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



ITEM: 19.17 (ID # 24951)

MEETING DATE: Tuesday, October 29, 2024

Kimberly A. Rector

Clerk of the Board

FROM: TREASURER-TAX COLLECTOR

**SUBJECT:** TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 218, Item 305. Last assessed to: Chester C. Fisher and Doris Fisher, Husband and Wife, as Joint Tenants. District 2. [\$2,479 - Fund 65595 Excess Proceeds from Tax Sale]

#### **RECOMMENDED MOTION:** That the Board of Supervisors:

- Approve the claim from Kenosian & Miele, LLP, Attorneys for Poser Investments, Inc for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 378172001;
- 2. Approve the claim from Doris Fisher, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 378172001;
- Deny the claim from Chester Fisher, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 378172001; and
- 4. Authorize and direct the Auditor-Controller to issue a warrant to Kenosian & Miele, LLP, Attorneys for Poser Investments, Inc in the amount of \$1,239.38 and to Doris Fisher in the amount of \$1,239.37, 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** 

On motion of Supervisor Spiegel, seconded by Supervisor Gutierrez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

MINUTES OF THE BOARD OF SUPERVISORS

Ayes:

Jeffries, Spiegel, Washington, Perez and Gutierrez

Nays:

None

Absent: Date: None

XC:

October 29, 2024 Tax Collector

Melissa Johnson

Page 1 of 3 ID# 24951 19.17

# 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	\$ 2,479	\$0	\$ 2,479	\$0
NET COUNTY COST	\$0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:	Fund 65595 Excess Proc	seeds from Tay Sale	Budget Adjus	stment: N/A
COUNCE OF FOREO.	Tuna 00000 Excess 1 100	ceds from Tax Gale.	For Fiscal Ye	ar: 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 April 26, 2022 public auction sale. The deed conveying title to the purchasers at the auction was recorded July 7, 2022. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on July 19, 2022 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 three claims for excess proceeds:

- Claim from Kenosian & Miele, LLP, Attorneys for Poser Investments, Inc based on Application for and Renewal of Judgment recorded May 7, 2019 as Instrument No. 2019-0156598.
- 2. Claim from Chester Fisher based on a Grant Deed recorded April 13, 1990 as Instrument No. 1990-134875.
- 3. Claim from Doris Fisher based on a Grant Deed recorded April 13, 1990 as Instrument No. 1990-134875.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Kenosian & Miele, LLP, Attorneys for Poser Investments, Inc be awarded excess proceeds in the amount of \$1,239.38 and Doris Fisher be awarded excess proceeds in the amount of \$1,239.37. Since the amount claimed by Kenosian & Miele, LLP, Attorneys for Poser Investments, Inc exceeds the amount of excess proceeds available, there are no funds for consideration for the claim by Chester Fisher. 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 a lienholder and one of 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 KenosianMiele

ATTACHMENT B. Claim DFisher

ATTACHMENT C. Claim CFisher

Evangelina Gregoria E O

Evangelina Gregorio E O

Principal Mgmt Analyst

10/21/2024

Haron Settis

7/2/2024

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

Matthew Jennings, Treasurer-Tax Collector

To:

