

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



ITEM: 19.15
(ID # 24110)

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. 217, Item 4079. Last assessed to: Ricardo Banos and Daisy Banos, husband and wife as joint tenants. District 3. [\$42,039-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Global Discoveries, Ltd., Assignee for Ricardo Banos and Deysy Diaz Valencia AKA Daisy Banos, last assesseses for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 341020013;
2. Deny the claim from Ricardo and Daisy Banos for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 341020013; and
3. Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., Assignee for Ricardo Banos and Deysy Diaz Valencia AKA Daisy Banos in the amount of \$42,039.87 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.

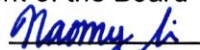
ACTION:Policy


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	\$ 42,039	\$ 0	\$ 42,039	\$ 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.

The Treasurer-Tax Collector has received two claims for excess proceeds:

1. Claim from Global Discoveries, Ltd., Assignee for Ricardo Banos and Deysy Diaz Valencia AKA Daisy Banos based on an Assignment of Right to Collect Excess Proceeds notarized March 28, 2023 and a Grant Deed recorded August 27, 2014 as Instrument No. 2014-0325283.
2. Claim from Ricardo and Daisy Banos based on a Grant Deed recorded August 27, 2014 as Instrument No. 2014-0325283.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., Assignee for Ricardo Banos and Deysy Diaz Valencia AKA Daisy Banos be awarded excess proceeds in the amount of \$42,039.87. The claim from Ricardo and Daisy Banos be denied since they subsequently assigned their right to collect excess proceeds to Global Discoveries, Ltd. on March 28, 2023. 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 assessees of the property.

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

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Global

ATTACHMENT B. Claim Banos

Cesar Bernal
Cesar Bernal, PRINCIPAL MGMT ANALYST 3/7/2024

Aaron Gettis
Aaron Gettis 2/26/2024

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

RECEIVED

To: Matthew Jennings, Treasurer-Tax Collector

2022 MAY 27 PM 1:12

Re: Claim for Excess Proceeds

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

TC 217 ITEM 4079 Parcel Identification Number: 341020013

Assessee: BANOS, DAISY & RICARDO

Situs:

Date Sold: May 18, 2021

Date Deed to Purchaser Recorded: July 28, 2021

Final Date to Submit Claim: July 28, 2022

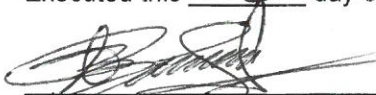
I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 43,000⁰⁰ from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 4079; recorded on JUL-28-2021. 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 22 day of May, 2022 at Riverside California
County, State



Signature of Claimant

Daisy Banos

Signature of Claimant

Ricardo Banos

Print Name

Daisy Banos

Print Name

42242 Crest Dr.

Street Address

42242 Crest dr.

Street Address

Hemet ca 92544

City, State, Zip

Hemet ca 92544

City, State, Zip

951-514 72 74

Phone Number

951-514-7274

Phone Number

Ricardobanos22@gmail.com.

Email Address

Daisybanos@gmail.com

Email Address

RECORDING REQUESTED BY:
EQUITY TITLE - ORANGE COUNTY/INLAND
EMPIRE

AND WHEN RECORDED MAIL TO:
Ricardo Banos and Daisy Banos
29613 Copper Ridge Road
Menifee, CA 92584

Order No.: DR1411177
Escrow No.: BC-15605-LT
A.P.N.: 341-020-013-6 / TRA #026-164

DOC # 2014-0325283
08/27/2014 01:37 PM Fees: \$25.00
Page 1 of 1 Doc T Tax Paid
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

**This document was electronically submitted
to the County of Riverside for recording**
Received by: AGONZALEZ

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE
GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX IS \$13.75 CITY TRANSFER TAX IS \$.00

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale.
- City of Menifee AND

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

Nancy A. Clem, a widow

hereby GRANT(S) to

Ricardo Banos and Daisy Banos, husband and wife as joint tenants

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

Parcel 57 of Quail Valley Ranchos Tract, as shown by map on file in Book 14, Page(s) 54 and 55 of Records of Survey, Riverside County Records, being a portion of the North half of Section 30, Township 5 South, Range 3 West, San Bernardino Base and Meridian, according to an Official Plat of said land filed in the District Land Office.

AKA: 0 Vacant Land, AP #341-020-013-6, 0 North Canyon Drive, Menifee, CA 92587

Dated: August 13, 2014

STATE OF CALIFORNIA
COUNTY OF Riverside

On August 22, 2014 before me

LORRI TRAVIS Notary Public,

personally appeared Nancy A. Clem
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.

Nancy A. Clem
Nancy A. Clem



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 [Signature]
Signature of Notary
Commission Expiration Date: 3-29-16

(This area for official notarial seal)

MAIL TAX STATEMENTS TO: Ricardo Banos and Daisy Banos, 29613 Copper Ridge Road, Menifee, CA 92584

March 28, 2023

Via Certified Mail

Maricela Ambriz
Tax Sale Operations-Excess Proceeds Dept
Riverside County
4080 Lemon St. 4th Floor
Riverside, CA 92501

Assessor's Parcel Number: 341020013
Sale Date: 5/13/2021
TC: TC 217
Item Number: 4079

RECEIVED
2023 MAR 31 PM 1:24
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

Dear Ms. Ambriz:

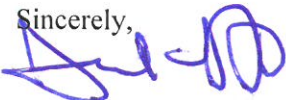
Ricardo Banos and Deysy Diaz Valencia, who are the prior owners of record for the above referenced parcel filed a timely claim for the available excess proceeds with Riverside County on or about 5/22/2022. Ricardo Banos and Deysy Diaz Valencia are now requesting Global Discoveries, Ltd. ("Global") to take over their claim with Riverside County Tax Sale Operations- Excess Proceeds Department.

