

**ROSS, WOLCOTT, TEINERT & PROUT LLP**  
**ATTORNEYS AT LAW**

TREVOR D. MARTIN  
[tmartin@rossllp.com](mailto:tmartin@rossllp.com)

June 25, 2025

**VIA EMAIL and FEDERAL EXPRESS**

Clerk of the Board of Supervisors  
Fresno County Board of Supervisors  
2281 Tulare Street, Room 301  
Fresno, CA 93721  
[ClerkBOS@FresnoCountyCA.gov](mailto:ClerkBOS@FresnoCountyCA.gov)

*Re: Petition to Rescind Tax Sale of 3718 E. Washington Avenue, Fresno, CA 93702  
Property Parcel No. 460-123-02  
Estate of Martin C. Lopez  
Fresno County Superior Court Case No. 24CEPR01946*

To the Honorable Members of the Fresno County Board of Supervisors:

This letter constitutes a formal petition to the Fresno County Board of Supervisors to rescind the tax sale of the property located at 3718 E. Washington Avenue, Fresno, CA 93702, APN 460-123-02. This firm represents Tina A. Lopez, daughter of Martin C. Lopez and owner of the property, through the above-referenced Fresno County Superior Court Case No. 24CEPR01946.

We believe the sale process contained irregularities and timing issues that must be addressed:

1. Ms. Lopez filed her Petition to Determine Succession to Real Property on December 5, 2024 requesting the property be determined to pass to her. A true and correct copy of the Petition is attached hereto as **Exhibit 1**.
2. On or about February 10, 2025, a representative from Unlatch (the company in escrow for the property) informed the County that the property was in probate, in escrow, and was informed that the tax sale would be stayed pending resolution of the Petition. A copy of the email dated February 10, 2025, is attached hereto as **Exhibit 2**.
3. On or about February 11, 2025, the Fresno County Tax Collector Division confirmed that the sale was postponed and that the "...parcel may be reoffered for sale...". (Emphasis added.) A copy of the email is attached hereto as **Exhibit 3**.
4. The original hearing date of the Petition was May 6, 2025; however, the

**3151 AIRWAY AVENUE, BUILDING E • COSTA MESA, CALIFORNIA 92626**

**TEL. (714) 444-3900**

June 25, 2025

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hearing was continued on the Court's own motion and the Court ultimately ruled on May 23, 2025. A copy of the signed Order and the Court's Minute Order dated May 23, 2025, are attached hereto as **Exhibit 4**.

5. Due to budget and staffing issues, the Fresno County Superior Court is behind in the processing of submitted documents. The Order shows that it was received by the Court on May 5, 2025; however, was not signed by the court until June 6, 2025. The document was not available on the Court's docket until June 10, 2025.

6. Title confirmed legal review of the Order on June 12, 2025 and a certified copy was ordered and was received by escrow on June 13, 2025. Title called the County for the final tax payoff and was informed that the house was sold at auction that day.

7. Because the County was aware that the property was in escrow and the email stated that notices would be sent, the purchasers believed in good faith that they would be provided, at a minimum, a courtesy notice or email regarding the sale.

8. The attached image was provided by the County; however, the notice cannot be read. Further, Ms. Lopez stated that she did not see a document affixed to the residence. Image attached hereto as **Exhibit 5**.

9. To date, no receipt of the Certified Mail regarding the sale has been provided by the County.

This tax auction has created a monumental hardship for Ms. Lopez. The anticipated net from the sale would have provided the funds needed ASAP by Ms. Lopez to prevent repossession of her vehicle, her sole method of transportation. The funds are also needed to allow her to find a new place to live now.

We believe that in light of the above, the tax sale should be rescinded and the property sold through the previously established escrow.

Very truly yours,



Trevor D. Martin  
ROSS, WOLCOTT, TEINERT & PROUT LLP

Enclosures

Cc: Fresno County Auditor-Controller/Treasurer-Tax Collector (w/enc)  
Hall of Records, Room 105, Stop #5, 2281 Tulare Street, Fresno, CA 93721  
[slonh@fresnocountyca.gov](mailto:slonh@fresnocountyca.gov)

## **Exhibit 1**

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Trevor D. Martin FIRM NAME: Ross, Wolcott, Teinert & Prout LLP STREET ADDRESS: 3151 Airway Ave., Building E CITY: Costa Mesa STATE: CA ZIP CODE: 92626 TELEPHONE NO.: 714-444-3900 FAX NO.: EMAIL ADDRESS: tmartin@rossllp.com ATTORNEY FOR (name): Tina A. Lopez	<b>FOR COURT USE ONLY</b>  <b>E-FILED</b> <b>12/5/2024 2:10 PM</b> <b>Superior Court of California</b> <b>County of Fresno</b> <b>By: Kim Clugston, Deputy</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO</b> STREET ADDRESS: 1130 O Street, Third Floor MAILING ADDRESS: CITY AND ZIP CODE: Fresno 93721 BRANCH NAME: Probate	
ESTATE OF (name): <b>MARTIN C. LOPEZ</b>  <div style="text-align: right;">DECEDENT</div>	CASE NUMBER: <b>24CEPR01946</b>
<b>PETITION TO DETERMINE SUCCESSION TO REAL PROPERTY</b> <input type="checkbox"/> and Personal Property	HEARING DATE AND TIME: <b>5/6/25 9:00am</b> DEPT.: <b>97A</b>