Re: Claim for Excess Proceeds			
TC 218 ITEM 305 Parcel Identification Nu	umber: 378172001	7 8	
Assessee: FISHER, CHESTER C & DORIS		RIVE EAS	CID
Situs:		RS C	0
Date Sold: 04/26/2022		900 A	H VE
Date Deed to Purchaser Recorded: 07/07/2022		E CONTRACTOR	B
Final Date to Submit Claim: 07/07/2023		72	No.
I/We, pursuant to Revenue and Taxation Code \$\frac{17,340.87}{0.87}\$ from the sale of the above mentiowner(s) [check in one box] at the time of the sale pocument No. 2019 -0156598; recorded on 05 rightful claimants by virtue of the attached assignment of documentation supporting the claim submitted.  NOTE: YOUR CLAIM WILL NOT BE CONSIDERED  If the property is held in Joint Tenancy, the taxsale phave to sign the claim unless the claimant submits plain claimant may only receive his or her respective portion.	oned real property. I/We were the le of the property as is evidenced by Falle of the following the property as is evidenced by Falle of the fund of the claim.	lienholder(s), progression pro	ropei orde are th tch ite
I/We affirm under penalty of perjury that the foregoing			
Executed this 22 day of November	, 2022 at Los Angeles , County, State	CA	
7	County, Clare	<b>.</b>	
Signature of Clamant	Signature of Claimant		L.C.
Arash A. Khakshooy, Esq.			
Print Name	Print Name	•	y
8581 Santa Monica Bloot #17 Street Address	Street Address		
	Street Address		
Los Anyells, CA 9069 City, State, Zip	City, State, Zip		
(323) 297-2100			
Phone Number	Phone Number		
Email Address	Email Address		

RECORDING REQUESTED BY AND MAIL TO: (Name and mailing address, including city, state.

and ZIP code, of requesting party)

JOHN P. KENOSIAN, BAR #80261 LAW OFFICES OF KENOSIAN & MIELE, LLP 8581 SANTA MONICA BLVD., #17 LOS ANGELES, CA 90069

2019-0156598

05/07/2019 08:49 AM Fee: \$ 98.00

Page 1 of 4

Recorded in Official Records County of Riverside Peter Aldana Assessor-County Clerk-Recorder

277 R A Exam: Page DA PCOR Misc RFD 1st Pg Adti Pg Cert CC SIZE NCOR SMF NCHG T:

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

## DOCUMENT TITLE

ABSTRACT OF JUDG	MEI	VT
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ACKNOWLEDGMENT OF SATISFACTION OF JUDGMENT

OTHER (specify): APPLICATION FOR AND RENEWAL OF JUDGMENT

**EJ-190** ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, and State Bar number) John P. Kenosian, Bar #80261 Law Offices of Kenosian & Miele, LLP 8581 Sanata Monica Blvd. #17 Los Angeles, Ca 90069 TEL.NO 888-566-7644 FAX NO. (optional): 310-289-5177 E-MAIL ADDRESS (Optional). X ATTORNEY FOR **JUDGMENT** ASSIGNEE OF RECORD CREDITOR SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE STREET ADDRESS: 4050 MAIN STREET MAILING ADDRESS: 4050 MAIN STREET CITY AND ZIP CODE: RIVERSIDE, CA 92501 RIVERSIDE LIMITED CIVIL BRANCH NAME. FOR RECORDER'S USE ONLY PLAINTIFF: FIRST SELECT INC CASE NUMBER DEFENDANT: CHESTER C. FISHER RIC10000710 APPLICATION FOR AND RENEWAL OF JUDGMENT FOR COURT USE ONLY Judgment creditor X Assignee of record SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE applies for renewal of the judgment as follows: Applicant (name and address): POSER INVESTMENTS, INC A California Corporation FEB 08 2019 8581 Santa Monica Blvd. #17 Los Angeles, Ca 90069 T. Davis Judgment debtor (name and last known address): CHESTER C. FISHER 6795 WELLS SPRINGS ST MIRA LOMA, CA 91752 3. Original judgment a. Case number (specify): COC012360 b. Entered on (date): 06-06-00 c. Recorded: (1) Date: 04-26-11 (2) County: RIVERSIDE (3) Instrument No.: 2011-0182645 4. X Judgment previously renewed (specify each case number and date): RIC10000710 / 01-11-10 5. X Renewal of money judgment 6695.90 232.00 6927.90 Credits after judgment . . . . . . . . . . \$ 0.00 6927.90 Interest after judgment . . . . . . . . . . . . . \$ 6091.34 Fee for filing renewal application . . . . . . \$ Total renewed judgment (add e, f, and g) \$ 30.00

Form Approved for Optional Use Judicial Council of California EJ-190 [Rev. July 1, 2014]

h

APPLICATION FOR AND RENEWAL OF JUDGMENT 

The amounts called for in items a-h are different for each debtor. These amounts are stated for each debtor on Attachment 5.

