

## Attachment A

### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

The excess proceeds are the remaining proceeds, net of administrative costs, that are available from the 2018 Tax Sale. The Board approved the 2018 Tax Sale on December 5, 2017, and the Auditor-Controller/Treasurer-Tax Collector (“AC/TTC”) conducted it on March 9-12, 2018. Deeds to purchasers were recorded on April 25, 2018, and the period to claim excess proceeds ended one year later, on April 25, 2019, as provided by Revenue and Taxation Code section 4675.

The County sold 108 parcels in the 2018 Tax Sale, which produced excess proceeds as follows:

- 41 of those parcels had no excess proceeds; and
- 77 of those parcels produced \$2,572,353.61 in excess proceeds.

Of the 77 parcels that produced excess proceeds, the AC/TTC received 96 claims as follows:

- For 21 parcels, there were multiple claims (a total of 68 claims);
- For 28 parcels, there was only one claim (a total of 28 claims); and
- For 28 parcels, there were no claims.

In order to expedite the distribution of the excess proceeds claims, on November 3, 2020, the AC/TTC presented to the Board a recommendation for the determination of the 28 parcels for which there was a single claim for excess proceeds and the 28 parcels for which there were no claims. The Board approved that recommendation for those 56 parcels. The AC/TTC is now presenting to the Board the remaining 21 parcels for which there were multiple claims for excess proceeds. These 21 parcels represent a total of 68 claims for a total of \$1,472,489.58 in excess proceeds.

The AC/TTC recommends a resolution to do the following:

- Grant 47 claims for excess proceeds, in the total amount of \$1,403,878.91;
- Deny 21 claims for excess proceeds, due to the claimant’s evidence being insufficient, the claim being untimely, insufficient excess proceeds to pay those claims or the claim being satisfied by other means; and
- Transfer the balance of excess proceeds not distributed to claimants from the 21 items presented here, in the total amount of \$68,610.67, to the County as provided in Revenue and Taxation Code section 4674.

For each claim that the AC/TTC recommends granting, the claimant has submitted documents that the AC/TTC believes are sufficient to establish the claimant’s right to receive excess proceeds as a party of interest under Revenue and Taxation Code section 4675. Under that section, parties of interest and their order of priority are:

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- A. First, lienholders of record prior to the April 25, 2018 recordation of the tax deed to the purchaser in the order of their priority; and
- B. Second, any person with title of record to all or any portion of the property prior to the April 25, 2018 recordation of the tax deed to the purchaser.

If excess proceeds are not claimed for a parcel, either partially or in total, the excess proceeds from that parcel may be transferred to the County General Fund, pursuant to Revenue and Taxation Code section 4674. For the 21 parcels presented here, such amounts include the following:

- \$68,610.67 in excess proceeds from 21 parcels for which there were multiple claims, but where a portion of the excess proceeds was not claimed or the claim did not include documents sufficient to establish the claimant's right to receive excess proceeds.

For each of the 21 Tax Sale Item Numbers where there were multiple claims for excess proceeds, the documents submitted by the claimant are identified below, with the AC/TTC's analysis of those documents in support of its recommendations to the Board of Supervisors. Except as otherwise noted, all documents in support of each claim were submitted by the claimant. All supporting documents are on file in the AC/TTC's office.

#### 1. Tax Sale Item #29, APN 158-203-16.

The property sold for \$57,200.00 and resulted in excess proceeds of \$45,585.41. According to the County's internal property tax system ("property tax system"), at the time of the tax sale, the property was assessed to: Michael Rhoads. The AC/TTC received four claims for the excess proceeds.

1) **Herbert Billy Battenfield** submitted a claim for \$45,585.41 as lienholder and included the following documents:

- A letter of explanation for the claim
- A certified copy of Linda Battenfield's Death Certificate with a date of death of 1/27/2018
- A copy of a Deed of Trust with Assignment of Rents, recorded in Fresno County on 5/31/2000, document number 2000-0064789
- A ledger detailing the initial loan amount, interest rate, loan period, beginning date of the loan, monthly payments, number of payments made, and ending balance of the loan
- A copy of Herbert Billy Battenfield's California driver's license

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The claim, signed by Herbert Billy Battenfield, is based on a Deed of Trust with Assignment of Rents recorded 5/31/2000 in the amount of \$34,941.29 naming Michael Rhoads as trustor and Herbert Billy Battenfield and Linda Darnell Battenfield as beneficiaries, a Death Certificate for Linda Darnell Battenfield dated 1/27/2018, a letter explaining that Michael Rhoads made no payments before passing away, and an itemized statement which includes 5% interest totaling \$54,195.10. The claimant did not submit the promissory note giving rise to the obligation secured by the Deed of Trust with Assignment of Rents. Without the note, the claim is incomplete. A letter was sent to the claimant on 10/30/2020 requesting the note. The claimant responded that due to his age and ability he was not able to locate the note. The AC/TTC recommends denying the claim due to insufficient evidence.

2) **Unclaimed Financial LLC on behalf of Michael E Rhoads** submitted a claim for \$45,585.41 as titleholder, and included the following documents:

- A Limited Power of Attorney
- A copy of a Grant Deed, recorded in Fresno County on 5/31/2000, document number 2000-0064788
- A copy of Michael E Rhoads' California driver's license

The claim, signed by Michael Rhoads of Unclaimed Financial, is based on a Limited Power of Attorney agreement appointing Unclaimed Financial LLC as attorney-in-fact to claim excess proceeds and a Grant Deed recorded on 5/31/2000 naming Michael Rhoads as Grantee. Due to claimant Herbert Billy Battenfield stating that Michael Rhoads passed away (see above), and claimants Andrea Rhoads and Jason Rhoads each providing a death certificate for Michael Lynn Rhoads (see below), our office performed a LexisNexis Accurint "people finder" search. The report from that search showed that the Michael Rhoads that is listed on the Grant Deed recorded on 5/31/2000 as well as the Michael Rhoads listed on the Deed of Trust in the previous claim was a "Michael L Rhoads." The report also confirmed that Michael L Rhoads passed away on 7/21/2010. Based on that information, AC/TTC believes that the claimant Michael E Rhoads is not the same person as the Michael L Rhoads that owned the property in question. For that reason, the AC/TTC recommends denying the claim due to insufficient evidence.

3) **Andrea Rhoads** submitted a claim for \$45,585.41 as titleholder, and included the following documents:

- A certified copy of Andrea Michelle Rhoads' Birth Certificate with a date of birth of 8/14/1979

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- A copy of a Grant Deed, recorded in Fresno County on 5/31/2000, document number 2000-0064788
- A certified copy of Michael Lynn Rhoads' Death Certificate with a date of death of 7/21/2010
- A copy of a Notice of Power to Sell Tax-Defaulted Property, recorded in Fresno County on 7/28/2011, document number 2011-0098889
- A copy of Andrea Michelle Rhoads' Nevada driver's license
- A copy of Andrea M Rhoads' Social Security Card

The claim, signed by Andrea Rhoads, is based on a Grant Deed recorded on 5/31/2000 naming Michael Rhoads as Grantee, a Death Certificate for Michael Lynn Rhoads dated 7/21/2010, and a Birth Certificate of Andrea Michelle Rhoads identifying her father as Michael Lynn Rhoads. Ms. Rhoads is claiming as an heir of Michael L Rhoads, but did not submit an affidavit under Probate Code section 13100, as required by Revenue and Taxation Code section 4675, subdivision (f). The AC/TTC sent a letter to the claimant on 8/14/2020 requesting additional information substantiating her claim. An Affidavit for Collection of Personal Property under California Probate Code section 13100 signed by Andrea Rhoads was delivered on 11/4/2020 identifying the successors of the decedent as Andrea Michelle Rhoads and Jason Michael Rhoads (the claimant listed immediately below). Due to the Affidavit for Collection of Personal Property under California Probate Code section 13100 identifying two successors, the AC/TTC recommends that 50% (or \$22,792.71) of the excess proceeds from this property be distributed to Andrea Rhoads.

4) **Jason Rhoads** submitted a claim for \$22,792.70 as titleholder, and included the following documents:

- A certified copy of Jason Michael Rhoads' Birth Certificate with a date of birth of 11/1/1976
- A copy of a Grant Deed, recorded in Fresno County on 5/31/2000, document number 2000-0064788
- A certified copy of Michael Lynn Rhoads' Death Certificate with a date of death of 7/21/2010
- A copy of a Notice of Power to Sell Tax-Defaulted Property, recorded in Fresno County on 7/28/2011, document number 2011-0098889
- A copy of Jason Michael Rhoads' Nevada driver's license
- A copy of Jason M Rhoads' Social Security Card

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The claim, signed by Jason Rhoads, is based on a Grant Deed recorded on 5/31/2000 naming Michael Rhoads as Grantee, a Death Certificate for Michael Lynn Rhoads dated 7/21/2010, and a Birth Certificate of Jason Michael Rhoads identifying his father as Michael Lynn Rhoads. Mr. Rhoads is claiming as an heir of Michael L Rhoads, but did not submit an affidavit under Probate Code section 13100, as required by Revenue and Taxation Code section 4675, subdivision (f). The AC/TTC sent a letter to the claimant on 8/14/2020 requesting additional information substantiating her claim. An Affidavit for Collection of Personal Property under California Probate Code section 13100 signed by Jason Rhoads was delivered on 11/4/2020 identifying the successors of the decedent as Andrea Michelle Rhoads (the claimant listed immediately above) and Jason Michael Rhoads. Due to the Affidavit for Collection of Personal Property under California Probate Code section 13100 identifying two successors, the AC/TTC recommends that 50% (or \$22,792.70) of the excess proceeds from this property be distributed to Jason Rhoads.

#### 2. Tax Sale Item #59, APN 479-211-09.

The property sold for \$35,500.00 and resulted in excess proceeds of \$13,698.65. According to the property tax system, at the time of the tax sale, the property was assessed to: Elgeron and Herman Graves. The AC/TTC received two claims for the excess proceeds.

1) **Elgeron Graves** submitted a claim for \$13,698.65 as titleholder, and included the following documents:

- A copy of a Grant Deed, recorded in Fresno County on 3/21/2001, document number 2001-0038069
- A copy of Elgeron Grave's California driver's license

The claim, signed by Elgeron Graves, is based on a Grant Deed recorded 3/21/2001, in which Elgeron Graves and Herman Graves were named as joint tenants. Due to the claimant being a joint tenant with one other owner, who also submitted a claim (see below), the claimant is only entitled to 50% of the excess proceeds available for this property. The AC/TTC recommends that 50% (or \$6,849.32) of the excess proceeds from this property be distributed to Elgeron Graves.

2) **Herman Graves** submitted a claim for \$13,698.65 as titleholder, and included the following documents:

- A copy of a Grant Deed, recorded in Fresno County on 3/21/2001, document number 2001-0038069
- A copy of Herman Grave's California driver's license

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The claim, signed by Herman Graves, is based on a Grant Deed recorded 3/21/2001, in which Elgeron Graves and Herman Graves were named as joint tenants. Due to the claimant being a joint tenant with one other owner, who also submitted a claim (see above), the claimant is only entitled to 50% of the excess proceeds available for this property. The AC/TTC recommends that 50% (or \$6,849.33) of the excess proceeds from this property be distributed to Herman Graves.

#### 3. Tax Sale Item #156, APN 497-061-16.

The property sold for \$123,100.00 and resulted in excess proceeds of \$106,745.20. According to the property tax system, at the time of the tax sale, the property was assessed to: Jose R and Lorena S Rueda. The AC/TTC received three claims for the excess proceeds.

1) **Clovis Fire Dept.** submitted a claim for \$2,547.14 as lienholder, and included the following documents:

- A copy of an unrecorded Notice of Cost Abatement, dated 7/6/2010, addressed to Jose R & Lorena S Rueda, case number CE-10-00138
- A copy of an unrecorded Notice of Cost Abatement, dated 7/11/2011, addressed to Jose R & Lorena S Rueda, case number CE-11-00533
- A copy of an unrecorded Notice of Cost Abatement, dated 6/30/2012, addressed to Jose R & Lorena S Rueda, case number CE-12-00498
- A copy of John Paul Binaski's California driver's license

The claim, signed by John P Binaski, is based on three Notices of Cost Abatement documents totaling in an amount of \$2,547.14 and naming Jose R and Lorena S Rueda as liable owners. Due to the claimant's liens being included on the 2010-11, 2011-12 and 2012-13 tax rolls, and in the redemption amount for this property, the liens were satisfied at the time of the tax sale. Even if that had not been the case, however, the unrecorded documents submitted by the claimant would not be sufficient to establish that the claimant is a lienholder of record. The AC/TTC recommends denying the claim due to the claim being satisfied by other means.

2) **Lorena S Rueda** submitted a claim for \$106,745.20 as titleholder, and included the following documents:

- A copy of a Quitclaim Deed, recorded in Fresno County on 10/2/2017, document number 2017-0126736

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- A copy of a Notice of Supplemental Assessment, dated 7/3/2018, addressed to Lorena S Rueda, for parcel 497-061-16
- A copy of Lorena Rueda's California driver's license

The claim, signed by Lorena S. Rueda, is based on a Quitclaim Deed dated 10/2/2017 in which Lorena S Rueda is named grantee. The AC/TTC recommends that all \$106,745.20 of the excess proceeds from this property be distributed to Lorena S. Rueda.

#### 4. Tax Sale Item #161, APN 491-173-27.

The property sold for \$105,200.00 and resulted in excess proceeds of \$92,599.97. According to the property tax system, at the time of the tax sale, the property was assessed to: Ralph Botello and Anita Hernandez Etal. The AC/TTC received nine claims for the excess proceeds.

1) **County of Fresno, Public Administrator on behalf of the Estate of Anita Hernandez** submitted a claim for 20% (or \$18,519.99) as titleholder, and included the following documents:

- A letter of explanation for the claim
- A copy of a Judgment directing final distribution on waiver of account issued by Fresno County Superior Court, case number 275889-4, recorded in Fresno County on 6/13/1990
- A copy of a certified copy of Anita Hernandez's Death Certificate with a date of death of 12/7/2000
- An unrecorded Certification of Authority for Summary Administration by the Public Administrator pursuant to probate code 7660(A)(2) document, dated 5/17/2018, case number 209642
- A copy of Article 4. Summary Disposition of Small Estates
- A copy of Nina Acosta's County of Fresno employee badge

The claim, signed by Nina Acosta of the County of Fresno, is based on a Certification of Authority for Summary Administration by the Public Administrator dated 5/17/2018, a Judgment filed 4/27/1990 granting Anita Hernandez 20% of the property in question, and a Death Certificate for Anita Hernandez dated 12/7/2000. The AC/TTC recommends that 20% (or \$18,519.99) of the excess proceeds from this property be distributed to County of Fresno – Public Administrator.

2) **Cochran Investment Company on behalf of Augustin Botello** submitted a claim for \$18,540.00 as titleholder, and included the following documents:

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- A claim summary
- A copy of a Judgment directing final distribution on waiver of account issued by Fresno County Superior Court, case number 275889-4, recorded in Fresno County on 6/13/1990
- A California Irrevocable Assignment of Rights to Claim Excess Proceeds from the Sale of Tax Defaulted Property document, dated 9/5/2018
- A Declaration of One and the Same Person document, dated 9/5/2018
- A copy of Agustin Botello Delrio's California driver's license
- A copy of Kelly Ann Mills' California driver's license
- A copy of Kelly Ann Mills' business Card
- Corporate documents for Cochran Investment Company

The claim, signed by Kelly A Mills of Cochran Investment Company, under assignment from Augustin Botello, is based on a Judgment filed 4/27/1990 granting Augustine Botello 20% of the property in question, and a Declaration of One and the Same Person document. The Declaration of One and the Same Person states that "Augustin Botello, "Augustin D. Botello," and "Augustin Botello Delrio" are all the same person. But the Declaration does not say anything about "Augustine Botello," as the name is listed in the 1990 Judgment. Because of the differences in the name of the claimant and the name of the last assessee, our office performed a LexisNexis Accurint "people finder" search to verify whether the Augustin Botello who Cochran Investment Company is claiming on behalf of is the same Augustine Botello listed in the Judgment. Our office based the search for Agustin Botello on the copy of the California driver's license that was submitted as part of the claim. Our office based the search for Augustine Botello on the name listed on the Judgment that was submitted as part of the claim. The report from those searches showed that the Augustin Botello, also known as Agustin D Botello, who Cochran Investment Company is claiming on behalf of, is not the same person as the Augustine Botello who is listed on the Judgment. This was established by differences found in the names Agustin D Botello and Augustine Botello as well as the lack of any common addresses between the two individuals. The AC/TTC recommends denying the claim due to insufficient evidence.

