



Madera County Treasurer-Tax Collector

200 W. Fourth St., Ste 2200, Madera, CA 93637 | taxcollector@maderacounty.com

OFFICIAL CLAIM FORM FOR EXCESS PROCEEDS

I hereby certify that I am a party of interest for the following parcel:

Parcel Number:

Last Assessee Name:

Property Address:

Date of Sale:

Tax Deed Recording Date:

I claim excess proceeds under Revenue and Taxation Code Section §4675 based upon my interest in the above-described property.

CLAIMANT INFORMATION

- Lien holder of Record
- Owner of Record
- Qualified Heir(s) of Owner of Record - Relationship: _____
- Claimant Filing on Behalf of a Business - Business Name: _____
- Assignee of a Party of Interest - Assignee Name: _____

Amount of Claim through date of Sale: \$ _____

Claimant Name: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

E-Mail: _____ **SS#/TIN:** _____

Driver License No. : _____ **Phone:** _____

CERTIFICATION OF CLAIMANT

Please check boxes below that you certify under penalty of perjury:

- You have read the Madera County Treasurer-Tax Collector Excess Proceeds Policy and understand all rules and regulations.
- You understand that this claim form must be submitted by the close of business within one (1) year of the tax deed recording date listed above and that claims submitted more than one (1) year after this date will not be accepted per state law.
- The information contained in this claim is true and correct, and of your own personal knowledge.
- You prepared this claim and am entitled to the unclaimed funds set forth in this claim.
- Documentation that supports your claim is enclosed. **If your claim is denied, you are aware that you can no longer submit missing documentation as the one (1) year expiration deadline has passed.**

Signature of Claimant: _____ **Date:** _____

NOTARY ACKNOWLEDGMENT

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

State of California
County of _____

On _____, before me, _____, Notary Public, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this document and acknowledged to me that he/she executed the same in his/her authorized capacity, that by his/her signature on this document the person, or the entity upon behalf of which the person acted, executed this document.

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.

(Seal)

EXCESS PROCEEDS CLAIM INSTRUCTIONS

WE CANNOT BY LAW BEGIN THE PROCESSING OF CLAIMS UNTIL ONE (1) YEAR HAS PASSED FROM THE RECORDING DATE OF THE TAX DEED TO THE PURCHASER. IN ORDER TO RECEIVE CONSIDERATION BY THE COUNTY BOARD OF SUPERVISORS, CLAIMS MUST BE FILED ON OR BEFORE THE EXPIRATION OF ONE (1) YEAR FOLLOWING THE DATE OF THE RECORDING OF THE TAX DEED TO THE PURCHASER.

A. Claims for excess proceeds must be filed within one (1) year of recordation of the Madera County Treasurer-Tax Collector's deed to the purchaser. **At the time of submission, claims cannot be reviewed until after the one (1) year expiration deadline has passed.**

B. Additional supporting documentation **CANNOT** be submitted after the one (1) year expiration deadline. The Madera County Treasurer-Tax Collector is not responsible for informing the claimant of missing documentation or incomplete claims.

C. Madera County Treasurer-Tax Collector **ONLY** accepts original or certified copies of original recorded documents.

D. The Madera County Treasurer-Tax Collector Claim form must be used otherwise claims will be denied. Complete the enclosed Excess Proceeds claim form, sign, **notarize**, and return it with a copy of photo identification for the claimant and any assignee, and the following supporting documentation. Remit the supporting documentation that pertains to your claim and establishes your rights.

(FOR MORE IN DEPTH INSTRUCTIONS PLEASE REFER TO OUR POLICY)

1. MORTGAGE LENDERS, DEED OF TRUST BENEFICIARIES & JUDGMENT CREDITORS

- a. A notarized claim form must be signed.
- b. A recorded Lien/Judgment/Deed of Trust or other legal documents on which you base your claim to all or any portion of the excess proceeds.
- c. The promissory note and all modifications (if any) (or court order pursuant to California Civil Code section 3415).
- d. Statement or Orders setting forth any modification(s) to the Judgment.
- e. The claim needs initial amount of the lien or interest, the amount of payment(s) received by you and the amount still due and owing as of the date of the tax sale.
- f. Proof that the judgment debtor is the person who possessed record ownership of the property sold at the tax sale.

2. PERSON(S) WITH TITLE OF RECORD

- a. A notarized claim form must be signed.
- b. A recorded Grant Deed, or Quitclaim Deed, etc.
- c. If multiple owners each individual must file a separate claim form, for their interest only.

3. QUALIFIED HEIR(S) OF PERSON (S) WITH TITLE OF RECORD

- a. A notarized claim form must be signed. Probate documentation or probate affidavit. An affidavit form is available for download on the Madera County Treasurer-Tax Collector's Website.
- b. Death Certificate of owners.
- c. Will or Trust documents.
- d. If name has changed, submit Birth/Marriage/Divorce documents.

4. CLAIMS FILING ON BEHALF OF BUSINESS: CORPORATION/LLC, PARTNERSHIP/LIMITED PARTNERSHIP

- a. A notarized claim form must be signed by an authorized person on behalf of the business.
- b. All business entities must provide proof of their Federal Employer Identification Number (FEIN) assigned to the business.
- c. A copy of the Corporate Bylaws or Articles of Incorporation is required.
- d. A resolution of the board of directors or a letter on company letterhead authorizing the claimant to act on behalf of the business with all appropriate signatures and seal is required.
- e. If the business name has changed due to mergers, submit documentation which supports all name changes.
- f. If you are claiming for a business that was previously suspended by either the Secretary of State or the Franchise Tax Board (FTB), provide proof that the business is no longer suspended.
- g. Certificate of Registration from the Secretary of State.
- h. A copy of Partnership/Limited Partnership Agreement.
- i. Current Fictitious Business Name filing, if applicable.

5. ASSIGNMENT OF INTEREST

- a. The notarized affidavit. An affidavit form is available for download on the Madera County Treasurer-Tax Collector's Website.
- b. Proof that the amount and source of excess proceeds was disclosed to the party of interest.
- c. The amount of excess proceeds and amount of the assignment must be specified. Any attempted assignment that does not comply with these requirements shall have no effect. (Revenue and Taxation Code §4675).
- d. Contact information of the party of interest including name, address, and phone number.

Return claim form and supporting documentation to the:

Madera County Treasurer-Tax Collector
200 W 4th Street
Madera, CA 93637

If you need any assistance, please contact our office via e-mail at taxcollector@maderacounty.com or visit our website at www.maderacounty.com/treasurer

