

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



ITEM: 19.1
(ID # 22429)

MEETING DATE:
Tuesday, June 11, 2024

FROM : TREASURER-TAX COLLECTOR

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 214, Items 174 & 175. Last assessed to: SITL Investment, LLC. District 2. [\$20,234-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claims from SITL Investment, LLC for payment of excess proceeds resulting from the Tax Collector's public auction tax sale associated with parcels 373221019-6 and 373221020-6; and
2. Authorize and direct the Auditor-Controller to issue a warrant to SITL Investment, LLC in the amount of \$20,234.34, 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

Melissa Johnson

Melissa Johnson, Assistant Tax Collector 5/28/2024

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, Perez and Gutierrez
Nays: None
Absent: None
Date: June 11, 2024
xc: Tax Collector

Kimberly A. Rector
Clerk of the Board
By: *Maamey Li*
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 | \$ 20,234 | \$ 0 | \$ 20,234 | \$ 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 June 4, 2019 public auction tax sale. The deed conveying title to the purchasers at the auction was recorded August 13, 2019. 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 27, 2019, 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 per parcel for excess proceeds:

1. Claims from SITL Investment, LLC 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 SITL Investment, LLC be awarded excess proceeds in the amount of \$20,234.34. 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.

| | | | |
|--------------|----------|-------------|--------------------|
| EP 214 | ITEM 174 | 373221019-6 | \$10,117.17 |
| EP 214 | ITEM 175 | 373221020-6 | \$10,117.17 |
| TOTAL | | | \$20,234.34 |

Impact on Residents and Businesses

Excess proceeds will be released to the last assessee of the properties.

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

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim SITL

Cesar Bernal
Cesar Bernal, PRINCIPAL MGMT ANALYST 5/28/2024

Aaron Gettis
Aaron Gettis, Chief of Deputy County Counsel 3/13/2024

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

RECEIVED
2020 AUG 13 PM 4:27
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 214 Item 174 Assessment Number: 373221019-6

Assessee: COUNTRY CLUB HOLDINGS

Situs:

Date Sold: June 4, 2019

Date Deed to Purchaser Recorded: August 13, 2019

Final Date to Submit Claim: August 13, 2020

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 16,100 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. 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.

AMENDED JUDGEMENT DOC# 2012-0128498 (SEE PAGES 2-5)

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 12 day of AUGUST, 2020 at SAN BERNARDINO CA
County, State

Joseph Hubal CEO/MANAGING MEMBER
Signature of Claimant Signature of Claimant

THE SITL INVESTMENT LLC
JOSEPH HUBAL, CEO/MANAGING MEMBER
Print Name Print Name

12393 OVERCREST DRIVE
Street Address Street Address

YUCAIPA CA 92379
City, State, Zip City, State, Zip

(951) 751-8261
Phone Number Phone Number

JOSEPH.HUBAL@HOTMAIL.COM
Email Address Email Address

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

RECEIVED
2020 AUG 13 PM 4:28
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

To: Jon Christensen, Treasurer-Tax Collector
Re: Claim for Excess Proceeds
TC 214 Item 175 Assessment Number: 373221020-6
Assessee: COUNTRY CLUB HOLDINGS
Situs:
Date Sold: June 4, 2019
Date Deed to Purchaser Recorded: August 13, 2019
Final Date to Submit Claim: August 13, 2020

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 16,100 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. 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.

AMENDED JUDGEMENT DOC# 2012-0128498 (SEE PAGES 2-5)

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I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 12 day of AUGUST, 2020 at SAN BERNARDINO CA
County, State

Joseph Huband CEO/MANAGING MEMBER
Signature of Claimant Signature of Claimant

THE SITL INVESTMENT LLC
JOSEPH HUBAND, CEO/MANAGING MEMBER
Print Name Print Name

12393 OVERCREST DRIVE
Street Address Street Address

YUCAIPA CA 92399
City, State, Zip City, State, Zip

(951) 751-8261
Phone Number Phone Number

JOSEPHHUBAND@HOTMAIL.COM
Email Address Email Address

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



RECORDING REQUESTED BY:

Investment Property Trust

AND WHEN RECORDED MAIL TO:

Investment Property Trust

P. O. Box 7096

Beverly Hills, CA 90212

| S | R | U | PAGE | SIZE | DA | MISC | LONG | RFD | COPY |
|---|---|---|------|------|------|------|------|------|------|
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| M | A | L | 465 | 426 | PCOR | NCOR | SMF | NCHG | EXAM |
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165

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043

AMENDED JUDGMENT

Title of Document

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO CIVIL DIVISION

JAN 18 2012

BY Ebon B Shaw
EBON B SHAW, DEPUTY

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 | |) | |
| 12 | Plaintiffs |) | Assigned to: Honorable Donna Gunnell Garza |
| 13 | v. |) | Dept.: S38 |
| 14 | SITL INVESTMENT, LLC, et al, |) | |
| 15 | Defendants |) | PROPOSED AMENDED JUDGMENT |
| 16 | _____ |) | |
| 17 | SITL INVESTMENT, LLC et al, |) | |
| 18 | Cross-Complainant |) | |
| 19 | v. |) | |
| 20 | ALVIN COX, et al., |) | |
| 21 | Cross-Defendants |) | |
| 22 | _____ |) | |