- 3) **Norma Botello on behalf of Maria Botello** submitted a claim for 20% (or \$18,519.99) as titleholder, and included the following documents:
- A certified copy of a Marriage Certificate for the marriage of Augustine Botello and Maria Macias, dated 7/31/1971



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- A certified copy of Augustine Pedro Botello's Death Certificate with a date of death of 9/30/1987
- A copy of a Judgment directing final distribution on waiver of account issued by Fresno County Superior Court, case number 275889-4, recorded in Fresno County on 6/13/1990
- A copy of a General Durable Power of Attorney document appointing Norma Botello, dated 2/4/2015
- A Declaration in Support of Transfer of Personal Property without Probate Administration document, dated 8/12/2018

The claim, signed by Maria Botello, is based on a Power of Attorney document appointing Norma Botello as power of attorney over Maria Botello, a Judgment filed 4/27/1990 granting Augustine Botello 20% of the property in question, a Death Certificate for Augustine Botello date 9/30/1987, and a Marriage Certificate for the marriage of Augustine Botello to Maria Macias on 7/29/1971. Due to conflicting information of the claimant basing their claim on both the probate judgment filed on 4/27/1990 and as an heir of Augustine Pedro Botello, namely that the documents show that Augustine Botello died in 1987, several years before the 1990 judgment by which he would have taken title, the AC/TTC recommends denying the claim due to insufficient evidence.

4) **Mamie Botello** submitted a claim for \$92,599.97 as titleholder, and included the following documents:

- A Probate Code section 13101 declaration signed by the claimant
- A copy of a certified copy of Mamie Lou Botello's Birth Certificate with a date of birth of 7/15/1964
- A copy of a certified copy of Bernadette Yvonne Botello's Birth Certificate with a date of birth of 4/5/1971
- A copy of a Judgment directing final distribution on waiver of account issued by Fresno County Superior Court, case number 275889-4, recorded in Fresno County on 6/13/1990
- A copy of a certified copy of Bernadette Yvonne Naranjo's Death Certificate with a date of death of 6/22/2003
- A copy of a certified copy of Ralph Botello's Death Certificate with a date of death of 10/15/2008
- A copy of Mamie Lou Botello's California driver's license

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The claim, signed by Mamie Botello, is based on a Judgment filed 4/27/1990 granting 20% of the property in question to Ralph Botello, a Death Certificate for Ralph Botello establishing a 10/15/2008 date of death, and a Birth Certificate identifying her father as Ralph Botello. The AC/TTC sent a letter to the claimant on 1/15/2021 requesting a Probate Code section 13101 affidavit. A Probate Code section 13101 affidavit was delivered on 1/22/2021, containing the signatures of Adam Botello, Dimitri Botello, Divine Gonzalez, and Mamie Botello. Adam Botello and Mamie Botello are both children of Ralph Botello, and Dimitri Botello and Divine Gonzalez are both grandchildren of Ralph Botello through his daughter Bernadette Botello. Under Probate Code section 240, Adam Botello and Mamie Botello each have a one-third share of Ralph Botello's interest in the property, while Dimitri Botello and Divine Gonzalez each have a one-sixth share (one half of one third) through their deceased mother Bernadette Botello. The claimant is equal in priority to the claims by Adam Botello, Dimitri Botello, and Divine Gonzalez. The AC/TTC recommends that 1/3 of the 20% (or \$6,173.33) of the excess proceeds from this property be distributed to Mamie Botello.

5) **Adam Botello** submitted a claim for \$92,599.97 as titleholder, and included the following documents:

- A Probate Code section 13101 declaration signed by the claimant
- A copy of a certified copy of Adam O'Neal Botello's Birth Certificate with a date of birth of 8/16/1966
- A copy of a certified copy of Bernadette Yvonne Botello's Birth Certificate with a date of birth of 4/5/1971
- A copy of a Judgment directing final distribution on waiver of account issued by Fresno County Superior Court, case number 275889-4, recorded in Fresno County on 6/13/1990
- A copy of a certified copy of Bernadette Yvonne Naranjo's Death Certificate with a date of death of 6/22/2003
- A copy of a certified copy of Ralph Botello's Death Certificate with a date of death of 10/15/2008
- A copy of Adam Oneal Botello's California driver's license

The claim, signed by Adam Botello is based on a Judgment filed 4/27/1990 granting 20% of the property in question to Ralph Botello, a Death Certificate for Ralph Botello establishing a 10/15/2008 date of death, and a Birth Certificate identifying the claimant's father as Ralph Botello. The AC/TTC sent a letter to the claimant on 1/15/2021 requesting a Probate Code section 13101 affidavit. A Probate Code section

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13101 affidavit was delivered on 1/22/2021, containing the signatures of Adam Botello, Dimitri Botello, Divine Gonzalez, and Mamie Botello as being equally the successors of Ralph Botello in his 20% share of the property. Adam Botello and Mamie Botello are both children of Ralph Botello, and Dimitri Botello and Divine Gonzalez are both grandchildren of Ralph Botello through his daughter Bernadette Botello. Under Probate Code section 240, Adam Botello and Mamie Botello each have a one-third share of Ralph Botello's interest in the property, while Dimitri Botello and Divine Gonzalez each have a one-sixth share (one half of one third) through their deceased mother Bernadette Botello. The claimant is equal in priority to the claims by Mamie Botello, Dimitri Botello, and Divine Gonzalez. The AC/TTC recommends that 1/3 of the 20% (or \$6,173.33) of the excess proceeds from this property be distributed to Adam Botello.

6) **Dimitri Botello** submitted a claim for \$92,599.97 as titleholder, and included the following documents:

- A Probate Code section 13101 declaration signed by the claimant
- A copy of a certified copy of Bernadette Yvonne Botello's Birth Certificate with a date of birth of 4/5/1971
- A copy of a certified copy of Dimitri Lamar Botello Rojas' Birth Certificate with a date of birth of 1/18/1990
- A copy of a Judgment directing final distribution on waiver of account issued by Fresno County Superior Court of California County of Fresno, case number 275889-4, recorded in Fresno County on 6/13/1990
- A copy of a certified copy of Bernadette Yvonne Naranjo's Death Certificate with a date of death of 6/22/2003
- A copy of a certified copy of Ralph Botello's Death Certificate with a date of death of 10/15/2008
- A copy of Dimitri Lamar Botello Rojas' California driver's license

The claim, signed by Dimitri Botello, is based on a Judgment filed 4/27/1990 granting 20% of the property in question to Ralph Botello, a Death Certificate for Ralph Botello establishing a 10/15/2008 date of death, a Birth Certificate for Bernadette Botello identifying the claimant's father as Ralph Botello, a Birth Certificate for Dimitri Botello Identifying his mother as Bernadette Botello, and a Death Certificate for Bernadette Botello establishing a 6/22/2003 date of death. The AC/TTC sent a letter to the claimant on 1/15/2021 requesting a Probate Code section 13101 affidavit. A Probate Code section 13101 affidavit was delivered on 1/22/2021, containing the signatures of Adam Botello, Dimitri Botello, Divine Gonzalez, and Mamie Botello. Adam Botello and Mamie

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Botello are both children of Ralph Botello, and Dimitri Botello and Divine Gonzalez are both grandchildren of Ralph Botello through his daughter Bernadette Botello. Under Probate Code section 240, Adam Botello and Mamie Botello each have a one-third share of Ralph Botello's interest in the property, while Dimitri Botello and Divine Gonzalez each have a one-sixth share (one half of one third) through their deceased mother Bernadette Botello. The claimant is equal in priority to the claims by Mamie Botello, Adam Botello, and Divine Gonzalez. The AC/TTC recommends that 1/6 of the 20% (or \$3,086.67) of the excess proceeds from this property be distributed to Dimitri Botello.

7) **Divine Gonzalez** submitted a claim for \$92,599.97 as titleholder, and included the following documents:

- A Probate Code section 13101 declaration signed by the claimant
- A copy of a certified copy of Bernadette Yvonne Botello's Birth Certificate with a date of birth of 4/5/1971
- A copy of a Judgment directing final distribution on waiver of account issued by Fresno County Superior Court, case number 275889-4, recorded in Fresno County on 6/13/1990
- A copy of a certified copy of Divine Patricia H Botello Bravo's Birth Certificate with a date of birth of 4/5/1991
- A copy of a certified copy of Bernadette Yvonne Naranjo's Death Certificate with a date of death of 6/22/2003
- A copy of a certified copy of Ralph Botello's Death Certificate with a date of death of 10/15/2008
- A copy of Divine Patricia H Botello Gonzalez's California driver's license

The claim, signed by Divine Gonzalez, is based on a Judgment filed 4/27/1990 granting 20% of the property in question to Ralph Botello, a Death Certificate for Ralph Botello establishing a 10/15/2008 date of death, a Birth Certificate for Bernadette Botello identifying her father as Ralph Botello, a Birth Certificate for Divine Botello Identifying her mother as Bernadette Botello, and a Death Certificate for Bernadette Botello establishing a 6/22/2003 date of death. The AC/TTC sent a letter to the claimant on 1/15/2021 requesting a Probate Code section 13101 affidavit. A Probate Code section 13101 affidavit was delivered on 1/22/2021, containing the signatures of Adam Botello, Dimitri Botello, Divine Gonzalez, and Mamie Botello. Adam Botello and Mamie Botello are both children of Ralph Botello, and Dimitri Botello and Divine Gonzalez are both grandchildren of Ralph Botello through his daughter Bernadette Botello. Under Probate Code section 240, Adam Botello and Mamie Botello each have a one-third share of

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Ralph Botello's interest in the property, while Dimitri Botello and Divine Gonzalez each have a one-sixth share (one half of one third) through their deceased mother Bernadette Botello. The claimant is equal in priority to the claims by Mamie Botello, Dimitri Botello, and Adam Botello. The AC/TTC recommends that 1/6 of the 20% (or \$3,086.67) of the excess proceeds from this property be distributed to Divine Gonzalez.

8) **Joe P Escalante** submitted a claim for 20% (or \$18,519.99) as titleholder, and included the following documents:

- A copy of a Judgment directing final distribution on waiver of account issued by Fresno County Superior Court, case number 275889-4, recorded in Fresno County on 6/13/1990
- A copy of an Affidavit Re Real Property of Small Value issued by Fresno County Superior Court, case number 12CEPR00002, recorded in Fresno County on 3/15/2012
- A copy of a Durable Special Power of Attorney document delegating Elizabeth Escalante power and authority, dated 8/21/2012
- A copy of Joe Pinedo Escalante's California driver's license

The claim, signed by Joe P Escalante, is based on a Judgment filed 4/27/1990 granting Armandina Escalante 20% of the property in question and an Affidavit Re Real Property of Small Value recorded 3/15/2012 establishing Joe Escalante as the successor from the decedent Armandina Escalante (who died on 5/6/2011) of 20% of the property in question. The AC/TTC recommends that 20% (or \$18,519.99) of the excess proceeds from this property be distributed to Joe P Escalante.

9) **Patricia Borja** submitted a claim for \$92,599.97 as titleholder, and included the following documents:

- A letter of explanation for the claim
- A certified copy of Ramona Botello's Birth Certificate with a date of birth of 7/18/1943
- A copy of a certified copy of Patricia Contrera's Birth Certificate with a date of birth of 2/13/1967
- A copy of a certified copy of a Marriage Certificate for the marriage of Patricia Contreras and Luis Armando Borja Jr., dated 5/3/1986
- A copy of a Marriage Certificate for the marriage of Romona Botello and Sigifredo Pompa Avendano, dated 7/23/1988
- A letter of agreement from Joe Escalante, dated 2/10/1995

## Attachment A

### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- An **unrecorded** Grant Deed, dated 2/22/1995
- A certified copy of Ramona Isabella Avendano's Death Certificate with a date of death of 12/30/2004
- A copy of a Baptism Certificate for Patricia Contreras
- A copy of Patricia C Borja's California driver's license

The claim, signed by Patricia C Borja, is based on a **unrecorded** Grant Deed dated 2/22/1995 naming Ramona Avendano as grantee, a letter explaining why the Grand Deed was never recorded, a letter from Joe Escalante confirming Armandina Escalante's sale of her portion of the property in question to Ramona Avendano, a Marriage Certificate for the 7/23/1988 wedding of Ramona Botello and Sigifredo Avendano, a Birth Certificate for Patricia Contreras identifying her mother as Ramona Botello, and a Marriage Certificate for the 4/24/1986 wedding of Luis Borja Jr and Patricia Contreras, and a Death Certificate for Ramona Avendano dated 12/30/2004. Due to the fact that the Grant Deed dated 2/22/1995 was never recorded, the claimant is not a titleholder of record. Courts have held that, in certain unusual circumstances, title may be proved without a recorded deed (*Carlross v. County of Alameda* (2015) 242 Cal.App.4th 116). But here there are many other properly documented claims that contradict this claim, and an unrecorded Grant Deed cannot overcome those other claims. The AC/TTC therefore recommends denying this claim due to insufficient evidence.

Nine claims for excess proceeds were submitted. Upon the approval and denial of those claims as recommended, the remaining balance of \$37,039.99 will be distributed to the County pursuant to Revenue and Taxation Code section 4674

#### 5. Tax Sale Item #193, APN 456-222-07.

The property sold for \$4,900.00 and resulted in excess proceeds of \$2,243.36. According to the property tax system, at the time of the tax sale, the property was assessed to: Peter T and Lisa L Westbrook. The AC/TTC received two claims for the excess proceeds.

1) **City of Fresno - DARM** submitted a claim for \$835.88 as lienholder, and included the following documents:

- A copy of a Notice of Public Nuisance Abatement, dated 7/7/2017, case number 17-00006461
- A copy of a First Administrative Citation, dated 8/21/2017, citation number 17-00006461.1

## Attachment A

### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- A copy of a Notice of Special Assessment, recorded in Fresno County on 10/31/2017, document number 2017-0141354
- A copy of a Notice of Special Assessment, recorded in Fresno County on 10/31/2017, document number 2017-0141355
- A copy of Olga Grinko's City of Fresno employee badge

The claim, signed by Olga Grinko of the City of Fresno, is based two Notice of Special Assessment documents recorded on 10/31/2017, one arising from a 7/7/2017 Notice of Public Nuisance Abatement and the other arising from an 8/21/2017 First Administrative Citation, establishing liens in the total amount of \$835.88 and both specifying the parcel in question. By statute this claim by a lienholder of record is higher priority than the claim by Cochran Investment Company as titleholder of record. The AC/TTC recommends that \$835.88 of the excess proceeds from this property be distributed to City of Fresno - DARM.

2) **Cochran Investment Company on behalf of Peter T & Lisa L Westbrook** submitted a claim for \$2,300.00 as titleholder, and included the following documents:

- A claim summary
- A Director's Deed from the California State Department of Transportation, recorded in Fresno County on 1/23/2009, document number 2009-0008421
- A California Irrevocable Assignment of Rights to Claim Excess Proceeds from the Sale of Tax Defaulted Property document signed by Peter Westbrook, dated 11/6/2018
- A California Irrevocable Assignment of Rights to Claim Excess Proceeds from the Sale of Tax Defaulted Property document signed by Lisa Westbrook, dated 11/6/2018
- A Declaration of One and the Same Person document signed by Lisa Westbrook, dated 11/6/2018
- A Declaration of One and the Same Person document signed by Peter Westbrook, dated 11/6/2018
- A copy of Lisa Leanne Westbrook's California driver's license
- A copy of Peter Theodore Sr Westbrook's California driver's license
- A copy of Kelly Ann Mills' California driver's license
- A copy of Kelly Ann Mills' business Card
- Corporate documents for Cochran Investment Company

## Attachment A

### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

The claim, signed by Kelly A Mills of Cochran Investment Company, under assignment from Peter T & Lisa L Westbrook, is based on a Director's Deed recorded 1/23/2009, in which Peter T. and Lisa L. Westbrook are named grantees. By statute this claim by a titleholder of record is lower in priority to the claim by The City of Fresno as a lienholder of record. Because there are insufficient excess proceeds available to pay this claim in its entirety, the AC/TTC recommends that the balance of \$1,407.48 of the excess proceeds from this property be distributed to Cochran Investment Company on behalf of Peter T & Lisa L Westbrook.

#### 6. Tax Sale Item #234, APN 013-153-08.

The property sold for \$30,100.00 and resulted in excess proceeds of \$9,462.20. According to the property tax system, at the time of the tax sale, the property was assessed to: Emily Villado Cardenas. The AC/TTC received two claims for the excess proceeds.

