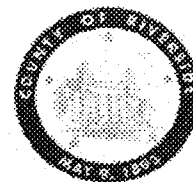


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

713B



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

**SUBMITTAL DATE:**  
January 13, 2010

**SUBJECT:** Order to Abate [Substandard Structures]  
Case No.: CV 05-6520 (SPRIGGS)  
Subject Property: 45701 Terwilliger, Anza; APN 579-270-024  
District Three

**RECOMMENDED MOTION:** Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 05-6520 be approved;
- (2) The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV 05-6520 and
- (3) The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV 05-6520.

**BACKGROUND:**

On December 15, 2009, this Board received the Declaration of the Code Enforcement Officer in the above-referenced matter. At the conclusion of the hearing, this Board declared the substandard structure 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 the Findings of Fact, Conclusion and Order to Abate.

*[Signature]*  
JULIE JARVI, Deputy County Counsel  
for PAMELA J. WALLS, County Counsel

(Continued)

<b>FINANCIAL DATA</b>	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: *Alex Gann*  
Alex Gann

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Tavaglione, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: January 26, 2010  
xc: Co.Co.(3); Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By: *[Signature]*  
Deputy

Prev. Agn. Ref.: 12/15/09; 9.1 | District: 3 | Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

**2.12**



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

S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
			465	426	PCOR	NCOR	SMF	NCHG	EXAM
M	A	L							
CANCELED						T:	CTY	UNI	57

WHEN RECORDED PLEASE MAIL TO:  
Julie Jarvi, Deputy County Counsel  
County of Riverside  
OFFICE OF COUNTY COUNSEL  
3960 Orange Street, Fifth Floor (Stop #1350)  
Riverside, CA 92501

[EXEMPT '6103]

**BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE**

**C  
517**

IN RE ABATEMENT OF PUBLIC NUISANCE:  
[SUBSTANDARD STRUCTURES; APN: 579-  
270-024, 45701 TERWILLIGER, ANZA,  
RIVERSIDE COUNTY, CALIFORNIA; BILLIE  
FRANKLIN SPRIGGS, GERALDINE A.  
SPRIGGS AND MARTHA P. VILLA, OWNERS.]

CASE NO. CV 05-6520

FINDINGS OF FACT,  
CONCLUSIONS AND ORDER TO  
ABATE NUISANCE

[R.C.O. Nos. 457 (RCC Title 15) and  
725 (RCC Title 1)]

The above-captioned matter came on regularly for hearing on December 15, 2009, before the Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property described as 45701 Terwilliger, Anza, Riverside County, APN: 579-270-024, and referred to hereinafter as "THE PROPERTY."

Julie Jarvi, Deputy County Counsel, appeared along with Brian Black, Supervising Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

No one appeared on behalf of owners.

The Board of Supervisors received the Declaration of the Code Enforcement Officer together with the attached Exhibits, evidencing the substandard structure on THE PROPERTY as a public nuisance and violation of Riverside County Ordinance No. 457 as codified in Riverside County Code Title 15.

///

## SUMMARY OF EVIDENCE

1. Documents of record in the Riverside County Recorder's Office identify the Owners of THE PROPERTY as Billie Franklin Spriggs, Geraldine A. Spriggs and Martha P. Villa ("OWNERS").

2. Documents of title indicate that other parties potentially hold a legal interest in THE PROPERTY, to wit: NCO Financial Systems, Inc. and Citrus Point-Terrace Grove HOA (hereinafter "INTERESTED PARTIES").

3. THE PROPERTY was inspected by Code Enforcement Officers on December 14, 2005, January 31, 2008, July 11, 2008, August 13, 2008, December 29, 2008, June 9, 2009, September 9, 2009 and December 9, 2009.

4. During each inspection, substandard structures (2 single family dwellings and a detached carport) were observed on THE PROPERTY. The structures were described as abandoned, dilapidated and vacant. The structure contained numerous deficiencies including but not limited to: lack of improper water closet, lavatory, bathtub, shower or kitchen sink; lack of hot and cold running water to plumbing fixtures; hazardous plumbing; lack of required electrical lighting; hazardous wiring; members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration; members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration; dampness of habitable rooms; faulty weather protection; general dilapidation or improper maintenance; fire hazard; public and attractive nuisance, abandoned/vacant; construction without a permit.

5. THE PROPERTY was determined to be in violation of Riverside County Ordinance No. 457 (RCC Title 15) by the Code Enforcement Officer.

