

Resolution of the Board of Supervisors of the County of Fresno Deciding Claims and Ordering the Disposition of Excess Proceeds for 17 Single Claim Items and 11 No Claim Items from the County's 2019 Sale of Tax-Defaulted Property

WHEREAS, on March 8 through 11, 2019, under Revenue and Taxation Code, Division 1, Part 6, Chapter 7 (beginning with section 3691), the County sold 48 properties to satisfy the taxes, assessments, penalties, and costs then delinquent on those properties ("2019 Tax Sale"); and

WHEREAS, on April 24, 2019, the County Auditor-Controller/Treasurer-Tax Collector ("Tax Collector") recorded deeds to all purchasers of property at the 2019 Tax Sale; and

WHEREAS, the 2019 Tax Sale produced excess proceeds as follows: Four parcels had no excess proceeds, and 44 parcels produced the total amount of \$3,457,270.51 in excess proceeds; and

WHEREAS, under Revenue and Taxation Code section 4675, each party of interest may file with the County a claim for excess proceeds from the 2019 Tax Sale within one year after the recordation of the Tax Collector's deed to the purchaser; and

WHEREAS, within one year after the recordation of the Tax Collector's deeds to purchasers of property at the 2019 Tax Sale, the Tax Collector received 58 claims for excess proceeds from the 2019 Tax Sale, as follows: for 16 parcels, there were multiple claims (a total of 41 claims); for 17 parcels, there was only one claim (a total of 17 claims); and for 11 parcels, there were no claims; and

WHEREAS, in order to expedite the distribution of excess proceeds from the 2019 Tax Sale, the Tax Collector has presented to the Board of Supervisors ("Board") for decision the 11 items for which there were no claims and the 17 items for which there was only one claim for excess proceeds, and together those 28 items produced a total of \$1,248,698.29 in excess proceeds; and

WHEREAS, the other 41 claims received after the 2019 Tax Sale, from parcels with multiple claims, will be presented to the Board for decision at a later date; and

WHEREAS, each of the claims identified in exhibit A to this resolution contained sufficient information and proof to establish, to the satisfaction of the Board, as recommended by the Tax Collector, the claimant's right to excess proceeds from the 2019 Tax Sale, in the amounts identified in exhibit A to this resolution, for the total amount of \$643,595.05; and

1 WHEREAS, the four claims identified in exhibit B to this resolution did not contain sufficient
2 information and proof to establish, to the satisfaction of the Board, the claimant's right to any of the
3 excess proceeds from the 2019 Tax Sale; and

4 WHEREAS, after granting and denying claims as described above, and including the excess
5 proceeds from the 11 items for which there were no claims, \$605,103.24 in excess proceeds will
6 remain for distribution to the County as provided in Revenue and Taxation Code section 4674; and

7 WHEREAS, a description of the supporting documentation submitted with each claim for excess
8 proceeds, and a statement of the reason for the determination on each claim, is on file with the Clerk of
9 the Board, and the Board now acts in reliance upon that information; and

10 WHEREAS, on October 22, 2020, the Tax Collector mailed letters to all claimants for the 17
11 items from the 2019 Tax Sale to which this resolution relates, and for which claims were received, at
12 the addresses provided in their respective claims, providing notice of the date, time, and place of the
13 meeting of the Board at which their claims were to be determined, and including information about how
14 to obtain more information about the Tax Collector's recommendation to the Board; and

15 WHEREAS, all claimants wishing to address the Board on this matter received an opportunity to
16 do so during the meeting at which the Board adopted this resolution;

17 NOW, THEREFORE, THE BOARD FINDS, RESOLVES, AND ORDERS as follows:

18 1. All of the recitals above are true and correct.

19 2. The claims for excess proceeds from the 2019 Tax Sale that are identified in exhibit A
20 are granted. For each claim identified in exhibit A, the Tax Collector shall, after waiting the 90-day
21 period described in subdivision (g) of Revenue and Taxation Code section 4675, issue payment to the
22 claimant as listed in exhibit A in the amount stated in exhibit A.

23 3. The claims for excess proceeds from the 2019 Tax Sale that are identified in exhibit B
24 are denied.