1) **City of Mendota** submitted a claim for \$13,872.60 as lienholder, and included the following documents:

- A copy of the City of Mendota's Resolution Number 10-15, recorded in Fresno County on 9/15/2010, document number 2010-0119555
- A copy of the City of Mendota's Resolution Number 11-21, recorded in Fresno County on 7/13/2011, document number 2011-0092416
- A copy of the City of Mendota's Resolution Number 13-13, recorded in Fresno County on 8/6/2013, document number 2013-0111242
- A copy of the City of Mendota's Resolution Number 15-55, recorded in Fresno County on 7/31/2015, document number 2015-0098136
- A copy of the City of Mendota's Resolution Number 17-46, recorded in Fresno County on 8/14/2017, document number 2017-0101141
- A copy of the City of Mendota's Resolution Number 17-47, recorded in Fresno County on 8/14/2017, document number 2017-0101142
- A copy of Christian Gonzalez California driver's license

The claim, signed by Cristian Gonzalez, is based on six Resolutions authorizing the placement of special assessments on the tax roll for nuisance abatement costs recorded on 9/15/2010, 7/13/2011, 8/6/2013, 7/31/2015 and 8/14/2017 and establishing liens totaling in the amount of \$12,932.00 and all specifying the parcel in question so that the placement of the expense of the abatement on the tax roll could be collected on the annual tax assessment bill. By statute this claim by a lienholder of record is higher priority than the claim by Emily Garcia Villado as a titleholder of record. Due to the



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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

claimant's liens being included on the 2010-11, 2011-12, 2013-14, 2015-16, and 2017-18 tax rolls, and in the redemption amount for this property, the liens were satisfied at the time of the tax sale. The AC/TTC recommends denying the claim due to the claim being satisfied by other means.

2) **Emily Garcia Villado** submitted a claim for \$9,462.20 as titleholder, and included the following documents:

- A copy of a Grant Deed, recorded in Fresno County on 5/16/2011, document number 2011-0065824
- A copy of an Ex Parte Application for Restoration of Former Name issued by Fresno County Superior Court, filed on 7/20/2016, case number 15CEFL03716
- A copy of Emily Garcia Villado's California driver's license

The claim, signed by Emily Garcia Villado, is based on a Grant Deed recorded 5/16/2011 naming Emily Villado Cardenas as grantee and an Ex Parte Application for Restoration of Former Name requesting the former name of Emily Cardenas being restored to Emily Garcia Villado. By statute this claim by a titleholder of record is lower priority to the claim by the City of Mendota as a lienholder of record. But because the AC/TTC recommends denying the claim by the City of Mendota, the AC/TTC recommends that \$9,462.20 of the excess proceeds from this property be distributed to Emily Garcia Villado.

#### 7. Tax Sale Item #249, APN 038-270-13S.

The property sold for \$29,200.00 and resulted in excess proceeds of \$25,029.44. According to the property tax system, at the time of the tax sale, the property was assessed to: Lydia Castro, Trinidad Andrade, Francisco Cabarrubio, Fernando Castro Sr, Fernando Castro Jr, Marciano Florez, Ysabel Florez, Bernabe Morales, Luis Pacheco, Juan T Rangel, Jose Alcadio Sanchez, James G Williams, Maria Sanchez and Bernadette Mary Martinez Trustee The AC/TTC received five claims for the excess proceeds.

1) **County of Santa Clara** submitted a claim for \$59,046.49 as lienholder as a judgment creditor, and included the following documents:

- A copy of an Abstract of Judgment issued by Santa Clara County Superior Court, case number 182DA504569, recorded in Fresno County on 3/20/2001
- A copy of an Abstract of Judgment issued by Santa Clara County Superior Court, case number 182DA504569, recorded in Fresno County on 3/21/2001
- Two copies of a Demand Request, dated 5/31/2018, case number 182DA504569

## Attachment A

### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- A ledger detailing the total principal, total interest, total adjustments, and total balance due

The claim, filed by Samantha Klinger of the County of Santa Clara, is based on an Abstract of Support Judgment recorded on 3/20/2001 naming Guadalupe Rocha as judgment debtor and Santa Clara County as judgment creditor and a Demand Request which states that all principal, interest, costs and fees total \$59,046.49. By recording date, this claim is senior to the claims by County of Tulare – DCSS, Collectibles Management Resources and Westlands Water District and by statute, as a claim by a lienholder of record, it is higher priority than the claim by Bernadette Martinez as a titleholder of record. Due to the fact that Guadalupe Rocha was not an owner of record at the time of the tax sale, the AC/TTC recommends denying the claim due to insufficient evidence.

- 2) **County of Tulare - DCSS** submitted a claim for \$93,822.91 as lienholder as a judgment creditor, and included the following documents:

- A copy of a Child Support Order issued by Tulare County Superior Court, filed in Tulare County on 6/28/2001, case number 0148804
- A copy of an Abstract of Support Judgment issued by Tulare County Superior Court, case number 0148804, recorded in Fresno County on 8/17/2001
- A ledger detailing the monthly charges, interest, monthly payments, and total balance due

The claim, signed by Lisa Marks of the County of Tulare, is based on an Abstract of Support Judgment recorded on 8/17/2001 naming Jose Lopez as judgment debtor and Tulare Department of Child Support Services as judgment creditor and an itemized statement which includes interest, calculated at the legal rate totaling \$101,137.61. By recording date, this claim is junior to the claim by County of Santa Clara. Due to the fact that Jose Lopez was not an owner at the time of the tax sale, the AC/TTC recommends denying the claim due to insufficient evidence.

- 3) **Collectibles Management Resources** submitted a claim for \$5,352.63 as lienholder as a judgment creditor, and included the following documents:

- A copy of an Entry of Judgment issued by Fresno County Superior Court, filed on 2/14/2006, case number 06CLCL00009
- A copy of an Acknowledgement of Assignment of Judgment filed at Fresno County Superior Court, filed on 10/3/2006, case number 06CLCL00009

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- A copy of a Proof of Service by Mail document, dated 12/4/2006
- A copy of an Abstract of Judgment issued by Fresno County Superior Court, recorded in Fresno County on 12/19/2006, case number 06CLCL00009
- A copy of an Application for and Renewal of Judgment issued by Fresno County Superior Court, case number 06CLCL00009, recorded in Fresno County on 11/10/2015
- A copy of Donna Louise Kelley's California driver's license

The claim, signed by Donna L Kelley of Collectibles Management Resources, is based on an Abstract of Judgment recorded on 12/19/2006, renewed on 11/10/2015, in the amount of \$4,156.98 naming Jose Preciado and Humberto Campos as judgment debtor and Collectibles Management Resources as judgment creditor and an itemized statement which includes 10% interest, calculated at the legal rate totaling \$5,216.87. By recording date, this claim is junior to the claim by County of Santa Clara. Due to the fact that Jose Preciado and Humberto Campos were not owners at the time of the tax sale, the AC/TTC recommends denying the claim due to insufficient evidence.

- 4) **Westlands Water District** submitted a claim for \$968.76 as lienholder, and included the following documents:

- A copy of Certificate of Sale, apparently under Water Code section 26131, recorded in Fresno County on 10/21/2015, document number 2015-0135986
- A ledger detailing the fees, interest, and balance due
- A copy of Balbina Ormonde's Westland Water District employee ID badge

The claim, signed by Bobbie Ormonde of Westlands Water District, is based on a Certification of Sale document recorded on 10/21/2015 against the parcel in question and an itemized statement, which includes penalties and fees totaling \$968.76. By recording date, this claim is junior to the claims by County of Santa Clara, the County of Tulare, and Collectibles Management Resources, but after denying those claims as recommended, the AC/TTC recommends that \$968.76 of the excess proceeds be distributed to Westlands Water District.

- 5) **Bernadette Martinez** submitted a claim for \$25,029.44 as titleholder, and included the following documents:

- A copy of a Quitclaim Deed, recorded in Fresno County on 4/10/1997, document number 97046843

## Attachment A

### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- A copy of a Quitclaim Deed, recorded in Fresno County on 4/10/1997, document number 97046844
- A copy of a Quitclaim Deed, recorded in Fresno County on 4/10/1997, document number 97046845
- A copy of a Trust Transfer Deed, recorded in Fresno County on 11/2/2010, document number 2010-0147115
- A one in the same person declaration signed by Bernadette Martinez, dated 10/9/2018
- A copy of Bernadette Mary Martinez's California driver's license

The claim, signed by Bernadette Martinez, is based on three Quitclaim Deeds recorded 4/10/1997 in which Raymond and Bernadette Minnite are named grantees and a Trust Transfer Deed recorded 11/2/2010 naming Bernadette Mary Martinez as Trustee of the Raymond Minnite Living Trust. According to the property tax system, at the time of the tax sale the claimant only owned 18.8% of the property. By statute the claimant as a titleholder of record has a lower priority than the claims by County of Santa Clara, County of Tulare, Collectibles Management Resources, and Westlands Water District as a lienholders of record, but after disposing of those claims as recommended above, the AC/TTC recommends that 18.8% of the remaining \$24,060.68 (or \$4,523.40) of the excess proceeds be distributed to Bernadette Martinez.

Five claims for excess proceeds were submitted. Upon the approval and denial of those claims as recommended, the remaining balance of \$19,537.28 will be distributed to the County pursuant to Revenue and Taxation Code section 4674

#### 8. Tax Sale Item #302, APN 375-132-21.

The property sold for \$56,000.00 and resulted in excess proceeds of \$42,886.00. According to the property tax system, at the time of the tax sale, the property was assessed to: Richard G and Dolores A Pasillas. The AC/TTC received four claims for the excess proceeds.

- 1) **California Business Bureau**, through its attorney Franklin J Love, submitted a claim for \$13,084.02 as lienholder as a judgment creditor, and included the following documents:
  - A copy of an Abstract of Judgment issued by Fresno County Superior Court, case number 14CECL06308, recorded in Fresno County on 6/9/2017
  - Affidavit of Claim for Surplus Funds, dated 5/17/2018
  - A copy of Franklin Jay Love's California driver's license

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

The claim documents did not include the proof required by Revenue and Taxation Code section 4675, subdivision (c), that the amount and source of excess proceeds have been disclosed to the party of interest and that the party has been advised of its right to file a claim for the excess proceeds on its own behalf directly with the County at no cost. The claim, signed by Franklin J Love, is based on an Abstract of Judgment recorded 6/9/2017 in the amount of \$10,825.78 naming Richard Pasillas as judgment debtor and California Business Bureau as judgment creditor and an itemized statement which includes interest, calculated at the legal rate of 10% per annum totaling \$13,084.02. By recording date, this claim is senior to the claim by Investment Retrievers, Inc. and by statute as a claim by a lienholder of record is higher priority to the claim by Global Discoveries on behalf of a titleholder of record. The AC/TTC recommends that \$13,084.02 of the excess proceeds from this property be distributed to California Business Bureau.

2) **Investment Retrievers, Inc** submitted a claim for \$10,375.99 as lienholder as a judgment creditor, and included the following documents:

- A copy of an Abstract of Judgment issued by Fresno County Superior Court, case number 15CECL06426, recorded in Fresno County on 8/21/2017
- Placer Title Company real estate report for parcel 375-132-21

The claim, signed by Paul Jalbert of Investment Retrievers, is based on an Abstract of Judgment recorded 8/21/2017 in the amount of \$9,455.56 naming Dolores Pasillas as judgment debtor and Investment Retrievers Inc. as judgment creditors. By recording date, this claim is junior to the claim by California Business Bureau and by statute as a claim by a lienholder of record is higher priority to the claim by Global Discoveries on behalf of a titleholder of record. Because the claimant was only able to substantiate their lien amount by submission of the Abstract of Judgment listed above, the AC/TTC recommends that only \$9,455.56 of the excess proceeds from this property be distributed to Investment Retrievers, Inc.

3) **Global Discoveries on behalf of Richard G and Dolores A Pasillas** submitted a claim for \$42,886.00 as titleholder, and included the following documents:

- A claim summary
- A copy of a Grant Deed, recorded in Fresno County on 5/25/1994, document number 94088171
- A California Assignment of Right to Collect Excess Proceeds document signed by Richard G and Dolores A Pasillas, dated 6/1/2018

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- An Affidavit for Richard G Pasillas and Dolores A Pasillas, dated 10/22/2018, declaring that they are over 18, a resident of Fowler, CA, that they are the same people who are noted on the Grant Deed recorded on 5/25/1994 with the document number 94088171, that Richard G Pasillas is the same person as Richard Pasillas, that Dolores A Pasillas is the same person as Dolores Alviso Pasillas and Dolores Pasillas, and that they assigned excess proceeds to Global Discoveries Ltd for Fresno County Assessor's Parcel Number 375-132-21
- A copy of Richard Pasillas' California driver's license
- A copy of Dolores Alviso Pasillas' California driver's license
- A copy of Jed William Byerly's California driver's license
- A copy of Jed Byerly's business card

The claim, signed by Jed Byerly of Global Discoveries, under assignment from Richard G and Dolores A Pasillas, is based on a Grant Deed recorded on 5/25/1994 in which Richard G and Dolores A Pasillas are named as joint tenants. By statute the claim has lower priority than the previous claims, which means that after granting those claims as recommended, there are insufficient excess proceeds available to pay this claimant in its entirety. The AC/TTC recommends that the balance of \$20,346.42 of excess proceeds from this parcel be distributed to Global Discoveries Ltd., on behalf of Richard G and Dolores A Pasillas.

#### 9. Tax Sale Item #314, APN 435-333-27.

The property sold for \$118,500.00 and resulted in excess proceeds of \$105,183.26. According to the property tax system, at the time of the tax sale, the property was assessed to: Robert L Henkell Trustee. The AC/TTC received three claims for the excess proceeds.

1) **Lynette Cantrell** submitted a claim for 33 1/3% (or \$35,061.09) as titleholder, and included the following documents:

- A copy of the certified copy of Margaret Doris Kroeker Birth Certificate with a date of birth of 8/7/1937
- A copy of the certified copy of Lynnette Marie Franz's Birth Certificate with a date of birth of 8/9/1960
- A copy of the certified Abstract of Birth of Lynnette Marie Franz with a date of birth of 8/9/1960
- A copy of a Trust Grant Deed, recorded in Fresno County on 5/2/1995, document number is 95052892

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- A copy of a certified copy of a Marriage Certificate for the marriage of Kenneth Wayne Cantrell and Lynette Marie Muehlman, dated 8/22/2007
- A certified copy and a copy of a certified copy of Gilbert Wayne Franz's Death Certificate with a date of death of 3/7/2013
- A certified copy and a copy of a certified copy of Margaret Doris Franz's Death Certificate with a date of death of 12/21/2017
- An Affidavit signed by Paul Wann, dated 5/19/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts, that he resigned his trusteeship over all of the trusts in 2015, that he does not have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann
- An Affidavit signed by Robert Henkell, dated 5/24/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the property in question was held in the Atwater Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts, that he resigned his trusteeship over all of the trusts in 1997, that he does not have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann
- A Probate code section 13101 affidavit signed by Lynette Cantrell, Alicia Franz-Wann, and Roger Franz
- A copy of the The Gilbert & Margaret Franz Family Trust
- A copy of pages 16-21 of The Gilbert & Margaret Franz Family Trust
- A copy of the Final Instructions and Acknowledgment of Receipt of the Portfolio of the Gilbert & Margaret Franz Family Trust
- A copy of Lynnette M Cantrell's Missouri driver's license
- A copy of Lynette Marie Cantrell's Social Security Card

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

The claim, signed by Lynnette Cantrell, is based on a Trust Grant Deed recorded 5/2/1995 naming the Trust known as Atwater whose Trustees were at the time Robert L Henkell, Trustee and Paul Wann as grantees, an Affidavit from the Trustees stating that the Atwater Trust fed into the Single Asset Preservation Trust known as the Franz Family Trust, the Gilbert and Margaret Franz Family Trust which lists Roger W Franz, Lynnette M Muehlman and Alicia A Wann as the children beneficiaries of the Trustor, a Death Certificate for Gilbert Wayne Franz dated 3/7/2013, a Death Certificate for Margaret Franz dated 12/21/2017, a Birth Certificate of Lynnette Franz identifying her as the child of Gilbert Franz and Margaret Kroeker, and a Marriage Certificate for the marriage of Lynnette Muehlman to Kenneth Cantrell. The AC/TTC sent a letter to the claimant on 12/7/2020 requesting a Probate Code section 13101 affidavit. A Probate Code section 13101 affidavit was delivered on 12/16/2020, containing the signatures of Lynnette Cantrell, Alicia Franz-Wann, and Roger Franz. The claimant is equal in priority to the following claims by Alicia Franz-Wann and Roger Wayne Franz. The AC/TTC recommends that 33 1/3% (or \$35,061.09) of the excess proceeds from this property be distributed to Lynette Cantrell.

