

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



**ITEM: 21.7
(ID # 24622)**

MEETING DATE:
Tuesday, January 28, 2025

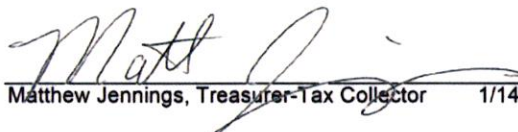
FROM : TREASURER-TAX COLLECTOR

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 218, Item 519. Last assessed to: Justin S Sherry, a single man. District 3. [\$9,347-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Asset Recovery, Inc, Assignee for Justin S Sherry, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 584230001;
2. Deny the claim from Craig Sherry for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 584230001; and
3. Authorize and direct the Auditor-Controller to issue a warrant to Asset Recovery, Inc, Assignee for Justin S Sherry in the amount of \$9,347.48 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


Matthew Jennings, Treasurer-Tax Collector 1/14/2025

MINUTES OF THE BOARD OF SUPERVISORS

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.

Ayes: Medina, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: January 28, 2025
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	\$ 9,347	\$ 0	\$ 9,347	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale.			Budget Adjustment:	NO
			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 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 two claims for excess proceeds:

1. Claim from Asset Recovery, Inc, Assignee for Justin S. Sherry based on an Assignment to Claim Excess Proceeds from Sale of Tax-Defaulted Property notarized August 25, 2022 and a Tax Deed to Purchaser of Tax-Defaulted Property recorded June 20, 2014 as Instrument No. 2014-0227457.
2. Claim from Craig Sherry based on a copy of a Notice of Supplemental Assessment and a Delinquent Property Tax Bill.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Asset Recovery, Inc, Assignee for Justin S. Sherry be awarded excess proceeds in the amount of \$9,347.48. The claim from Craig Sherry be denied since he was not a party of interest to the property sold at the time of the tax sale. 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 the last assessee of the property.

ATTACHMENTS (if any, in this order):

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

ATTACHMENT A. Claim Asset

ATTACHMENT B. Claim Sherry


Cesar Bernal, PRINCIPAL MGMT ANALYST 1/14/2025


Aaron Gettis, Chief of Deputy County Counsel 6/10/2024

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

To: Matthew Jennings, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 218 ITEM 519 Parcel Identification Number: 584230001

Assessee: SHERRY, JUSTIN S

Situs:

Date Sold: April 26, 2022

Date Deed to Purchaser Recorded: July 7, 2022

Final Date to Submit Claim: July 7, 2023

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 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. _____; recorded on _____. 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.

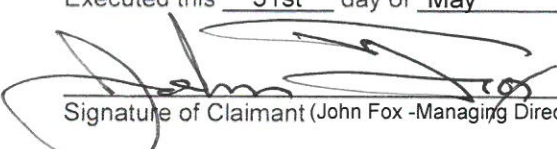
NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

Assignment of Interest

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 31st day of May, 2023 at Denver, CO
County, State


Signature of Claimant (John Fox -Managing Director)

Asset Recovery Inc

Print Name

910 16th St. Suite 624

Street Address

Denver, CO 80202

City, State, Zip

(303) 454-3707

Phone Number

JohnFox@assetrecoveryinc.com

Email Address

Signature of Claimant

Print Name

Street Address

City, State, Zip

Phone Number

Email Address

RECEIVED
2023 JUN -2 PM 6:06
RIVERSIDE COUNTY
TREAS-TAX COLLECTION

TO: OFFICE OF THE COUNTY TREASURER AND TAX COLLECTOR

ASSIGNMENT OF RIGHTS TO CLAIM EXCESS PROCEEDS
FROM SALE OF TAX-DEFAULTED PROPERTY

For valuable consideration, the undersigned Assignor(s) Justin S. Sherry hereby assigns to Assignee(s) Asset Recovery Inc., all rights, title, and interest to collect 100% of the excess proceeds which I am entitled to claim for the property which was sold at the Riverside County, California, public auction of tax-defaulted property, held on the 26th day of April 2022, and described as parcel number 584230001.

As the Assignor(s), I understand the amount of the excess proceeds eligible for distribution is \$12,551.00, and as a party of interest I am entitled to up to \$12,551.00.

