City of La Quinta

CITY COUNCIL MEETING: September 15, 2015

STAFF REPORT

AGENDA TITLE: AUTHORIZE SIGNATURE ON AGREEMENT BETWEEN THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY AND COACHELLA VALLEY WATER DISTRICT FOR PURCHASE OF A TAX-DEFAULTED PROPERTY WITHIN THE CITY OF LA QUINTA

RECOMMENDATION

Authorize the Mayor and City Clerk to execute an Agreement between the Board of Supervisors of Riverside County and the Coachella Valley Water District that approves the sales price for the District's purchase of a tax-defaulted property within the City of La Quinta.

EXECUTIVE SUMMARY

- The Coachella Valley Water District (CVWD) wishes to purchase a tax-defaulted parcel located in the City of La Quinta (Attachment 1); said parcel adjoins two CVWD well sites and the Coachella Valley Stormwater Channel (Channel).
- State law requires the City to agree to the \$11,291.53 purchase price by executing an Agreement to Purchase Tax-Defaulted Property (Attachment 2).

FISCAL IMPACT – None.

BACKGROUND/ANALYSIS

Every year, the County of Riverside's Treasurer and Tax Collector identifies tax-defaulted properties available for purchase in Riverside County. CVWD identified a parcel of interest in the City of La Quinta (APN 600-010-019). CVWD desires this parcel due to its proximity to the Channel, and because it is located between two CVWD parcels that are reserved for future well sites. As a condition of the sale, State law requires the City to consent to the purchase price.

ALTERNATIVES

The City could not execute the agreement which would likely result in the property being released for sale at public auction. However, since CVWD could make good use of this property for maintenance access to the Channel, this alternative is not recommended.

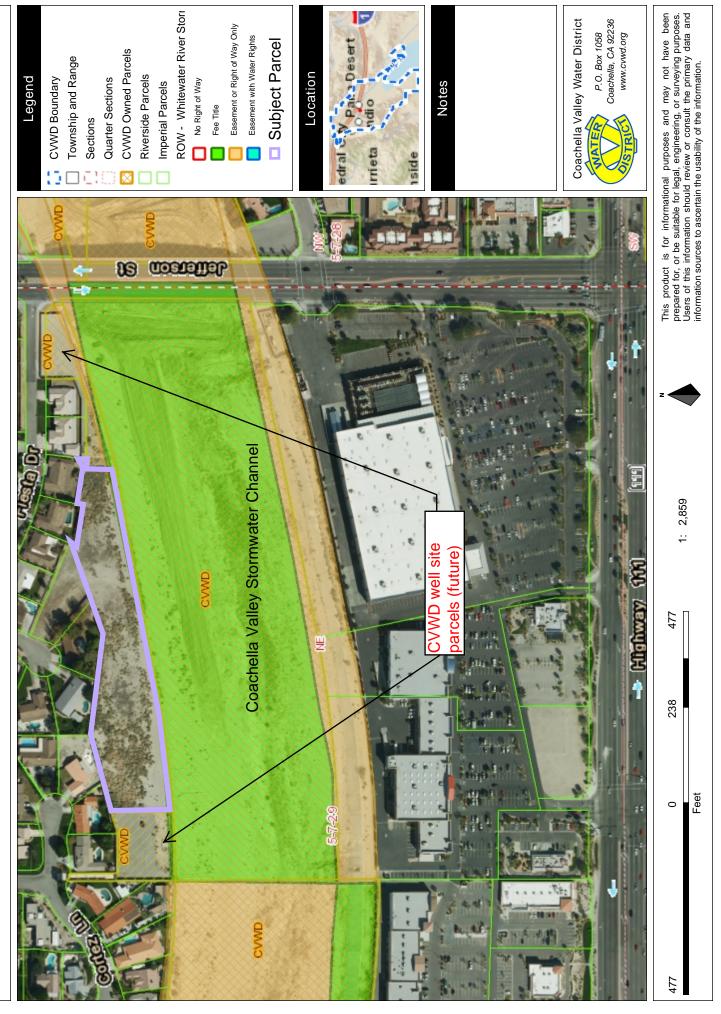
Report prepared by: Maria Casillas, Management Analyst

Report approved by: Timothy R. Jonasson, P.E., Public Works Director/City Engineer

Attachments: 1. Vicinity map

2. County/CVWD Agreement

ATTACHMENT 1



Aerial of APN 600-010-019 in the City of La Quinta

JON CHRISTENSEN
ASSISTANT TREASURER-TAX COLLECTOR

DEBBIE BASHE
INFORMATION TECHNOLOGY OFFICER

GIOVANE PIZANO

KIEU NGO



GARY COTTERILL
CHIEF DEPUTY TREASURER-TAX COLLECTOR

MATT JENNINGS
CHIEF DEPUTY TREASURER-TAX COLLECTOR

MELISSA JOHNSON
CHIEF DEPUTY TREASURER-TAX COLLECTOR

ADRIANNA GOMEZ

July 31, 2015

Coachella Valley Water District
A Public Agency of the State of California
c/o Mark Johnson
PO Box 1058
Coachella, CA 92236

Re: Agreement of Sale Number 4417

Assessment Number(s): 600010019-5, 633160004-5 and 634040007-4

Dear Mr. Johnson:

Enclosed please find two copies of the Agreement to Purchase Tax-Defaulted Property, each of which constitutes an original.

Please have both Agreement to Purchase Tax-Defaulted Property documents signed and seal affixed by the authorized agent(s) for the Coachella Valley Water District, a public agency of the State of California.

Since the parcels listed above are within the City limits of the City of La Quinta, the City of Palm Desert and the City of Indian Wells, a signature from each of the cities is required on both Agreement to Purchase Tax-Defaulted Property documents.

Once this is complete, please return both documents to this office as soon as possible. They will then be sent to the Board of Supervisors. Upon their approval, the documents will be forwarded to the State Controller for their authorization. Upon authorization by the State Controllers Office, we will proceed with the certified mailing and published notice of the Agreement.