2) **Alicia Franz-Wann** submitted a claim for 33 1/3% (or \$35,061.09) as titleholder, and included the following documents:

- A copy of the certified copy of Margaret Doris Kroeker Birth Certificate with a date of birth of 8/7/1937
- A copy of the certified copy of Alicia Annette Franz's Birth Certificate with a date of birth of 11/14/1966
- A copy of a Trust Grant Deed, recorded in Fresno County on 5/2/1995, document number is 95052892
- A copy of a Judgment for Dissolution of Marriage, filed in the State of Illinois in Woodford County on 12/21/2006, case number 06-D-2
- A certified copy and a copy of a certified copy of Gilbert Wayne Franz's Death Certificate with a date of death of 3/7/2013
- A certified copy and a copy of a certified copy of Margaret Doris Franz's Death Certificate with a date of death of 12/21/2017
- An Affidavit signed by Paul Wann, dated 5/19/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts, that he resigned his trusteeship over all of the trusts in 2015, that he does not



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have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann

- An Affidavit signed by Robert Henkell, dated 5/24/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the property in question was held in the Atwater Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts, that he resigned his trusteeship over all of the trusts in 1997, that he does not have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann
- A Probate code section 13101 affidavit signed by Lynette Cantrell, Alicia Franz-Wann, and Roger Franz
- A copy of the The Gilbert & Margaret Franz Family Trust
- A copy of pages 16-21 of The Gilbert & Margaret Franz Family Trust
- A copy of the Final Instructions and Acknowledgment of Receipt of the Portfolio of the Gilbert & Margaret Franz Family Trust
- A copy of Alicia Annette Franz Wann's Texas driver's license
- A copy of Alicia Annette Franz Wann's Social Security Card

The claim, signed by Alicia Franz-Wann, is based on a Trust Grant Deed recorded 5/2/1995 naming the Trust known as Atwater whose Trustees were at the time Robert L Henkell, Trustee and Paul Wann as grantees, an Affidavit from the Trustees stating that the Atwater Trust fed into the Single Asset Preservation Trust known as the Franz Family Trust, the Gilbert and Margaret Franz Family Trust which lists Roger W Franz, Lynnette M Muehlman and Alicia A Wann as the children beneficiaries of the Trustor, a Death Certificate for Gilbert Wayne Franz dated 3/7/2013, a Death Certificate for Margaret Franz dated 12/21/2017, a Birth Certificate of Alicia Franz identifying her as the child of Gilbert Franz and Margaret Kroeker, and a Judgment for Dissolution of Marriage permitting Alicia Wann to use the name of Franz-Wann as her surname. The AC/TTC sent a letter to the claimant on 12/7/2020 requesting a Probate Code section 13101 affidavit. A Probate Code section 13101 affidavit was delivered on 12/16/2020,

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

containing the signatures of Lynnette Cantrell, Alicia Franz-Wann and, Roger Franz. The claimant is equal in priority to the previous claim by Lynette Cantrell and following claim by Roger Wayne Franz. The AC/TTC recommends that 33 1/3% (or \$35,061.09) of the excess proceeds from this property be distributed to Alicia Franz-Wann.

3) **Roger Wayne Franz** submitted a claim for 33 1/3% (or \$35,061.08) as titleholder, and included the following documents:

- A copy of the certified copy of Margaret Doris Kroeker Birth Certificate with a date of birth of 8/7/1937
- A certified copy of Roger Wayne Franz's Birth Certificate with a date of birth of 2/14/1959
- A certified copy and a copy of a certified copy of Gilbert Wayne Franz's Death Certificate with a date of death of 3/7/2013
- A certified copy and a copy of a certified copy of Margaret Doris Franz's Death Certificate with a date of death of 12/21/2017
- A copy of a Trust Grant Deed, recorded in Fresno County on 5/2/1995, document number is 95052892
- An Affidavit signed by Paul Wann, dated 5/19/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts, that he resigned his trusteeship over all of the trusts in 2015, that he does not have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann
- An Affidavit signed by Robert Henkell, dated 5/24/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the property in question was held in the Atwater Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts, that he resigned his trusteeship over all of the trusts in 1997, that he does not have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust

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was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann

- An Affidavit signed by Roger Wayne Franz, dated 10/16/2018, declaring that he is the son of Margaret Franz and Gilbert Franz, that Margaret Franz and Gilbert Franz created the Atwater Trust and the Hi Lo Trust, that he read and once possessed copies of the Atwater and Hi Lo trust documents, that all known copies have been lost or destroyed, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann, that he is the same person as the Roger Wayne Franz that was identified in the Atwater and Hi Lo trust documents
- A Probate code section 13101 affidavit signed by Lynnette Cantrell, Alicia Franz-Wann, and Roger Franz
- A copy of the The Gilbert & Margaret Franz Family Trust
- A copy of pages 16-21 of The Gilbert & Margaret Franz Family Trust
- A copy of the Final Instructions and Acknowledgment of Receipt of the Portfolio of the Gilbert & Margaret Franz Family Trust
- A copy of Roger Wayne Franz's Washington driver's license
- A copy of Roger W Franz's Social Security Card
- A copy of Roger Wayne Franz's Voter Registration Card

The claim, signed by Roger Wayne Franz, is based on a Trust Grant Deed recorded 5/2/1995 naming the Trust known as Atwater whose Trustees were at the time Robert L Henkell, Trustee and Paul Wann as grantees, an Affidavit from the Trustees stating that the Atwater Trust fed into the Single Asset Preservation Trust known as the Franz Family Trust, the Gilbert and Margaret Franz Family Trust which lists Roger W Franz, Lynnette M Muehlman and Alicia A Wann as the children beneficiaries of the Trustor, a Death Certificate for Gilbert Wayne Franz dated 3/7/2013, a Death Certificate for Margaret Franz dated 12/21/2017, and a Birth Certificate of Roger Franz identifying him as the child of Gilbert Franz and Margaret Kroeker. The AC/TTC sent a letter to the claimant on 12/7/2020 requesting a Probate Code section 13101 affidavit. A Probate Code section 13101 affidavit was delivered on 12/16/2020, containing the signatures of Lynnette Cantrell, Alicia Franz-Wann, and Roger Franz. The claimant is equal in priority to the following claims by Alicia Franz-Wann and Roger Wayne Franz. The AC/TTC recommends that 33 1/3% (or \$35,061.08) of the excess proceeds from this property be distributed to Roger Franz.

#### 10. Tax Sale Item #317, APN 442-140-17.

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The property sold for \$163,100.00 and resulted in excess proceeds of \$137,257.12. According to the property tax system, at the time of the tax sale, the property was assessed to: Robert L Henkell Trustee. The AC/TTC received three claims for the excess proceeds.

1) **Lynette Cantrell** submitted a claim for 33 1/3% (or \$45,752.37) as titleholder, and included the following documents:

- A copy of the certified copy of Margaret Doris Kroeker Birth Certificate with a date of birth of 8/7/1937
- A copy of the certified copy of Lynnette Marie Franz's Birth Certificate with a date of birth of 8/9/1960
- A copy of the certified Abstract of Birth of Lynnette Marie Franz with a date of birth of 8/9/1960
- A copy of a Trust Grant Deed, recorded in Fresno County on 5/2/1995, document number is 95052892
- A copy of a certified copy of a Marriage Certificate for the marriage of Kenneth Wayne Cantrell and Lynette Marie Muehlman, dated 8/22/2007
- A certified copy and a copy of a certified copy of Gilbert Wayne Franz's Death Certificate with a date of death of 3/7/2013
- A certified copy and a copy of a certified copy of Margaret Doris Franz's Death Certificate with a date of death of 12/21/2017
- An Affidavit signed by Paul Wann, dated 5/19/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts, that he resigned his trusteeship over all of the trusts in 2015, that he does not have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann
- An Affidavit signed by Robert Henkell, dated 5/24/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the property in question was held in the Atwater Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts, that he

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resigned his trusteeship over all of the trusts in 1997, that he does not have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann

- A Probate code section 13101 affidavit signed by Lynette Cantrell, Alicia Franz-Wann, and Roger Franz
- A copy of the The Gilbert & Margaret Franz Family Trust
- A copy of pages 16-21 of The Gilbert & Margaret Franz Family Trust
- A copy of the Final Instructions and Acknowledgment of Receipt of the Portfolio of the Gilbert & Margaret Franz Family Trust
- A copy of Lynnette M Cantrell's Missouri driver's license
- A copy of Lynette Marie Cantrell's Social Security Card

The claim, signed by Lynnette Cantrell, is based on a Trust Grant Deed recorded 5/2/1995 naming the Trust known as Hi Lo whose Trustees were at the time Robert L Henkell, Trustee and Paul Wann as grantees, an Affidavit from the Trustees stating that the Hi Lo Trust fed into the Single Asset Preservation Trust known as the Franz Family Trust, the Gilbert and Margaret Franz Family Trust which lists Roger W Franz, Lynnette M Muehlman and Alicia A Wann as the children beneficiaries of the Trustor, a Death Certificate for Gilbert Wayne Franz dated 3/7/2013, a Death Certificate for Margaret Franz dated 12/21/2017, a Birth Certificate of Lynnette Franz identifying her as the child of Gilbert Franz and Margaret Kroeker, and a Marriage Certificate for the marriage of Lynnette Muehlman to Kenneth Cantrell. The AC/TTC sent a letter to the claimant on 12/7/2020 requesting a Probate Code section 13101 affidavit. A Probate Code section 13101 affidavit was delivered on 12/16/2020, containing the signatures of Lynnette Cantrell, Alicia Franz-Wann, and Roger Franz. The claimant is equal in priority to the following claims by Alicia Franz-Wann and Roger Wayne Franz. The AC/TTC recommends that 33 1/3% (or \$45,752.37) of the excess proceeds from this property be distributed to Lynette Cantrell.

2) **Alicia Franz-Wann** submitted a claim for 33 1/3% (or \$45,752.37) as titleholder, and included the following documents:

- A copy of the certified copy of Margaret Doris Kroeker Birth Certificate with a date of birth of 8/7/1937
- A copy of the certified copy of Alicia Annette Franz's Birth Certificate with a date of birth of 11/14/1966

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- A copy of a Trust Grant Deed, recorded in Fresno County on 5/2/1995, document number is 95052892
- A copy of a Judgment for Dissolution of Marriage, filed in the State of Illinois in Woodford County on 12/21/2006, case number 06-D-2
- A certified copy and a copy of a certified copy of Gilbert Wayne Franz's Death Certificate with a date of death of 3/7/2013
- A certified copy and a copy of a certified copy of Margaret Doris Franz's Death Certificate with a date of death of 12/21/2017
- An Affidavit signed by Paul Wann, dated 5/19/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts, that he resigned his trusteeship over all of the trusts in 2015, that he does not have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann
- An Affidavit signed by Robert Henkell, dated 5/24/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the property in question was held in the Atwater Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts, that he resigned his trusteeship over all of the trusts in 1997, that he does not have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann
- A Probate code section 13101 affidavit signed by Lynette Cantrell, Alicia Franz-Wann, and Roger Franz
- A copy of the The Gilbert & Margaret Franz Family Trust
- A copy of pages 16-21 of The Gilbert & Margaret Franz Family Trust
- A copy of the Final Instructions and Acknowledgment of Receipt of the Portfolio of the Gilbert & Margaret Franz Family Trust
- A copy of Alicia Annette Franz Wann's Texas driver's license

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- A copy of Alicia Annette Franz Wann's Social Security Card

The claim, signed by Alicia Franz-Wann, is based on a Trust Grant Deed recorded 5/2/1995 naming the Trust known as Hi Lo whose Trustees were at the time Robert L Henkell, Trustee and Paul Wann as grantees, an Affidavit from the Trustees stating that the Hi Lo Trust fed into the Single Asset Preservation Trust known as the Franz Family Trust, the Gilbert and Margaret Franz Family Trust which lists Roger W Franz, Lynnette M Muehlman and Alicia A Wann as the children beneficiaries of the Trustor, a Death Certificate for Gilbert Wayne Franz dated 3/7/2013, a Death Certificate for Margaret Franz dated 12/21/2017, a Birth Certificate of Alicia Franz identifying her as the child of Gilbert Franz and Margaret Kroeker, and a Judgment for Dissolution of Marriage permitting Alicia Wann to use the name of Franz-Wann as her surname. The AC/TTC sent a letter to the claimant on 12/7/2020 requesting a Probate Code section 13101 affidavit. A Probate Code section 13101 affidavit was delivered on 12/16/2020, containing the signatures of Lynnette Cantrell, Alicia Franz-Wann, and Roger Franz. The claimant is equal in priority to the previous claim by Lynette Cantrell and following claim by Roger Wayne Franz. The AC/TTC recommends that 33 1/3% (or \$45,752.37) of the excess proceeds from this property be distributed to Alicia Franz-Wann.

3) **Roger Wayne Franz** submitted a claim for 33 1/3% (or \$45,752.38) as titleholder, and included the following documents:

- A copy of the certified copy of Margaret Doris Kroeker Birth Certificate with a date of birth of 8/7/1937
- A certified copy of Roger Wayne Franz's Birth Certificate with a date of birth of 2/14/1959
- A copy of a Trust Grant Deed, recorded in Fresno County on 5/2/1995, document number is 95052892
- A certified copy and a copy of a certified copy of Gilbert Wayne Franz's Death Certificate with a date of death of 3/7/2013
- A certified copy and a copy of a certified copy of Margaret Doris Franz's Death Certificate with a date of death of 12/21/2017
- An Affidavit signed by Paul Wann, dated 5/19/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts,

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that he resigned his trusteeship over all of the trusts in 2015, that he does not have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann

- An Affidavit signed by Robert Henkell, dated 5/24/2018, declaring that Margaret Franz and Gilbert Franz created several trusts including the Gilbert Franz & Margaret Franz Family Trust, the Simpson Trust, the Atwater Trust and the Hi Lo Trust, that the property in question was held in the Atwater Trust, that the Gilbert Franz & Margaret Franz Family Trust was a revocable trust that Gilbert and Margaret Franz had complete control over, that all of the other trusts were irrevocable trusts, that he was Trustee over the irrevocable trusts, that he resigned his trusteeship over all of the trusts in 1997, that he does not have any copies of the trust documents in his possession, that the irrevocable trusts were created to hold property, that the Gilbert Franz & Margaret Franz Family Trust was created to convey the property owned, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann
- An Affidavit signed by Roger Wayne Franz, dated 10/16/2018, declaring that he is the son of Margaret Franz and Gilbert Franz, that Margaret Franz and Gilbert Franz created the Atwater Trust and the Hi Lo Trust, that he read and once possessed copies of the Atwater and Hi Lo trust documents, that all known copies have been lost or destroyed, that the beneficiaries were Roger Franz, Lynnette Muehlman, and Alicia Wann, that he is the same person as the Roger Wayne Franz that was identified in the Atwater and Hi Lo trust documents
- A Probate code section 13101 affidavit signed by Lynette Cantrell, Alicia Franz-Wann, and Roger Franz
- A copy of the The Gilbert & Margaret Franz Family Trust
- A copy of pages 16-21 of The Gilbert & Margaret Franz Family Trust
- A copy of the Final Instructions and Acknowledgment of Receipt of the Portfolio of the Gilbert & Margaret Franz Family Trust
- A copy of Roger Wayne Franz's Washington driver's license
- A copy of Roger W Franz's Social Security Card
- A copy of Roger Wayne Franz's Voter Registration Card

The claim, signed by Roger Wayne Franz, is based on a Trust Grant Deed recorded 5/2/1995 naming the Trust known as Hi Lo whose Trustees were at the time Robert L Henkell, Trustee and Paul Wann as grantees, an Affidavit from the Trustees stating that



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the Hi Lo Trust fed into the Single Asset Preservation Trust known as the Franz Family Trust, the Gilbert and Margaret Franz Family Trust which lists Roger W Franz, Lynnette M Muehlman and Alicia A Wann as the children beneficiaries of the Trustor, a Death Certificate for Gilbert Wayne Franz dated 3/7/2013, a Death Certificate for Margaret Franz dated 12/21/2017, and a Birth Certificate of Roger Franz identifying him as the child of Gilbert Franz and Margaret Kroeker. The AC/TTC sent a letter to the claimant on 12/7/2020 requesting a Probate Code section 13101 affidavit. A Probate Code section 13101 affidavit was delivered on 12/16/2020, containing the signatures of Lynnette Cantrell, Alicia Franz-Wann, and Roger Franz. The claimant is equal in priority to the following claims by Alicia Franz-Wann and Roger Wayne Franz. The AC/TTC recommends that 33 1/3% (or \$45,752.38) of the excess proceeds from this property be distributed to Roger Franz.