1. Petitioner (name of each person claiming an interest):  
 Tina A. Lopez  
**requests** a determination that the real property ☐ and personal property described in item 11 is property passing to petitioner.
2. Decedent (name): Martin C. Lopez
  - a. Date of death: January 14, 2009
  - b. Place of death (city and state or, if outside the United States, city and country): Fresno, CA
3. ☒ At least 40 days have passed since the decedent's death.
4. a. ☒ Decedent was a resident of this county at the time of death.  
 b. ☐ Decedent was **not** a resident of California at the time of death. Decedent died owning property in this county.
5. Decedent died ☒ intestate (without a will) ☐ testate (with a will), and a copy of the will is attached as Attachment 5 or 12a.
6. a. ☒ No proceeding for the administration of decedent's estate is being conducted or has been conducted in California.  
 b. ☐ Decedent's personal representative's consent to use the procedure provided by Probate Code section 13150 et seq. is attached as Attachment 6b.
7. Proceedings for the administration of decedent's estate in another jurisdiction
  - a. ☒ have **not** been commenced.
  - b. ☐ have been commenced ☐ and completed. (Specify state, county, court, and case number):
8. The **gross value**, at the time of decedent's death, of decedent's interest in real and personal property in California—excluding the property described in Probate Code section 13050—as shown by the attached inventory and appraisal did not exceed (check one):
  - a. ☒ **\$166,250** (decedent died before April 1, 2022).
  - b. ☐ **\$184,500** (decedent died on or after April 1, 2022, and form DE-300 is attached as required by law).
 (Prepare and attach as Attachment 8 an inventory and appraisal of all California property in the estate. (Use Judicial Council forms DE-160 and DE-161.) A probate referee appointed for the county named above must appraise all real property and all personal property other than cash or its equivalent. See Probate Code, §§ 8901, 8902.)
9. a. Decedent is survived by (check items (1) or (2), and (3) or (4), and (5) or (6), and (7) or (8)):
  - (1) ☐ spouse
  - (2) ☒ no spouse, as follows: (a) ☒ divorced or never married (b) ☐ spouse deceased
  - (3) ☐ registered domestic partner
  - (4) ☒ no registered domestic partner (See Family Code, § 297.5(c); Probate Code, §§ 37(b), 6401(c), and 6402.)
  - (5) ☒ child, as follows: (a) ☒ natural or adopted (b) ☐ natural adopted by a third party
  - (6) ☐ no child
  - (7) ☐ issue of a predeceased child
  - (8) ☒ no issue of a predeceased child
 b. Decedent ☐ is ☒ is not survived by a stepchild or foster child or children who would have been adopted by decedent if a legal barrier had not prevented adoption. (See Probate Code, § 6454.)



ESTATE OF (name):  
MARTIN C. LOPEZ

CASE NUMBER:

DECEDENT

10. ☐ Decedent is survived by (complete if decedent is survived by (1) a spouse or registered domestic partner described in Probate Code, § 37, but no issue (only a or b apply); or (2) no spouse or registered domestic partner described in Probate Code, § 37, and no issue. Check only the **first** box that applies.)
- a. ☐ a parent or parents who are listed in item 14.
- b. ☐ a sibling, or issue of a deceased sibling, all of whom are listed in item 14.
- c. ☐ other persons who might be entitled to inherit property if decedent did not have a will, all of whom are listed in item 14.
- d. ☐ no known next of kin.
11. Attachment 11 contains (1) the **legal description** of decedent's California real property and the Assessor's Parcel Number(s) ☐ and a description of the personal property in California passing to each petitioner; (2) decedent's interest in the property; and (3) if a petitioner's claim to the property is based on succession under Probate Code sections 6401 and 6402, facts that show the character of the property as community, separate, or quasi-community property.
12. Each petitioner is a successor of the decedent (as defined in Probate Code section 13006) and successor to the decedent's interest in one or more of the pieces of real property ☐ and personal property ☐ described in item 11 because each petitioner is
- a. ☐ (**will**) a beneficiary who succeeded to the property under decedent's will, and a copy of the will is attached as Attachment 5 or 12a.
- b. ☒ (**no will**) a person who succeeded to the property under Probate Code sections 6401 and 6402.
13. The interest claimed by each petitioner in each specific piece of real property ☐ and personal property ☒ is stated in Attachment 13 ☐ is as follows (specify):
14. The names, relationships to decedent, ages, and residence or mailing addresses, as far as known to or reasonably ascertainable by petitioner, of (1) all persons named or checked in items 1, 9, and 10; (2) all other persons who may be entitled to inherit decedent's property in the absence of a will; and (3) all persons designated in the will to receive any property are listed in Attachment 14.
15. The names and addresses of all executors named in decedent's will are ☐ listed below. ☐ listed in Attachment 15.
- ☐ No executor is named. ☒ There is no will.
16. ☐ Petitioner is the trustee of a trust designated in decedent's will to receive property. The names and addresses of all persons interested in the trust, as determined in cases of future interests under Probate Code section 15804(a)(1), (2), or (3), are listed in Attachment 16.
17. ☐ Decedent's estate was under a ☐ guardianship ☐ conservatorship at decedent's death. The names and addresses of all persons serving as guardian or conservator ☐ are listed below ☐ are listed in Attachment 17.

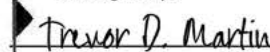
18. Number of pages attached: 21

Date: 12/5/2024

Trevor D. Martin

(TYPE OR PRINT NAME OF ATTORNEY)

DocuSigned by:



40F33DB9B9274C9...

(SIGNATURE OF ATTORNEY)\*

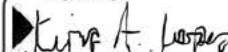
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 12/5/2024

Tina A. Lopez

(TYPE OR PRINT NAME OF PETITIONER)

Signed by:



0982CD65BD61429...

(SIGNATURE OF PETITIONER)\*

(TYPE OR PRINT NAME OF PETITIONER)

(SIGNATURE OF PETITIONER)\*

☐ SIGNATURE(S) OF ADDITIONAL PETITIONERS ATTACHED

\* Each petitioner (i.e., each person named in item 1) must sign this form. (Prob. Code, § 1020.) If more than 2 petitioners, check the box above and use an attachment.

