

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

809B



**FROM:** County Counsel  
Code Enforcement Department

**SUBMITTAL DATE:**  
May 25, 2011

**SUBJECT:** VACATE Order re: Statement of Expense [Case No. CV09-11303]  
Subject Property: 1 Parcel N/E of 21210 Old Elsinore Road, Perris; HERREDIA  
APN: 322-160-006  
District One

Departmental Concurrence

**RECOMMENDED MOTION:** Move that the Board of Supervisors:

- (1) vacate the Order assessing costs in the amount of **three thousand, nine hundred seventy-seven dollars and forty cents (US \$3,977.40)**;
- (2) vacate the recordation of a notice of abatement lien; and
- (3) vacate the authorization that the abatement costs to be added to the tax roll as a special assessment.

*L. Alexandra Fong*

L. ALEXANDRA FONG, Deputy County Counsel  
for PAMELA J. WALLS, County Counsel

<b>FINANCIAL DATA</b>	<b>Current F.Y. Total Cost:</b>	\$ N/A	<b>In Current Year Budget:</b>	N/A
	<b>Current F.Y. Net County Cost:</b>	\$ N/A	<b>Budget Adjustment:</b>	N/A
	<b>Annual Net County Cost:</b>	\$ N/A	<b>For Fiscal Year:</b>	N/A

<b>SOURCE OF FUNDS:</b>	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** **APPROVE**

**County Executive Office Signature** BY *Tina Grande*  
Tina Grande

- Consent
- Policy
- Consent
- Policy

Dep't Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.: 3/26/11, 9.3 | District: 1 | Agenda Number:

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**BACKGROUND:** On March 26, 2011, the Board of Supervisors approved the request by the Code Enforcement Department to:

- (1) assess the reasonable costs of abatement of a public nuisance (accumulated rubbish) in the above-referenced matter to be **three thousand, nine hundred seventy-seven dollars and forty cents (US \$3,977.40)**;
- (2) assess the costs of abatement against the above-described subject property;
- (3) authorize the recordation of a notice of abatement lien; and
- (4) authorize the abatement costs to be added to the tax roll as a special assessment
- (5) authorize and direct the Code Enforcement Department to take any reasonable actions to collect the amount owed.

On April 5, 2011, during "Oral Communications from the Audience" the Board of Supervisors vacated the orders, pursuant to a request by the property owner, who provided evidence from the United States Postal Service that he had not received notice of the hearing until March 27, 2011, the day after the hearing was held. The Board also set a new hearing on May 17, 2011. The new hearing was not set on the Board's Agenda.

Therefore, in an abundance of caution, this request is being made.