13049.24

Code of Civil Procedure & Passa

CASE NUMBER: SHORT TITLE: RIC10000710 FIRST SELECT vs. FISHER, et al. Renewal of judgment for possession. If judgment was not previously renewed, terms of judgment as entered: This governor or at the be a Y'GO TO BEG ; Y If judgment was previously renewed, terms of judgment as last renewed: ellers with attend CHAINERD c. Terms of judgment remaining unsatisfied: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Date: 01-25-19 John P. Kenosian, Attorney for Plaintiff (TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

#### KENOSIAN & MIELE, LLP ATTORNEYS AT LAW

8581 SANTA MONICA BLVD., #17 LOS ANGELES, CALIFORNIA 90069 TELEPHONE (323) 297-2100 \* TOLL FREE (888) 566-7644 FACSIMILE (310) 289-5177

11-22-22

## SURPLUS FUNDS CLAIM

Common Address:

6795 WELLS SPRINGS ST MIRA LOMA CA 91752

Original Trustor:

FISHER, CHESTER C

Trustee Sale Date:

04/26/2022

Charge-Off Creditor Account No.:

Demand is hereby made on behalf of POSER INVESTMENTS, INC for the following:

Judgment Renewal Amount:

\$13,049.24

Accrued Interest up to 04/26/22:

\$ 4,193.63

Costs:

\$ 98.00

TOTAL CLAIM AMOUNT:

\$17,340.87

#### Document Attached:

1) Conformed Copy of Recorded Application for and Renewal of Judgment.

I appreciate your cooperation in this matter. Please feel free to contact me at extension 317 with any questions.

Regards.

Thank you,

Arash A. Khakshooy Esq.

KENOSIAN & MIELE, LLP

Giovane Pizano Assistant Treasurer May 8, 2024



Melissa Johnson Assistant Tax Collector

Arash A. Khakshooy, ESQ C/O Kenosian & Miele, LLP 8581 Santa Monica Blvd, #17 Los Angeles, CA 90069

Re:

PIN: 378172001

TC 218 Item 305

Date of Sale: April 26, 2022

To Whom It May Concern:

This office is in receipt of your claim for excess proceeds from the above-mentioned tax sale. The documentation you have provided is insufficient to establish your claim.

Please submit the necessary proof to establish your right to claim the excess proceeds. The document(s) listed below may assist the Treasurer-Tax Collector in making the determination.

<ul> <li>Copy of a trust/will</li> <li>Notarized Statement of different/misspelled</li> <li>Original Notarized Authorization for Agent</li> <li>Notarized Assignment of Right to Collect</li> <li>Excess Proceeds</li> <li>Certified Death Certificates</li> <li>Copy of Marriage Certificate for</li> </ul>	<ul> <li>x Notarized Updated Statement of Monies</li> <li>Owed (up to date of tax sale)</li> <li>Articles of Incorporation</li> <li>Court Order Appointing Administrator</li> <li>Deed (Quitclaim/Grant etc)</li> <li>Other:</li> </ul>
Original Note/Payment Book	

Please send in all original documents by June 8, 2024 to: Riverside County Treasurer-Tax Collector, Attn: Excess Proceeds, P.O. Box 12005, Riverside, CA 92502-2205. If you should have any questions, please contact me at the number listed below.