## **Attachment 8**

DE-160/GC-040

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Trevor D. Martin, SBN 279499 Ross, Wolcott, Teinert & Prout LLP 3151 Airway Ave., Building E Costa Mesa, CA 92626  TELEPHONE NO.: 714-444-3900      FAX NO. (Optional): E-MAIL ADDRESS (Optional): tmartin@rossllp.com ATTORNEY FOR (Name): Martin C. Lopez II and Tina A. Lopez	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO</b> STREET ADDRESS: 1130 O Street, Third Floor MAILING ADDRESS: CITY AND ZIP CODE: Fresno 93721 BRANCH NAME: Probate	CASE NUMBER:  Date of Death of Decedent or of Appointment of Guardian or Conservator: January 14, 2009
ESTATE OF (Name): MARTIN C. LOPEZ <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> DECEDENT              <input type="checkbox"/> CONSERVATEE              <input type="checkbox"/> MINOR         </div>	
<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> <b>INVENTORY AND APPRAISAL</b> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Partial No.:  <input checked="" type="checkbox"/> Final  <input type="checkbox"/> Supplemental         </div> <div style="width: 45%;"> <input type="checkbox"/> Corrected  <input type="checkbox"/> Reappraisal for Sale  <input checked="" type="checkbox"/> Property Tax Certificate         </div> </div>	

### APPRAISALS

1. Total appraisal by representative, guardian, or conservator (Attachment 1):	\$	0.00
2. Total appraisal by referee (Attachment 2):	\$	65,000.00
<b>TOTAL:</b>	<b>\$</b>	<b>65,000.00</b>

### DECLARATION OF REPRESENTATIVE, GUARDIAN, CONSERVATOR, OR SMALL ESTATE CLAIMANT

3. Attachments 1 and 2 together with all prior inventories filed contain a true statement of  
☒ all    ☐ a portion    of the estate that has come to my knowledge or possession, including particularly all money and all just claims the estate has against me. I have truly, honestly, and impartially appraised to the best of my ability each item set forth in Attachment 1.
4. ☐ No probate referee is required    ☐ by order of the court dated (specify):
5. **Property tax certificate.** I certify that the requirements of Revenue and Taxation Code section 480
- a. ☐ are not applicable because the decedent owned no real property in California at the time of death.
- b. ☒ have been satisfied by the filing of a change of ownership statement with the county recorder or assessor of each county in California in which the decedent owned property at the time of death.

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

Date: **12/4/2024**

Martin C. Lopez II and Tina A. Lopez

(TYPE OR PRINT NAME; INCLUDE TITLE IF CORPORATE OFFICER)

Signed by:  23D22C6455EC4AF... (SIGNATURE)	Signed by:  5A93CDE7F701407... (SIGNATURE)
--	--

### STATEMENT ABOUT THE BOND

(Complete in all cases. Must be signed by attorney for fiduciary, or by fiduciary without an attorney.)

6. ☐ Bond is waived, or the sole fiduciary is a corporate fiduciary or an exempt government agency.
7. ☐ Bond filed in the amount of: \$      ☐ Sufficient    ☐ Insufficient
8. ☐ Receipts for: \$      have been filed with the court for deposits in a blocked account at (specify institution and location):

Date: **12/3/2024**

Trevor D. Martin

(TYPE OR PRINT NAME)

DocuSigned by:  183A44B4C4A4F... (SIGNATURE OF ATTORNEY OR PARTY WITHOUT ATTORNEY)	
--	--

DE-160/GC-040

ESTATE OF (Name): MARTIN C. LOPEZ <input checked="" type="checkbox"/> DECEDENT <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR	CASE NUMBER:
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**DECLARATION OF PROBATE REFEREE**

9. I have truly, honestly, and impartially appraised to the best of my ability each item set forth in Attachment 2.

10. A true account of my commission and expenses actually and necessarily incurred pursuant to my appointment is:

Statutory commission:	\$	75.00
Expenses (specify):	\$	20.00
<b>TOTAL:</b>	<b>\$</b>	<b>95.00</b>

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

Date: 11/26/2024

Steven D. Diebert

(TYPE OR PRINT NAME)

  
(SIGNATURE OF REFEREE)

**INSTRUCTIONS**

(See Probate Code sections 2610-2616, 8801, 8804, 8852, 8905, 8960, 8961, and 8963 for additional instructions.)

1. See Probate Code section 8850 for items to be included in the inventory.
2. If the minor or conservatee is or has been during the guardianship or conservatorship confined in a state hospital under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services, mail a copy to the director of the appropriate department in Sacramento. (Prob. Code, § 2611.)
3. The representative, guardian, conservator, or small estate claimant shall list on Attachment 1 and appraise as of the date of death of the decedent or the date of appointment of the guardian or conservator, at fair market value, moneys, currency, cash items, bank accounts and amounts on deposit with each financial institution (as defined in Probate Code section 40), and the proceeds of life and accident insurance policies and retirement plans payable upon death in lump sum amounts to the estate, except items whose fair market value is, in the opinion of the representative, an amount different from the ostensible value or specified amount.
4. The representative, guardian, conservator, or small estate claimant shall list in Attachment 2 all other assets of the estate which shall be appraised by the referee.
5. If joint tenancy and other assets are listed for appraisal purposes only and not as part of the probate estate, they must be separately listed on additional attachments and their value excluded from the total valuation of Attachments 1 and 2.
6. Each attachment should conform to the format approved by the Judicial Council. (See *Inventory and Appraisal Attachment* (form DE-161/GC-041) and Cal. Rules of Court, rules 2.100—2.119.)



DE-161, GC-041

ESTATE OF (name): Martin C. Lopez	CASE NUMBER:
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**INVENTORY AND APPRAISAL  
ATTACHMENT NO.:**

*(In decedents' estates, attachments must conform to Probate Code section 8850(c) regarding community and separate property.)*

Page:                      of:                      total pages.  
*(Add pages as required.)*

<u>Item No.</u>	<u>Description</u>	<u>Appraised value</u>
1.	Real property located at 3718 E. Washington Avenue, Fresno, CA 93702 APN 460-123-02 Legally described as:	\$ 65,000.00

Lots 32 and 33, inclusive, in Block 11 of Fresno Heights No. 2, in the City of Fresno, County of Fresno, State of California, according to the map recorded in Book 3, Page 55 of Records of Survey, Fresno County Records, in the City of Fresno

Total Attachment	<u>\$ 65,000.00</u>
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## **Attachment 11**

SHORT TITLE: ESTATE OF MARTIN C. LOPEZ	CASE NUMBER:
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**ATTACHMENT** (Number): 11

*(This Attachment may be used with any Judicial Council form.)*

Real property located at 3718 E. Washington Avenue, Fresno, CA 93702

APN 460-123-02

Legally described as:

Lots 32 and 33, inclusive, in Block 11 of Fresno Heights No. 2, in the City of Fresno, County of Fresno, State of California, according to the map recorded in Book 3, Page 55 of Records of Survey, Fresno County Records, in the City of Fresno

The decedent originally acquired title in 1979 with his then wife, Kim R. Lopez. They later divorced and the decedent was awarded the property. Therefore, at the time of his death the property was the decedent's sole and separate property.

