

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



ITEM: 19.6
(ID # 14846)

MEETING DATE:

Tuesday, March 19, 2024

FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 212, Item 662. Last assessed to: Palm Desert Corsican Villas Homeowners Association. District 4. [\$162,464-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Palm Desert Corsican Villas Homeowners Association, in care of Guralnick & Gilliland, LLP for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcel 630311015-0;
2. Approve the claim from Palm Desert Corsican Villas Homeowners Association, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcel 630311015-0;
3. Authorize and direct the Auditor-Controller to issue a warrant to Palm Desert Corsican Villas Homeowners Association, in care of Guralnick & Gilliland, LLP in the amount of \$17,477.25 and to Palm Desert Corsican Villas Homeowners Association in the amount of \$144,986.90, 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.

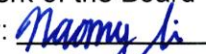
ACTION:Policy


Matthew Jennings, Treasurer-Tax Collector 3/5/2024

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington and Gutierrez
Nays: None
Absent: Perez
Date: March 19, 2024
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	\$ 162,464	\$ 0	\$ 162,464	\$ 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 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 two claims for excess proceeds:

1. Claim from Palm Desert Corsican Villas Homeowners Association, in care of Guralnick & Gilliland, LLP based on an Authorization for Agent to Collect Excess Proceeds notarized March 12, 2021, and a Trustee's Deed recorded November 26, 2013 as Instrument No. 2013-0555684.
2. Claim from Palm Desert Corsican Villas Homeowners Association based on a Trustee's Deed recorded on November 26, 2013 as Instrument No. 2013-0555684.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Palm Desert Corsican Villas Homeowners Association, in care of Guralnick & Gilliland, LLP be awarded excess proceeds in the amount of \$17,477.25 and Palm Desert Corsican Villas Homeowners Association be awarded excess proceeds in the amount of \$144,986.90. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants 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):

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

ATTACHMENT A. Claim Guralnick

ATTACHMENT B. Claim Hammond

Cesar Bernal
Cesar Bernal, PRINCIPAL MGMT ANALYST

3/7/2024

Aaron Gettis
Aaron Gettis

9/26/2023

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

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 212 Item 662 Assessment Number: 630311015-0

Assessee: PALM DESERT CORSICAN VILLAS HOA

Situs: 47966 OASIS CT PALM DESERT 92260

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 \$17,477.25 from the sale of the above mentioned real property. I/We were the [] lienholder(s), [X] 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. 13-0555684; recorded on 11-26-2013. 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.

TRUSTEES DEED #2013-0555684 recorded 11-26-2013

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 24th day of July, 2018 at Riverside County, California County, State

Signature of Claimant

Signature of Claimant

Wayne S. Guralnick, Attorney for Corsican Villas

Print Name

40004 Cook St. #3

Street Address

Palm Desert CA 92211

Street Address

(760) 340-1515

City, State, Zip

Melissa.p@gghoalaw.com

Phone Number

Email Address

Email Address

AUTHORIZATION FOR AGENT TO COLLECT EXCESS PROCEEDS

PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR INSTRUCTIONS

As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby appoint Guralnick + Gilliland as my agent to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of Assessor's Parcel No. 630311015-0, Sale No. TC 212, Item No. 662, sold at public auction on 05/01/2018. I understand that I AM NOT SELLING MY RIGHT TO THE REFUND, but merely naming an agent for collection purposes for my convenience. I also understand that the total amount of excess proceeds available for distribution is \$ 17,477.25, and that I have a right to file a claim for this refund on my own behalf, without the help of an agent. For valuable consideration received, my agent is appointed to act on my behalf.

Palm Desert Coesican Villas

Print Name

Mailing Address (Non U.S. Postal System Box No. is not Acceptable)

City, State and Zip Code

Area Code and Daytime Phone Number

Social Security Number

Driver License No. State Expiration Date

Signature of Party of Interest (REQUIRES NOTARIZATION)

State of California)

County of Orange)

On 03/10/2021 before me, D.K. Shah, Notary public personally appeared Greg Hammond

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 D.K. Shah

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.



DISCLOSURE

I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest, pursuant to section 4675 of the California revenue and Taxation Code, the full amount of excess proceeds available and ADVISED HIM/HER OF THE RIGHT TO FILE A CLAIM ON HIS/HER OWN BEHALF WITHOUT THE HELP OF AN AGENT.

Signature of Agent (REQUIRES NOTARIZATION) M.L. Platt

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.