Sincerely,

Megan Monteffano

Accounting Technician I Tax Sale Operations/Excess PH: (951) 955-3336/Fax: (95

SENDER: COMPLETE THIS SECTION
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> </ul>
Attach this card to the back of the mailpiece, or on the front if space permits.
1. Article Addressed to:
Arash A. Khakshooy, ESQ
C/O Kenosian & Miele, LLP
8581 Santa Monica Blvd, #17
Los Angeles, CA 90069
*** *** *** *** *** *** *** *** *** **

COMPLETE THIS SECTION ON DELIVERY A. Signature C. Date B. Received by (Printed Name) D. Is delivery address different from item 1? If YES, enter delivery address below:

9590	94027	411 205	55 3968 47

2. Article Number (Transfer from service label)

7003 2260 0004 1554 5943

☐ Collect on Delivery Restricted Delivery ☐ Insured Mail Insured Mail Restricted Delivery (over \$500)

☐ Adult Signature Restricted Delivery

☐ Certified Mail Restricted Delivery

Service Type

Certified Mail®

☐ Collect on Delivery

☐ Adult Signature

Domestic Re

☐ Priority Ma

☐ Registered

☐ Registered Delivery

☐ Signature

☐ Signature

#### KENOSIAN & MIELE, LLP ATTORNEYS AT LAW

8581 SANTA MONICA BLVD., #17 LOS ANGELES, CALIFORNIA 90069**RECEIVED** TELEPHONE (323) 297-2100 \* TOLL FREE (888) 566-7644 FACSIMILE (310) 289-5177 2024 MAY 13 PM 3: 06

05-06-24

RIVERSIDE COUNTY TREAS-TAX COLLECTOR

# UPDATED SURPLUS FUNDS CLAIM

Common Address:

6795 WELLS SPRINGS ST MIRA LOMA CA 91752

Original Trustor:

FISHER, CHESTER C

Trustee Sale Date:

04/26/2022

Charge-Off Creditor Account No.:

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Costs:

98.00

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I appreciate your cooperation in this matter. Please feel free to contact me at extension 317 with any questions.

Regards,

Thank you,

Arash A. Khakshooy Esq.

KENOSIAN & MIELE, LLP

# **ACKNOWLEDGMENT**

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.

validity of that	document.	water first transfer for the second s
State of Californi County of	Los Angeles )	
On May 7, 20	24 before me, Bian	nca Martinez Arroyo, Notary Public (insert name and title of the officer)
who proved to m subscribed to the his/her/their auth	e within instrument and acknowledge norized capacity(ies), and that by his	nce to be the person(s) whose name(s) is/are ed to me that he/she/they executed the same in s/her/their signature(s) on the instrument the son(s) acted, executed the instrument.
I certify under PE paragraph is true		ws of the State of California that the foregoing
WITNESS my ha	and and official seal.	BIANCA MARTINEZ ARROYO Notary Public - California Los Angeles County Commission # 2444148 My Comm. Expires Apr 13, 2027

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

o: Matthew Jennings, Treasurer-Tax Colle	ector					REAL	922	70
Re: Claim for Excess Proceeds						S-TI	AUG	C
TC 218 ITEM 305 Parcel Identification Nu	umber: 3	378172	001			TAX E	24	m
Assessee: FISHER, CHESTER C & DORIS						COUNT	AM 6:	EIVED
Situs:						<b>3</b>	w	
Date Sold: 04/26/2022						7		
Date Deed to Purchaser Recorded: 07/07/2022								
I/We, pursuant to Revenue and Taxation Code  \$2478.75 from the sale of the above men owner(s) [check in one box] at the time of the s  Document No AFN 378-772, recorded on 3/2 rightful claimants by virtue of the attached assignm of documentation supporting the claim submitted.  NOTE: YOUR CLAIM WILL NOT BE CONSIDER	sale of the 19/1990 ment of interest	e prope A conterest.	rty as is opy of the We hav	s evidence his docume ve listed b	ed by Rive ent is atta elow and a	ched here attached h	to. I/W ereto e	e are the
If the property is held in Joint Tenancy, the taxsa have to sign the claim unless the claimant subm	le proces	s has s	evered	this Joint	Tenancy, to the full	and all Jo	oint Te	nants will claim, the
have to sign the claim unless the claimant submiclaimant may only receive his or her respective political limits and a submiclaimant may only receive his or her respective political limits and limit	rtion of th	e claim.						
	, 20	at						
Signature of Claimant  Offester Fisher  Print Name  Largs Wells Springs ST  Street Address  Mince Loma, CH 91752  City, State, Zip			Count	G State				
City, State, Zip  957 - 475 - 4973  Phone Number  Tadams © SOC Global • NET								
nail Address								