Enclosed please find the following supporting documents authorizing Global to take over Ricardo Banos and Deysy Diaz Valencia's claim for the above referenced APN(s):

1. Copy of initial claim filed by Ricardo Banos and Deysy Diaz Valencia with Riverside County
2. Directions for Disbursement signed by Ricardo Banos and Deysy Diaz Valencia
3. Grant Deed granting interest to Ricardo Banos and Daisy Banos, husband and wife as joint tenants as Document# 2014-0325283, recorded on 08/27/2014 in Riverside County, FL.
4. 2014 Tax Form listing the 29613 Copper Ridge Rd. Menifee, CA 92584 address, which is one and the same address listed on the above-mentioned Grant Deed.
5. Affidavit signed by Ricardo Banos and Deysy Diaz Valencia declaring their identities.
6. 100% Assignment of Rights To Collect Excess Proceeds assigning any/all interest of the excess proceeds
7. that applies to the above referenced parcels to Global.
8. Claim form(s) signed by Global Discoveries
9. Photo ID for: Ricardo Banos
10. Photo ID for: Deysy Diaz Valencia.

If there is anything further that you may need please feel free to contact me directly at 1-800-370-9413. Thank you in advance for your time.

Sincerely,



Jed Byerly
Managing Member

Certified Tracking Number: 7022-2410-0002-4727-0523

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 341020013 Tax Sale Number TC 217, Item 4079 sold at public auction on 5/13/2021. I understand that the total of excess proceeds available for refund is \$ 42,039.87+/-, 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.

[Signature]
(Signature of Party of Interest/Assignor)

3-23-23.
(Date)

Ricardo Banos
(Name Printed)

Tax ID/SS# _____

Deysy DV
(Signature of Party of Interest/Assignor)

3-23-23
(Date)

Deysy Diaz Valencia
(Name Printed)

Tax ID/SS# _____

28475 Rawlings Road
(Address)
Hemet, CA 92544
(City/State/Zip)
951-514-7214
(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 Riverside

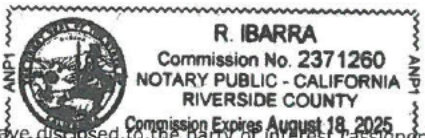
On March 23, 2023 before me, R. Ibarra, Notary Public, personally appeared
(Date) (here insert name and title of the officer)

Ricardo Banos and Deysy Diaz Valencia, 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] (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]
(Signature of Assignee)

Jed Byerly, Managing Member of Global Discoveries Ltd.
(Name Printed)

Tax ID/SS# _____

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

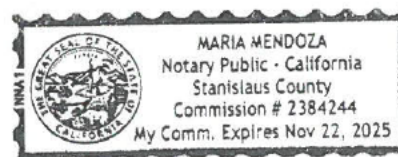
On 3/28/23 before me, Maria Mendoza, Notary Public, personally appeared
(Date) (here insert name and title of the officer)

Jed Byerly, 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.

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WITNESS my hand and official seal.

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



RECORDING REQUESTED BY:
EQUITY TITLE - ORANGE COUNTY/INLAND
EMPIRE

AND WHEN RECORDED MAIL TO:
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 City of Menifee AND

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Nancy A. Clem
Nancy A. Clem



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Signature of Notary

Commission Expiration Date 3-29-16

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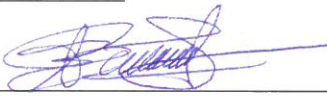
MAIL TAX STATEMENTS TO: Ricardo Banos and Daisy Banos, 29613 Copper Ridge Road, Menifee, CA 92584

AFFIDAVIT

We, Ricardo Banos and Deysy Diaz Valencia, do hereby declare:

1. We are over the age of 18 and are residents of Hemet, CA. The facts set forth herein are true of my own personal knowledge. If called to testify as a witness in a judicial proceeding, we could, and would, testify truthfully and competently thereto.
2. I, Ricardo Banos am one and the same person listed on Grant Deed as Document Number: 2014-0325283, recorded on 08/27/2014 in Riverside, CA.
3. I, Ricardo Banos am one and the same person as Ricardo A. Banos Castro. Castro is my mother's maiden name.
4. I, Deysy Diaz Valencia am one and the same person who is listed as Daisy Banos on Grant Deed as Document Number: 2014-0325283, recorded on 08/27/2014 in Riverside, CA. "Daisy" is a typographical error. My name is spelled "Deysy".
5. I, Deysy Diaz Valencia never legally changed my name to Deysy Banos. Ricardo Banos and I are listed on the above-mentioned deed as husband and wife; however, we were never legally married. Valencia is my mother's maiden name.
6. We assigned the excess proceeds to Global Discoveries, Ltd., for Riverside County Assessors Parcel Number 341020013.

We declare under penalty of perjury that the foregoing is true and correct. Executed this 23 day of March, in 2023.

x 

Ricardo Banos

x Deysy DV

Deysy Diaz Valencia

JURAT

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.

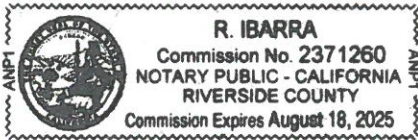
State of California


County of Riverside

Subscribed and sworn to (or affirmed) before me on this

23 day of March, 20 23, by
Date Month Year
Ricardo Banos and Deysy Diaz Valencia
Name of Signer

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Signature 

Signature of Notary Public

(Place Notary Seal Above)