Decedent was awarded the real property in a divorce action finalized on January 20 1984, in the Superior Court, County of Fresno, Case No. 299025-7.

A true and correct copy of the Interlocutory Judgment of Dissolution of Marriage is attached hereto as Exhibit 1 (see page 5, Division of Community Assets).

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

Page 1 of 1

*(Add pages as required)*

## **Exhibit 1**



ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): DANA H. ANDERSON 59081 Dunn & Anderson 1260 "M" Street, Ste. 202, Fresno, CA 93721 ATTORNEY FOR (NAME): KIM RENE LOPEZ		TELEPHONE NO. (209) 442-0361	FOR COURT USE ONLY FILED COUNTY CLERK GLEN LARSON JAN 25 1984 84 JAN 20 AM : 04
SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO 1100 VAN NESS AVENUE P.O. BOX 1628 FRESNO, CALIFORNIA 93717		BY DEPUTY	<i>[Signature]</i>
MARRIAGE OF PETITIONER: KIM RENE LOPEZ RESPONDENT: MARTIN C. LOPEZ		CLK 0032.00 E01-70 R01-81	
INTERLOCUTORY JUDGMENT OF DISSOLUTION OF MARRIAGE		CASE NUMBER:	299025-7

- This proceeding came on for ☒ default or uncontested ☐ contested hearing as follows
  - Date: ☐ Dept.: ☐ Div.: ☐ Room:
  - Judge (name): ☐ Temporary judge
  - ☐ Petitioner present in court ☐ Attorney present in court (name):
  - ☐ Respondent present in court ☐ Attorney present in court (name):
  - ☐ Claimant present in court ☐ Attorney present in court (name):
  - ☒ Petitioner appearing by declaration under Civil Code §4511.
- The court acquired jurisdiction of the respondent on (date): ~~10/17/83~~ 8/16/83 4
  - ☒ Respondent was served with process.
  - ☐ Respondent appeared.
- THE COURT ORDERS
  - An interlocutory judgment be entered and the parties are entitled to have their marriage dissolved.
  - After six months from the date the court acquired jurisdiction of the respondent a final judgment of dissolution may be entered upon proper application of either party or on the court's own motion, unless a dismissal signed by both parties is filed. The final judgment shall include such other and further relief as may be necessary to a complete disposition of this proceeding, but entry of the final judgment shall not deprive this court of its jurisdiction over any matter expressly reserved to it in this or the final judgment until a final disposition is made of each such matter.
  - Jurisdiction is reserved to make such other and further orders as may be necessary to carry out the provisions of this judgment.
- ☒ THE COURT FURTHER ORDERS
  - ☐ Wife's former name be restored (specify):
  - ☒ Other: (Continued on Attached)

State: . . . . .

~~XXXXXX XXXXX XXXX~~

- Total number of pages attached: 2 plus a 3-page ☒ Signature follows last attachment  
Marital Settlement Agreement.

THIS INTERLOCUTORY JUDGMENT DOES NOT CONSTITUTE A FINAL DISSOLUTION OF MARRIAGE AND THE PARTIES ARE STILL MARRIED. ONE OF THE PARTIES MUST SUBMIT A REQUEST FOR FINAL JUDGMENT ON THE FORM PRESCRIBED BY RULE 1288. NEITHER PARTY MAY REMARRY UNTIL A FINAL JUDGMENT OF DISSOLUTION IS ENTERED.

ALTHOUGH AN OBLIGATION BASED ON A CONTRACT IS ASSIGNED TO ONE PARTY AS PART OF THE DIVISION OF THE COMMUNITY, IF THE PARTY TO WHOM THE OBLIGATION WAS ASSIGNED DEFAULTS ON THE CONTRACT, THE CREDITOR MAY HAVE A CAUSE OF ACTION AGAINST THE OTHER PARTY.

No attachment permitted on less than a full page. Cal Rule of Ct 201(b)

1104

3 1. SPOUSAL SUPPORT WAIVER:

4 Spousal support is not awarded to either party.

5 2. ATTORNEY'S FEES:

6 Each party shall be responsible for their respective  
7 attorney's fees and costs incurred in connection with this  
8 proceeding.

9 3. MARITAL SETTLEMENT AGREEMENT:

10 There is attached hereto and labeled Exhibit "A" a true  
11 copy of the Marital Settlement Agreement of the parties, consist-  
12 ing of three pages. Said Marital Settlement Agreement is incorp-  
13 orated and merged into this judgment as though fully set forth  
14 herein. The parties are ordered to comply with each and every ex-  
15 ecutory provision in said Marital Settlement Agreement. The  
16 Court reserves jurisdiction to enforce and administer the pro-  
17 visions of said Marital Settlement Agreement, to award attorney's  
18 fees and costs to the prevailing party in any action to enforce  
19 the provisions thereof, to divide equally between the parties  
20 any community assets and obligations not mentioned in Exhibit "A"  
21 and further reserves jurisdiction to join any person who may be  
22 joined according to law.

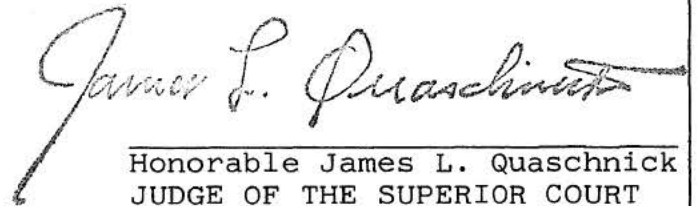
23 4. CHILD CUSTODY:

24 The parties shall have joint legal custody of their minor  
25 children, namely, TINA ANN LOPEZ, age 7, and MARTIN C. LOPEZ, age  
26 4. The respondent/husband shall have physical custody of the minor  
27 children, and the petitioner/wife shall have the right to visit  
28 with the minor children at all reasonable times and places.

1           5. CHILD SUPPORT:

2           The matter of child support is reserved. The respondent/  
3 father shall maintain medical insurance coverage on the minor  
4 children of the parties through his place of employment. The  
5 parties shall divide equally all nursery expenses incurred for  
6 the benefit of the minor children of the parties.