Should you have any questions regarding this matter, please feel free to contact the undersigned. Thank you for your cooperation.

Yours truly,

Michelle Bryant August

Michelle Bryant August Sr. Accounting Assistant Riverside County Treasurer – Tax Collector Tax Sales Operation Unit 951-955-3948

AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY

This Agreement 4417 is made this	day of	20, by and between the Board of
Supervisors of Riverside County, State of	f California, and the Coachella Valle	ey Water District, a public agency of
the State of California ("PURCHASER")	, pursuant to the provisions of Division	on 1, Part 6, Chapter 8, of the Revenue
and Taxation Code.		, , , , , , , , , , , , , , , , , , , ,

On October 20, 2014, the Coachella Valley Water District, a public agency of the State of California applied to purchase the subject property (Exhibit "A").

The real property situated within said County, hereinafter set forth and described in Exhibit "B" attached hereto and made a part hereof, is tax-defaulted and is subject to the Power of Sale by the Tax Collector (Exhibit "C") of said County for the nonpayment of taxes, pursuant to provisions of law.

A certified copy of the Resolution authorizing the purchase of the property by the <u>Coachella Valley Water District</u>, a <u>public agency of the State of California</u> is attached as Exhibit "D".

It is mutually agreed as follows:

- 1. That as provided by Section 3800 of the Revenue and Taxation Code, the cost of giving notice of this Agreement shall be paid by the PURCHASER, and
- 2. That the PURCHASER agrees to pay the sum of \$24,777.03 for the real property described in Exhibit "A" within fourteen (14) days after the date this Agreement becomes effective. Upon payment of said sum to the Tax Collector, the Tax Collector shall execute and deliver a deed conveying title of said property to PURCHASER.
- 3. That the PURCHASER agrees to use the parcels(s) for public purpose under the following intent: **Stormwater Channels.**
- 4. That, if said PURCHASER is a taxing agency as defined in Revenue and Taxation Code, any other agency that receives its revenue share under the provisions of Division 1, part 8, Chapter 3 of the Revenue and Taxation Code, it will not share in the distribution of the payment required by the Agreement as defended by 3791 and 3720 of the Revenue and Taxation Code.
- 5. If the intended schedule and effective date of Agreement is delayed, the PURCHASER and the Board of Supervisors will renegotiate the increase of the purchase price amount accordingly.

If all or any portion of any individual parcel described in this agreement is redeemed prior to the effective date of this Agreement, this Agreement shall be null and void as to that individual parcel. This Agreement shall also become null and void and the right of redemption restored upon the PURCHASER'S failure to comply with the terms and condition of this Agreement.

The undersigned hereby agree to the terms and condiagencies.	itions of this Agreement and are duly authorized to sign for said
This document is being executed in counterpart,	each of which constitutes an original.
ATTEST:	
Coachella Valley Water District,	▲ ***
<u>a public agency of the State of California</u> (Purchaser)	By:(Signature and Title)
	(Signature and Title)
(seal)	(Print)
Pursuant to the provisions of section 3775 of the Reve Quinta hereby agrees to the sale price as provided in	renue and Taxation Code, the governing body of the City of La
ATTEST: <u>CITY OF LA QUINTA</u>	
	By
Susan Maysels, City Clerk, City of La Quinta (seal)	LINDA EVANS, Mayor City of La Quinta, CA
·	
Pursuant to the provisions of section 3775 of the Reve Desert hereby agrees to the sale price as provided in	enue and Taxation Code, the governing body of the City of Palm n this agreement.
ATTEST: CITY OF PALM DESERT	
Deputy	By Mayor
(seal)	Mayor

Pursuant to the provisions of section 3775 of the Revenue and Taxation Code, the governing body of the City of Indian Wells hereby agrees to the sale price as provided in this agreement.

			Ву			
Dep	outy	*	<u> </u>	Mayo	r	
eal)						
				*		
TEST: BOARD O	F SUPERVISORS	S			2 9	
KEC	CIA HARPER-IHEM the Board of Supervi	nora .				
Clerk to	the Board of Supervi	5015				
		Ву_				
	Deputy	2	Chai	rman of the Boa	ard of Supervis	ors
(Seal)						
*)						
					**	
				8		
suant to the provi	sions of Sections 377	5 and 3795 of the	a Revenue and	Tayation Code	the Controller	caroos to th
e price therein be	fore set forth and app	proves the forego	oing Agreemer	nt thisday o	f	,20
			BETTY T. YE	E, CALIFORNIA	A STATE CON	ITROLLER
	-		Ву			
			KAREI	N GARCIA, MAN RNMENT COMPE		

EXHIBIT "A"

PURCHASE APPLICATION

CHAPTER 7 FORM 11 DATED (N/A)

CHAPTER 7 PUBLICATION DATE (N/A)

<u>Application</u>	to Purchase Tax-Defaulted Property from (County

This application must be completed by eligible purchasing entity to commence purchase of tax-defaulted property by Agreement sale from the county under applicable provisions of the California Revenue and Taxation Code. Complete the following sections and supply supporting documentation. Completion of this application does not guarantee purchase approval.

