

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



321 B

FROM: County Counsel
Code Enforcement Department

SUBMITTAL DATE:
June 29, 2011

SUBJECT: Statement of Abatement Costs [Case No. CV04-0341]
Subject Property: 6303 Morton Ave., Riverside; RUNYAN
APN: 163-202-001
District: Two

Departmental Concurrence

RECOMMENDED MOTION: Move that the Board of Supervisors:

- 1) assess the reasonable costs of abatement of a public nuisance (excessive outside storage and accumulated rubbish) in the above-referenced matter to be **thirty-four thousand, six hundred thirty-seven dollars and thirty-three cents; (US \$34,637.33);**
- (2) assess the costs of abatement against the above-described subject property;
- (3) authorize the recordation of a notice of abatement lien;
- (4) authorize the abatement costs to be added to the tax roll as a special assessment; and
- (5) authorize and direct the Code Enforcement Department to take any reasonable actions to collect the amount owed.

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

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

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

C.E.O. RECOMMENDATION: APPROVE

BY: Tina Grande

County Executive Office Signature

Consent
 Policy

 Consent
 Policy

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

Prev. Agn. Ref.: | District: 2 | Agenda Number:

9.7

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BACKGROUND: Government Code § 25845, Riverside County Ordinance Nos. 348 (RCC Title 17), 541 (RCC Title 8 and 725 (RCC Title 1.16) authorize the recovery of abatement costs in public nuisance cases, the recordation of a notice of abatement lien and inclusion of abatement costs on the tax roll as a special assessment upon approval of the Board of Supervisors.

On Jan. 8, 2010, the Superior Court of the State of California, County of Riverside, issued its Amended Order Assessing Abatement Costs and Attorney's Fees as a result of a lawsuit filed by the County of Riverside in Case No. RIC 464091 (i.e., amended to correct Aug. 31, 2009 order wherein the Defendant's middle initial was corrected from "Richard R. Runyan" to "Richard Lee Runyan" (see attached exhibit). The Court awarded County of Riverside costs and attorneys' fees in the amount of thirty-four thousand, six hundred thirty-seven dollars and thirty-three cents (\$34,637.33). County of Riverside seeks to have these costs recorded against the subject property as an abatement lien and to be added to the tax roll as a special assessment, pursuant to Riverside County Ordinance No. 725.

The Notice of Hearing re Statement of Abatement Costs has been posted on the property and mailed to the property owner and all interested parties, as required by law. Copies of all relevant notices issued in this matter together with proof of service and posting have been separately filed with the Clerk of the Board and are made a part of the record herein, pursuant to Riverside County Ordinance 725.