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

Handwritten initials and number 20

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

6 1. A Judgment after Motion Pursuant to CCP §664.6 was entered on May 13, 2011
7 (the "Judgment");

8 2. The Defendants and Cross-Complainants filed a Notice of Appeal on May 16,
9 2011;

10 3. The Defendants and Cross-Complainants appeal was assigned Case No. E053621
11 (the "Appellate Matter") by the Court of Appeal – State of California, Fourth District, Division
12 Two (the "Appellate Court");

13 4. The Parties participated in the Settlement Conference Program at the Appellate
14 Court on October 26, 2011 in the Appellate Matter;

15 5. The Parties resolved the Appellate Matter by entering into a Settlement
16 Agreement whereby the May 13, 2011 Judgment would be amended, but would remain in full
17 force and effect as amended; and

18 6. The legal descriptions for the assessor parcel numbers in all sections of this
19 Amended Judgment shall be those currently on file as of the date this Amended Judgment with
20 the County Assessor's Office and the Official Records of the respective counties.

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

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SECTION

I.

All rights, title and interest in the real properties itemized below in this section and incorporated herein by reference, are transferred from all Plaintiffs and Cross-Defendants (in their individual, corporate, company, trustee and constructive trustee capacities) as of the date of this Amended Judgment to **SITL INVESTMENT, LLC** for the respective parcel numbers below:

RIVERSIDE COUNTY PARCELS:

- PARCEL 1. 347-050-030-6
- PARCEL 2. 347-050-035-1
- PARCEL 3. 347-050-037-3
- PARCEL 4. 347-050-038-4
- PARCEL 5. 347-060-047-3
- PARCEL 6. 347-060-048-4
- PARCEL 7. 351-118-002-1
- PARCEL 8. 351-118-003-2
- PARCEL 9. 361-061-002-9
- PARCEL 10. 361-072-004-5
- PARCEL 11. 361-083-020-3
- PARCEL 12. 361-093-001-7
- PARCEL 13. 361-101-005-5
- PARCEL 14. 361-101-006-6
- PARCEL 15. 361-101-007-7
- PARCEL 16. 361-101-008-8
- PARCEL 17. 361-101-009-9
- PARCEL 18. 361-101-010-9
- PARCEL 19. 361-101-011-0
- PARCEL 20. 361-101-012-1

| | | |
|----|-------------------|---------------|
| 1 | <u>PARCEL 21.</u> | 361-101-013-2 |
| 2 | <u>PARCEL 22.</u> | 361-101-014-3 |
| 3 | <u>PARCEL 23.</u> | 361-101-015-4 |
| 4 | <u>PARCEL 24.</u> | 361-101-016-5 |
| 5 | <u>PARCEL 25.</u> | 361-101-017-6 |
| 6 | <u>PARCEL 26.</u> | 361-125-001-5 |
| 7 | <u>PARCEL 27.</u> | 361-125-010-3 |
| 8 | <u>PARCEL 28.</u> | 373-062-009-0 |
| 9 | <u>PARCEL 29.</u> | 373-221-009 |
| 10 | <u>PARCEL 30.</u> | 373-221-019 |
| 11 | <u>PARCEL 31.</u> | 373-221-020 |
| 12 | <u>PARCEL 32.</u> | 373-221-024-0 |
| 13 | <u>PARCEL 33.</u> | 373-221-048-2 |
| 14 | <u>PARCEL 34.</u> | 373-236-015 |
| 15 | <u>PARCEL 35.</u> | 373-237-004-1 |
| 16 | <u>PARCEL 36.</u> | 373-237-005-2 |
| 17 | <u>PARCEL 37.</u> | 373-237-010-6 |
| 18 | <u>PARCEL 38.</u> | 373-237-011-7 |
| 19 | <u>PARCEL 39.</u> | 373-237-012-8 |
| 20 | <u>PARCEL 40.</u> | 374-311-019-1 |
| 21 | <u>PARCEL 41.</u> | 375-021-014-7 |
| 22 | <u>PARCEL 42.</u> | 375-021-029-1 |
| 23 | <u>PARCEL 43.</u> | 375-022-043-6 |
| 24 | <u>PARCEL 44.</u> | 375-022-044-7 |
| 25 | <u>PARCEL 45.</u> | 375-024-013-5 |
| 26 | <u>PARCEL 46.</u> | 375-024-025-6 |
| 27 | <u>PARCEL 47.</u> | 375-024-026-7 |
| 28 | <u>PARCEL 48.</u> | 375-024-027-8 |

MA