6. A Notice of Noncompliance was recorded on April 27, 2006 as Document Number 2006-0306477 in the Office of the County Recorder, County of Riverside.

7. On December 21, 2005 and January 31, 2008, Notices of Violation, Notices of Defects and "Danger Do Not Enter" signs were posted on THE PROPERTY. On April 25, 2006 and May 1, 2009, Notices of Violation and Notice of Defects were mailed by certified mail, return receipt



1 requested to the OWNERS and INTERESTED PARTIES.

2 8. On September 8, 2009, a "Notice To Correct County Ordinance Violations and Abate  
3 Public Nuisance" providing notice of the public hearing before the Board of Supervisors was mailed  
4 by certified mail, return receipt requested, to THE OWNERS and INTERESTED PARTIES and was  
5 posted on THE PROPERTY on September 9, 2009.

6 **FINDINGS AND CONCLUSIONS**

7 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
8 regular session assembled on December 15, 2009 finds and concludes that:

9 1. WHEREAS, the substandard structure on the real property located at 45701  
10 Terwilliger, Anza, Riverside County, California, also identified as Assessor's Parcel Number 579-270-  
11 024 violates Riverside County Ordinance No. 457 and constitutes a public nuisance and attractive  
12 nuisance.

13 2. WHEREAS, THE OWNERS, occupants and any person having possession or control  
14 of THE PROPERTY should abate the condition by razing, removing and disposing of the substandard  
15 structure, including the removal and disposal of all structural debris and materials, and contents  
16 therein or by reconstruction of said structure provided that said reconstruction or demolition can be  
17 accomplished in strict accordance with all Riverside County Ordinances, including but not limited to  
18 Riverside County Ordinance No. 457 within ninety (90) days.

19 3. WHEREAS, THE OWNERS AND INTERESTED PARTIES ARE HEREBY  
20 FURTHER NOTICED that the time within which judicial review of the administrative determinations  
21 made herein must be sought is ninety (90) days from the posting and mailing of the Findings of Fact,  
22 Conclusions and Order To Abate Nuisance, and is governed by California Code of Civil Procedure  
23 Section 1094.6.

24 **ORDER TO ABATE NUISANCE**

25 IT IS THEREFORE ORDERED that the substandard structure on THE PROPERTY located  
26 at 45701 Terwilliger, Anza, Riverside County, California, also identified as Assessor's Parcel Number  
27 579-270-024 be abated by the OWNERS, and anyone having possession or control of THE  
28 PROPERTY, by razing and removing the substandard structure including the removal and disposal of



1 all structural debris and materials, as well as the contents therein, or by reconstruction of said  
2 structure provided such reconstruction can be accomplished in strict accordance with all Riverside  
3 County Ordinances, including but not limited to Riverside County Ordinance No. 457 within ninety  
4 (90) days of the posting and mailing of this Order to Abate Nuisance.

5 IT IS FURTHER ORDERED that if the substandard structure is not razed, removed and  
6 disposed of, or reconstructed in strict accordance with all Riverside County Ordinances, including but  
7 not limited to Riverside County Ordinance No. 457, within ninety (90) days of the posting and  
8 mailing of this Order to Abate Nuisance, the substandard structure, contents therein, and structural  
9 debris and materials, shall be abated by representatives of the Riverside County Code Enforcement  
10 Department, a contractor, or the Sheriff's Department upon receipt of the owner's consent or a Court  
11 Order, where necessary, under, applicable law authorizing entry onto THE PROPERTY.

12 FURTHERMORE, THE OWNERS are ordered to ascertain the existence or non-existence of  
13 asbestos containing materials in said structure by survey and materials sample testing by a duly  
14 licensed and certified asbestos consultant; and, prior to the abatement ordered hereinabove, to secure  
15 the removal of all asbestos containing materials discovered through such survey and testing by  
16 contract with a duly certified and licensed contractor for the handling of such materials to avoid  
17 citations and/or fines by South Coast Air Quality Management District (SCAQMD).

18 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
19 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
20 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
21 County Ordinance Nos. 457 and 725. Under Riverside County Ordinance 725, "abatement costs"  
22 means "any costs or expenses reasonably related to the abatement of conditions which violate County  
23 Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation, collection  
24 and administrative costs, attorneys fees, and the costs associated with the removal or correction of the

25 ///

26 ///

27 ///

28 ///



1 violation." Reasonable abatement costs accrued by the Code Enforcement Department will be  
2 recoverable from the property owner(s) even if THE PROPERTY is brought into compliance within  
3 ninety (90) days of the date of this Order to Abate Nuisance.