A. Purchaser Information I. Name of Organization: Coachella Valley Water	District
2. Mailing Address: Post Office Box 1058, Coac	chella, CA 92236
3. Contact Person: Mark Johnson	Phone : 760-398-2651
	poration (if more than ten years old an update is required)
	etterhead if Redevelopment Agency or Special District, ot, a public agency of the State of California
B. <u>Purchasing Information</u> Determine which category the parcel falls under and then chentity's corporate structure and the intended use of the parcel.	eck the appropriate box as it relates to the purchasing l: (Note: From the six choices, check only one)
Category A: Parcel is currently scheduled for a Chapter 7 to Purchase by Tax Agency/Revenue District to present	ax sale (Attach a separate letter objecting to the sale of the parcel) erve its lien (circle one)
Purchase by Tax Agency, State, County, Revenue purpose (circle one)	District, Special District, or Redevelopment Agency for public
☐ Purchase by Nonprofit to use parcel(s) for low-inco Category B: Parcel is not currently scheduled for a Chapter	me housing purpose or to preserve open space 7 tax sale
☐ Purchase by Taxing Agency for public purpose	
Purchase by State, County, Revenue District, Spe (circle one)	cial District, or Redevelopment Agency for public purpose
☐ Purchase by Nonprofit to use parcel(s) for low-inco	me housing purpose or to preserve open space
C. Property Detail Provide the following information. If there is more than or information into a separate "Exhibit" document and attach it to	ne parcel or you need more space for any of the criteria, consolidate the this application:
1. County where the Parcel is located: County of Riv	erside
2. Assessor's Parcel Number (if only one, list here): See	e attached letter
3. State the purpose and intended use for the Parcel: Se	e attached letter
D. Acknowledgement Detail Provide the signature of the purchasing entity's authorized of	officer
Mark Johnson	760-398-2651
Print Name	Contact Number
Authorizing Signature	Director of Engineering 10 20 14 Title
RTC 3695, 3695.4, 3695.5, 3791, 3891.3 and 3791.4	Title Date



Established in 1918 as a public agency

Coachella Valley Water District

Directors:
John P. Powell, Jr., President - Div. 3
Franz W. De Klotz, Vice President - Div. 1
Ed Pack - Div. 2
Peter Nelson - Div. 4
Debi Livesay - Div. 5

Officers: Jim Barrett, General Manager Julia Fernandez, Board Secretary

Best Best & Krieger LLP, Attorneys

October 20, 2014

File: 0611.1

Michelle Bryant-August County of Riverside Treasurer and Tax Collector County Administrative Center 4080 Lemon Street, 4th Floor Riverside, CA 92502

Dear Ms. Bryant-August:

Subject: County of Riverside Tax Collector's Power of Sale

July 1, 2014 of Tax-Defaulted Properties

The Coachella Valley Water District (CVWD) is in receipt of your letter dated September 9, 2014 advising of the list of tax-defaulted properties that are available for purchase. CVWD has reviewed the list of properties and identified the following parcels of interest for public use:

ASSESSMENT #	PURPOSE
600-010-019-5	Stormwater Channel — Coachella Valley Stormwater Channel
633-160-004-5	Stormwater Channel — Deep Canyon Stormwater Channel
634-040-007-4	Stormwater Channel — Whitewater River Stormwater Channel
677-050-001-2 o TS	Stormwater Channel — Morongo Creek Stormwater Channel

CVWD objects to the sale of the above-listed parcels under a Chapter 7 tax sale and requests the right to purchase this parcel per Division 1, Part 6, Chapter 8, beginning with Section 3771 of the Revenue and Taxation Code of California.

CVWD requests to purchase the above-listed parcels in fee for public use. Enclosed are the completed Application to Purchase Tax-Defaulted Property from County, a copy of CVWD's mission statement, CVWD's jurisdictional map, and highlighted Assessor Parcel Maps of the parcels of interest.

Please advise what steps are necessary to proceed with these transactions. Once the purchase prices and processes are known, CVWD will present the offer of purchase to our Board of Directors for final approval.

EXHIBIT A - PAGE 3



If you have any questions, please call Kelly Esmeralda, Senior Right-of-Way Specialist, extension 2280.

Sincerely,

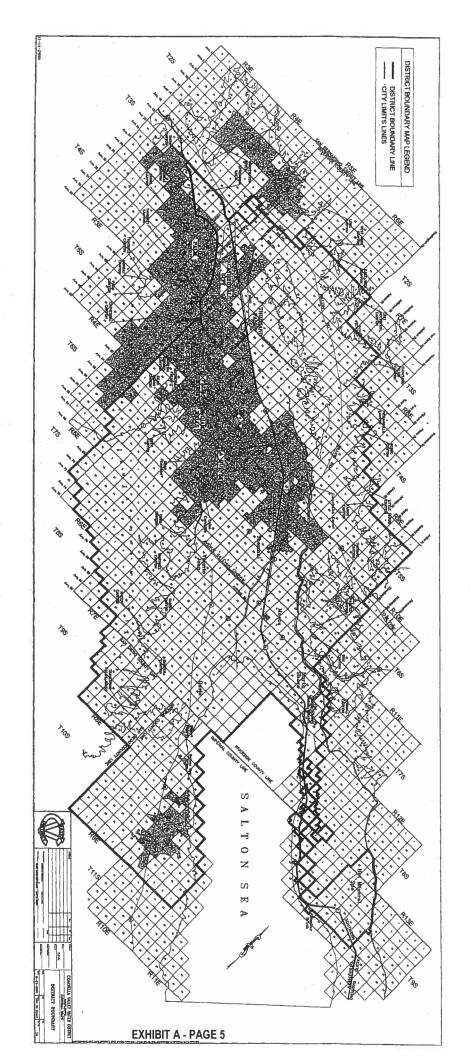
Mark L. Johnson

Director of Engineering

Enclosures/4/as

KE: kf\Eng\ROW\2014\Oct\Tax Collector Power of Sale

EXHIBIT A - PAGE 4



-1

JON CHRISTENSEN
ASSISTANT TREASURER-TAX COLLECTOR

DEBBIE BASHE
INFORMATION TECHNOLOGY OFFICER

GIOVANE PIZANO INVESTMENT MANAGER

> KIEU NGO FISCAL MANAGER



DON KENT TREASURER GARY COTTERILL
CHIEF DEPUTY TREASURER-TAX COLLECTOR

MATT JENNINGS CHIEF DEPUTY TREASURER-TAX COLLECTOR

MELISSA JOHNSON
CHIEF DEPUTY TREASURER-TAX COLLECTOR

ADRIANNA GOMEZ
ADMINISTRATIVE SERVICES MANAGER I

RE: Coachella Valley Water District,

A Public Agency of the State of California

Agreement Number: 4417

The parcel numbers listed below are not part of a publication because they are not part of a tax sale.