7  
8 DATED: JAN 19 1984

9   
10  
11 Honorable James L. Quaschnick  
12 JUDGE OF THE SUPERIOR COURT  
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## MARITAL SETTLEMENT AGREEMENT

THIS AGREEMENT is made and entered into this  
17 day of October, 1983, by and between MARTIN C.  
LOPEZ, hereinafter known as "Husband", and KIM RENE LOPEZ,  
hereinafter known as "Wife".

### 1. CHILD CUSTODY:

The parties shall have joint legal custody of their  
minor children, namely, TINA ANN LOPEZ, age 7, and MARTIN C.  
LOPEZ, age 4. The respondent/husband shall have physical  
custody of the minor children, and the petitioner/wife shall  
have the right to visit with the minor children at all reason-  
able times and places.

### 2. CHILD SUPPORT:

The matter of child support is reserved. The respon-  
dent/father shall maintain medical insurance coverage on the  
minor children of the parties through his place of employment.  
The parties shall divide equally all nursery expenses incurred  
for the benefit of the minor children of the parties.

### 3. ATTORNEYS FEES:

Each party shall pay and be responsible for their  
own attorneys fees and costs.

### 4. SPOUSAL SUPPORT:

Petitioner/wife in this action waives spousal support,  
with the understanding that the order in this regard cannot

be modified nor this matter reopened.

5. DIVISION OF COMMUNITY ESTATE:

As a division of the community estate, there is hereby awarded to petitioner/wife as her sole and separate property the following:

- a. All household furniture, furnishings, and appliances presently in petitioner/wife's possession.
- b. All miscellaneous clothing and personal effects presently in petitioner/wife's possession.
- c. The 1969 Chevrolet Impala, free of any encumbrances thereon.

As a division of the community estate, there is hereby awarded to respondent/husband the following:

- a. The house and real property located at 3718 East Washington, Fresno, California, subject to the obligation thereon.
- b. All miscellaneous household furniture, furnishings, and appliances presently in respondent/husband's possession.
- c. All miscellaneous clothing and personal effects presently in respondent/husband's possession.
- d. Any and all retirement benefits available to the respondent/husband through his place of employment.
- e. The 1977 Chevrolet pickup automobile, subject to any obligation thereon.

6. HUSBANDS OBLIGATIONS:

The respondent/husband shall pay and be responsible for and hold petitioner/wife harmless from payment of the

obligation due and owing on the family home located at  
3718 East Washington, Fresno, California.

7. PREPARATION OF AGREEMENT AND ADVICE TO PARTY:

Petitioner/wife's attorney, DANA H. ANDERSON, has fully advised petitioner/wife that there is an unequal division of the community property. Petitioner/wife is fully aware that she is not receiving one-half of the community property; however, petitioner/wife has authorized her attorney to prepare this agreement and petitioner/wife fully understands the contents therein and freely and voluntarily signs this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

Martin C. Lopez  
MARTIN C. LOPEZ  
Respondent/Husband

Kim R. Lopez  
KIM RENE LOPEZ  
Petitioner/Wife

Dana H. Anderson  
DANA H. ANDERSON  
Attorney for Petitioner



Attorney(s) Name and Address DANA H. ANDERSON 59081 Dunn & Anderson 1260 "M" Street, Ste. 202 Fresno, California 93721	Telephone Number: (209) 442-0361  Attorney(s) for: KIM RENE LOPEZ, Petitioner	For Court Use Only          CLK-0039.00 E01-69 R03-73  CASE NUMBER(S): 299025-7
SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO P.O. Box 1628, 1100 Van Ness Fresno, California 93717		
Petitioner:  KIM RENE LOPEZ	Respondent:  MARTIN C. LOPEZ	
DECLARATION RE UNREPRESENTED PARTY		

1. I entered into a ☒ marital property settlement agreement ☐ stipulation for judgment as follows:

a. Date: 10/17/83

b. With spouse (name): KIM RENE LOPEZ

2. Prior to signing said agreement(s) I was advised to consult an attorney with reference to the agreement(s) and I declined to do so.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed on (date) .....

10/17/83 at (place) FRESNO, California.\*

MARTIN C. LOPEZ

(Type or print name)

*Martin C. Lopez*

(Signature of declarant)



The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: NOV 14 2024

Superior Court Clerk  
 State of California, County of Fresno  
 By *[Signature]* DEPUTY

\*Declaration must be signed in California (CCP 2015.5). Use an affidavit when signed outside California.

DECLARATION RE  
 UNREPRESENTED PARTY

CRC 1223  
 Local Rule VII.2.(a),(2)

EXHIBIT "B"

## **Attachment 13**



SHORT TITLE:

Estate of Martin C. Lopez

CASE NUMBER:

ATTACHMENT (Number): 13

*(This Attachment may be used with any Judicial Council form.)*

The interest claimed by each petitioner in each specific piece of real property:

Tina A. Lopez - 100%

Sibling Martin C. Lopez II has assigned his interest in this real property to his sister, Tina A. Lopez. An Assignment of Interest is attached hereto marked Exhibit 2.

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

Page 1 of 1

*(Add pages as required)*

## **Exhibit 2**

TREVOR D. MARTIN, SBN 279499  
ROSS, WOLCOTT, TEINERT & PROUT LLP  
Attorneys at Law  
3151 Airway Ave., Suite E  
Costa Mesa, California 92626  
Telephone: (714) 444-3900

Attorneys for Tina A. Lopez

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**COUNTY OF FRESNO**

IN RE

ESTATE OF MARTIN C. LOPEZ,

Decedent.

CASE NO.

**ASSIGNMENT OF BENEFICIAL  
INTEREST BY MARTIN C. LOPEZ II**

I, Martin C. Lopez II, son of Martin C. Lopez and heir to the Estate of Martin C. Lopez, do hereby irrevocably assign all my beneficial interest in the following real property in the Estate of Martin C. Lopez to Tina A. Lopez:

Real property located at 3718 E. Washington Avenue, Fresno, CA 93702; APN 460-123-02

Legally described as:

Lots 32 and 33, inclusive, in Block 11 of Fresno Heights No. 2, in the City of Fresno, County of Fresno, State of California, according to the map recorded in Book 3, Page 55 of Records of Survey, Fresno County Records, in the City of Fresno

Dated: 12-3-2024

  
MARTIN C. LOPEZ

1  
2 A notary public or other officer completing this certificate verifies only the identity of the  
3 individual who signed the document to which this certificate is attached, and not the  
4 truthfulness, accuracy, or validity of that document.

