

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

101B



**FROM:** County Counsel/TLMA  
Code Enforcement Department

**SUBMITTAL DATE:**  
January 6, 2014

**SUBJECT:** Order to Abate [Accumulated Rubbish]; Case No. CV12-05142 [MORGAN PROPERTIES]  
Subject Property: Vacant Lot on Davis Street, Lake Elsinore; APN: 386-160-004  
District: 1/1 [\$0.00]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05142;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05142; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05142.

**BACKGROUND:**

**Summary**

On December 3, 2013, this Board received the declaration of the Code Enforcement Officer in the above referenced matter and declared the accumulated rubbish located on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare Findings of Fact, Conclusions and Order to Abate.

*Sophia Choi*  
\_\_\_\_\_  
SOPHIA CHOI  
Deputy County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

**SOURCE OF FUNDS:** \_\_\_\_\_  
Budget Adjustment: \_\_\_\_\_  
For Fiscal Year: \_\_\_\_\_

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

APPROVE

BY *Tina Grande*  
\_\_\_\_\_  
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

Positions Added  
 Change Order

A-30  
 4/5 Vote

Prev. Agn. Ref.: 12/03/13; 9.1 | District: 1/1 | Agenda Number:

**2-7**

Departmental Concurrence

1 RECORDING REQUESTED BY:  
Kecia Harper-Ihem, Clerk of the  
2 Board of Supervisors  
(Stop #1010)  
3  
4

5 WHEN RECORDED PLEASE MAIL TO:  
Patricia Munroe, Deputy County Counsel  
6 County of Riverside  
OFFICE OF COUNTY COUNSEL  
7 3960 Orange Street, Suite 500 (Stop #1350)  
Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

8  
9 **BOARD OF SUPERVISORS**  
**COUNTY OF RIVERSIDE**  
10

11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 12-05142  
[ACCUMULATION OF RUBBISH]; )  
12 APN 386-160-004, VACANT LOT ON DAVIS ) FINDINGS OF FACT,  
STREET, LAKE ELSINORE, RIVERSIDE ) CONCLUSIONS AND ORDER TO  
13 COUNTY, CALIFORNIA; MORGAN ) ABATE NUISANCE  
PROPERTIES, L.P., OWNER. )  
14 ) R.C.O. Nos. 541 and 725  
15 )  
16 )

17 The above-captioned matter came on regularly for hearing on December 3, 2013, before the  
18 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor  
19 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real  
20 property described as Vacant Lot on Davis Street, Lake Elsinore, Riverside County, and further  
21 described as Assessor's Parcel Number 386-160-004 referred to hereinafter as "THE PROPERTY."

22 Patricia Munroe, Deputy County Counsel, appeared along with Michelle Cervantes, Code  
23 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

24 Owner did not appear.

25 The Board of Supervisors received the Declaration of Code Enforcement Officer together  
26 with the attached exhibits, evidencing the accumulation of rubbish on THE PROPERTY as a public  
27 nuisance and violation of Riverside County Ordinance No. 541.

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1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder’s Office identify the OWNER  
3 of THE PROPERTY as Morgan Properties, L.P. (“OWNER”).

4 2. Documents of title indicate that no other parties potentially hold a legal interest in  
5 THE PROPERTY.

6 3. THE PROPERTY was inspected by Code Enforcement Officers on October 4, 2012,  
7 June 19, 2013, October 22, 2013 and December 2, 2013.

8 4. During each inspection, an accumulation of rubbish was observed on THE  
9 PROPERTY. The rubbish consisted of, but was not limited to: household trash, discarded furniture,  
10 and other miscellaneous items measuring approximately one hundred sixty thousand (160,000)  
11 square feet.

12 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
13 No. 541 by the Code Enforcement Officer.

14 6. A Notice of Pendency of Administrative Proceedings was recorded in the Office of  
15 the County Recorder, County of Riverside, State of California on October 16, 2012, as instrument  
16 number 2012-0492186.

17 7. On October 4, 2012, a Notice of Violation was posted on THE PROPERTY. On  
18 October 5, 2012, a Notice of Violation was mailed to OWNER by first class mail.

19 8. A “Notice to Correct County Ordinance Violations and Abate Public Nuisance”  
20 providing notice of the public hearing before the Board of Supervisors on December 3, 2013, was  
21 mailed to OWNER and was posted on THE PROPERTY.

22 **FINDINGS AND CONCLUSIONS**

23 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
24 regular session assembled on December 3, 2013, finds and concludes that:

25 1. WHEREAS, the accumulation of rubbish on the real property located at Vacant Lot  
26 on Davis Street, Lake Elsinore, Riverside County, California, also identified as Assessor's Parcel  
27 Number 386-160-004 violates Riverside County Ordinance No. 541 and constitutes a public  
28 nuisance.



1 Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into  
2 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

3

4 Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

5

By \_\_\_\_\_  
John J. Benoit  
Chairman, Board of Supervisors

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ATTEST:

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KECIA HARPER-IHEM

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Clerk to the Board

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By

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Deputy

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(SEAL)

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