600010019-5

633160004-5

634040007-4

EXHIBIT "B"

LEGAL DESCRIPTION

MAPS

PARCEL 1

Parcel Number: 600010019-5 First Year Delinquent: 2008-2009 Purchase Price \$11,291.53

Situs Address: None

Last Assessed to: SIENNA CORP

Legal Description....

IN THE CITY OF LA QUINTA

Assessment Number: 600010019-5 **Default Number**: 2009-600010019-0000

TRA 020-011

PARCEL 3 OF PARCEL MAP NO. 28469, IN THE CITY OF LA QUINTA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 192, PAGE(S) 53 THROUGH 57, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; EXCEPTING THEREFROM THAT PORTION LYING SOUTHERLY OF THE NORTHERLY LINE OF THAT CERTAIN PERPETUAL RIGHT OF WAY DEDICATED TO THE COACHELLA VALLEY STORM WATER DISTRICT OF RIVERSIDE COUNTY BY A FINAL DECREE OF CONDEMNATION RECORDED OCTOBER 6, 1923 IN BOOK 591, PAGE 223 OF DEEDS, RECORDS OF SAID COUNTY;

ALSO EXCEPTING THEREFROM THAT PORTION LYING NORTHERLY OF THE SOUTHERLY LINE OF TRACT NO. 2180, AS SHOWN ON A MAP FILED IN BOOK 41, PAGES 37, 38 AND 39 OF MAPS, RECORDS OF SAID COUNTY; ALSO EXCEPTING THEREFROM THE EASTERLY 44 FEET CONVEYED TO THE COUNTY OF RIVERSIDE, BY DEED RECORDED DECEMBER 19, 1961 AS INSTRUMENT NO. 108910, OF OFFICIAL RECORDS OF SAID COUNTY; ALSO EXCEPTING THEREFROM THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 28469, AS SHOWN BY PARCEL MAP ON FILE IN BOOK 192, PAGE(S) 53, THROUGH 57, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 58 OF TRACT NO. 2180, AS SHOWN BY MAP ON FILE IN BOOK 41, PAGE(S) 37 THROUGH 39, INCLUSIVE, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, SAID POINT BEING ALSO THE SOUTHEAST CORNER OF LOT 59 OF SAID TRACT NO. 2180; THENCE SOUTH 21° 43' 28" WEST 20.00 FEET ALONG A SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF SAID LOT 58; THENCE SOUTH 78° 28' 07" EAST 99.48 FEET TO A SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF SAID LOT 58; THENCE NORTH 12° 59' 37" 3 20.00 FEET ALONG SAID PROLONGATION TO THE SOUTHEAST CORNER OF SAID LOT 58; THENCE NORTH 84° 33' 12" WEST 48.48 FEET; THENCE NORTH 72° 44' 54" WEST (FORMERLY RECORDED AS NORTH 72° 45' 52" WEST) 48.48 FEET TO THE POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM THAT PORTION OF PARCEL 3 CONVEYED TO THE COACHELLA VALLEY WATER DISTRICT DESIGNATED AS 'WELL SITE' BY DEED RECORDED AUGUST 12, 2004 AS INSTRUMENT NO. 0633607, RECORDS OF RIVERSIDE COUNTY.

ALSO EXCEPTING THEREFROM THAT PORTION OF PARCEL 3 CONVEYED TO THE COACHELLA VALLEY WATER DISTRICT BY DEED RECORDED JANUARY 19, 2005 AS INSTRUMENT NO. 0052744 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY.

PARCEL 2

Parcel Number: 633160004-5 First Year Delinquent: 2004-2005 Purchase Price \$7,695.77

Situs Address: None

Last Assessed to: BISHOP, DAVE M

IN THE CITY OF INDIAN WELLS

Assessment Number: 633160004-5 Default Number: 2005-633160004-0000

TRA 016-043

Legal Description.....

THAT PORTION OF THE WEST ONE-HALF OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 6 EAST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 57 OF EL DORADO PALMS UNIT NO. 2, AS SHOWN BY MAP ON FILE IN BOOK 38, PAGES 89 THROUGH 90 INCLUSIVE OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, SAID POINT ALSO BEING ON THE NORTHERLY LINE OF THE COACHELLA VALLEY STORM DRAIN RIGHT-OF-WAY; THENCE NORTH 78°13'20" EAST, ALONG THE SOUTHERLY BOUNDARY OF SAID EL DORADO PALMS UNIT NO. 2, ALSO BEING THE NORTHERLY LINE OF SAID COACHELLA VALLEY STORM DRAIN, A DISTANCE OF 112.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 57; THENCE SOUTH 11°46'40" EAST, ALONG THE SOUTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 57, A DISTANCE OF 250.00 FEET TO THE SOUTHERLY LINE OF SAID COACHELLA VALLEY STORM DRAIN; THENCE SOUTH 78°13'20" WEST, ALONG THE SOUTHERLY LINE OF SAID COACHELLA VALLEY STORM DRAIN, A DISTANCE OF 112.00 FEET TO ITS INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT 57; THENCE NORTH 11°46'40" WEST, ALONG THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT 57, A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING.

PARCEL 3

Parcel Number: 634040007-4
First Year Delinquent: 2007-2008
Purchase Price \$5,789.73

Situs Address: None

Last Assessed to: ENRIGHT, CLARENCE R

Legal Description.....