#### 11. Tax Sale Item #320, APN 444-071-24.

The property sold for \$105,400.00 and resulted in excess proceeds of \$30,015.37. According to the property tax system, at the time of the tax sale, the property was assessed to: Sandy Par Investment Group. The AC/TTC received two claims for the excess proceeds.

- 1) **Patricia A Neidig** submitted a claim for \$457,117.48 as lienholder, and included the following documents:
  - A letter of explanation for the claim
  - A copy of a certified copy of a Marriage Certificate for the marriage of Richard D Neidig and Patricia Anne Curtin, dated 8/12/1972
  - A copy of a Last Will and Testament signed by Richard Dale Neidig, dated 1/27/2000
  - A copy of a Promissory Note, dated 10/12/2009
  - A copy of a Deed of Trust with Assignment of Rents, recorded in Fresno County on 10/28/2009, document number 2009-0148861
  - A copy of a First Codicil to Last Will and Testament signed by Richard Dale Neidig, dated 10/12/2013
  - A certified copy of Richard Dale Neidig's Death Certificate with a date of death of 7/24/2016
  - A copy of a State of Maryland Letters of Administration of a Small Estate signed by Richard Dale Neidig, dated 10/31/2016
  - A copy of an Irrevocable Disclaimer of Property Interest, dated 1/3/2017
  - A ledger detailing the accumulated interest, payments, and ending balance of the loan

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- A copy of Patricia Anne Curtin Neidig's Maryland driver's license

The claim, signed by Patricia A Neidig, is based on a Deed of Trust and Assignment of Rents recorded 10/28/2009 in the amount of \$216,559.00 naming Sandy Par Investments Group as trustor and Equity Trust Company Custodian FBO Richard D Neidig as beneficiary, a Death Certificate for Richard Neidig dated 7/24/2016, a State of Maryland Letters of Administration of a Small Estate dated 10/31/2016 designating Patricia Neidig as the personal representative for the Estate of Richard Neidig, and an itemized statement which includes 15% interest, calculated at the legal rate totaling \$457,117.48. These documents establish the claimant's ability to collect property on behalf of the estate as the personal representative as well as claim the excess proceeds as the beneficiary. By recording date the claimant is senior to the claim by The City of Fresno. The AC/TTC recommends that all \$30,015.37 of the excess proceeds from this property be distributed to Patricia A Neidig.

- 2) **The City of Fresno, DARM – Code Enforcement Division** submitted a claim for \$1,177.50 as lienholder, and included the following documents:

- A copy of a Notice of Public Nuisance Abatement, dated 8/24/2017, case number 08-00016553
- A copy of a Notice of Special Assessment, recorded in Fresno County on 10/31/2017, document number 2017-0141355
- A copy of an Invoice to Sandy Par Investment Group, dated 1/27/2018
- A copy of a Notice of Special Assessment, recorded in Fresno County on 2/26/2018, document number 2018-0023261
- A copy of Olga Grinko's City of Fresno employee badge

The claim, signed by Olga Grinko of the City of Fresno, is based on a Notice of Special Assessment recorded on 10/31/2017 arising from an 8/24/2017 Public Nuisance Abatement and a Notice of Special Assessment recorded on 2/26/2018 arising from an 1/17/2018 Invoice for Administrative Time, establishing liens in the total amount of \$1,177.50 and both specifying the parcel in question. By recording date this claim is junior to the claim by Patricia A Neidig, which means that after granting that claim as recommended, there are insufficient excess proceeds available to pay the claimant. The AC/TTC recommends denying the claim due to insufficient excess proceeds available for distribution.

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#### 12. Tax Sale Item #327, APN 454-072-03.

The property sold for \$61,200.00 and resulted in excess proceeds of \$41,809.19. According to the property tax system, at the time of the tax sale, the property was assessed to: Daniel Westfall. The AC/TTC received five claims for the excess proceeds.

1) **Fresno County Tax Collector** submitted a claim for \$1,350.97 as lienholder, and included the following documents:

- A copy of a Certificate of Delinquency of Personal Property Tax/Unsecured Property Tax, recorded in Fresno County on 2/9/2009, document number 2009-0017473
- A copy of an Account Inquiry detailing the total amount due
- A copy of a Certificate of Delinquency of Personal Property Tax/Unsecured Property Tax, recorded in Fresno County on 3/1/2010, document number 2010-0026900
- A copy of an Account Inquiry detailing the total amount due
- A copy of an Account Inquiry detailing the total amount due
- A copy of Natalie Nino's County of Fresno employee ID badge

The claim, signed by Natalie Nino of the County of Fresno, is based on two Certificates of Delinquency of Personal Property Tax/Unsecured Property Tax Lien recorded on 2/9/2009 and 3/1/2010 totaling \$1,350.97 and naming Daniel L Westfall as the lien date assessee. By recording date, this claim is senior to the claims by Capital Collections, Creative Stone and The City of Fresno, DARM – Code Enforcement Division and by statute this claim by a lienholder of record is higher priority to the claim by Daniel Westfall as a titleholder of record. The AC/TTC recommends that \$1,350.97 of the excess proceeds from this property be distributed to Fresno County Tax Collector.

2) **Capital Collections**, through its attorney Steven Hrdlicka, submitted a claim for \$1,676.87 as lienholder as a judgment creditor, and included the following documents:

- A copy of a Judgment filed at Fresno County Superior Court, dated 12/4/2009, case number 09CECL06738
- A copy of an Abstract of Judgment issued by Fresno County Superior Court, case number 09CECL06738, recorded on 1/4/2010
- A copy of Steven Richard Hrdlicka's California driver's license

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The claim documents did not include the proof required by Revenue and Taxation Code section 4675, subdivision (c), that the amount and source of excess proceeds have been disclosed to the party of interest and that the party has been advised of its right to file a claim for the excess proceeds on its own behalf directly with the County at no cost. The claim, signed by Steven R Hrdlicka, is based on an Abstract of Judgment recorded 1/4/2010 in the amount of \$2,015.64 naming Westfall Properties and Daniel Westfall as judgment debtor and Capital Collections, LLC as judgment creditor. By recording date, this claim is junior to the claim by Fresno County Property Tax and senior to the claims by Creative Stone and The City of Fresno, DARM – Code Enforcement Division. By statute this claim by a lienholder of record is higher priority to the claim by Daniel Westfall as a titleholder of record. The AC/TTC recommends that \$1,676.87 of the excess proceeds from this property be distributed to Capital Collections.

3) **Creative Stone MFG** submitted a claim in the amount of \$46,276.80 as lienholder as a judgment creditor, and included the following documents:

- A letter of explanation for the claim
- A copy of a Judgment filed at San Bernardino County Superior Court, case number CIVDS 916352
- A copy of an Abstract of Judgment issued by San Bernardino County Superior Court, case number CIVDS 916352, recorded in Fresno County on 9/3/2010
- A copy of Kevin Scott Ebersole's California driver's license

The claim, signed by Kevin Scott Ebersole, is based on an Abstract of Judgment recorded 9/3/2010 in the amount of \$46,276.80 naming Daniel L Westfall as judgment debtor and Creative Stone MFG as judgment creditor and a Judgment filed 6/14/2010. By recording date, this claim is junior to the claims by Fresno County Property Tax and Capital Collections and senior to the claim by The City of Fresno, DARM – Code Enforcement Division. By statute this claim by a lienholder of record is higher priority to the claim by Daniel Westfall as a titleholder of record. Because there are insufficient excess proceeds available to pay this claim in its entirety, the AC/TTC recommends that the balance of \$38,781.35 of the excess proceeds from this property be distributed to Creative Stone MFG.

4) **City of Fresno - DARM** submitted a claim for \$560.20 as lienholder, and included the following documents:

- A copy of a First Administrative Citation, dated 11/16/2017, citation number 17-00006109.1

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- A copy of an Invoice to Daniel Westfall, dated 12/15/2017
- A copy of a Notice of Special Assessment, recorded in Fresno County on 2/26/2018, document number 2018-0023202
- A copy of a Notice of Special Assessment, recorded in Fresno County on 2/26/2018, document number 2018-0023261
- A copy of Olga Grinko's City of Fresno employee badge

The claim, signed by Olga Grinko of the City of Fresno, is based on two Notice of Special Assessment documents recorded on 2/26/2018, one arising from an 11/16/2017 First Administrative Citation and the other arising from a 12/15/2017 Invoice for Administrative Time, establishing liens in the total amount of \$560.20 and both specifying the parcel in question. By recording date, this claim is junior to the claims by Fresno County Property Tax, Capital Collections, and Creative Stone, which means that after granting those claims as recommended, there are insufficient excess proceeds available to pay the claimant. The AC/TTC recommends denying the claim due to insufficient excess proceeds available for distribution.

5) **Daniel Westfall** submitted a claim for \$41,809.19 as titleholder, and included the following documents:

- A copy of a Grant Deed, recorded in Fresno County on 10/11/2002, document number 2002-0179245
- A copy of a Bankruptcy filed by United States Bankruptcy Court Eastern District of California on 7/13/2011, case number 11-17440
- A copy of a City of Fresno Community Revitalization statement, dated 1/18/2018
- A Fresno County delinquent property tax statement for parcel 454-072-03, fiscal years 2010-11 and 2011-12
- A Fresno County delinquent secured property tax notice for parcel 454-072-03, fiscal year 2012-13
- A copy of Daniel Lee Westfall's California driver's license

The claim, signed by Daniel Westfall, is based on a Grant Deed recorded 10/11/2002 naming Daniel Westfall as grantee, Fresno County delinquent secured property tax bills identifying Daniel Westfall as the assessee, and a copy of the chapter 7 bankruptcy discharge of the claimant's debts, including those giving rise to the other claims. Because the other claims are based on liens that either arose after the date of petition or attached to the property of the debtor and not the debtor himself, the liens of the

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previous claimants may be collected. The AC/TTC recommends denying the claim due to insufficient excess proceeds available for distribution.

#### 13. Tax Sale Item #412, APN 090-130-07.

The property sold for \$3,250.00 and resulted in excess proceeds of \$2,233.24. According to the property tax system, at the time of the tax sale, the property was assessed to: David A Garcia. The AC/TTC received two claims for the excess proceeds.

1) **County of Fresno** submitted a claim for \$4,149.10 as lienholder as a judgment creditor, and included the following documents:

- A copy of an Abstract of Judgment issued by Fresno County Superior Court, case number 11 CECG 03875 JYH, recorded in Fresno County on 7/1/2013

The claim, signed by Connie Yee of the County of Fresno, is based on an Abstract of Judgment recorded 7/1/2013 in the amount of \$4,149.10 naming David Garcia as judgment debtor and County of Fresno as judgment creditor. By recording date, this claim is senior to the claim by David Cortez. Our office performed a LexisNexis Accurint “people finder” search to verify whether the David Garcia listed in the Abstract of Judgment was the same person as the David A Garcia who is listed as the last assessee. The report from that search showed that the David Garcia that is listed on the Abstract of Judgment, also known as David D Garcia, is not the same David A Garcia that was the last assessee of the property in question. The AC/TTC recommends denying the claim due to insufficient evidence.

2) **David Cortez** submitted a claim for \$2,233.24 as lienholder as a judgment creditor, and included the following documents:

- A copy of an Abstract of Judgment issued by Fresno County Superior Court, case number 11CECL 09948, recorded in Fresno County on 9/12/2013
- A copy of a Memorandum of Costs After Judgment issued by Fresno County Superior Court, filed on 6/4/2018, case number 11CECL09948
- A copy of David Richard Cortez’s California driver’s license

The claim, signed by David R Cortez, is based on an Abstract of Judgment recorded 9/12/2013 in the amount of \$1,177.98 naming David Garcia as judgment debtor and David Cortez as judgment creditor. By recording date, this claim is junior to the claim by County of Fresno. Our office performed a LexisNexis Accurint “people finder” search to

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verify whether the David Garcia listed in the Abstract of Judgment was the same person as the David A Garcia who is listed as the last assessee. The report from that search showed that the David Garcia that is listed on the Abstract of Judgment, also known as David R Garcia, is not the same David A Garcia that was the last assessee of the property in question. The AC/TTC recommends denying the claim due to insufficient evidence.

Two claims for excess proceeds were submitted. Upon denial of those claims as recommended, the remaining balance of \$2,233.24 will be distributed to the County pursuant to Revenue and Taxation Code section 4674

#### 14. Tax Sale Item #415, APN 128-770-13.

The property sold for \$400,100.00 and resulted in excess proceeds of \$322,660.80. According to the property tax system, at the time of the tax sale, the property was assessed to: James Bertram Jr and Dawn M Lavell. The AC/TTC received four claims for the excess proceeds.

1) **Global Discoveries on behalf of Dawn M Moore** submitted a claim for \$586,560.00 as lienholder as a judgment creditor, and included the following documents:

- A claim summary
- A copy of a Restraining Order After Hearing filed in Fresno County Superior Court, filed on 11/29/2000, case number 00CEFL11473
- A copy of a Marital Settlement Agreement filed in Fresno County Superior Court, dated 12/22/2000, case number 00CEFL11473
- A copy of a Judgment issued by Fresno County Superior Court, filed on 11/30/2001, case number 00CEFL11473
- A copy of an Abstract of Judgment issued by Fresno County Superior Court, case number 00CEFL11473, recorded in Fresno County on 7/21/2005
- A copy of a Notice of Support Judgment issued by Fresno County Superior Court, case number 00CEFL11473, recorded in Fresno County on 9/17/2009
- A Statement of Amount Due and Owing stating the initial monthly payment amount, payments received, and total balance due, signed by Dawn M Moore, dated 4/5/2019
- An Affidavit signed by Dawn Margaret Moore, dated 4/5/2019, declaring that she is over 18, a resident of Auberry, CA, that she is the same person who is listed as the plaintiff on the Abstract of Support Judgment recorded on 7/21/2005 with the document number 2005-0164148, that she is the same person who is listed as the plaintiff on the Abstract of Support Judgment recorded on 9/17/2009 with the document number 2009-0128055, that she is the same person who is listed as the petitioner on the Judgment Dissolution filed

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

on 11/30/2001 with the case number 00CEFL11473, that she is the same person as Dawn M Lavell and Dawn Margaret Baty, that she assigned excess proceeds to Global Discoveries Ltd for Fresno County Assessor's Parcel Number 128-770-13

- A California Assignment of Right to Collect Excess Proceeds document signed by Dawn M Moore, dated 4/5/2019
- A copy of Dawn Margaret Moore's California driver's license
- A copy of Jed Byerley's California driver's license
- A copy of Jed Byerly's business card

The claim, signed by Jed Byerly of Global Discoveries, under assignment from Dawn M Moore, is based on an Abstract of Support Judgment recorded on 7/21/2005 naming Bertram James Lavell Jr as judgment debtor and County of Fresno Department of Child Support Services as judgment creditor, a Notice of Support Judgment recorded on 9/17/2009 naming Bertram James Lavell Jr as judgment debtor and County of Fresno Department of Child Support Services as judgment creditor, a Dissolution of Marriage judgment for Dawn M Lavell and Bertram James Lavell Jr filed 11/30/2001, a Marital Settlement Agreement stating that Bertram James Lavell Jr is to pay child support in the amount of \$2,820.00 per month, and a Statement of Amount Due and Owing document stating that no payments were received and that the total amount due at the time of the sale was \$586,560.00. By recording date, this claim is senior to the claim by Sanger Fence Company and by statute this claim by a lienholder of record is higher priority to the claims by Global Discoveries and Found Extra Money on behalf of titleholders of record. Due to this claim being against Bertram James Lavell Jr and Bertram James Lavell Jr only being entitled to 50% of the excess proceeds, the AC/TTC recommends that only 50% (or \$161,330.40) of the excess proceeds from this property be distributed to Global Discoveries Ltd., on behalf of Dawn M Moore.