5 State of California )

6 County of Madera )

7 On December 03, 2024, before me, Francisco R. Garcia, Notary  
8 Public, personally appeared MARTIN C. LOPEZ II, who proved to me on the basis of  
9 satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within  
10 instrument and acknowledged to me that he/she/they executed the same in his/her/their  
11 authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
12 person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

13 I certify under PENALTY OF PERJURY under the laws of the State of California that  
14 the foregoing paragraph is true and correct.

15 WITNESS my hand and official seal.

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
Signature



## **Attachment 14**

SHORT TITLE:

CASE NUMBER:

ESTATE OF MARTIN C. LOPEZ

**ATTACHMENT** (Number): 14*(This Attachment may be used with any Judicial Council form.)*

Martin C. Lopez II  
 Adult  
 Son of decedent

36107 Cloverleaf Ave.  
 Madera, CA 93636

Tina A. Lopez  
 Adult  
 Daughter of decedent

3718 E. Washington Ave.  
 Fresno, CA 93702

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

Page 1 of 1

*(Add pages as required)*

## **Exhibit 2**

----- Forwarded message -----

From: **TC Correspondence** <[TCCorrespondence@fresnocountyca.gov](mailto:TCCorrespondence@fresnocountyca.gov)>

Date: Tue, Feb 11, 2025 at 12:33 PM

Subject: RE: 3718 E Washington Ave, Fresno. CA - APN 460-123-02 - Estate of Martin and Kim Lopez

To: Jen Janokowicz <[jen@unlatchus.com](mailto:jen@unlatchus.com)>, TC Correspondence

<[TCCorrespondence@fresnocountyca.gov](mailto:TCCorrespondence@fresnocountyca.gov)>

Good day,

Please be advised that the parcel may be reoffered for sale **within** 90 days from the initial Tax Sale date of March 27, 2025. Should a subsequent Tax Sale occur, notices will be sent out accordingly, as the notice indicates a possible re-offer Tax Sale on June 6, 2025.

Thank you,

Kong Vang

Accountant 1

Tax Collection Division

Fresno County Auditor-Controller/Treasurer-Tax Collector

Hall of Records, Room 105

2281 Tulare Street Fresno CA 93721



**From:** Jen Janokowicz <[jen@unlatchus.com](mailto:jen@unlatchus.com)>

**Sent:** Monday, February 10, 2025 1:15 PM

**To:** TC Correspondence <[TCCorrespondence@fresnocountyca.gov](mailto:TCCorrespondence@fresnocountyca.gov)>

**Subject:** Re: 3718 E Washington Ave, Fresno. CA - APN 460-123-02 - Estate of Martin and Kim Lopez

Sorry I forgot to confirm that the auction is postponed 90days from the original auction date of March 27th or 90 days from today.

Please let me know.

Thanks,

Jen

On Mon, Feb 10, 2025 at 11:46 AM TC Correspondence <[TCCorrespondence@fresnocountyca.gov](mailto:TCCorrespondence@fresnocountyca.gov)> wrote:

Hello, Jen Janokowicz:

Auditor-Controller/Treasurer-Tax Collector Oscar J. Garcia, CPA ("Tax Collector") has approved your requested to postpone the tax sale of APN 460-123-02 for up to 90 days, pursuant to Revenue and Taxation Code section 3706.1.

As required by that section, there will be a "public declaration" of that postponement on the tax sale website, when it is live, in the form of a note under the Auction Status for this parcel. The note will indicate that this parcel tax sale has been "Postponed per RTC 3706.1." As well, parties of interest, as that term is defined by Revenue and Taxation Code section 4675, subdivision (e)(1), will be re-noticed, pursuant to Revenue and Taxation Code section 3701.

Please note that a further request for postponement is less likely to be granted, so we recommend that you work expeditiously to ensure that the property is redeemed during the postponement period, either by payment of the then-current redemption amount by some person, or by sale and payment from proceeds out of escrow.

If there is a sale with payment from escrow, please do not hesitate to contact this office to ensure that your escrow instructions are correct, with the correct redemption amount, and the correct payee. Most title companies are good about getting that right, but we have on occasion seen situations where a title company shows the property taxes as a credit/debit between the parties to the real estate transaction, rather than as payments to the Tax Collector, so that there is not actually a payment—to the great confusion of the parties later. We have also, on occasion, seen where the title company fails to get the correct redemption amount, which increases from month to month, so that, for example, a sale closes in April, with the April redemption amount listed on the statements for payment to the Tax Collector, but then the title company doesn't actually pay until May, and then the amount is returned as insufficient. This office can provide amounts out several months in those situations, so the parties to the real estate transaction can arrange things accordingly.

Finally, please note that, in addition to the redemption amount increasing each month with statutory penalties (Rev. & Tax. Code, § 4103), if we need to re-notice the parties of interest, that will also increase the redemption amount with re-noticing costs (Rev. & Tax. Code, §§ 3701, 3698.5, subds. (a)(1) (B), (a)(2), and 4672.2.)

Please let me know if you have any questions or concerns.

Thank you,

Siphanarene (Narene) Lonh

Tax Collections Division Chief

Fresno County Auditor-Controller/Treasurer-Tax Collector

Hall of Records, Room 105, Stop #5

2281 Tulare Street Fresno, CA 93721

Direct: 559-600-1348 | Main: 559-600-3482 | Fax: 599-600-1449

Email: [SLonh@FresnoCountyCA.gov](mailto:SLonh@FresnoCountyCA.gov)

---

**From:** Jen Janokowicz <[jen@unlatchus.com](mailto:jen@unlatchus.com)>

**Sent:** Thursday, January 30, 2025 10:27 AM

**To:** TC Correspondence <[TCCorrespondence@fresnocountyca.gov](mailto:TCCorrespondence@fresnocountyca.gov)>

**Subject:** RE: 3718 E Washington Ave, Fresno. CA - APN 460-123-02 - Estate of Martin and Kim Lopez

To Whom it May Concern:

It is our understanding that this property will be in the upcoming auction for Fresno County. We are currently working with the heirs to the property and have a purchase agreement to buy the property once the probate process is complete.