THAT PORTION OF EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 SOUTH, RANGE 6 EAST, SAN BERNARDINO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

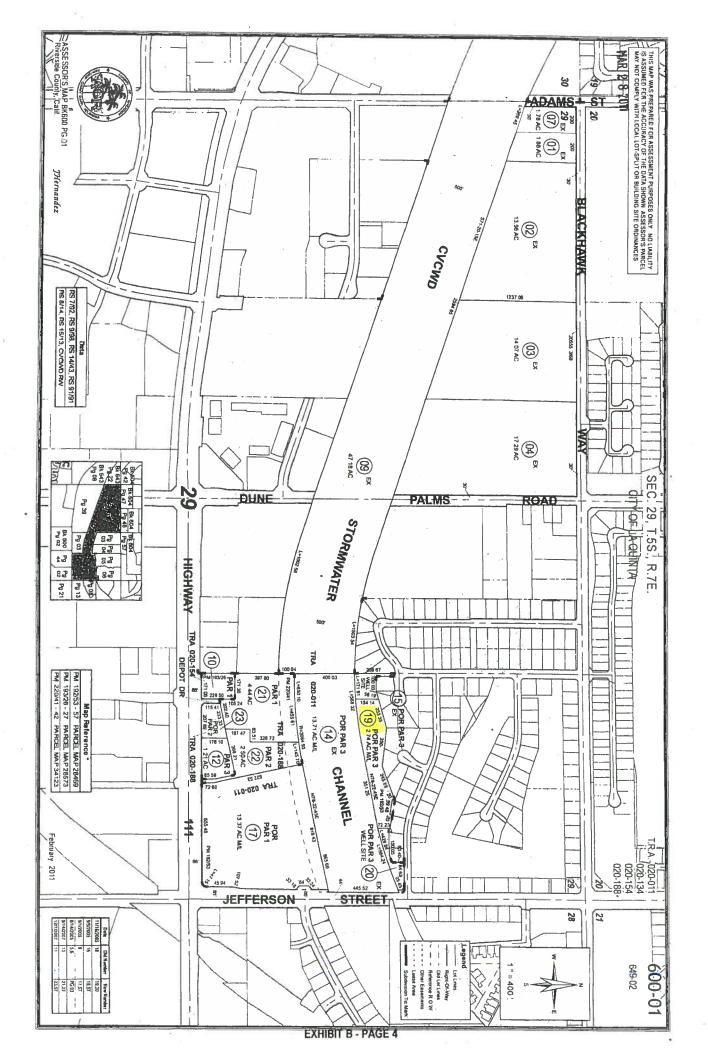
BEGINNING AT THE MOST NORTHERLY CORNER OF TRACT 11969, AS SHOWN BY MAP ON FILE IN BOOK 113, PAGES 95 THROUGH 101 INCLUSIVE OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, SAID POINT ALSO BEING ON THE WESTERLY LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER;

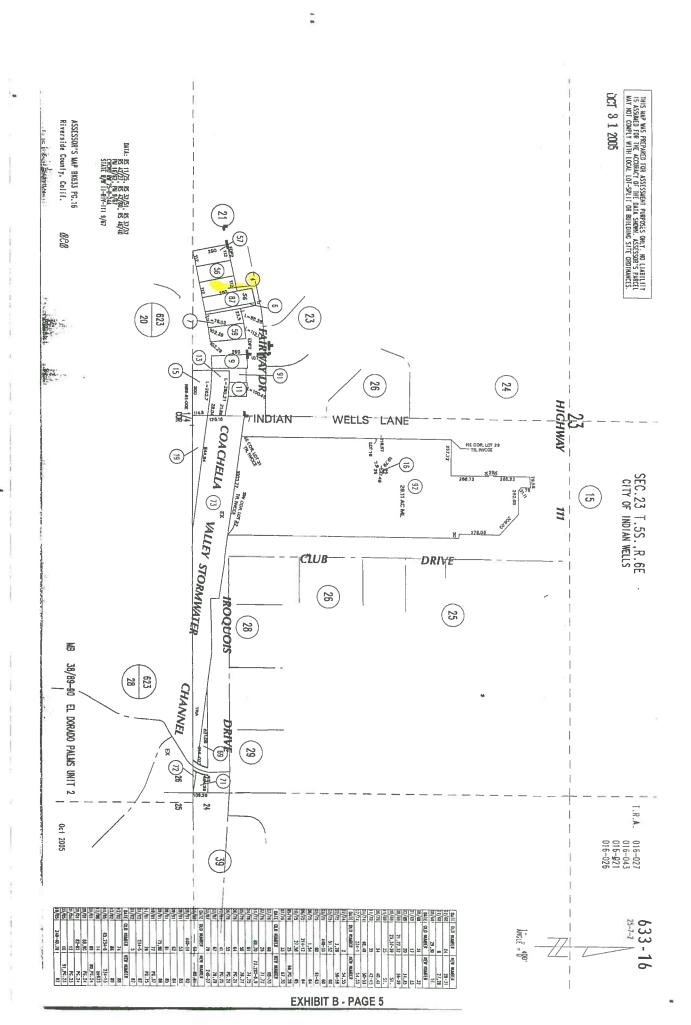
THENCE NORTH 0°08'01" EAST, ALONG SAID WESTERLY LINE, 557.54 FEET TO A POINT ON THE NORTHERLY LINE OF THE C.V.C.W.D. WHITEWATER STORM CHANNEL;

THENCE LEAVING SAID WESTERLY LINE, SOUTH 63°37'10" EAST ALONG SAID NORTHERLY LINE OF THE C.V.C.W.D. WHITEWATER STORM CHANNEL, A DISTANCE OF 1482.76 FEET TO THE EASTERLY LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER; THENCE SOUTH 0°03'27" WEST, 557.28 FEET ALONG SAID EASTERLY LINE, TO THE NORTHEAST CORNER OF SAID TRACT 11969; THENCE NORTH 63°37'10" WEST, 1337.07 FEET ALONG THE NORTHEASTERLY LINE OF SAID TRACT 11969 TO THE POINT OF BEGINNING.