2) **Sanger Fence Company** submitted a claim for \$122,742.79 as lienholder, and included the following documents:

- A copy of a Notice and Claim of Lien, recorded in Fresno County on 9/10/2010, document number 2010-0117725
- A copy of a Default Judgment by Court issued by Fresno County Superior Court, filed on 2/24/2011, case number 10CECG03512-MBS
- A ledger detailing the initial judgment amount, interest rate, beginning date of the loan, and ending balance of the loan
- A copy of Samuel Z Renteria's California driver's license



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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

The claim, signed by Sam Renteria of Sanger Fence Company, is based on a Mechanic's Lien recorded on 9/10/2010 in the amount of \$65,650.00 and naming Bertram James Lavell and Dawn M Lavell aka Tippy Baty-Lavell as owing, a Judgment filed 2/24/2011 against Bertram James Lavell Jr and Dawn M Lavell aka Tippy Baty-Lavell, and an itemized statement which includes 10% interest, calculated at the legal rate totaling \$122,742.79. By recording date, this claim is junior to the previous claim by Global Discoveries and by statute this claim is higher priority to the following claims by Global Discoveries and Found Extra Money. Due to this claim being against both Bertram James Lavell Jr and Dawn M Lavell, the AC/TTC recommends that \$122,742.79 of the excess proceeds from this property be distributed to Sanger Fence Company.

3) **Global Discoveries on behalf of Dawn Moore** submitted a claim for 50% (or \$161,330.40) as titleholder, and included the following documents:

- A claim summary
- A certified copy of a Marriage Certificate for the marriage of Phillip Eugene Moore and Dawn Margaret Baty, dated 10/24/2004
- A copy of a Grant Deed, recorded in Fresno County on 4/16/2010, document number 2010-0048951
- An Affidavit for Dawn Margaret Moore, dated 7/26/2018, declaring that she is over 18, a resident of Auberry, CA, that she is the same person who is noted on the Grant Deed recorded on 4/16/2010 with the document number 2010-0048951, that she is the same person as Dawn Margaret Lavell, Dawn M Lavell, Dawn Lavell, Dawn M Moore and Dawn Moore, that she assigned excess proceeds to Global Discoveries Ltd for Fresno County Assessor's Parcel Number 128-770-13
- A California Assignment of Right to Collect Excess Proceeds signed by Dawn M Moore, dated 7/26/2018
- A copy of Dawn Margaret Lavell's California driver's license
- A copy of Jed Byerly's California driver's license
- A copy of Jed Byerly's business card

The claim, signed by Jed Byerly of Global Discoveries, under assignment from Dawn Moore, is based on a Grant Deed recorded on 4/16/2010 in which Bertram James Lavell, Jr and Dawn M Lavell are named grantees, a Marriage Certificate for the marriage of Phillip Moore to Dawn M Baty, and a California Identification Card verifying Dawn M Moore is one and the same as Dawn M Lavell. By statute this claim by a titleholder of record is lower priority to the previous claims by Global Discoveries and Sanger Fence

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

Company as lienholders of record, which means that after granting those claims as recommended, there are insufficient excess proceeds available to pay this claim in its entirety, the AC/TTC recommends that the balance of \$38,587.61 of the excess proceeds from this property be distributed to Global Discoveries, Ltd., on behalf of Dawn Moore.

- 4) **Found Extra Money on behalf of Bertram James Lavell Jr** submitted a claim for \$322,660.80 as titleholder, and included the following documents:
- A copy of a Grant Deed, recorded in Fresno County on 4/16/2010, document number 2010-0048951
  - An Assignment of Rights to Claim Excess Proceeds document signed by Bertram James Lavell Jr, dated 4/4/2019
  - A Limited Power of Attorney document appointing Found Extra Money, LLC signed by Bertram James Lavell Jr, dated 4/4/2019
  - A Declaration of One and the Same Person document signed by Bertram James Lavell Jr, dated 4/4/2019
  - A Certificate of Assignment Disclosure document signed by Richard Murkey Jr, Manager/Owner of Found Extra Money, LLC, dated 4/10/2019
  - A copy of Bertram James Lavell Jr's California driver's license
  - A copy of Bertram James Lavell Jr's Social Security Card
  - A copy of Richard Frank Murkey Jr's Nevada driver's license
  - Corporate documents for Found Extra Money, LLC

The claim, signed by Richard F Murkey Jr of Found Extra Money, under assignment from Bertram James Lavell Jr, is based on a Limited Power of Attorney agreement appointing Found Extra Money LLC, and a Grant Deed recorded on 4/16/2010 in which Bertram Lavell Jr and Dawn M Lavell are named grantees. By statute this claim by a titleholder of record is lower priority to the previous claims by Global Discoveries and Sanger Fence Company as lienholders of record, which means that after granting those claims as recommended, there are insufficient excess proceeds available to pay this claim. The AC/TTC recommends denying the claim due to insufficient excess proceeds available for distribution.

#### 15. Tax Sale Item #416, APN 128-770-52.

The property sold for \$55,300.00 and resulted in excess proceeds of \$48,422.60. According to the property tax system, at the time of the tax sale, the property was assessed to: Leonard V Wheeler. The AC/TTC received two claims for the excess proceeds.

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

1) **Global Discoveries on behalf of Samantha Rachelle Wheeler** submitted a claim for 50% (or \$24,211.30) of the excess proceeds as titleholder, and included the following documents:

- A claim summary
- An explanation of events
- A certified copy of Samantha Rachelle Wheeler's Birth Certificate with a date of birth of 7/15/1987
- A copy of a Grant Deed, recorded in Fresno County on 9/24/1998, document number 98137312
- A certified copy of Leonard Vern Wheeler's Death Certificate with a date of death of 6/24/2008
- An Affidavit for Collection of Personal Property under California Probate Code 13100, dated 4/24/2018
- An Affidavit signed by Samantha Rachelle Wheeler, dated 4/24/2018, declaring that she is over 18, a resident of Fresno, CA, that Leonard V Wheeler is the same person is listed on the Grant Deed recorded on 9/24/1998 with the document number 98137312, that Leonard V Wheeler is the same person who is listed on the Death Certificate for Leonard Vern Wheeler, that she and her sister Jodi L Wheeler are Leonard V Wheeler's only biological issues, that she never resided at 31282 Rock Hill Ln Auberry CA 93602, that she never reported at PO Box 621 Auberry CA 93602, that she assigned excess proceeds to Global Discoveries Ltd for Fresno County Assessor's Parcel Number 128-770-52
- A California Assignment of Right to Collect Excess Proceeds document signed by Samantha Rachelle Wheeler, dated 4/24/2018
- A copy of Samantha Rachelle Wheeler's California driver's license
- A copy of Jed Byerley's California driver's license
- A copy of Jed Byerly's business card

The claim, signed by Jed Byerly of Global Discoveries, under assignment from Samantha Rachelle Wheeler, is based on a Grant Deed recorded on 9/24/1998 in which Leonard Wheeler is named grantee, a Death Certificate for Leonard Wheeler dated 6/24/2008, an Affidavit for Collection of Personal Property of the decedent Leonard Wheeler under Probate Code section 13100 et seq., signed by Samantha Rachelle Wheeler and naming both Samantha Wheeler and Jodi Wheeler as the only successors of the decedent, and a Birth Certificate of Samantha Wheeler identifying her father as Leonard Wheeler. Although the following claimant submitted a separate Affidavit for Collection of

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

Personal Property, because of the similarity of the two affidavits and the fact that they name each other as successors, the AC/TTC is treating them as counterparts of the same declaration. The AC/TTC recommends that 50% (or \$24,211.30) of the excess proceeds from this property be distributed to Global Discoveries, Ltd., on behalf of Samantha Rachelle Wheeler.

2) **Global Discoveries on behalf of Jodi Lynne Valenzuela** submitted a claim for 50% (or \$24,211.30) of the excess proceeds as titleholder, and included the following documents:

- A claim summary
- An explanation of events
- A certified copy of Jodi Lynne Wheeler's Birth Certificate with a date of birth of 6/3/1985
- A copy of a Grant Deed, recorded in Fresno County on 9/24/1998, document number 98137312
- A certified copy of Leonard Vern Wheeler's Death Certificate with a date of death of 6/24/2008
- A certified copy of a Marriage Certificate for the marriage of Steven Edward Valenzuela and Jodi Lynne Wheeler, dated 11/21/2012
- An Affidavit for Collection of Personal Property under California Probate Code 13100, dated 2/26/2019
- An Affidavit signed by Jodi Lynne Valenzuela, dated 2/26/2019, declaring that she is over 18, a resident of North Fork, CA, that Leonard V Wheeler is the same person is listed on the Grant Deed recorded on 9/24/1998 with the document number 98137312, that Leonard V Wheeler is the same person who is listed on the Death Certificate for Leonard Vern Wheeler, that she and her sister Samantha Rachelle Wheeler are Leonard V Wheeler's only biological issues, that she never resided at 31282 Rock Hill Ln Auberry CA 93602, that she never reported at PO Box 621 Auberry CA 93602, that she assigned excess proceeds to Global Discoveries Ltd for Fresno County Assessor's Parcel Number 128-770-52
- A California Assignment of Right to Collect Excess Proceeds document signed by Jodi Lynne Wheeler, dated 2/26/2019
- A copy of Jodi Lynne Valenzuela's California driver's license
- A copy of Jed Byerley's California driver's license
- A copy of Jed Byerly's business card

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

The claim, signed by Jed Byerly of Global Discoveries, under assignment from Jodi Lynne Valenzuela, is based on a Grant Deed recorded on 9/24/1998 in which Leonard Wheeler is named grantee, a Death Certificate for Leonard Wheeler dated 6/24/2008, an Affidavit for Collection of Personal Property of the decedent Leonard Wheeler under Probate Code section 13100 et seq., signed by Jodi Valenzuela and naming both Samantha Wheeler and Jodi Valenzuela as the only successors of the decedent, a Birth Certificate of Jodi Wheeler identifying her father as Leonard Wheeler, and a Marriage Certificate for the marriage of Jodi Wheeler to Steven Valenzuela. Although the previous claimant submitted a separate Affidavit for Collection of Personal Property, because of the similarity of the two affidavits and the fact that they name each other as successors, the AC/TTC is treating them as counterparts of the same declaration. The AC/TTC recommends that 50% (or \$24,211.30) of the excess proceeds from this property be distributed to Global Discoveries, Ltd., on behalf of Jodi Lynne Valenzuela.

#### 16. Tax Sale Item #425, APN 308-021-73-01 (Portion of APN 308-021-73).

The property sold for \$12,100.00 and resulted in excess proceeds of \$9,800.16. According to the property tax system, at the time of the tax sale, the property was assessed to: Josef Tezak and Lisa Lepper Trustee Etal. The AC/TTC received two claims for the excess proceeds.

1) **Asset Recovery Inc. of behalf of Josef Tezak** submitted a claim for \$9,800.16 as titleholder, and included the following documents:

- A copy of a Tax Deed to Purchaser of Tax-Defaulted Property, recorded 4/28/2011, document number 2011-0058180
- An Assignment of Right to Collect Excess Proceeds signed by Josef Tezak, dated 4/10/2019
- A copy of Josef Tezak's California driver's license
- A copy of John Earl Fox's United States of America Passport

The claim, signed by John Fox of Asset Recovery, under assignment from Josef Tezak, is based on a Tax Deed to Purchaser of Tax-Defaulted Property recorded 4/28/2011 naming Josef Tezak as grantee of an undivided 12.5% interest. Due to the claim being received on 4/26/2019 which is after the 4/25/2019 deadline, the AC/TTC recommends denying the claim due to untimeliness.

2) **Calvin Franklin Fouche** submitted a claim for 25% (or \$2,450.04) as titleholder, and included the following documents:

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- A copy of a Grant Deed, recorded in Fresno County on 2/26/1976, document number 15743
- A copy of a Quitclaim Deed, recorded in Fresno County on 2/26/1976, document number 15744
- A copy of a Grant Deed, recorded in Fresno County on 2/26/1976, document number 15745
- A copy of a Grant Deed, recorded in Fresno County on 3/27/1981, document number 27951
- A copy of a Grant Deed, recorded in Fresno County on 4/3/1990, document number 90037666
- A Fresno County secured property tax bill for parcel 308-021-73, fiscal year 1995-96
- A Fresno County secured property tax bill for parcel 308-021-73, fiscal year 2018-19
- A copy of Calvin Franklin Fouche's California driver's license

The claim, signed by Calvin Franklin Fouche, is based on a Grant Deed dated 3/27/1981 naming Calvin Fouche as grantee of an undivided 25% interest and a secured property tax bill for the undivided 25% interest of the property in question. Because the owners of the property applied to have the property in question separately valued as provided by Revenue & Taxation Code 2821, and only the undivided 12.5% interest that was assessed to Josef Tezak was sold and not the undivided 25% interest assessed to Calvin Fouche, the AC/TTC recommends denying the claim due to insufficient evidence.

Two claims for excess proceeds were submitted. Upon approval of those claims as recommended, the remaining balance of \$9,800.16 will be distributed to the County pursuant to Revenue and Taxation Code section 4674

#### 17. Tax Sale Item #432, APN 316-090-42.

The property sold for \$82,700.00 and resulted in excess proceeds of \$76,407.55. According to the property tax system, at the time of the tax sale, the property was assessed to: Robert B Lewis and Gail E Barnes. The AC/TTC received three claims for the excess proceeds.

1) **Naomi Greenwood** submitted a claim for \$43,639.28 as lienholder as a judgment creditor, and included the following documents:

- A claim summary

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- A copy of an Interspousal Transfer Deed, recorded in Fresno County on 12/8/2008, document number 2008-0167951
- A copy of a Stipulated Judgment and Order, filed in Fresno County Superior Court on 11/23/2010, case number 10-01164-A
- A copy of an Abstract of Judgment issued by Fresno County Superior Court, case number 10-01164-A, recorded in Fresno County on 3/22/2011
- A ledger detailing the initial judgment amount, interest, and ending balance
- A copy of a marriage certificate for the marriage of Roy Greenwood and Naomi Mendez
- A copy of Naomi Cecilia Greenwood's California driver's license

The claim, signed by Naomi Greenwood, is based on an Abstract of Judgment recorded 3/22/2011 in the amount of \$26,195.61 naming Robert Lewis as judgment debtor and Naomi Corcoran AKA Naomi Mendez as judgment creditor, a Stipulated Judgment and Order filed 11/23/2010, and an itemized statement which includes 6.5% interest, calculated at the legal rate totaling \$43,639.28. The AC/TTC sent a letter to the claimant on 12/7/2020 requesting a document verifying the name change from Naomi Corcoran AKA Naomi Mendez to Naomi Greenwood. A Marriage Certificate for the marriage of Roy Greenwood and Naomi Mendez, showing a new name of "Naomi Cecelia Greenwood," was delivered on 12/16/2020. By statute this claim is a higher priority than the following claims. The AC/TTC recommends that \$43,639.28 of the excess proceeds from this property be distributed to Naomi Greenwood.

2) **Robert B Dillon** submitted a claim for 50% (or \$38,203.78) of the excess proceeds as titleholder and an additional \$1,500.00 as lienholder, and included the following documents:

- A claim summary
- A copy of an Interspousal Transfer Deed, recorded in Fresno County on 12/8/2008, document number 2008-0167951
- A copy of a Family Law Court Trial Minutes document, dated 4/3/2008, Fresno County Superior Court, case number 0328051
- A copy of a Decree Changing Name document, filed in Mariposa County Superior Court on 4/9/2012, case number 10122
- A copy of Robert Bernard Dillon's Arizona driver's license

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

The total amount of this claim is \$39,703.78. The claim, signed by Robert Bernard Dillon, is based on an Interspousal Transfer Deed recorded on 12/8/2008 naming Robert Lewis and Gail Barnes as tenants in common, a Family Law Court Trial Minutes document stating that the claimant shall be reimbursed 50% of the costs that were used to survey the property in question and a Decree Changing Name filed 4/9/2012 ordering the name of Robert Bernard Lewis be changed to Robert Bernard Dillon. A letter was sent to the claimant dated 5/26/2020 requesting the invoice verifying the amount paid for the survey, but there was no response. Due to the insufficient evidence for the claim as a lienholder, the claimants claim for the additional \$1,500.00 has been denied. By statute this claim is lower in priority to the claim by Naomi Corcoran and equal in priority to the claim by Mimi Lewis. Because there are insufficient excess proceeds available to pay this claim in its entirety, the AC/TTC recommends that 50% of the balance (or \$16,384.13) of the excess proceeds from this property be distributed to Robert B Dillon.

