

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



ITEM: 19.40
(ID # 24492)

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 the June 1, 2021 Chapter 8 Tax Sale Agreement, Agreement Number 4454. Last assessed to: Gary Swanson Trust Dated 12/01/2015. District 4. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Deny the claim from Alicja Barker for payment of excess proceeds resulting from the Treasurer-Tax Collector's June 1, 2021 Agreement of Sale, Agreement Number 4454, associated with parcel 651040010; and
2. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$4,154.77 to the County General Fund pursuant to Revenue and Taxation Code Section 4674, 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	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:			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 above-described Chapter 8 Agreement of Sale of delinquent real property, effective June 1, 2021. The deed conveying title to the purchasers at the auction was recorded June 25, 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 25, 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 Accurant (people finder) to notify any new addresses that may be listed for our last assessee.
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).

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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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 expiration of the one year following the recordation of the Tax Collector's Deed to the Purchaser, which was recorded on June 25, 2021.

The Treasurer-Tax Collector has received one claim for excess proceeds:

1. Claim from Alicja Barker based on a Grant Deed recorded March 12, 2013 as Instrument No. 2013-0119802.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that the claim from Alicja Barker be denied since she is a previous property owner whose interest was transferred by a Trustee's Deed Upon Sale January 15, 2016 as Instrument No. 2016-0017819. Since there are no other claimants, the unclaimed excess proceeds in the amount of \$4,154.77 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 transferred to the County General Fund.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Barker


Cesar Bernal, PRINCIPAL MGMT ANALYST 7/19/2024


Aaron Gettis, Chief of Deputy County Counsel 4/9/2024

5022967.11.2

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

To: **Matthew Jennings, Treasurer-Tax Collector**

Re: **Claim for Excess Proceeds**

TC AGR ITEM 4454 Parcel Identification Number: 651040010

Assessee: SWANSON GARY TRUST

Situs:

Date Sold: June 1, 2021

Date Deed to Purchaser Recorded: June 25, 2021

RECEIVED
2022 JUN 20 AM 7:02
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

Final Date to Submit Claim: June 25, 2022

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 4,154 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. 2013-0119802 recorded on 3/12/2013. 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.

I-ALICJA BARKER - I am legally the OWNER of
Vacant LAND APN. 651-040-010 - MY AUNT (Wanda)
GIVE ME GRANT DEED Before SHE decide to RETIRED
and NOT TO HAVE any MORE OBLIGATION to pay TAXES!

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 25 day of MAY, 2022 at _____
County, State

Alicja Barker
Signature of Claimant

Signature of Claimant

ALICJA BARKER
Print Name

Print Name

73-221-SAN CARLOS DR.
Street Address

Street Address

THOUSAND PALMS-CA.
City, State, Zip

City, State, Zip

(760-610-25-60) 92276
Phone Number

Phone Number

OR 760-851-4508 (cell)
Email Address

Email Address

VERTE →

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL DOCUMENT AND TAX STATEMENT TO

NAME Alieja Barker
STREET ADDRESS 73-221 San Carlos DR.
CITY, STATE & ZIP CODE THOUSAND Palms, CA. CA. 92276-3924

TITLE ORDER NO X
ESCROW NO X

DOC # 2013-0119802

03/12/2013 01:24P Fee:15.00

Page 1 of 1 Doc Tax Paid

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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1			1					7.50
M	A	L	455	426	PCOR	NCOR	SMP	NCHG
OTT = 11.00								816
						CTY	UNI	

225

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

C 816

GRANT DEED

The undersigned grantor(s) declare(s)

DOCUMENTARY TRANSFER TAX \$

- computed on full value of property conveyed, or
- computed on full value less liens and encumbrances remaining at time of sale.
- Unincorporated Area City of Thousand Palms, CA.

TRA: _____
APN: # 651-040-010-1
(Vacant Land) of Ramon Rd.