IN THE CITY PALM DESERT

Assessment Number: 634040007-4 **Default Number**: 2008-634040007-0000 **TRA** 018-177





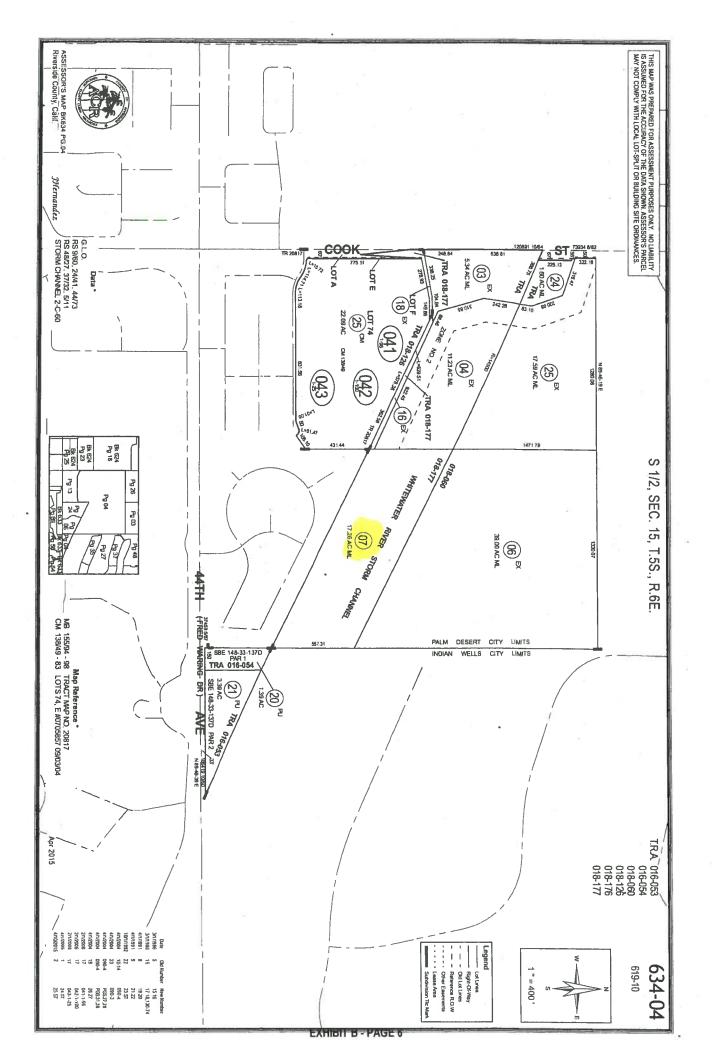


EXHIBIT "C"

NOTICE OF POWER TO SELL TAX-DEFAULTED PROPERTY

TREASURER-TAX COLLECTOR STOP 1110

DON KENT TAX COLLECTOR 4080 LEMON ST - 4TH FLOOR RIVERSIDE, CALIFORNIA 92501 DOC # 2014-0279906 07/25/2014 11:43A Fee:NC

Recorded in Official Records
County of Riverside

Larry W. Ward



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NOTICE OF POWER TO SELL TAX-DEFAULTED PROPERTY

Which, pursuant to law was declared to be Tax-Defaulted on <u>JUNE 30, 2009</u> for the nonpayment of delinquent taxes in the amount of <u>\$712.92</u> for the fiscal year <u>2008-2009</u>, Default Number <u>2009-600010019-0000</u>.

Notice is hereby given by the Tax Collector of RIVERSIDE County that pursuant to Revenue and Taxation Code §3691 the property described herein is subject to sale for nonpayment of taxes and will be sold unless the amount required to redeem the property is paid to the Tax Collector of said County before sale. The real property subject to this notice is assessed to: SIENNA CORP and is situated in said county, State of California, described as follows:

Assessor's Parcel Number 600010019-5

SEE PAGE 2 ENTITLED LEGAL DESCRIPTION

State of California

Executed on

RIVERSIDE County JULY 1, 2014

Y_____Tax Collector

On <u>07/22/2014</u>, before me, Larry W. Ward, Assessor, Clerk-Recorder, personally appeared Don Kent, Treasurer and Tax Collector for Riverside County, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

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

WITNESS my hand and official seal. Larry W. Ward, Assessor, Clerk Recorder

Danut.

Seal

EXHIBIT C - PAGE 2

LEGAL DESCRIPTION

IN THE CITY OF LA QUINTA

PARCEL 3 OF PARCEL MAP NO. 28469, IN THE CITY OF LA QUINTA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 192, PAGE(S) 53 THROUGH 57, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; EXCEPTING THEREFROM THAT PORTION LYING SOUTHERLY OF THE NORTHERLY LINE OF THAT CERTAIN PERPETUAL RIGHT OF WAY DEDICATED TO THE COACHELLA VALLEY STORM WATER DISTRICT OF RIVERSIDE COUNTY BY A FINAL DECREE OF CONDEMNATION RECORDED OCTOBER 6, 1923 IN BOOK 591, PAGE 223 OF DEEDS, RECORDS OF SAID COUNTY;