Dated this 25 day of August, 2022.

Justin S. Sherry
Signature (Justin S. Sherry)

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

STA
TE

OF New York

COUNTY OF Niagara

On Aug. 25, 2022 before me, John G. Accardo, personally appeared Justin S. Sherry, 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 he/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

New York
JOHN G. ACCARDO
Notary Public, State of New York
No. 01AC4885160
Qualified in Niagara County
My Commission Expires 02/23/2023
(Seal)

DECLARATION

I, Assignor(s) Justin S. Sherry declare the following to be true and correct with respect to my assignment of rights to claim excess proceeds to Assignee(s) Asset Recovery Inc. for Parcel Number 584230001 from the public auction of tax-defaulted property held on the 26th day of April 2022, in Riverside County, California

We have been advised of our right to file a claim for excess proceeds on our behalf. The parties have disclosed all facts to each other that each is aware of regarding the value of the rights being assigned as required by California Revenue and Taxation Code, Section 4675.

We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date 08/25/2022 Signature (Justin S. Sherry) Justin S. Sherry

Name (print) Justin Scott Sherry Address 711 79th St. Apt. 3

City/State/Zip Code Niagara Falls, NY 14304 Phone (716) 346-5460

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

JUSTIN S SHERRY
33205 GINGER LANE
LAKE ELSINORE, CA 92530

DOC # 2014-0227457

06/20/2014 11:42A 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



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
1			2						
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
NO SMF					T:		CTY	UNI	del

TRA 071-308

Doc. Trans. Tax - computed on full value of property conveyed \$ 3.85

Don Kent, Tax Collector

Signature of Declarant

C
061

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 2008-584230001-0000

Default Number

This deed, between the Tax Collector of RIVERSIDE County ("SELLER") and JUSTIN S SHERRY, A SINGLE MAN ("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 \$3,325.00.

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 WONDAAL, BARRY C, described as follows:

Assessor's Parcel Number 584230001-9

OUTSIDE CITY

SEE PAGE 2 ENTITLED "LEGAL DESCRIPTION"

State of California
County of Riverside

Executed on
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:

Deputy

Seal



LEGAL DESCRIPTION

LOT 989 IN TRACT 3925 , IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 65
, PAGES 15-43 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

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

To: Matthew Jennings, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 218 ITEM 519 Parcel Identification Number: 584230001

Assessee: SHERRY, JUSTIN S

Situs:

Date Sold: April 26, 2022

Date Deed to Purchaser Recorded: July 7, 2022

Final Date to Submit Claim: July 7, 2023

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. _____; recorded on _____. 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.

1. RIVERSIDE COUNTY DELINQUENT PROPERTY TAX BILL
FISCAL YEAR JULY 1, 2014 - JUNE 30, 2015
2. CHANGE IN OWNERSHIP - DATE: 06-20-2014 # 227457
3. PAYMENT RECEIPT # **3061 AMOUNT: \$178.30 DATE: 3-2-2015

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 24TH day of APRIL, 2023 at RIVERSIDE, CA
County, State

Craig Sherry
Signature of Claimant

CRAIG SHERRY
Print Name

42225 EL CAMPO RD
Street Address

ANZA CA 92539
City, State, Zip

951-390-8989
Phone Number

CSR976@HOTMAIL.COM
Email Address

Signature of Claimant

Print Name

Street Address

City, State, Zip

Phone Number

Email Address

PETER ALDANA
RIVERSIDE COUNTY
ASSESSOR-COUNTY CLERK-RECORDER
COUNTY ADMINISTRATIVE CENTER
4080 Lemon Street
Post Office Box 12004
Riverside, CA 92502-2204
Telephone (951) 955-6200

053371992-9

SHERRY, JUSTIN S
33205 GINGER LN
LAKE ELSINORE CA 92530

Date Notice Mailed: 01-26-2015
Supplemental Assessment No.: 053371992-9
Assessment No.: 584230001-9
Street Address or Legal Description:
SEE ASSESSORS MAP

NOTICE OF SUPPLEMENTAL ASSESSMENT

One or more Supplemental Assessments have been enrolled for the property identified above. The calculation of the amount is shown in Section 1 below. The supplemental assessment is caused by one of the following events as indicated:

