX, individually and as trustee of FRONT BAYS TRUST and BACK BAYS TRUST; JUSTIN COX; CARTER COX; and Cross-Defendants, NANCY COX, individually and as trustee of BACK BAYS TRUST; MITCHELL JONES, LLC; SOLERA PARTNERS, LLC; and MICAH INVESTMENTS, INC. and Defendants and Cross-Complainants, SITL INVESTMENT, LLC; JOSEPH HUBAND; and Defendants, SOUTHERN

MQ 20

CA PROPERTIES TRUST; COUNTRY CLUB HOLDINGS, LLC; JOSHUA TREE
HOLDINGS LLC; and Cross-Complainant, COTTONWOOD CANYON LLC (collectively, the
"Parties"), by and through their respective counsel of record. The Court finds the Parties have
been properly served and it has jurisdiction over the Parties. In exercise of such jurisdiction, the
Court makes the following decrees and findings pursuant to stipulation:

- A Judgment after Motion Pursuant to CCP §664.6 was entered on May 13, 2011
 (the "Judgment");
- The Defendants and Cross-Complainants filed a Notice of Appeal on May 16,
 2011;
- The Defendants and Cross-Complainants appeal was assigned Case No. E053621
 (the "Appellate Matter") by the Court of Appeal State of California, Fourth District, Division
 Two (the "Appellate Court");
- The Parties participated in the Settlement Conference Program at the Appellate
 Court on October 26, 2011 in the Appellate Matter;
- The Parties resolved the Appellate Matter by entering into a Settlement
 Agreement whereby the May 13, 2011 Judgment would be amended, but would remain in full
 force and effect as amended; and
- 6. The legal descriptions for the assessor parcel numbers in all sections of this Amended Judgment shall be those currently on file as of the date this Amended Judgment with the County Assessor's Office and the Official Records of the respective counties.

NOW THEREFORE, the Court restates and amends the Judgment as follows pursuant to stipulation:

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1	PARCEL 523.	0623-341-01	
2	PARCEL 524.	0623-361-03	
3	PARCEL 525.	0626-301-12	
4	PARCEL 526.	0633-211-42	
5			
6	KERN COUNTY PA	ARCELS:	
7	PARCEL 527.	401-260-02-00-5	
8	PARCEL 528.	401-260-19-00-5	
9		SECTION	
10		<u>II.</u>	
11	All rights, title and interest in the real properties 1-512 itemized below and incorporated		
12	herein by reference, are transferred from all Defendants and Cross-Complainants (in their		
13	individual, corporate, company, trustee and constructive trustee capacity, as of the date of this		
14	Amended Judgment to INVESTMENT PROPERTY TRUST DATED MAY 9, 2011 with a		
15	mailing address of Post Office Box 7096, Beverly Hills, CA 90212:		
16			
17	RIVERSIDE COU	NTY PARCELS:	
18	PARCEL 1. 08	81-009-948-2	
19	PARCEL 2. 08	81-009-949-3	
20	PARCEL 3. 28	89-170-010-4	
21	PARCEL 4. 34	43-020-019-6	
22	PARCEL 5. 34	47-060-036-3	
23	PARCEL 6. 34	47-060-037-4	
24	PARCEL 7. 34	47-060-046-2	
25	PARCEL 8. 34	47-060-063-7	
26	PARCEL 9. 35	51-031-010-0	
27	PARCEL 10. 36	51-053-009-1	

PARCEL 11. 361-053-010-1

1	PARCEL 12. 361-084-013-0
2	PARCEL 13. 361-084-014-1
3	PARCEL 14. 361-111-018-8
4	PARCEL 15. 361-114-018-7
5	PARCEL 16. 361-121-005-7
6	PARCEL 17. 361-121-006-8
7	PARCEL 18. 361-121-007-9
8	PARCEL 19. 361-121-008-0
9	PARCEL 20. 361-122-005-0
10	PARCEL 21. 361-122-006-1
11	PARCEL 22. 361-122-007-2
12	PARCEL 23. 361-122-008-3
13	PARCEL 24. 361-122-012-6
14	PARCEL 25. 361-122-013-7
15	PARCEL 26. 361-122-014-8
16	PARCEL 27. 361-122-015-9
17	PARCEL 28. 361-122-016-0
18	PARCEL 29. 361-122-019-3
19	PARCEL 30. 361-122-020-3
20	PARCEL 31. 361-122-021-4
21	PARCEL 32. 361-134-004-6
22	PARCEL 33. 361-134-005-7
23	PARCEL 34. 361-134-006-8
24	PARCEL 35. 361-134-007-9
25	PARCEL 36. 361-134-008-0
26	PARCEL 37. 361-134-009-1
27	PARCEL 38. 373-221-016-3
28	PARCEL 39. 373-221-017-4

1	PARCEL 40. 373-221-018-5
2	PARCEL 41. 373-235-005-6
3	PARCEL 42. 373-235-006-7
4	PARCEL 43. 373-235-015-0
5	PARCEL 44. 373-236-014-7
6	PARCEL 45. 373-256-008-4
7	PARCEL 46. 373-256-009-5
8	PARCEL 47. 373-256-010-6
9	PARCEL 48. 374-202-008-4
10	PARCEL 49. 374-203-008
11	PARCEL 50. 374-203-009
12	PARCEL 51. 375-021-021-3
13	PARCEL 52. 375-022-017-3
14	PARCEL 53. 375-022-019-5
15	PARCEL 54. 375-022-032-6
16	PARCEL 55. 375-022-045-8
17	PARCEL 56. 375-022-047-0
18	PARCEL 57. 375-022-051-3
19	PARCEL 58. 375-024-018-0
20	PARCEL 59. 375-024-036-6
21	PARCEL 60. 375-024-037-7
22	PARCEL 61. 375-024-057-5
23	PARCEL 62. 375-024-058-6
24	PARCEL 63. 375-024-059-7
25	PARCEL 64. 375-024-060-7
26	PARCEL 65. 375-024-061-8
27	PARCEL 66. 375-024-062-9
28	PARCEL 67. 375-024-063-0

1	PARCEL 68. 375-024-065-2
2	PARCEL 69. 375-024-066-3
3	PARCEL 70. 375-024-067-4
4	PARCEL 71. 375-031-015-9
5	PARCEL 72. 375-031-017-1
6	PARCEL 73. 375-031-019-3
7	PARCEL 74. 375-031-021-4
8	PARCEL 75. 375-031-024
9	PARCEL 76. 375-031-025
10	PARCEL 77. 375-031-051-1
11	PARCEL 78. 375-031-053-1
12	PARCEL 79. 375-031-065-4
13	PARCEL 80. 375-031-066-5
14	PARCEL 81. 375-034-009-3
15	PARCEL 82. 375-034-055-4
16	PARCEL 83. 375-034-056-5
17	PARCEL 84. 375-034-082-8
18	PARCEL 85. 375-042-001
19	PARCEL 86. 375-042-015-3
20	PARCEL 87. 375-042-022-9
21	PARCEL 88. 375-042-039-5
22	PARCEL 89. 375-042-044-9
23	PARCEL 90. 375-052-012-1
24	PARCEL 91. 375-052-013-2
25	PARCEL 92. 375-052-014-3
26	PARCEL 93. 375-052-023-1
27	PARCEL 94. 375-052-024-2
28	PARCEL 95. 375-052-033-0