

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

604B



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

**SUBMITTAL DATE:**  
December 19, 2014

**SUBJECT:** Order to Abate [Excessive Outside Storage & Accumulated Rubbish]  
Case No. CV12-05805 [GOOD LAND INVESTMENTS IV AND  
AUSPICIOUS INVESTMENTS CORPORATION]  
Subject Property: 1 Parcel South of 30570 Brookstone Lane, Lake Elsinore  
APN: 387-280-001  
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. CV12-05805;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05805; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05805.

**BACKGROUND:**

Summary

On November 4, 2014, this Board received the declaration of the Code Enforcement Officer in the above referenced matter and declared the excessive outside storage and accumulated rubbish, located on the (Continued)

GREGORY P. PRIAMOS  
County Counsel

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

<b>SOURCE OF FUNDS:</b>	<b>Budget Adjustment:</b>
	For Fiscal Year:

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

APPROVE

BY:   
Rohini Dasika

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

- Positions Added
- Change Order
- A-30
- 4/5 Vote

Prev. Agn. Ref.: 11/04/14; 9.2

District: 1/1

Agenda Number:

**2-27**

Departmental Concurrence

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

**FORM 11:** Order to Abate [Excessive Outside Storage & Accumulated Rubbish]

Case No. CV12-05805 [GOOD LAND INVESTMENTS IV, ET AL]

Subject Property: 1 Parcel South of 30570 Brookstone Lane, Lake Elsinore

APN: 387-280-001

District: 1/1 [\$0.00]

**DATE:** December 19, 2014

**PAGE:** 2 of 2

**BACKGROUND:**

**Summary (continued)**

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.

**Impact on Citizens and Businesses**

When property owners abate nuisances on their property, the surrounding neighborhood's safety, attractiveness and land values are potentially increased.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS**

Findings of Fact

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

5 WHEN RECORDED PLEASE MAIL TO:  
6 Michelle Cervantes, Senior Code Enforcement Officer  
7 Regina Keyes, Senior Code Enforcement Officer  
8 CODE ENFORCEMENT DEPARTMENT  
9 4080 Lemon Street, Twelfth Floor (Stop #1012)  
10 Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

**BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE**

11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 12-05805  
12 [EXCESSIVE OUTSIDE STORAGE AND )  
13 ACCUMULATION OF RUBBISH]; ) FINDINGS OF FACT,  
14 APN 387-280-001, 1 PARCEL SOUTH OF 30570 ) CONCLUSIONS AND ORDER TO  
15 BROOKSTONE LANE, LAKE ELSINORE, ) ABATE NUISANCE  
16 RIVERSIDE COUNTY, CALIFORNIA; GOOD )  
LAND INVESTMENTS IV AND AUSPICIOUS ) R.C.O. Nos. 348, 541 and 725  
INVESTMENTS CORPORATION, OWNERS. )

17 The above-captioned matter came on regularly for hearing on November 4, 2014, 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 1 Parcel South of 30570 Brookstone Lane, Lake Elsinore, Riverside County,  
21 Assessor’s Parcel Number 387-280-001 and referred to hereinafter as “THE PROPERTY.”

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

24 Owner did not appear. Mr. William Reed Nichols, a purported tenant on the property,  
25 appeared and addressed the Board of Supervisors.

26 The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
27 with attached Exhibits, evidencing the excessive outside storage of materials and accumulation of  
28 rubbish on THE PROPERTY as violations of Riverside County Ordinance Nos. 348 and 541 and as

1 a public nuisance.

2 **SUMMARY OF EVIDENCE**

3 1. Documents of record in the Riverside County Recorder's Office identify the owners  
4 of THE PROPERTY as Good Land Investments IV and Auspicious Investments Corporation  
5 ("OWNERS").

6 2. Documents of title indicate that no other parties appear to potentially hold a legal  
7 interest in THE PROPERTY. Mr. William Reed Nichols purported to be a tenant on the property  
8 ("TENANT").

9 3. THE PROPERTY was inspected by Code Enforcement Officers on October 31, 2012,  
10 April 1, 2013, July 23, 2013, February 4, 2014, March 17, 2014 and October 31, 2014.