<input checked="" type="checkbox"/>	Change in Ownership	Date <u>06-20-2014</u>	Recorder's No. <u>227457</u>	TOTAL	New Full Taxable Value
					13,000
				Land	13,000
				Structures	

<input type="checkbox"/>	New Construction	Completion Date _____	TOTAL	Value of New Construction
			Land	
			Structures	

The supplemental assessment is made in accordance with Article XIII A of the California Constitution that requires reappraisal of property upon change in ownership or completion of new construction. Important information concerning the Supplemental Assessment exemption, and your right to file an Application for Value Change is located on the back. If the Supplemental Assessment is a negative amount, the Auditor may make a refund of a portion of taxes paid on assessments made on the current roll, or the roll being prepared, or both.

The amount of Supplemental Assessment is the difference between the New Full Value and the sum of 1) the Full Taxable Value on the Roll and 2) the total or Prior Supplemental Assessment(s) which have occurred during the same assessment year.

A special property tax bill, or refund, based on the amounts of the Supplemental Assessments noted below, will be mailed to the name and address noted at the top of this form. Please read the reverse side for other important supplemental assessment information and for information about your right to file an appeal on the later "regular" assessment which will be based on the "New Full Taxable Value" shown on this form.

1. Calculation of Supplemental Assessment(s)	First Supplemental Assessment Fiscal Year 2014-2015	Second Supplemental Assessment Fiscal Year
NEW FULL TAXABLE VALUE	13,000	
Less: Full Taxable Value on Roll	19,961	
Less: Amount of Prior Supplemental(s)		
AMT. OF SUPPLEMENTAL ASSESSMENT	-6,961	

2. Exemptions:	Amount	Type
Current Roll		
Roll Being Prepared		

PROPERTY IN CALIFORNIA IS ASSESSED AT 100% OF FULL (TAXABLE) VALUE

(PLEASE SEE REVERSE SIDE)



RIVERSIDE COUNTY

DELINQUENT PROPERTY TAX BILL

For Fiscal Year July 1, 2014 through June 30, 2015

Offices in Riverside, Palm Desert and Temecula

Visit our website: www.countytreasurer.org

DON KENT, TREASURER 12042
4080 Lemon St (1st Floor) Riverside, California
(P.O. Box 12005, Riverside, CA 92502-2205)

Telephone: (951) 955-3900

or, from area codes 951 and 760 only
toll free: 1 (877) RIVCOTX (748-2689)

Property Data 584230001-9 3.20 ACRES IN LOT 989 MB 065/015 TR 3925

Address

Owner, JANUARY 1, 2014 WONDAAL, BARRY C

SHERRY, JUSTIN S
33205 GINGER LN
LAKE ELSINORE, CA 92530-6267



05/14/2015

**SEE REVERSE SIDE FOR
IMPORTANT INFORMATION**

ASSESSMENT NUMBER

584230001-9

Tax Rate Area

071-308

Bill Number

000367450

INSTALLMENT	STATUS	DELINQUENT AFTER	TAX	10% PENALTY	COST	TOTAL
1st	PAID	12/10/2014	\$111.77			\$111.77
2nd	UNPAID	04/10/2015	\$111.77	\$11.17	\$38.63	\$161.57

**OUR RECORDS SHOW THAT THE CURRENT-YEAR TAXES ARE DELINQUENT
ON THE PROPERTY DESCRIBED ABOVE.**

The Total Amount Due must be paid on or before

JUNE 30, 2015

\$161.57

AMOUNT DUE

After JUNE 30, 2015

, if this delinquency is still unpaid, the property will be tax-defaulted, a redemption fee will be added and redemption penalties will accrue at 1.5% per month. (If this property already has unpaid prior-year taxes, this delinquency will be added to the redemption amount). If property taxes remain unpaid for 5 years after the original year of default, the property becomes subject to tax sale.

Note: If June 30th falls on a Saturday, Sunday or legal holiday,
this bill can be paid on the next business day.

PLEASE KEEP TOP PORTION FOR YOUR RECORDS

(NO RECEIPTS WILL BE ISSUED - YOUR CANCELLED CHECK IS YOUR RECEIPT)

1	2
PAID	\$161.57