25 4. The balance of excess proceeds not distributed from the 28 parcels from the 2019 Tax
26 Sale for which there was only one claim or no claims for excess proceeds, in the total amount of
27
28

1 \$605,103.24, shall be distributed to the County, as provided in Revenue and Taxation Code section
2 4674.

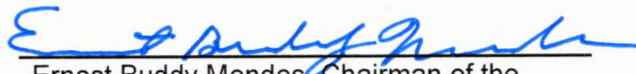
3 THE FOREGOING, was passed and adopted by the following vote of the Board of Supervisors
4 of the County of Fresno this 3rd day of November 2020, to wit:

5 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

6 NOES: None

7 ABSENT: None

8 ABSTAINED: None

9
10
11
12 
13 Ernest Buddy Mendes, Chairman of the
14 Board of Supervisors of the County of Fresno

15 **ATTEST:**
16 Bernice E. Seidel
17 Clerk of the Board of Supervisors
18 County of Fresno, State of California

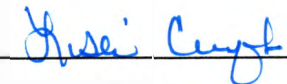
19 By: 
20 Deputy

Exhibit A
Claims Granted

Item Number: 9
APN: 128-021-01
Claimant: Global Discoveries, Ltd.,
on behalf of Cal S. Roberts and Mary J.
Roberts
Address: PO Box 2866,
Clovis CA 93613
Granted: \$46,421.23

Item Number: 98
APN: 461-194-10
Claimant: Sandra L. Clark Murphy
Address: 5263 W Griffith Way,
Fresno CA 93722
Granted: \$91,349.69

Item Number: 105
APN: 466-131-04
Claimant: Fernando Tafoya
Address: 1044 N Van Ness Ave,
Fresno CA 93728
Granted: \$78,424.75

Item Number: 123
APN: 329-162-03
Claimant: Phillip Sanders
Address: 1448 West American,
Fresno CA 93706
Granted: \$38,072.66

Item Number: 147
APN: 479-161-19
Claimant: John Warkentin
Address: 1221 Van Ness 2nd Floor,
Fresno CA 93721
Granted: \$2,736.14

Item Number: 168
APN: 165-030-41
Claimant: Jordana Lee White
Address: 41502 Chaparral Dr,
Temecula CA 92592
Granted: \$11,574.14

Item Number: 177
APN: 479-191-03
Claimant: City of Fresno – Department
of Public Utilities
Address: 2600 Fresno St Rm 1098,
Fresno CA 93721
Granted: \$42,311.41

Item Number: 180
APN: 460-044-02
Claimant: Willie Earl Attaway Jr.
Address: 5254 E Huntington Ave,
Fresno CA 93727
Granted: \$70,819.76

Item Number: 207
APN: 005-110-04
Claimant: Global Discoveries Ltd., on
behalf of Central Valley Resources LLC
Address: 1120 13th St Suite A,
Modesto CA 95354
Granted: \$48,919.67

Item Number: 226
APN: 116-050-08
Claimant: State of California - Franchise
Tax Board
Address: PO Box 2952,
Sacramento CA 95812
Granted: \$2,817.56

Item Number: 228
APN: 128-461-66
Claimant: Leeann Austin
Address: PO Box 284,
Auberry CA 93602-0284
Granted: \$131,048.71

Exhibit A
Claims Granted

Item Number: 240
APN: 190-254-02S
Claimant: State of California - Franchise
Tax Board
Address: PO Box 2952,
Sacramento CA 95812
Granted: \$4,869.69

Item Number: 314
APN: 471-267-18
Claimant: Antonio M. & Maria D. Farias
Address: 3310 E Hammond Ave,
Fresno CA 93703
Granted: \$74,229.64

Exhibit B
Claims Denied Due to Insufficient Evidence

Item Number: 167

APN: 090-050-12

Claimant: Robert Christensen

Item Number: 206

APN: 004-060-22

Claimant: County of Stanislaus – Child
Support

Item Number: 241

APN: 190-260-03

Claimant: Heirfinders Research Associates
on behalf of Benjamine Charles Bell Jr.

Item Number: 257

APN: 331-173-10

Claimant: Malaga County Water District