M.L. Platt, collection paralegal for Guralnick + Gilliland
Print Name
40004 Cooke St. Suite 3
Mailing Address (Non U.S. Postal System Box No. is Not Acceptable)
Palm Desert, CA 92211
City, State and Zip Code

State of California)

County of Riverside)

On 3/12/2021 before me, Cynthia Van Lizza, Notary Public personally appeared M.L. Platt

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 CYN





Recording Requested By:

PALM DESERT CORSICAN VILLAS HOMEOWNERS ASSOCIATION
A California Nonprofit Corporation

WHEN RECORDED, MAIL TO:

WAYNE S. GURALNICK
 A Professional Law Corporation
 40-004 Cook Street, Suite 3
 Palm Desert, California 92211
 81-186

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TRUSTEE'S DEED

WAYNE S. GURALNICK, A Professional Law Corporation, as duly appointed, authorized and designated Trustee, Attorney, and Representative for PALM DESERT CORSICAN VILLAS HOMEOWNERS ASSOCIATION, A California Nonprofit Corporation, under and pursuant to the Declaration of Covenants, Conditions and Restrictions, recorded September 18, 1996, as Instrument No. 356080, in the Official Records of Riverside County, State of California, grants without warranty to:

Palm Desert Corsican Villas Homeowners Association

all that real property situated in Palm Desert, Ca and legally described as follows:

Lot 15 of Tract 4605-1, shown on file in Map Book 74, Page(s) 50-56, inclusive of Maps, Records of Riverside County, State of California, and the accompanying portion of the Common Area appurtenant thereto.

Assessor's Parcel No. 630-311-015 Property: 47966 Oasis Ct. Palm Desert, CA 92260

This conveyance is made pursuant to the powers conferred on Grantor as the authorized, duly appointed and designated Trustee, Attorney and Representative of PALM DESERT CORSICAN VILLAS HOMEOWNERS ASSOCIATION, A California Nonprofit Corporation, by that certain Declaration of Covenants, Conditions and Restrictions, recorded on September 18, 1996, Instrument No. 356080, in the Official Records of Riverside County, California; and after fulfillment of the conditions specified in the above-referenced Declaration authorizing this conveyance as follows:

1. That a default in the obligation occurred in connection with the payment of assessments, which obligation was created by a document entitled Declaration of Covenants, Conditions and Restrictions, recorded September 18, 1996, as Instrument No. 356080, Official Records of Riverside County, State of California, affecting the above-said real property and the improvements situated thereon; which default still existed at the time of sale.
2. That PALM DESERT CORSICAN VILLAS HOMEOWNERS ASSOCIATION, A California Nonprofit Corporation (hereinafter referred to as "ASSOCIATION"), through its duly appointed agent and representative, executed and delivered a written declaration of default and demand for sale (hereinafter referred to as "Declaration"), surrendered all documents evidencing obligations secured thereby, and elected to cause the property described above to be sold to satisfy the obligations to said ASSOCIATION, pursuant to the terms of the above-referenced Declaration.
3. The ASSOCIATION executed a Notice of Assessment Lien and a Notice of Default and Election to Sell, which were both recorded in the County where the real property is located.
4. Not less than three (3) months elapsed between the recordation of the Notice of Default and posting/first publication and recordation of the Notice of Sale for the above-referenced property.

5. The ASSOCIATION's authorized agent and representative gave notice of the time of sale, the street address and specified place at such street address where the sale would be held in accordance with the law, and the terms of the Declaration of Covenants, Conditions and Restrictions, recorded September 18, 1996, as Instrument No. 356080, Official Records of Riverside County, State of California.
6. Copies of the Notice of Default and the Notice of Sale were mailed and posted in accordance with the law to the record owner, **Vikki Colleen Loveall**, of the above-referenced property and to all who recorded requests for copies of the Notice or who were entitled to copies of the Notice in accordance with the California *Civil Code*.
7. The ASSOCIATION's authorized representative and agent sold the property at public auction on August 7, 2013, at 9:00 am, in Riverside County, California, the County in which the property is situated, in full accordance with the law and the terms of the above-referenced Declaration. The above-named Grantee, being the highest bidder at the sale, became the purchaser and paid the ASSOCIATION's authorized agent and representative of the credit amount bid, that amount being \$14,191.20.

DATED: November 6, 2013

PALM DESERT CORSICAN VILLAS HOMEOWNERS ASSOCIATION
A California Nonprofit Corporation

By: 

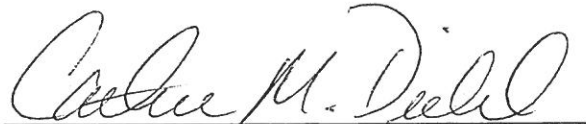
M.L. Platt, Assistant Secretary of WAYNE S. GURALNICK,
A Professional Law Corporation, Trustee, Attorney, and Authorized
Representative for PALM DESERT CORSICAN VILLAS HOMEOWNERS
ASSOCIATION, A California Nonprofit Corporation

State of California)
County of Riverside) ss.