STEWART TITLE CO

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

CHESTER C. FISHER DORIS FISHER 17417 LYSANDER DRIVE CARSON, CALIFORNIA 90746

ESCROW NO.

90-2420-DJ 88826-B d a

RECEIVED FOR RECORD
AT 8:30 O'CLOCK A.M.
At Request of
STEWART TITLE CO.

APRI 3 1990
Recorded in Official Mecords of Riverside County, California

SPACE ABOVE THIS LINE FOR RECORDER'S USE

A.P.N. 378-172-001

# GRANT DEED

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 8.80

X ) computed on full value of property conveyed, or

) computed on full value less value of liens and encumbrances remaining at time of sale.

X ) Unincorporated area: (

) City of

, and

By this instrument dated TWENTY-NINTH DAY OF MARCH, 1990

, for a valuable consideration

JOYCE A. PROSSER, a widow

hereby GRANTS to

CHESTER C. FISHER AND DORIS FISHER, HUSBAND AND WIFE, AS JOINT TENANTS

the following described real property in the County of RIVERSIDE UNINCORPORATED AREA OF THE State of CALIFORNIA

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".

STATE OF CALIFORNIA, COUNTY OF <u>Riverside</u>

On April 5, 1990 before me the undersigned, a Notary Public in and for said County and State, personally appeared

Joyce A. Prosser

Joyce A. Prosser

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

	nings, Treasurer-Tax Coll	ector	TREAD TO
Re: Claim for Exc	ess Proceeds		M S may
TC 218 ITEM 30	5 Parcel Identification N	umber: 378172001	SIDE 24
	CHESTER C & DORIS		CEIVED
Situs:			₹ ~ ~
Date Sold: 04/26/202	22		7
Date Deed to Purchas	ser Recorded: 07/07/2022		
Final Date to Subm	nit Claim: 07/07/2023		to the amount of
owner(s) [check in owner(s) [check in owner(s)]  Document No. AFM  rightful claimants by of documentation such	one box] at the time of the 3/8-772, recorded on 3/8 virtue of the attached assignmenting the claim submitted.	e Section 4675, hereby claim excess prontioned real property. If we were the sale of the property as is evidenced by R 29/1990. A copy of this document is at ment of interest. If we have listed below and RED UNLESS THE DOCUMENTATION IS A	ttached hereto. I/We are the d attached hereto each item
If the property is helped to sign the cla	d in Joint Tenancy, the taxso	ale process has severed this Joint Tenancy nits proof that he or she is entitled to the f ortion of the claim.	y, and all Joint Tenants will full amount of the claim, the
I/We affirm under pe	enalty of perjury that the foreg	joing to true	
	day of	, 20 at	

STEWART TITLE CO

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

CHESTER C. FISHER DORIS FISHER 17417 LYSANDER DRIVE CARSON, CALIFORNIA 90746

ESCROW NO.

90-2420-DJ 88826-B d a

RECEIVED FOR RECORD
AT 8:30 O'CLOCK A.M.
At Request of
STEWART TITLE CO.

APRI 3 1990
Recorded in Official Mecords of Riverside County, California

SPACE ABOVE THIS LINE FOR RECORDER'S USE

A.P.N. 378-172-001

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STATE OF CALIFORNIA, COUNTY OF <u>Riverside</u>

On April 5, 1990 before me the undersigned, a Notary Public in and for said County and State, personally appeared

Joyce A. Prosser

Joyce A. Prosser