Our preferred Attorney (Ross, Wolcott, Teinert and Prout LLP) has filed the Petition to Determine Succession with Fresno County Courts. They have given us a court date of May 6, 2025 to finalize the title and proceed with the sale of the property. This date is well after the auction. Please let me know if we can have the auction postponed until after the May 6, 2025 court date. I have attached documentation for the probate and also our purchase of the property. Please let me know if you need anything further.

Sincerely,

Jen Janokowicz

Quality Control Manager

--

Jen Janokowicz

Quality Control Manager



800 220-2236 Extension 201 office | 702 675-8948 fax

5197 South Eastern Avenue, Las Vegas, Nevada 89119

[unlatchus.com](http://unlatchus.com)

--

Jen Janokowicz

Quality Control Manager



800 220-2236 Extension 201 *office* | 702 675-8948 *fax*

5197 South Eastern Avenue, Las Vegas, Nevada 89119

[unlatchus.com](http://unlatchus.com)

## **Exhibit 3**

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<[TCCorrespondence@fresnocountyca.gov](mailto:TCCorrespondence@fresnocountyca.gov)>

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Accountant 1

Tax Collection Division

Fresno County Auditor-Controller/Treasurer-Tax Collector

Hall of Records, Room 105

2281 Tulare Street Fresno CA 93721

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Thank you,

Siphanarene (Narene) Lonh

Tax Collections Division Chief

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Sincerely,

Jen Janokowicz

Quality Control Manager

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**Jen Janokowicz**

**Quality Control Manager**

**800** 220-2236 Extension 201 *office* | **702** 675-8948 *fax*

5197 South Eastern Avenue, Las Vegas, Nevada 89119

[unlatchus.com](http://unlatchus.com)

## **Exhibit 4**

<b>2 SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO</b> <b>Probate Department, Central Division</b>	Entered by: <div style="text-align: center;"><b>Maribel Zapata</b></div>
TITLE OF CASE: <input type="checkbox"/> In the Matter of <input type="checkbox"/> The Guardianship of <input type="checkbox"/> The Estate of <input type="checkbox"/> The Conservatorship of <div style="text-align: center;"><b>Martin Lopez (Det. Succ)</b></div> <input type="checkbox"/> Conservatee <input type="checkbox"/> Minor(s) <input type="checkbox"/> Deceased	Case Number: <div style="text-align: center;"><b>24CEPR01946</b></div>
PROBATE MINUTE ORDER	

Hearing Date: 05/23/2025

Hearing Type: Petition to Determine Succession to Real Property

Department 402

Judge: *Gary Orozco*

Clerk: Maribel Zapata

Reporter/Tape/CD:

Bailiff: V. Flores

Petitioner(s):

☐ Not Present   ☐ Present    ☐ Pro Per

Other:

☐ Not Present   ☐ Present

Other:

☐ Pro Per   ☐ Not Present   ☐ Present

Counsel: **Trevor Martin**
☐ Not Present   ☒ Present

Counsel:

☐ Not Present   ☐ Present

Other:

☐ Not Present   ☐ Present

**The Court finds the Consent and Joinder filed by Martin C. Lopez, on 5/12/2025 acceptable and assignment of interest valid.**

☒ After all parties were given an opportunity to address the Court, the matter was submitted.

☐ Continued to:        at        a.m. in Dept

☐ Set on:                at        a.m. in Dept        for:

☒ Petition is: ☒ granted   ☐ denied

☐ before Court Trial

☐ after Court Trial (PJUDG)

☐ after Jury Trial (JV)

☐ Order signed

☒ Order to be signed ex parte

☐ Taken under submission

☐ Attorney appointed for conservatee:

☐ Voting rights   ☐ Revoked   ☐ Restored

☐ Petition is dismissed:    ☐ with prejudice   ☐ without prejudice

☐ before Court Trial (DISMS)

☐ after Court Trial (DIOEA)

☐ after Jury Trial (DIS)

☐ Entire action dismissed:

☐ with prejudice   ☐ without prejudice

☐ before Court Trial (DISMV)

☐ after Court Trial (DIOEA)

☐ after Jury Trial (DIS)

☐ Will admitted to Probate

☐ Bond in the amount of: \$

☐ Bond not required/waived

☐ Based on all of the pleadings in the file, based on the report of the Court Investigator, and based on all of the evidence and statements made in court, the Court finds that there is clear and convincing evidence that leaving the child(ren) in either parent's custody would be detrimental to the child(ren), and appointing a guardian of the person would be in the child(ren)'s best interests.

☐ Temporary Guardianship/Conservatorship Letters extended to:

☐ All other orders remain in full force and effect until:

☐ The Court directs:

---

 Judge of the Superior Court (Signature)

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO.: 279499

After recording, return to:

NAME: Trevor D. Martin

FIRM NAME: Ross, Wolcott, Teinert &amp; Prout LLP

STREET ADDRESS: 3151 Airway Ave., Building E

CITY, STATE, ZIP CODE: Costa Mesa, CA 92626

TELEPHONE NO.: 714-444-3900

FAX NO.:

EMAIL ADDRESS: tmartin@rossllp.com

ATTORNEY FOR (name): Tina A. Lopez

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

STREET ADDRESS: 1130 O Street, Third Floor

MAILING ADDRESS:

CITY AND ZIP CODE: Fresno 93721

BRANCH NAME: Probate

FOR RECORDER'S USE ONLY

ESTATE OF (name):

MARTIN C. LOPEZ

DECEDENT

CASE NUMBER:

24CEPR01946

ORDER DETERMINING SUCCESSION  
TO PRIMARY RESIDENCE

FOR COURT USE ONLY

FILED  
6/6/2025

FRESNO COUNTY SUPERIOR COURT

By senyang

DEPUTY

RECEIVED

5/5/2025 12:59 PM

FRESNO COUNTY SUPERIOR COURT

By: Seng Yang, Deputy1. Date of hearing: **5/23/2025** Time: 9:00 a.m.Dept./Room: ~~974~~Judicial Officer (name): **GARY OROZCO**