11 4. During each inspection an accumulation of rubbish and excess outside storage was  
12 observed throughout THE PROPERTY consisting of but not limited to: aged lumber and other  
13 assorted wood, trash, litter, discarded items, screen doors, furniture, and other miscellaneous items in  
14 excess of 4,800 square feet.

15 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
16 Nos. 348 and 541 by the Code Enforcement Officer.

17 6. On March 12, 2013, a Notice of Pendency of Administrative Proceedings was  
18 recorded at the Riverside County Recorder's Office as instrument number 2013-0119545.

19 7. On February 21, 2013, April 1, 2013, and March 17, 2014, a Notice of Violation was  
20 posted on THE PROPERTY. On February 21, 2013, a Notice of Violation was mailed to OWNERS  
21 and TENANT by certified mail, return receipt requested.

22 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"  
23 providing notice of the public hearing before the Board of Supervisors was mailed to OWNERS and  
24 TENANT and was posted on THE PROPERTY.

25 **FINDINGS AND CONCLUSIONS**

26 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
27 regular session assembled on November 4, 2014, finds and concludes that:

28 1. WHEREAS, the excessive outside storage of materials and accumulation of rubbish

1 on the real property located at 1 Parcel South of 30570 Brookstone Lane, Lake Elsinore, Riverside  
2 County, California, also identified as Assessor's Parcel Number 387-280-001 violates Riverside  
3 County Ordinance Nos. 348 and 541 and constitutes a public nuisance.

4 2. WHEREAS, the OWNERS, occupants and any other person having possession or  
5 control of THE PROPERTY shall abate the accumulation of rubbish and excessive outside storage of  
6 materials by removing and disposing of all rubbish and excessive outside storage on THE  
7 PROPERTY in strict accordance with all Riverside County Ordinances, including but not limited to  
8 Riverside County Ordinance Nos. 348 and 541 within ninety (90) days.

9 3. WHEREAS, the OWNERS AND TENANT ARE HEREBY FURTHER NOTICED  
10 that the time within which judicial review of the administrative determinations made herein must be  
11 sought is ninety (90) days from the posting and mailing of the Findings of Fact, Conclusions and  
12 Order To Abate Nuisance, and is governed by California Code of Civil Procedure Section 1094.6.

13 **ORDER TO ABATE NUISANCE**

14 IT IS ORDERED that the accumulation of rubbish and excessive outside storage of materials  
15 on THE PROPERTY be abated by OWNERS or anyone having possession or control of THE  
16 PROPERTY by removing and disposing of all rubbish and excessive outside storage of materials on  
17 THE PROPERTY in strict accordance with all Riverside County Ordinances, including but not  
18 limited to Riverside County Ordinance Nos. 348 and 541, within ninety (90) days of the posting and  
19 mailing of this Order to Abate Nuisance.

20 IT IS FURTHER ORDERED that if the accumulation of rubbish and excessive outside  
21 storage of materials is not removed and disposed of in strict accordance with all Riverside County  
22 Ordinances; including but not limited to Riverside County Ordinance Nos. 348 and 541 within ninety  
23 (90) days of the date of this Order to Abate Nuisance, the accumulation of rubbish and excessive  
24 outside storage of materials may be abated and disposed of by representatives of the Riverside  
25 County Code Enforcement Department, a contractor or the Sheriff's Department upon receipt of an  
26 owner's consent or a Court Order when necessary under applicable law.

27 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
28 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special

1 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
2 County Ordinance Nos. 348, 541, and 725. Under Riverside County Ordinance No. 725, “abatement  
3 costs” means “any costs or expenses reasonably related to the abatement of conditions which violate  
4 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
5 collection and administrative costs, attorneys fees, and the costs associated with the removal or  
6 correction of the violation.” Reasonable abatement costs accrued by the Code Enforcement

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

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

COUNTY OF RIVERSIDE

By \_\_\_\_\_  
Marion Ashley  
Chairman, Board of Supervisors

ATTEST:  
KECIA HARPER-IHEM  
Clerk to the Board

By  
Deputy  
(SEAL)