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, I (W) Wanda Wosik

hereby remise, release and grant to Alieja Barker (single woman)

the following described real property in the City of Thousand Palms, County of Riverside, State of California 92276

(Insert Legal Description) Vacant land - 10 Ac. in POR. NE 1/4 of Sec. 15 T4S-R6E - (31-555 Willis Palms Rd. - T. Palms) Apn. # 651-040-010-1

DATED: MARCH 2/2013 X WANDA WOSIK
Wanda Wosik

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

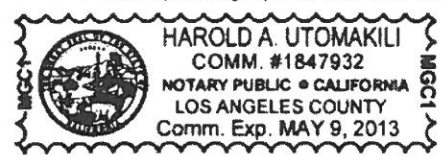
On MARCH 9/2013 before me, HAROLD A. UTOMAKILI, NOTARY PUBLIC personally appeared WANDA WOSIK

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) s/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)



**This document was electronically submitted
to the County of Riverside for recording**
Received by: MINDY #209

Recording Requested By
First American Title Insurance Company

When Recorded & Mail Tax Statements To :
Gary Swanson
44489 Town Center Way
Palm Desert CA 92260

APN: 651-040-010-1
Property Address PARCEL 651-040-010
THOUSAND PALMS CA 92276

Title Order # 8563635
TS Number CA1500270460
Loan Type Conventional
Case #

**First American Mortgage Solutions As An Accommodation Only
TRUSTEES DEED UPON SALE**

The undersigned grantor declares under penalty of perjury

- 1) The grantee herein WAS the foreclosing Beneficiary
- 2) The amount of the unpaid debt together with costs was..... \$ 31,609.90
- 3) The amount paid by the Grantee at the trustee sale was..... \$ 31,609.90
- 4) The documentary transfer tax is \$ 0 - Exempt

5) Said property is UNINCORPORATED

First American Title Insurance Company , (herein called Trustee), as the duly appointed Trustee under the Deed of Trust hereinafter described, does hereby grant and convey, but without warranty, expressed or implied to :

GARY SWANSON TRUST DATED 12/01/2015

(herein called Grantee), all of its right, title and interest in and to that certain property situated in the County of RIVERSIDE in the State of California, described as follows :

See Exhibit A attached hereto and made a part hereof.

Recitals :

This conveyance is made pursuant to the powers conferred upon the Trustee by that certain Deed of Trust dated 06/17/2003 and executed by ,

STANLEY F. BARKER, A SINGLE MAN AND JESSICA A. BARKER, A SINGLE WOMAN AS JOINT TENANTS

as Trustor, and recorded 06/20/2003, as Instrument No. 2003-457207, in Book , Page , of Official Records of RIVERSIDE County, California, and after fulfillment of the conditions specified in said Deed of Trust authorizing this conveyance.

APN Number : 651-040-010-1
Title Order Number : 8563635
TS Number : CA1500270460
Loan Type : Conventional

Default occurred as set forth in a Notice of Default and Election to Sell which was recorded in the office of the County Recorder of said County.

All requirements of law and the applicable Deed of Trust including, but not limited to those enumerated by Civil Code 2924, et. seq., regarding the mailing, publication, personal delivery and posting of the Notice of Default and Notice of Sale, as respectively appropriate, have been met.

Said property was sold by said Trustee at public auction on 12/03/2015 at the place named in the Notice of Sale, in the County of RIVERSIDE in the State of California, in which the property is situated. Grantee, being the highest bidder at such sale, became the purchaser of said property and paid therefore to said Trustee the amount of \$31,609.90 in lawful money of the United States, or by the satisfaction, pro tanto, of the obligation then secured by said Deed of Trust

Date : 1-14-16

First American Title Insurance Company

By : DeeAnn Gregory
DeeAnn Gregory
Authorized Signatory

State of Texas
County of Tarrant

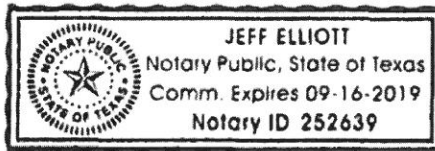
Before me Jeff Elliott, a Notary Public, on this day personally appeared

DeeAnn Gregory, known to me to be the person whose name is subscribed to therefore going instrument and acknowledged to me that this person executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this day of JAN 14 2016

Witness my hand and official seal

Signature : Jeff Elliott



APN Number : 651-040-010-1
Title Order Number : 8563635
TS Number : CA1500270460
Loan Type : Conventional

Exhibit A

Legal Description

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 6 EAST, SAN BERNARDINO BASE
AND MERIDIAN.

Unofficial Copy