ALSO EXCEPTING THEREFROM THAT PORTION LYING NORTHERLY OF THE SOUTHERLY LINE OF TRACT NO. 2180, AS SHOWN ON A MAP FILED IN BOOK 41, PAGES 37, 38 AND 39 OF MAPS, RECORDS OF SAID COUNTY; ALSO EXCEPTING THEREFROM THE EASTERLY 44 FEET CONVEYED TO THE COUNTY OF RIVERSIDE, BY DEED RECORDED DECEMBER 19, 1961 AS INSTRUMENT NO. 108910, OF OFFICIAL RECORDS OF SAID COUNTY; ALSO EXCEPTING THEREFROM THAT PORTION OF PARCEL 3 OF PARCEL MAP NO. 28469, AS SHOWN BY PARCEL MAP ON FILE IN BOOK 192, PAGE(S) 53, THROUGH 57, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 58 OF TRACT NO. 2180, AS SHOWN BY MAP ON FILE IN BOOK 41, PAGE(S) 37 THROUGH 39, INCLUSIVE, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, SAID POINT BEING ALSO THE SOUTHEAST CORNER OF LOT 59 OF SAID TRACT NO. 2180; THENCE SOUTH 21° 43' 28" WEST 20.00 FEET ALONG A SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF SAID LOT 58; THENCE SOUTH 78° 28' 07" EAST 99.48 FEET TO A SOUTHERLY PROLONGATION TO THE SOUTHEAST CORNER OF SAID LOT 58; THENCE NORTH 12° 59' 37" 3 20.00 FEET ALONG SAID PROLONGATION TO THE SOUTHEAST CORNER OF SAID LOT 58; THENCE NORTH 84° 33' 12" WEST 48.48 FEET; THENCE NORTH 72° 44' 54" WEST (FORMERLY RECORDED AS NORTH 72° 45' 52" WEST) 48.48 FEET TO THE POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM THAT PORTION OF PARCEL 3 CONVEYED TO THE COACHELLA VALLEY WATER DISTRICT DESIGNATED AS 'WELL SITE' BY DEED RECORDED AUGUST 12, 2004 AS INSTRUMENT NO. 0633607, RECORDS OF RIVERSIDE COUNTY.

ALSO EXCEPTING THEREFROM THAT PORTION OF PARCEL 3 CONVEYED TO THE COACHELLA VALLEY WATER DISTRICT BY DEED RECORDED JANUARY 19, 2005 AS INSTRUMENT NO. 0052744 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY.

TREASURER-TAX COLLECTOR **STOP 1110**

DON KENT TAX COLLECTOR 4080 LEMON ST - 4TH FLOOR **RIVERSIDE, CALIFORNIA 92501** DOC # 2010-0403838 08/24/2010 08:00A Fee:NC

Page 1 of 2 Recorded in Official Records County of Riverside Larry W. Ward

County Clerk & Recorder



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NOTICE OF POWER TO SELL TAX-DEFAULTED PROPERTY

Which, pursuant to law was declared to be Tax-Defaulted on for the nonpayment of delinquent taxes in the amount of

for the fiscal year 2004-2005 , Default Number

JUNE 30, 2005

\$81.68

2005-633160004-0000

Notice is hereby given by the Tax Collector of RIVERSIDE County that pursuant to Revenue and Taxation Code §3691 the property described herein is subject to sale for nonpayment of taxes and will be sold unless the amount required to redeem the property is paid to the Tax Collector of said County before sale. The real property subject to this notice is assessed to:

BISHOP, DAVE M

and is situated in said county, State of California, described as follows:

633160004-5

Assessor's Parcel Number

(SEE PAGE 2 ENTITLED LEGAL DESCRIPTION)

State of California

Executed on

RIVERSIDE County JULY 1, 2010

On <u>8/16/2010</u>, before me, Larry W. Ward, Assessor, Clerk-Recorder, personally appeared Don Kent, Treasurer and Tax Collector for Riverside County, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

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

WITNESS my hand and official seal. Larry W. Ward, Assessor, Clerk Recorder

Seal

§§3691, 3691.1, 3691.2 R&T Code

TDL 7-01 (1-98)

Order: Non-Order Search Doc: RV:2010 00403838

Page 1 of 2

EXHIBIT C - PAGE 4

Page 2

633160004-5

LEGAL DESCRIPTION

IN THE CITY OF INDIAN WELLS

THAT PORTION OF THE WEST ONE-HALF OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 6 EAST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 57 OF EL DORADO PALMS UNIT NO. 2, AS SHOWN BY MAP ON FILE IN BOOK 38, PAGES 89 THROUGH 90 INCLUSIVE OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, SAID POINT ALSO BEING ON THE NORTHERLY LINE OF THE COACHELLA VALLEY STORM DRAIN RIGHT-OF-WAY; THENCE NORTH 78°13'20' EAST, ALONG THE SOUTHERLY BOUNDARY OF SAID EL DORADO PALMS UNIT NO. 2, ALSO BEING THE NORTHERLY LINE OF SAID COACHELLA VALLEY STORM DRAIN, A DISTANCE OF 112.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 57; THENCE SOUTH 11°46'40" EAST, ALONG THE SOUTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 57, A DISTANCE OF 250.00 FEET TO THE SOUTHERLY LINE OF SAID COACHELLA VALLEY STORM DRAIN; THENCE SOUTH 78°13'20" WEST, ALONG THE SOUTHERLY LINE OF SAID COACHELLA VALLEY STORM DRAIN, A DISTANCE OF 112.00 FEET TO ITS INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT 57; THENCE NORTH 11°46'40" WEST, ALONG THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT 57, A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING.

TREASURER-TAX COLLECTOR STOP 1110

DON KENT TAX COLLECTOR 4080 LEMON ST - 4TH FLOOR RIVERSIDE, CALIFORNIA 92501 DOC # 2013-0409240 08/21/2013 09:25A Fee:NC

Page 1 of 2
Recorded in Official Records
County of Riverside
Larry W. Ward



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02319 DESERT SUN

NOTICE OF POWER TO SELL TAX-DEFAULTED PROPERTY

O78

Which, pursuant to law was declared to be Tax-Defaulted on <u>JUNE 30, 2008</u> for the nonpayment of delinquent taxes in the amount of \$251.66 for the fiscal year 2007-2008, Default Number 2008-634040007-0000.