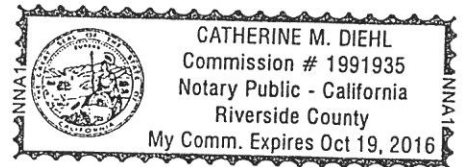
On November 6, 2013, before me, Catherine M., Diehl, a Notary Public, personally appeared M. L. Platt, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that her signature on the instrument the person, or entity upon behalf of the person 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.


NOTARY PUBLIC

1. The Grantee herein WAS the foreclosing beneficiary.
2. The amount of unpaid debt together with costs was \$14,191.20.
3. The amount paid by the Grantee at the Trustee's Sale was \$14,191.20.
4. The Documentary Transfer Tax is 0.00.
5. Said property is located in Palm Desert, California.



MAIL TAX STATEMENTS TO:

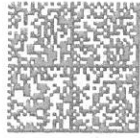
NAME: Palm Desert Corsican Villas HOA c/o Personalized Property Management
ADDRESS: 68950 Adelina Rd. Cathedral City, CA 92234



2013-0555684
11/26/2013 08:55A
2 of 2

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UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 008.040
0001818631 AUG 14 2018
MAILED FROM ZIP CODE 92211



GURALNICK, GILLILAND, & KNIGHTEN
ATTORNEYS AT LAW
40004 COOK ST. SUITE 3
PALM DESERT, CALIFORNIA 92211

Jon Christensen, Treasurer-Tax Collector
Post Office Box 12005
Riverside, CA 92502-2205
Attn: Excess Proceeds

TREASURER-TAX COLLECTOR
AUG 17 2018
RECEIVED

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

RECEIVED

2019 JUN 11 PM 4:46

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 212 Item 662 Assessment Number: 630311015-0

Assessee: PALM DESERT CORSICAN VILLAS HOA

Situs: 47966 OASIS CT PALM DESERT 92260

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 \$_____ 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. 0555684; recorded on 4/26/13. 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.

SEE 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 6th day of JUNE, 2019 at ORANGE, CA
County, State

[Signature]
Signature of Claimant

Signature of Claimant

GREG HAMMOND
Print Name

Print Name

Street Address

Street Address

City, State, Zip

City, State, Zip

(c) 714-318-3020
Phone Number

Phone Number

GREGORYJH@MSN.COM
Email Address

Email Address

Recording Requested By:

PALM DESERT CORSICAN VILLAS HOMEOWNERS ASSOCIATION
A California Nonprofit Corporation



WHEN RECORDED, MAIL TO:

WAYNE S. GURALNICK
A Professional Law Corporation
40-004 Cook Street, Suite 3
Palm Desert, California 92211
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3. The ASSOCIATION executed a Notice of Assessment Lien and a Notice of Default and Election to Sell, which were both recorded in the County where the real property is located.
4. Not less than three (3) months elapsed between the recordation of the Notice of Default and posting/first publication and recordation of the Notice of Sale for the above-referenced property.

5. The ASSOCIATION's authorized agent and representative gave notice of the time of sale, the street address and specified place at such street address where the sale would be held in accordance with the law, and the terms of the Declaration of Covenants, Conditions and Restrictions, recorded September 18, 1996, as Instrument No. 356080, Official Records of Riverside County, State of California.
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DATED: November 6, 2013

PALM DESERT CORSICAN VILLAS HOMEOWNERS ASSOCIATION
A California Nonprofit Corporation

By: *M.L. Platt*

M.L. Platt, Assistant Secretary of WAYNE S. GURALNICK,
A Professional Law Corporation, Trustee, Attorney, and Authorized
Representative for PALM DESERT CORSICAN VILLAS HOMEOWNERS
ASSOCIATION, A California Nonprofit Corporation

State of California)
) ss.
County of Riverside)

On November 6, 2013, before me, Catherine M., Diehl, a Notary Public, personally appeared M. L. Platt, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that her signature on the instrument the person, or entity upon behalf of the person 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.

Catherine M. Diehl
NOTARY PUBLIC

1. The Grantee herein WAS the foreclosing beneficiary.
2. The amount of unpaid debt together with costs was \$14,191.20.
3. The amount paid by the Grantee at the Trustee's Sale was \$14,191.20.
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5. Said property is located in Palm Desert, California.



MAIL TAX STATEMENTS TO:

NAME: Palm Desert Corsican Villas HOA c/o Personalized Property Management
ADDRESS: 68950 Adelina Rd. Cathedral City, CA 92234



2013-0555684
11/26/2013 08:55A
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