## THE COURT FINDS

2. Notice has been given as required by law.
3. Decedent died on (date): January 14, 2009
  - a. ☒ a resident of this county.
  - b. ☐ a nonresident of California who owned property in this county.
  - c. ☒ intestate (without a will) ☐ testate (with a will).
4. At least 40 days have passed since the decedent's death.
5. a. ☒ No proceeding for the administration of the decedent's estate is now being or has been conducted in California.  
b. ☐ Decedent's personal representative has consented in writing to use the procedure in Probate Code section 13150 et seq.
6. The gross value of the real property described in item 9a does not exceed
  - ☒ **\$166,250** (death before April 1, 2022).
  - ☐ **\$184,500** (death on or after April 1, 2022, and before April 1, 2025).
  - ☐ **\$750,000** (death on or after April 1, 2025).
7. Each petitioner is a successor of the decedent (as defined in Probate Code section 13006) to the decedent's interest in the real property described in item 9a because each petitioner is (check one):
  - a. ☐ (will) a beneficiary who succeeded to the property under decedent's will.
  - b. ☒ (no will) a person who succeeded to the property under Probate Code sections 6401 and 6402.
8. The real property described in item 9a was the decedent's primary residence in the state of California.

## THE COURT FURTHER FINDS AND ORDERS

9. a. The real property ☐ described in Attachment 9a ☒ described below passes to each petitioner as described in b.  
(Give legal description of property, including Assessor's Parcel Number):  
Lots 32 and 33, inclusive, in Block 11 of Fresno Heights No. 2, in the City of Fresno, County of Fresno, State of California according to the map recorded in Book 3, Page 55 of Records of Survey, Fresno County Records, in the City of Fresno Commonly known as: 3718 E. Washington Avenue, Fresno, CA 93702 APN 460-123-02
- b. Each petitioner's name and specific interest in the property ☐ is stated in Attachment 9b ☒ is as follows (specify):  
Tina A. Lopez - 100%
10. ☐ Other orders are stated in Attachment 10.
11. Number of pages attached: \_\_\_\_\_

Date: **6/6/2025**

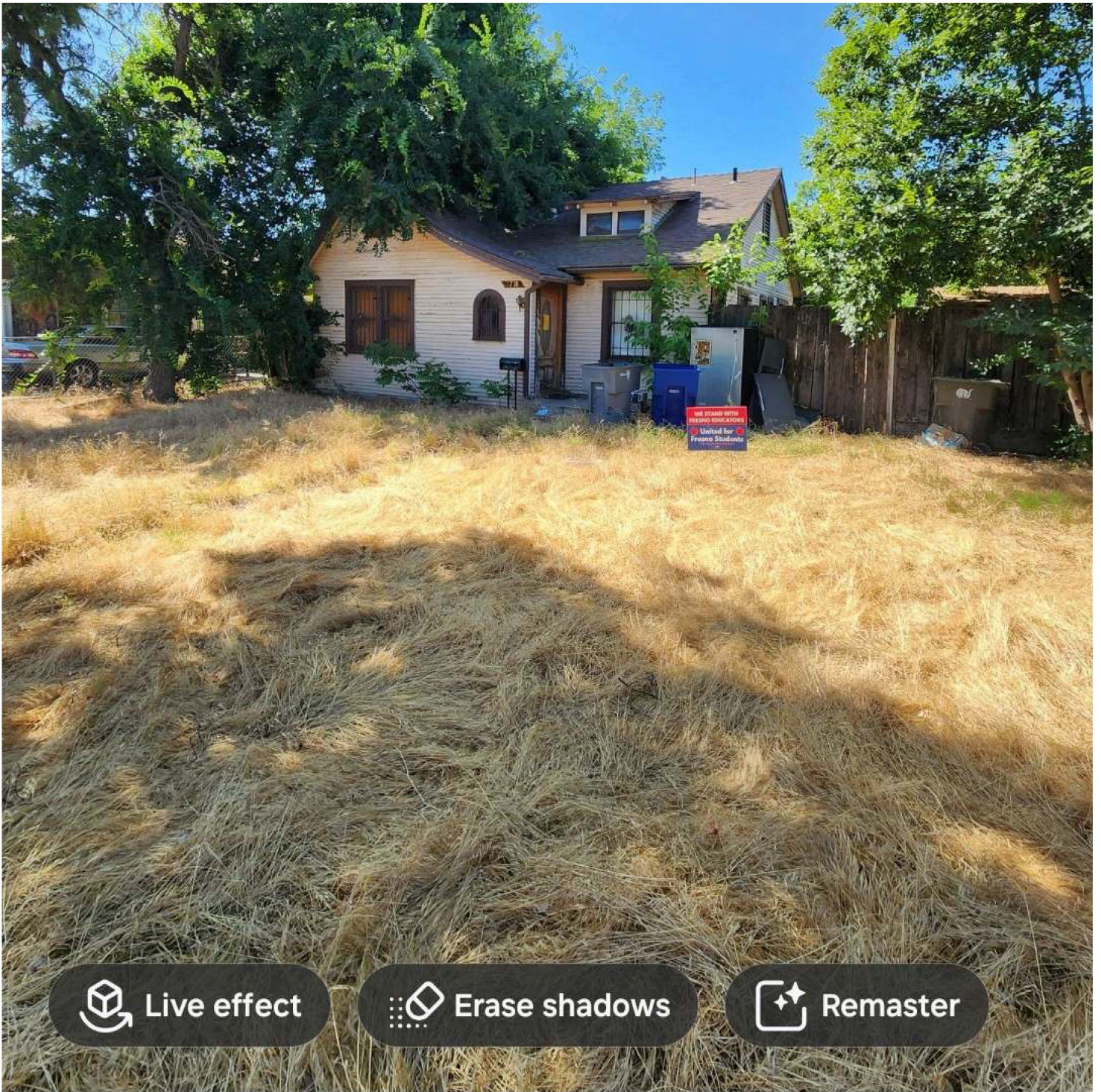

JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

Page 1 of 1

## **Exhibit 5**





Live effect



Erase shadows



Remaster

Wednesday, May 28, 2025 · 09:59

Edit

20250528\_095941.jpg