- 3) **Mimi Lewis** submitted a claim for \$76,407.55 as titleholder, and included the following documents:
- A Probate Code section 13100 Affidavit for Collection of Personal Property
  - An uncertified copy of Mimi Louise Lewis' Birth Certificate with a date of birth of 7/1/1983
  - An incomplete copy of a Grant Deed, recorded in Fresno County on 8/8/2006, document number 2006-0164065 (but relating to a different property, identified by APN 316-090-43)
  - A copy of an Interspousal Transfer Deed, recorded in Fresno County on 12/8/2008, document number 2008-0167951
  - An uncertified copy of Gail Elaine Barnes Death Certificate with a date of death of 2/20/2012
  - A copy of an Affidavit for Collection of Personal Property under California Probate Code 13100, dated 4/8/2019
  - A copy of Mimi Louise Lewis' California driver's license

The claim, signed by Mimi Lewis, is based on an incomplete Grant Deed for parcel 316-090-43 recorded on 8/8/2006 naming Terrence Barnes and Gail Barnes as joint tenants, a Death Certificate for Gail Barnes dated 2/20/2012, a Birth Certificate of Mimi Lewis identifying her mother as Gail Barnes, and a Probate Code section 13100 affidavit signed by Mimi Lewis. By statute this claim is lower in priority to the claim by Naomi Corcoran and equal in priority to the claim by Robert Dillon. Although the claimant did submit a Grant Deed showing Gail Barnes as grantee, the Grant Deed did not relate to the



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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

property in question. The AC/TTC sent a letter to the claimant on 1/6/2021 requesting a Deed for the property in question. An Interspousal Transfer Deed recorded on 12/8/2008 naming Robert B Lewis and Gail E Barnes as tenants in common was submitted to our office on 1/14/2021. Because there are insufficient excess proceeds available to pay this claim in its entirety, the AC/TTC recommends that 50% of the balance (or \$16,384.14) of the excess proceeds from this property be distributed to Mimi Lewis.

#### 18. Tax Sale Item #445, APN 358-433-26.

The property sold for \$210,100.00 and resulted in excess proceeds of \$182,429.61. According to the property tax system, at the time of the tax sale, the property was assessed to: Ramon O Flores Jr and Maria Del Rosario. The AC/TTC received three claims for the excess proceeds.

1) **Builders Concrete** submitted a claim for \$2,312.19 as lienholder as a judgment creditor, and included the following documents:

- A copy of a Mechanics Lien, recorded in Fresno County on 6/16/2014, document number 2014-0066754
- A copy of an Abstract of Judgment issued by Fresno County Superior Court, case number 15CESC00096, recorded in Fresno County on 7/2/2015
- A property profile document showing Ramon Flores as the primary owner of parcel 474-141-04
- A copy of Rodney Natividad Gonzales' California driver's license
- A copy of Rodney Natividad Gonzales' business card

The claim, signed by Rodney Gonzales of Builders Concrete Inc., is based on a Mechanics Lien recorded 6/16/2014 and an Abstract of Judgment recorded 7/2/2015 in the amount of \$2,312.19 naming Ramon Flores as judgment debtor and Builders Concrete Inc. as judgment creditor. Our office performed a LexisNexis Accurint "people finder" search to verify whether the Ramon Flores listed in the Abstract of Judgment was the same person as the Ramon O Flores Jr who is listed as the last assessee. The report from that search showed that the Ramon Flores that is listed on the Abstract of Judgment, also known as Ramon C Flores, is not the same Ramon O Flores Jr that was the last assessee of the property in question. For that reason, the AC/TTC recommends denying the claim due to insufficient evidence.

2) **Global Discoveries on behalf of Maria Del Rosario Delgado** submitted a claim for 50% (or \$91,214.80) as titleholder, and included the following documents:

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- A claim summary
- A copy of a Grant Deed, recorded in Fresno County on 8/30/2007, document number 2007-0163834
- A copy of a Dissolution Judgment filed in Fresno County Superior Court, dated 9/21/2010, case number 10CEFL02648
- A California Assignment of Right to Collect Excess Proceeds signed by Maria Del Rosario Delgado, dated 4/20/2018
- An Affidavit signed by Maria Del Rosario Delgado, dated 4/20/2018, declaring that she is over 18, a resident of Parlier, CA, that she is the same person who is listed on the Grant Deed recorded on 8/30/2007 with the document number 2007-0163834, that she never resided at 2369 Stephanie Ln Selma CA 93662 since her divorce, that she assigned excess proceeds to Global Discoveries Ltd for Fresno County Assessor's Parcel Number 358-433-26
- A copy of Maria Del Rosario Delgado's California driver's license
- A copy of Jed Byerley's California driver's license
- A copy of Jed Byerly's business card

The claim, signed by Jed Byerly of Global Discoveries, under assignment from Maria Del Rosario Delgado is based on a Grant Deed recorded on 8/30/2007 naming Ramon O Flores Jr and Maria Del Rosario Flores as joint tenants, a Dissolution of Marriage judgment for Maria Del Rosario Flores and Ramon Flores filed 9/21/2010, a Marital Settlement Agreement stating that if Ramon Flores paid Maria Del Rosario Flores \$80,000.00 he would be granted the property, but if he did not fulfill the payment the property would be sold and the equity would be split equally, and the claimant's statement in the claim that the payment was never made by Ramon Flores. By statute this claim by a titleholder of record is lower priority to the claim submitted by Builders Concrete as a lienholder of record and equal in priority to the claim submitted by Ramon O Flores Jr. After denying the claim submitted by Builders Concrete as recommended, the AC/TTC recommends that 50% (or \$91,214.81) of the excess proceeds be distributed to Global Discoveries Ltd., on behalf of Maria Del Rosario Delgado.

3) **Ramon O Flores Jr** submitted a claim for \$182,429.61 as titleholder, and included the following documents:

- A copy of a Grant Deed, recorded in Fresno County on 8/30/2007, document number 2007-0163834
- A Fresno County delinquent secured property tax notice for parcel 358-433-26, fiscal year 2012-13

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- A Fresno County delinquent secured property tax statement for parcel 358-433-26
- A copy of Ramon O Flores Jr's California driver's license

The claim, signed by Ramon O Flores Jr, is based on a Grant Deed recorded on 8/30/2007 in which Ramon O Flores Jr and Maria Del Rosario Flores are named as joint tenants and a PGE bill verifying that the claimant lived at the property in question. Based on the Marital Settlement Agreement and the statement made in the competing claimant submitted by Global Discoveries that the payment was never received by Ramon Flores, Ramon O Flores Jr is only entitled to 50% of the excess proceeds. By statute this claim by a titleholder of record is lower priority to the claim submitted by Builders Concrete as a lienholder of record and equal in priority to the claim submitted by Global Discoveries. After denying the claim submitted by Builders Concrete as recommended, the AC/TTC recommends that 50% (or \$91,214.80) of the remaining excess proceeds be distributed to Ramon O Flores Jr.

#### 19. Tax Sale Item #448, APN 375-092-22.

The property sold for \$65,600.00 and resulted in excess proceeds of \$54,199.17. According to the property tax system, at the time of the tax sale, the property was assessed to: Ninfa Y Rodriguez. The AC/TTC received three claims for the excess proceeds.

1) **United States of America – Department of Agriculture** submitted a claim for \$67,147.88 as lienholder, and included the following documents:

- A copy of a Real Estate Deed of Trust for California with Assignment of Rents, recorded 12/20/1983, document number 83118820
- A copy of a Promissory Note dated 12/20/1983, case number 04-10-570043292
- A copy of a Subsidy Repayment Agreement dated 12/16/1983
- A copy of a Recapture Receivable Payoff Statement

The claim, signed by Tamara D Binning of the United States Department of Agriculture, is based on a Deed of Trust recorded on 12/20/1983 in the amount of \$45,800.00 naming United States of America as the lender and Frank Rodriguez and Ninfa Y Rodriguez as Borrower, a Promissory Note, a Subsidy Repayment Agreement, and a Recapture Receivable Payoff Statement providing the total amount due being \$67,147.88. By recording date, this claim is senior to the claim by State Farm Mutual Insurance and by statute this claim by a lienholder of record is higher priority than the

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

claim by Asset Recovery Inc. as a titleholder of record. The AC/TTC recommends that all \$54,199.17 of the excess proceeds from this property be distributed to United States of America – Department of Agriculture.

2) **State Farm Mutual Insurance** submitted a claim for \$265,752.04 as lienholder as a judgment creditor, and included the following documents:

- A copy of an Abstract of Judgment issued by Fresno County Superior Court, case number 96-177010, recorded in Fresno County on 5/2/2016
- A ledger detailing the initial judgment amount, total payments made, costs, interests, and ending balance
- A copy of Steven Jeffrey Horn's California driver's license

The claim, signed by Steven J Horn as Attorney for State Farm Mutual Insurance, is based on an Abstract of Judgment recorded 5/2/2016 in the amount of \$212,508.74 naming Ninfa Y Rodriguez as judgment debtor and State Farm Mutual Automobile Insurance Company as judgment creditor and an itemized statement with which includes costs and interest, calculated at the legal rate totaling \$265,877.67. By recording date this claim is junior to the claim by United States of America – Department of Agriculture, which means that after granting that claim as recommended, there are insufficient excess proceeds available to pay the claimant. The AC/TTC recommends denying the claim due to insufficient excess proceeds available for distribution.

3) **Asset Recovery Inc. on behalf of Ninfa Y Rodriguez** submitted a claim for \$54,199.17 as titleholder, and included the following documents:

- A copy of a Grant Deed, recorded in Fresno County on 10/19/2012, document number 2012-0151274
- An Assignment of Right to Collect Excess Proceeds signed by Ninfa Y Rodriguez, dated 3/29/2019
- A copy of Ninfa Y Rodriguez's California driver's license
- A copy of John Earl Fox's United States of America Passport

The claim, signed by John Fox of Asset Recovery, under assignment from Ninfa Y Rodriguez, is based on a Grant Deed recorded on 10/19/2012 in which Ninfa Y Rodriguez is named grantee. By statute this claim by a titleholder of record is lower priority to the claim by United States of America – Department of Agriculture as a lienholder of record,

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

which means that after granting that claim as recommended, there are insufficient excess proceeds available to pay the claimant. The AC/TTC recommends denying the claim due to insufficient excess proceeds available for distribution

#### 20. Tax Sale Item #469, APN 455-194-20.

The property sold for \$130,900.00 and resulted in excess proceeds of \$119,675.52. According to the property tax system, at the time of the tax sale, the property was assessed to: Mary V McKown. The AC/TTC received five claims for the excess proceeds.

1) **Global Discoveries on behalf of Bernice Sanders** submitted a claim for 20% (or \$23,935.10) as titleholder, and included the following documents:

- A claim summary
- An explanation of events
- A certified copy of Bernice Maxine Chabrouillaud's Birth Certificate with a date of birth of 8/7/1940
- A certified copy of a Marriage Certificate for the marriage of David Allen Shropshire and Bernice Maxine Chaberouillaud, dated 2/3/1958
- A copy of a Joint Tenancy Grant Deed, recorded in Fresno County on 12/2/1963, document number 94395
- A certified copy of a Marriage Certificate for the marriage of Dub Watkins and Bernice M Shropshire, dated 11/4/1972
- An uncertified copy of William Arthur Mckown's Death Certificate with a date of death of 12/10/1985
- A copy of an Affidavit Death of Joint Tenant, recorded in Fresno County on 2/26/1986, document number 86021056
- A certified copy of a Marriage Certificate for the marriage of Charles Sanders and Bernice Maxine Watkins, dated 8/7/1999
- A certified copy of Mary Virginia Mckown's Death Certificate with a date of death of 9/14/1999
- A certified copy of Helen Blanche Bunch's Death Certificate with a date of death of 8/16/2003
- A certified copy of Arthur Joseph Mckown's Death Certificate with a date of death of 1/19/2012
- A certified copy of William Mckown's Death Certificate with a date of death of 4/4/2015
- A California Assignment of Right to Collect Excess Proceeds document signed by Bernice Sanders, dated 4/26/2018

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- An Affidavit for Collection of Personal Property under California Probate Code 13100-13106, dated 5/2/2018
- An Affidavit signed by Bernice Sanders, dated 6/27/2018, declaring that she is over 18, a resident of Madera, CA, that William A Mckown and Mary V Mckown were the same people who were listed on the Joint Tenancy Grant Deed recorded on 12/2/1963 with the document number 94395, that William A Mckown is the same person as William Arthur Mckown who is listed on the Affidavit Death of Joint Tenant recorded on 2/26/1986 with the document number 86021056, that Mary V Mckown is the same person as Mary Virginia Mckown who is listed on her Death Certificate with a date of death of 9/14/1999, that she is a surviving sibling to Mary V Mckown, that Mary V Mckown died a widow and had two biological children who have both passed away with no Will, Estate or heirs, that she, Edward E Chabrouillaud, Dorothy E Scholz, Ervin L Chabrouillaud, Ethel J Wilson and Helen B Bunch are the siblings of Mary V Mckown, that Helen B Bunch has passed away with no Will, Estate or heirs, that she is the same person as Bernice Maxine Chabrouillaud listed on her Birth Certificate, that she is the same person as Bernice M Shropshire listed on her Marriage Certificate, that she is the same person as Bernice Maxine Watkins listed on her Marriage Certificate that she is the same person as Bernice Maxine Sanders listed on her Marriage Certificate and driver's license, that she cannot provide any supporting documents for the address 5086 E Floradora Fresno CA 93727, that she assigned excess proceeds to Global Discoveries Ltd for Fresno County Assessor's Parcel Number 455-194-20
- A copy of Bernice Maxine Sander's California driver's license
- A copy of Jed William Byerly's California driver's license
- A copy of Jed Byerly's business card

The claim, signed by Jed Byerly of Global Discoveries, under assignment from Bernice Sanders, is based on a Grant Deed recorded on 12/2/1963 naming William Mckown and Mary Mckown as joint tenants, an affidavit under Probate Code section 13101, a Death Certificate for William Mckown dated 12/10/1985, a Death Certificate for Mary Mckown dated 9/14/1999, an Affidavit stating that Mary Mckown was survived by two children (both of which have passed away) and six siblings (one of which has passed away), a Death Certificate for Arthur Mckown (a child of William and Mary Mckown) dated 1/19/2012, a Death Certificate for William Mckown (a child of William and Mary Mckown) dated 4/4/2015, a Death Certificate for Helen Bunch (a sibling of Mary Mckown) dated 8/16/2003, a Birth Certificate showing that Bernice Chabrouillaud is the

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

sister of Mary Mckown, and three Marriage Certificates verifying that Bernice Chabrouillaud is one and the same as Bernice Sanders. The claimant is equal in priority to the following claims by Global Discoveries. The AC/TTC recommends that 20% (or \$23,935.10) of the excess proceeds from this property be distributed to Global Discoveries Ltd., on behalf of Bernice Sanders.

2) **Global Discoveries on behalf of Ethel Jean Wilson** submitted a claim for 20% (or \$23,935.10) as titleholder, and included the following documents:

- A claim summary
- An explanation of events
- A certified copy of Ethel Jean Chabrouillaud's Birth Certificate with a date of birth of 10/2/1938
- A certified copy of a Marriage Certificate for the marriage of Merlin E Wilson and Jean Chaberouillaud, dated 7/25/1956
- A copy of a Joint Tenancy Grant Deed, recorded in Fresno County on 12/2/1963, document number 94395
- A uncertified copy of William Arthur Mckown's Death Certificate with a date of death of 12/10/1985
- A copy of an Affidavit Death of Joint Tenant, recorded in Fresno County on 2/26/1986, document number 86021056
- An uncertified copy of Mary Virginia Mckown's Death Certificate with a date of death of 9/14/1999
- An uncertified copy of Helen Blanche Bunch's Death Certificate with a date of death of 8/16/2003
- An uncertified copy of Arthur Joseph Mckown's Death Certificate with a date of death of 1/19/2012
- An uncertified copy of William Mckown's Death Certificate with a date of death of 4/4/2015
- A California Assignment of Right to Collect Excess Proceeds document signed by Ethel Jean Wilson, dated 4/25/2018
- A copy of an Affidavit for Collection of Personal Property under California Probate Code 13100-13106, dated 5/2/2018
- An Affidavit signed by Jean Wilson, dated 5/19/2018, declaring that she is over 18, a resident of Arroyo Grande, CA, that William A Mckown and Mary V Mckown were the same people who were listed on the Joint Tenancy Grant Deed recorded on 12/2/1963 with the document number 94395, that William A Mckown is the same person as William Arthur Mckown who is listed on the

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

Affidavit Death of Joint Tenant recorded on 2/26/1986 with the document number 86021056, that Mary V Mckown is the same person as Mary Virginia Mckown who is listed on her Death Certificate with a date of death of 9/14/1999, that she is a surviving sibling to Mary V Mckown, that Mary V Mckown died a widow and had two biological children who have both passed away with no Will, Estate or heirs, that she, Bernice Sanders, Edward E Chabrouillaud, Dorothy E Scholz, Ervin L Chabrouillaud, and Helen B Bunch are the siblings of Mary V Mckown, that Helen B Bunch has passed away with no Will, Estate or heirs, that she is the same person as Ethel Jean Chabrouillaud listed on her Birth Certificate, that she cannot provide any supporting documents for the address 5086 E Floradora Fresno CA 93727, that she assigned excess proceeds to Global Discoveries Ltd for Fresno County Assessor's Parcel Number 455-194-20

- A copy of Ethel Jean Wilson's United States of America Passport
- A copy of Jed William Byerly's California driver's license
- A copy of Jed Byerly's business card

The claim, signed by Jed Byerly of Global Discoveries, under assignment from Ethel Jean Wilson, is based on a Grant Deed recorded on 12/2/1963 naming William Mckown and Mary Mckown as joint tenants, an affidavit under Probate Code section 13101, a Death Certificate for William Mckown dated 12/10/1985, a Death Certificate for Mary Mckown dated 9/14/1999, an Affidavit stating that Mary Mckown was survived by two children (both of which have passed away) and six siblings (one of which has passed away), a Death Certificate for Arthur Mckown (a child of William and Mary Mckown) dated 1/19/2012, a Death Certificate for William Mckown (a child of William and Mary Mckown) dated 4/4/2015, a Death Certificate for Helen Bunch (a sibling of Mary Mckown) dated 8/16/2003, a Birth Certificate showing that Ethel Jean Chabrouillaud is the sister of Mary Mckown, and a Marriage Certificate for the 7/25/1956 wedding of Ethel Jean Chabrouillaud and Merlin Wilson. The claimant is equal in priority to the accompanying claims by Global Discoveries. The AC/TTC recommends that 20% (or \$23,935.10) of the excess proceeds from this property be distributed to Global Discoveries Ltd., on behalf of Ethel Jean Wilson.

