

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



ITEM: 19.26
(ID # 24166)

MEETING DATE:
Tuesday, July 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 4629. Last assessed to: Ella 43027 Trust UTD 4/29/14, a Trust Registered in this State. District 5. [\$12,823-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Robert Nicorici, Trustee of the Ella 43027 Trust UTD 4/29/14, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 528043027; and
2. Authorize and direct the Auditor-Controller to issue a warrant to Robert Nicorici, Trustee of the Ella 43027 Trust UTD 4/29/14 in the amount of \$12,823.40, 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.

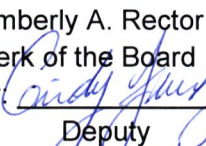
ACTION:Policy


Melissa Johnson, Assistant Tax Collector 7/17/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, 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: July 30, 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	\$ 12,823	\$ 0	\$ 12,823	\$ 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:	24/25

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 one claim for excess proceeds:

1. Claim from Robert Nicorici, Trustee of the Ella 43027 Trust UTD 4/29/14 based on a Tax Deed to Purchaser of Tax-Defaulted Property recorded June 20, 2014 as Instrument No. 2014-0227389 and a Certification of Trust (California Probate Code Section 18100.5) notarized July 28, 2022.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Robert Nicorici, Trustee of the Ella 43027 Trust UTD 4/29/14 be awarded excess proceeds in the amount of \$12,823.40. 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 Nicorici


Cesar Bernal, PRINCIPAL MGMT ANALYST 7/19/2024


Aaron Gettis, Chief of Deputy County Counsel 4/2/2024

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 4629 Parcel Identification Number: 528043027

Assessee: ELLA 43027 TRUST UTD 4/29/14

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 \$ _____ 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. 2014-0227389, recorded on 6-20-2014. 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 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 28TH day of JULY, 2022 at RIVERSIDE CA
County, State

Signature of Claimant ASTRUSTEE OF

Print Name ROBERT NICORICI

Street Address 3380 LA SIERRA AVE #104-141

City, State, Zip RIVERSIDE, CA 92563

Phone Number 714-630-1234

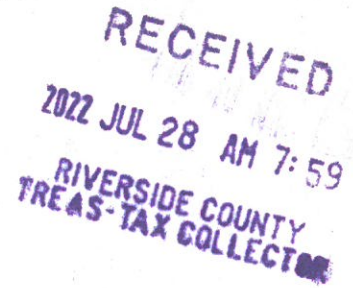
Signature of Claimant _____

Print Name _____

Street Address _____

City, State, Zip _____

Phone Number _____



REQUESTED BY:
TREASURER-TAX COLLECTOR
STOP 1110 DON KENT TAX COLLECTOR
4080 LEMON ST-4TH FLOOR
RIVERSIDE, CALIFORNIA 92501

ELLA 43027 TRUST UTD 4/29/14
18032 LEMON DRIVE UNIT C
YORBA LINDA, CA 92886

DOC # 2014-0227389
06/20/2014 11:21A Fee: 18.00
Page 1 of 2 Doc T Tax Paid
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



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NO SMF						T:	CTY	UNI	Del

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061

TRA 055-044

Doc. Trans. Tax - computed on full value of property conveyed \$ 2.75

Don Kent, Tax Collector

Signature of Declarant

TAX DEED TO PURCHASER OF TAX-DEFAULTED PROPERTY

On which the legally levied taxes were a lien for Fiscal Year 2007-2008
and for nonpayment were duly declared to be in default 2008-528043027-0000
Default Number

This deed, between the Tax Collector of RIVERSIDE County ("SELLER") and **ELLA 43027 TRUST UTD 4/29/14, A TRUST REGISTERED IN THIS STATE** ("PURCHASER") conveys to the PURCHASER free of all encumbrances of any kind existing before the sale, except those referred to in §3712 of the Revenue and Taxation Code, to the real property described herein which the SELLER sold to the PURCHASER at a public auction held on APRIL 29, 2014 pursuant to a statutory power of sale in accordance with the provisions of Division 1, Part 6, Chapter 7, Revenue and Taxation Code, for the sum of \$2,200.00.

NO TAXING AGENCY objected to the sale.

In accordance with law, the SELLER, hereby grants to the PURCHASER that real property situated in said county, State of California, last assessed to PRICE, RICK, described as follows:

Assessor's Parcel Number 528043027-5

OUTSIDE CITY

SEE PAGE 2 ENTITLED "LEGAL DESCRIPTION"

State of California Executed on
County of Riverside APRIL 29, 2014 By
Tax Collector

On June 5, 2014, before me, Larry W. Ward, Assessor, Clerk-Recorder, personally appeared Don Kent, Treasurer and Tax Collector for Riverside County, 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 he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which 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.
Larry W. Ward, Assessor, Clerk Recorder

By: Seal
Deputy



LEGAL DESCRIPTION

LOT 377 OF CABAZON ESTATES NO. 2, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 41, PAGE 63 THROUGH 64, INCLUSIVE OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

CERTIFICATION OF TRUST
(CALIFORNIA PROBATE CODE SECTION 18100.5)

DATE: 07/27/2022

PROPERTY ADDRESS: Vacant Land APN 528043027-5 on Ella Ave, Cabazon CA

THE UNDERSIGNED TRUSTEE(S) CERTIFY(IES) UNDER PENALTY OF PERJURY THE FOLLOWING:
Robert Nicorici IS/ARE THE CURRENT TRUSTEE(S) OF Ella 43027 Trust UTD 4/29/14. THE TRUST
CREATION DATE IS 04/29/2014. THE TRUSTOR(S)/SETTLOR(S) IS/ARE: Robert Nicorici

A TRUE AND CORRECT COPY OF THE TRUST PROVISIONS ESTABLISHING THE TRUSTEE(S)
POWERS ARE ATTACHED HERETO AS EXHIBIT B. THE TRUSTEE(S) IS/ARE FULLY EMPOWERED TO
DO THE SUBJECT ACT FOR SAID TRUST AND IS/ARE PROPERLY EXERCISING HIS/HER/THEIR
EXPRESS TRUST AUTHORITY OR THE NON-CONTRADICTORY IMPLIED AUTHORITY PRESCRIBED BY
CALIFORNIA LAW.

THE TRUST IS Revocable. IT IS IN FULL FORCE AND EFFECT AND HAS NOT BEEN REVOKED,
MODIFIED OR OTHERWISE AMENDED IN ANY MANNER WHICH WOULD CAUSE THESE
REPRESENTATIONS TO BE INCORRECT. THE NAME OF EACH PERSON WHO HAS THE POWER TO
REVOKE THE TRUST ARE: Robert Nicorici.

TO HIS/HER/THEIR KNOWLEDGE, THERE ARE NO CLAIMS, CHALLENGES OF ANY KIND OR CAUSES
OF ACTION ALLEGED, CONTESTING OR QUESTIONING THE VALIDITY OF THE TRUST.

Date: 07/27/2022

Ella 43027 Trust UTD 4/29/14

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.

Robert Nicorici, Trustee

ACKNOWLEDGMENT

State of California County of Riverside)

On 7/28/22 before
me, Leia Loera, Notary Public
personally appeared Robert Nicorici, 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 [Signature] (Seal)