Notice is hereby given by the Tax Collector of RIVERSIDE County that pursuant to Revenue and Taxation Code §3691 the property described herein is subject to sale for nonpayment of taxes and will be sold unless the amount required to redeem the property is paid to the Tax Collector of said County before sale. The real property subject to this notice is assessed to: ENRIGHT, CLARENCE R and is situated in said county, State of California, described as follows:

Assessor's Parcel Number 634040007-4

SEE PAGE 2 ENTITLED LEGAL DESCRIPTION

State of California

RIVERSIDE County JULY 1, 2013

Executed on

12

Tax Collector

On <u>07/24/2013</u>, before me, Larry W. Ward, Assessor, Clerk-Recorder, personally appeared Don Kent, Treasurer and Tax Collector for Riverside County, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

By

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

WITNESS my hand and official seal. Larry W. Ward, Assessor, Clerk Recorder

Deputy/

Seal

§§3691, 3691.1, 3691.2 R&T Code

100

TDL 7-01 (1-98)

634040007-4

LEGAL DESCRIPTION

IN THE CITY OF PALM DESERT

THAT PORTION OF EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 SOUTH, RANGE 6 EAST, SAN BERNARDINO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF TRACT 11969, AS SHOWN BY MAP ON FILE IN BOOK 113, PAGES 95 THROUGH 101 INCLUSIVE OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, SAID POINT ALSO BEING ON THE WESTERLY LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER;

THENCE NORTH 0"08'01" EAST, ALONG SAID WESTERLY LINE, 557.54 FEET TO A POINT ON THE NORTHERLY LINE OF THE C.V.C.W.D. WHITEWATER STORM CHANNEL;

THENCE LEAVING SAID WESTERLY LINE, SOUTH 63°37'10" EAST ALONG SAID NORTHERLY LINE OF THE C.V.C.W.D. WHITEWATER STORM CHANNEL, A DISTANCE OF 1482.76 FEET TO THE EASTERLY LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER; THENCE SOUTH 0°03'27" WEST, 557.28 FEET ALONG SAID EASTERLY LINE, TO THE NORTHEAST CORNER OF SAID TRACT 11969; THENCE NORTH 63°37'10" WEST, 1337.07 FEET ALONG THE NORTHEASTERLY LINE OF SAID TRACT 11969 TO THE POINT OF BEGINNING.

Order: Non-Order Search Doc: RV:2013 00409240

EXHIBIT "D"

RESOLUTION NUMBER 2015-22

MISSION STATEMENT

RESOLUTION OF THE BOARD OF DIRECTORS OF COACHELLA VALLEY WATER DISTRICT

RESOLUTION NO. 2015-22

WHEREAS, the County of Riverside is preparing to offer for sale tax deeded property at public auction; and

WHEREAS, this Board of Directors has reviewed the tax deeded property to be offered for sale at public auction by the County of Riverside and it has been determined by this Board the following parcels are needed:

Assessor's Parcel No. 600-010-019-5 will be utilized for stormwater channel purposes as part of the Coachella Valley Stormwater Channel and surrounding area.

Assessor's Parcel No. 633-160-004-5 will be utilized for stormwater channel purposes as part of the Deep Canyon Stormwater Channel and surrounding area.

Assessor's Parcel No. 634-040-007-4 will be utilized as part of the Whitewater River Stormwater Channel and surrounding area.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Coachella Valley Water District assembled in regular meeting this 10th day of February, 2015, that this Board objects to the proposed public sale of the above described parcels and requests the Treasurer and Tax Collector of Riverside County to remove said parcels from the proposed public auction list; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized to proceed with an agreement to purchase Assessor's Parcel No. 600-010-019-5 containing 2.73 acres, more or less, located in the Northeast Quarter of Section 29, Township 5 South, Range 7 East, San Bernardino Base and Meridian, for \$11,291.53 under Chapter 8 in accordance with the provisions of Sections 3965 and 3695.4 of the Revenue and Taxation Code; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized to proceed with an agreement to purchase Assessor's Parcel No. 633-160-004-5 containing 0.64 acres, more or less, located in the Southwest Quarter of Section 23, Township 5 South, Range 6 East, San Bernardino Base and Meridian, for \$7,695.77 under Chapter 8 in accordance with the provisions of Sections 3965 and 3695.4 of the Revenue and Taxation Code; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized to proceed with an agreement to purchase Assessor's Parcel No. 634-040-007-4 containing 16.96 acres, more or less, located in the Southwest Quarter of Section 15, Township 5 South, Range 6 East, San Bernardino Base and Meridian, for \$5,789.73 under Chapter 8 in accordance with the provisions of Sections 3965 and 3695.4 of the Revenue and Taxation Code; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized to execute on behalf of this District all documents necessary to complete this transaction; and

BE IT FURTHER RESOLVED that cost of giving notice charges of \$1,051.75 per parcel be approved; and

BE IT FURTHER RESOLVED that preliminary reports, title insurance policies, and environmental reports at an estimated cost of \$13,500.00 be approved; and

BE IT FURTHER RESOLVED that the Secretary forward a certified copy of this Resolution to the Treasurer and Tax Collector of Riverside County as our formal request to remove the above described parcels from the proposed public auction list.

BE IT FINALLY RESOLVED that this Board resolution authorizes a total of \$41,432.28.

STATE OF CALIFORNIA)
COACHELLA VALLEY WATER DISTRICT) ss.
OFFICE OF THE SECRETARY)

I, JULIA FERNANDEZ, Secretary of the Board of Directors of the Coachella Valley Water District, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of Resolution No. 2015-22 adopted by the Board of Directors of said District at a regular meeting thereof duly held and convened on the 10th day of February, 2015, at which meeting a quorum of said Board was present and acting throughout. The Resolution was adopted by the following vote:

Ayes:

Five

Directors:

Powell, Nelson, O'Dowd, Pack, Estrada

Noes:

None

Dated this 10th day of February, 2015.

(SEAL)



Established in 1918 as a public agency

Coachella Valley Water District

Directors: John P. Powell, Jr., President - Div. 3 Franz W. De Klotz, Vice President - Div. 1 Ed Pack - Div. 2 Peter Nelson - Div. 4 Debi Livesay - Div. 5

Officers: Jim Barrett, General Manager Julia Fernandez, Board Secretary

Best Best & Krieger LLP, Attorneys

Mission Statement

To meet the water-related needs of the people through dedicated employees, providing high quality water at a reasonable cost.

EXHIBIT D - PAGE 5