3) **Global Discoveries on behalf of Edward Chabrouillaud** submitted a claim for 20% (or \$23,935.11) as titleholder, and included the following documents:

- A claim summary
- An explanation of events



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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- A certified copy of Edward Eugene Chabrouillaud's Birth Certificate with a date of birth of 1/14/1944
- A copy of a Joint Tenancy Grant Deed, recorded in Fresno County on 12/2/1963, document number 94395
- A uncertified copy of William Arthur Mckown's Death Certificate with a date of death of 12/10/1985
- A copy of an Affidavit Death of Joint Tenant, recorded in Fresno County on 2/26/1986, document number 86021056
- An uncertified copy of Mary Virginia Mckown's Death Certificate with a date of death of 9/14/1999
- An uncertified copy of Helen Blanche Bunch's Death Certificate with a date of death of 8/16/2003
- An uncertified copy of Arthur Joseph Mckown's Death Certificate with a date of death of 1/19/2012
- An uncertified copy of William Mckown's Death Certificate with a date of death of 4/4/2015
- A California Assignment of Right to Collect Excess Proceeds document signed by Edward Chabrouillaud, dated 5/2/2018
- A copy of an Affidavit for Collection of Personal Property under California Probate Code 13100-13106, dated 5/2/2018
- An Affidavit signed by Edward Chabrouillaud, dated 6/22/2018, declaring that he is over 18, a resident of Tulelake, CA, that William A Mckown and Mary V Mckown were the same people who were listed on the Joint Tenancy Grant Deed recorded on 12/2/1963 with the document number 94395, that William A Mckown is the same person as William Arthur Mckown who is listed on the Affidavit Death of Joint Tenant recorded on 2/26/1986 with the document number 86021056, that Mary V Mckown is the same person as Mary Virginia Mckown who is listed on her Death Certificate with a date of death of 9/14/1999, that he is a surviving sibling to Mary V Mckown, that Mary V Mckown died a widow and had two biological children who have both passed away with no Will, Estate or heirs, that he, Ethel J Wilson, Bernice Sanders, Dorothy E Scholz, Ervin L Chabrouillaud, and Helen B Bunch are the siblings of Mary V Mckown, that Helen B Bunch has passed away with no Will, Estate or heirs, that he is the same person as Edward Eugene Chabrouillaud listed on his Birth Certificate, that he cannot provide any supporting documents for the address 5086 E Floradora Fresno CA 93727, that he assigned excess proceeds to Global Discoveries Ltd for Fresno County Assessor's Parcel Number 455-194-20
- A copy of Edward Eugene Chabrouillaud's California driver's license

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- A copy of Jed William Byerly's California driver's license
- A copy of Jed Byerly's business card

The claim, signed by Jed Byerly of Global Discoveries, under assignment from Edward Chabrouillaud, is based on a Grant Deed recorded on 12/2/1963 naming William Mckown and Mary Mckown as joint tenants, an affidavit under Probate Code section 13101, a Death Certificate for William Mckown dated 12/10/1985, a Death Certificate for Mary Mckown dated 9/14/1999, an Affidavit stating that Mary Mckown was survived by two children (both of which have passed away) and six siblings (one of which has passed away), a Death Certificate for Arthur Mckown (a child of William and Mary Mckown) dated 1/19/2012, a Death Certificate for William Mckown (a child of William and Mary Mckown) dated 4/4/2015, a Death Certificate for Helen Bunch (a sibling of Mary Mckown) dated 8/16/2003, and a Birth Certificate showing that Edward Chabrouillaud is the brother of Mary Mckown. The claimant is equal in priority to the accompanying claims by Global Discoveries. The AC/TTC recommends that 20% (or \$23,935.11) of the excess proceeds from this property be distributed to Global Discoveries Ltd., on behalf of Edward Chabrouillaud.

4) **Global Discoveries on behalf of Ervin Chabrouillaud** submitted a claim for 20% (or \$23,935.11) as titleholder, and included the following documents:

- A claim summary
- An explanation of events
- A certified copy of Ervin Lloyd Chabrouillaud's Birth Certificate with a date of birth of 7/31/1948
- A copy of a Joint Tenancy Grant Deed, recorded in Fresno County on 12/2/1963, document number 94395
- An uncertified copy of William Arthur Mckown's Death Certificate with a date of death of 12/10/1985
- A copy of an Affidavit Death of Joint Tenant, recorded in Fresno County on 2/26/1986, document number 86021056
- An uncertified copy of Mary Virginia Mckown's Death Certificate with a date of death of 9/14/1999
- An uncertified copy of Helen Blanche Bunch's Death Certificate with a date of death of 8/16/2003
- An uncertified copy of Arthur Joseph Mckown's Death Certificate with a date of death of 1/19/2012

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

- An uncertified copy of William Mckown's Death Certificate with a date of death of 4/4/2015
- A California Assignment of Right to Collect Excess Proceeds document signed by Ervin Chabrouillaud, dated 6/27/2018
- A copy of an Affidavit for Collection of Personal Property under California Probate Code 13100-13106, dated 5/2/2018
- An Affidavit signed by Edward Chabrouillaud, dated 6/22/2018, declaring that he is over 18, a resident of Grover Beach, CA, that William A Mckown and Mary V Mckown were the same people who were listed on the Joint Tenancy Grant Deed recorded on 12/2/1963 with the document number 94395, that William A Mckown is the same person as William Arthur Mckown who is listed on the Affidavit Death of Joint Tenant recorded on 2/26/1986 with the document number 86021056, that Mary V Mckown is the same person as Mary Virginia Mckown who is listed on her Death Certificate with a date of death of 9/14/1999, that he is a surviving sibling to Mary V Mckown, that Mary V Mckown died a widow and had two biological children who have both passed away with no Will, Estate or heirs, that he, Edward E Chabrouillaud, Ethel J Wilson, Bernice Sanders, Dorothy E Scholz, and Helen B Bunch are the siblings of Mary V Mckown, that Helen B Bunch has passed away with no Will, Estate or heirs, that he is the same person as Ervin Lloyd Chabrouillaud listed on his Birth Certificate, that he cannot provide any supporting documents for the address 5086 E Floradora Fresno CA 93727, that he assigned excess proceeds to Global Discoveries Ltd for Fresno County Assessor's Parcel Number 455-194-20
- A copy of Ervin Lloyd Chabrouillaud's California driver's license
- A copy of Jed William Byerly's California driver's license
- A copy of Jed Byerly's business card

The claim, signed by Jed Byerly of Global Discoveries, under assignment from Ervin Chabrouillaud, is based on a Grant Deed recorded on 12/2/1963 naming William Mckown and Mary Mckown as joint tenants, an affidavit under Probate Code section 13101, a Death Certificate for William Mckown dated 12/10/1985, a Death Certificate for Mary Mckown dated 9/14/1999, an Affidavit stating that Mary Mckown was survived by two children (both of which have passed away) and six siblings (one of which has passed away), a Death Certificate for Arthur Mckown (a child of William and Mary Mckown) dated 1/19/2012, a Death Certificate for William Mckown (a child of William and Mary Mckown) dated 4/4/2015, a Death Certificate for Helen Bunch (a sibling of Mary Mckown) dated 8/16/2003, and a Birth Certificate showing that Ervin

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

Chabrouillaud is the brother of Mary Mckown. The claimant is equal in priority to the accompanying claims by Global Discoveries. The AC/TTC recommends that 20% (or \$23,935.11) of the excess proceeds from this property be distributed to Global Discoveries Ltd., on behalf of Ervin Chabrouillaud.

5) **Global Discoveries on behalf of Dorothy Scholz** submitted a claim for 20% (or \$23,935.10) as titleholder, and included the following documents:

- A claim summary
- An explanation of events
- A certified copy of Dorothy Evelyn Chabrouillaud's Birth Certificate with a date of birth of 11/30/1934
- A certified copy of a Marriage Certificate for the marriage of Richard Alick Masters and Dorothy Evelyn Chabrouillaud, dated 4/18/1958
- A certified copy of a Marriage Certificate for the marriage of Bobbie Wesley Scholz and Dorothy Evelyn Masters, dated 11/10/1959
- A copy of a Joint Tenancy Grant Deed, recorded in Fresno County on 12/2/1963, document number 94395
- An uncertified copy of William Arthur Mckown's Death Certificate with a date of death of 12/10/1985
- A copy of an Affidavit Death of Joint Tenant, recorded in Fresno County on 2/26/1986, document number 86021056
- An uncertified copy of Mary Virginia Mckown's Death Certificate with a date of death of 9/14/1999
- An uncertified copy of Helen Blanche Bunch's Death Certificate with a date of death of 8/16/2003
- An uncertified copy of Arthur Joseph Mckown's Death Certificate with a date of death of 1/19/2012
- An uncertified copy of William Mckown's Death Certificate with a date of death of 4/4/2015
- A California Assignment of Right to Collect Excess Proceeds document signed by Dorothy Scholz, dated 5/9/2018
- A copy of an Affidavit for Collection of Personal Property under California Probate Code 13100-13106, dated 5/2/2018
- An Affidavit signed by Dorothy Scholz, dated 7/2/2018, declaring that she is over 18, a resident of Arroyo Grande, CA, that William A Mckown and Mary V Mckown were the same people who were listed on the Joint Tenancy Grant Deed recorded on 12/2/1963 with the document number 94395, that William A

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### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

Mckown is the same person as William Arthur Mckown who is listed on the Affidavit Death of Joint Tenant recorded on 2/26/1986 with the document number 86021056, that Mary V Mckown is the same person as Mary Virginia Mckown who is listed on her Death Certificate with a date of death of 9/14/1999, that she is a surviving sibling to Mary V Mckown, that Mary V Mckown died a widow and had two biological children who have both passed away with no Will, Estate or heirs, that she, Ethel J Wilson, Bernice Sanders, Edward E Chabrouillaud, Ervin L Chabrouillaud, and Helen B Bunch are the siblings of Mary V Mckown, that Helen B Bunch has passed away with no Will, Estate or heirs, that she is the same person as Dorothy Evelyn Chabrouillaud listed on her Birth Certificate, that she is the same person as Dorothy Evelyn Masters listed on her Marriage Certificate, that she is the same person as Dorothy Evelyn Scholz listed on her driver's license, that she cannot provide any supporting documents for the address 5086 E Floradora Fresno CA 93727, that she assigned excess proceeds to Global Discoveries Ltd for Fresno County Assessor's Parcel Number 455-194-20

- A copy of Dorothy Evelyn Scholz's California driver's license
- A copy of Jed William Byerly's California driver's license
- A copy of Jed Byerly's business card

The claim, signed by Jed Byerly of Global Discoveries, under assignment from Dorothy Scholz, is based on a Grant Deed recorded on 12/2/1963 naming William Mckown and Mary Mckown as joint tenants, an affidavit under Probate Code section 13101, a Death Certificate for William Mckown dated 12/10/1985, a Death Certificate for Mary Mckown dated 9/14/1999, an Affidavit stating that Mary Mckown was survived by two children (both of which have passed away) and six siblings (one of which has passed away), a Death Certificate for Arthur Mckown (a child of William and Mary Mckown) dated 1/19/2012, a Death Certificate for William Mckown (a child of William and Mary Mckown) dated 4/4/2015, a Death Certificate for Helen Bunch (a sibling of Mary Mckown) dated 8/16/2003, a Birth Certificate showing that Dorothy Chabrouillaud is the sister of Mary Mckown, and two Marriage Certificates verifying that Dorothy Chabrouillaud is one in the same as Dorothy Scholz. The claimant is equal in priority to the accompanying claims by Global Discoveries. The AC/TTC recommends that 20% (or \$23,935.10) of the excess proceeds from this property be distributed to Global Discoveries Ltd., on behalf of Dorothy Scholz.

#### 21. Tax Sale Item #495, APN 480-154-17.

## Attachment A

### Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)

The property sold for \$7,100.00 and resulted in excess proceeds of \$4,145.76. According to the property tax system, at the time of the tax sale, the property was assessed to: Betty Lee. The AC/TTC received two claims for the excess proceeds.

1) **Fresno County Tax Collector** submitted a claim for \$3,637.86 as lienholder, and included the following documents:

- A copy of a Certificate of Delinquency of Personal Property Tax/Unsecured Property Tax, recorded in Fresno County on 2/23/2017, document number 2017-0024322
- A copy of an Account Inquiry detailing the total amount due under document number 2017-0024322
- A copy of a Certificate of Delinquency of Personal Property Tax/Unsecured Property Tax, recorded in Fresno County on 2/1/2018, document number 2018-0013993
- A copy of an Account Inquiry detailing the total amount due under document number 2018-013993
- A copy of Natalie Nino's County of Fresno employee ID badge

The claim, signed by Natalie Nino of Fresno County, is based on two Certificates of Delinquency of Personal Property Tax/Unsecured Property Tax Lien recorded on 2/23/2017 and 2/1/2018 totaling \$3,637.83 and naming Betty Lee as the lien date assessee. The claim by a lienholder of record is higher in priority to the following claim by Cochran Investment Company Inc. on behalf of a titleholder of record. The AC/TTC recommends that \$3,637.86 of the excess proceeds from this property be distributed to Fresno County Tax Collector.

2) **Cochran Investment Company Inc. on behalf of Thomas Lee POA for Betty Lee** submitted a claim for \$4,200.00 as titleholder, and included the following documents:

- A claim summary
- A copy of a Durable Power of Attorney document appointing Thomas Lee, dated 8/22/2013
- A copy of a Grant Deed, recorded in Fresno County on 8/26/2014, document number 2014-0094410
- A Unanimous Written Consent and Resolution of Board of Directors of Cochran Investment Company, Inc. document, dated 5/31/2018

## **Attachment A**

### **Supporting Documentation for Recommended Resolutions Approving 47 and Denying 21 Claims to Excess Proceeds Resulting from March 2018 Sale of Tax Defaulted Properties (Multiple-Claim Items Only)**

- A California Irrevocable Assignment of Rights to Claim Excess Proceeds from the Sale of Tax Defaulted Property document signed by Thomas Lee, dated 9/13/2018
- A Declaration of One and the Same Person document signed by Thomas Lee, dated 9/13/2018
- Corporate documents for Cochran Investment Company
- A copy of Thomas Lee's California driver's license
- A copy of Kelly Ann Mills' California driver's license
- A copy of Kelly Ann Mills' business Card

The claim, signed by Kelly A Mills of Cochran Investment Company, under assignment from Thomas Lee POA for Betty Lee, is based on a Durable Power of Attorney agreement appointing Tommy Lee as Power of Attorney for Betty Lee, and a Grant Deed recorded on 8/26/2014 naming Betty Lee as grantee. By statute this claim on behalf of a titleholder of record is lower in priority to the claim by Fresno County Tax Collector as a lienholder of record, which means that after granting that claim as recommended, there are insufficient excess proceeds available to pay the claimant in full. The AC/TTC recommends that the remaining \$507.90 of the remaining excess proceeds be distributed to Cochran Investment Company Inc.