

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



ITEM: 19.23
(ID # 24178)

MEETING DATE:

Tuesday, April 30, 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 4777. Last assessed to: Sanford Binder and Sharon Binder Trustees, of the Sanford Binder Family Trust dated 4/14/2003 as to an undivided 14.124% interest, Laurence Abramson and Ilene Abramson, Trustees of the Abramson Living Trust dated April 1, 2002 as to an undivided 28.249% interest, Alan Sherman, Trustee of the Alan Sherman Exempt Trust dated 10/07/1976 as to an undivided 40.678% interest, Roger Scott, a Married man as his sole and separate property as to an undivided 14.124% interest, Dr. Stephen H. Asher & Carol A. Asher Trustees, of the Asher Family Trust dated February 03, 1999 as to an undivided 2.825% interest. District 4. [\$8,734-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Sanford H. Binder AKA Sanford Binder, Trustee of the Sanford Binder Family Trust Dated 4/14/2003, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 669385002;
2. Authorize and direct the Auditor-Controller to issue a warrant to Sanford H. Binder AKA Sanford Binder, Trustee of the Sanford Binder Family Trust Dated 4/14/2003 in the amount of \$8,734.62, 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; and
3. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$53,107.76 to the County General Fund, pursuant to Revenue and Taxation Code Section 4674.

ACTION:Policy


Matthew Jennings, Treasurer-Tax Collector 4/16/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Gutierrez 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: None
Absent: None
Date: April 30, 2024
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	\$ 8,734	\$ 0	\$ 8,734	\$ 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 Section 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 Section 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 Section 4676 (b).

According to Revenue and Taxation Code Section 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

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STATE OF CALIFORNIA**

expiration 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:

1. Claim from Sanford H. Binder AKA Sanford Binder, Trustee of the Sanford Binder Family Trust Dated 4/14/2003 based on a Trustee's Deed Upon Sale recorded June 5, 2008 as Instrument No. 2008-0305540.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Sanford H. Binder AKA Sanford Binder, Trustee of the Sanford Binder Family Trust Dated 4/14/2003 be awarded excess proceeds in the amount of \$8,734.62. Since there are no other claimants, the unclaimed excess proceeds in the amount of \$53,107.76 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 a last assessee of the property and transferred to the County General Fund.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Binder


Cesar Bernal, PRINCIPAL MGMT ANALYST 4/19/2024


Aaron Gettis, Chief of Deputy County Counsel 2/27/2024

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

To: Matthew Jennings, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 217 ITEM 4777 Parcel Identification Number: 669385002

Assessee: BINDER SANFORD FAMILY TRUST UTD 04/14/2003; BINDER SANFORD & SHARON TRUSTEES ETAL

Situs:

Date Sold: May 18, 2021

Date Deed to Purchaser Recorded: July 28, 2021

Final Date to Submit Claim: July 28, 2022

RECEIVED
2022 MAR 14 PM 2:57
RIVERSIDE COUNTY
TREASURER TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 601,500.00 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. 669-385-002, recorded on 3-11-07. 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 Tax Bills
Recorded Doc Conf.
2021 Deed to purchaser of Tax-Default Prop.
Plus other Doc.

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 7 day of March, 2022 at Los Angeles
County, State

x Sanford H. Binder
Signature of Claimant

Signature of Claimant

Sanford H Binder
Print Name

Print Name

1701 Sunningdale Rd
Street Address

Street Address

Seal Beach, Ca 90740
City, State, Zip

City, State, Zip

562-596-3519
Phone Number

Phone Number

WHEN RECORDED MAIL TO

DEL TORO LOAN SERVICING INC
2434 SOUTHPORT WAY
SUITE F
NATIONAL CITY, CA 91950

JCH

~~DOC # 2008-0305540~~
~~06/05/2008 08:00A Fee:13.00~~
Page 1 of 2
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM				
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LSI Title Company (CA)

SAME AS ABOVE

Trustee Sale No. 07-23456 Loan No. 6103 Title Order No. M722803

~~TRUSTEE'S DEED UPON SALE~~

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049

APN 669-385-002-9 T.R.A. No.

The undersigned grantor declares:

- 1) The Grantee herein was the foreclosing beneficiary.
- 2) The amount of the unpaid debt together with costs was..... \$58,231.86
- 3) The amount paid by the grantee at the trustee sale was..... \$1.00
- 4) The documentary transfer tax is..... \$ ~~Ø~~
- 5) ~~Said property is in CITY OF PALM SPRINGS~~

and NEW HAVEN FINANCIAL (herein called Trustee), as the duly appointed Trustee under the Deed of Trust hereinafter described, does hereby grant and convey, but without covenant or warranty, express or implied, to SANFORD BINDER AND SHARON BINDER TRUSTEES, OF THE SANFORD BINDER FAMILY TRUST DATED 4/14/2003 AS TO AN UNDIVIDED 14.124% INTEREST, LAURENCE ABRAMSON AND ILENE ABRAMSON, TRUSTEES OF THE ABRAMSON LIVING TRUST DATED APRIL 1, 2002 AS TO AN UNDIVIDED 28.249% INTEREST, ALAN SHERMAN, TRUSTEE OF THE ALAN SHERMAN EXEMPT TRUST DATED 10/07/1976 AS TO AN UNDIVIDED 40.678% INTEREST, ROGER SCOTT, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY AS TO AN UNDIVIDED 14.124% INTEREST, DR. STEPHEN H. ASHER & CAROL A. ASHER TRUSTEES, OF THE ASHER FAMILY TRUST DATED FEBRUARY 03, 1999 AS TO AN UNDIVIDED 2.825% INTEREST (herein called Grantee), all of its right, title and interest in and to that certain property situated in the County of Riverside, State of California, described as follows: LOT 187 OF DESERT HIGHLAND ESTATES, IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 24, PAGES 53 AND 54 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

RECITALS:

This conveyance is made pursuant to the powers conferred upon Trustee by that certain Deed of Trust dated 03/05/2007 and executed by THE HIGHLANDS PALM SPRINGS VENTURE, A NEVADA LIMITED LIABILITY CORPORATION, as Trustor, and Recorded on 04/04/2007 AS INSTRUMENT NUMBER 2007-0228978 of official records of Riverside County, California, and after fulfillment of the conditions specified in said Deed of Trust authorizing this conveyance.

Default occurred as set forth in a Notice of Default and Election to Sell which was recorded in the Office of the Recorder of said County, and such default still existed at the time of sale.

All requirements of law regarding the mailing of copies of notices or the publication of a copy of the Notice of Default or the personal delivery of the copy of the Notice of Default and the posting and publication of copies of the Notice of a Sale have been complied with.

Trustee, in compliance with said Notice of Trustee's Sale and in exercise of its powers under said Deed of Trust, sold the herein described property at public auction on 05/07/2008. Grantee, being the highest bidder at said sale, became the purchaser of said property for the amount bid being \$1.00 in lawful money of the United States, or by credit bid if the Grantee was the beneficiary of said Deed of Trust at the time of said Trustee's Sale.

Trustee Sale No. 07-23456
Loan No. 6103
Title Order No. M722803

DATE: 5/8/08

NEW HAVEN FINANCIAL SERVICE



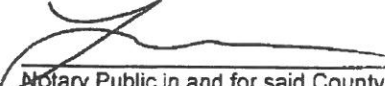
LAWRENCE RABINOFF/PRESIDENT

STATE OF California
COUNTY OF Los Angeles

On 5/8/08 before me, LYNN WOLCOTT, a Notary Public in and for said State, personally appeared LAWRENCE RABINOFF/PRESIDENT, 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.



Notary Public in and for said County and State