4 Dated: January 26, 2010

COUNTY OF RIVERSIDE

5  
6 By Marion Ashley  
Marion Ashley  
Chairman, Board of Supervisors

7 ATTEST:

8 KECIA HARPER-IHEM

9 Clerk to the Board

10  
11 Julie A. Roons Jarvi

12 By

13 Deputy

14 (SEAL)



2010-0034519  
01/27/2010 08:00A  
5 of 6

# NOTICE LIST

Subject Property: 45701 Terwilliger, Anza, CA 92539

Case No.: CV 05-6520: APN: 579-270-024: District 3

SENDER: COMPLETE THIS SECTION		RECEIVER: COMPLETE THIS SECTION	
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>*Maria Rosas</i></p>	
		B. Received by (Printed Name)	C. Date of Delivery
		<i>M. ROSAS</i>	<i>3/6/10</i>
1. Article Addressed to:		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
ILLIE FRANKLIN SPRIGGS GERALDINE A. SPRIGGS MARTHA P. VILLA C/O MARIA ROSAS P.O. BOX 391128 ANZA, CA. 92539 CV05-6520 *FOF* SPRIGGS 5		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
		7009 1680 0000 9025 3116	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-44-1546

# NOTICE LIST

Subject Property: 45701 Terwilliger, Anza, CA 92539

Case No.: CV 05-6520; APN: 579-270-024; District 3

1. BILLIE FRANKLIN SPRIGGS  
GERALDINE A. SPRIGGS  
MARTHA P. VILLA  
C/O MARIA ROSAS  
P.O.BOX 391128  
ANZA, CA. 92539
2. NCO FINANCIAL SYSTEMS, INC.  
C/O RODNEY W. SIMMONS  
10933 TRADE CENTER DRIVE, #100  
RANCHO CARDOVA, CA 95670
3. CITRUS POINT-TERRACE GROVE HOMEOWNERS ASSOCIATION  
C/O KEYSTONE PACIFIC PROPERTY MANAGEMENT, INC.  
16845 VON KARMAN, SUITE 200  
IRVINE, CA 92606
4. MARTHA P. VILLA  
27714 OVERLAND WAAY  
ROMOLAND, CA 92585  
  
RAMON SALGADO 5.  
27714 OVERLAND WAY  
ROMOLAND, CA 92585

<b>1. Article Addressed to:</b>  MARTHA P. VILLA 27714 OVERLAND WAAY ROMOLAND, CA 92585 CV05-6520 *POF* SPRIGGS 5		<b>2. Article Number</b> (Transfer from article label)  7009 1680 0000 9025 3086 PS Form 3811, February 2004 Domestic Return Receipt	
<b>3. Service Type</b> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		<b>4. Restricted Delivery? (Extra Fee)</b> <input type="checkbox"/> Yes	
<b>A. Signature</b> X <i>Ramon Salgado</i> Agent		<b>B. Received by (Printed Name)</b> Ramon Salgado	
<b>C. Date of Delivery</b> May 5 2004		<b>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> No</b> If YES, enter delivery address below:	



**PROOF OF SERVICE**

Case Nos. CV05-6520

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Yadira Oseguera, the undersigned, declare that I am a citizen of the United States and am employed in the County of Riverside, over the age of 18 years and not a party to the within action or proceeding; that my business address is 3535 Tenth Street, Suite 300, Riverside, California 92501-3674.

That on March 1, 2010, I served the following document(s):

**FINDINGS OF FACT, CONCLUSIONS AND ORDER TO ABATE NUISANCE**

by placing a true copy thereof enclosed in a sealed envelope(s) addressed as follows:

**OWNERS OR INTERESTED PARTIES**  
(see attached notice list)


XX **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** I am "readily familiar" with the office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Riverside, California, in the ordinary course of business.

— **BY PERSONAL SERVICE:** I caused to be delivered such envelope(s) by hand to the offices of the addressee(s).

XX **STATE - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.**

— **FEDERAL - I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.**

EXECUTED ON March 1, 2010, at Riverside, California.

  
YADIRA OSEGUERA

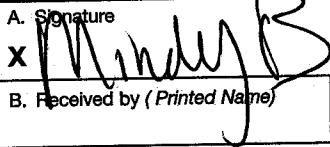
**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

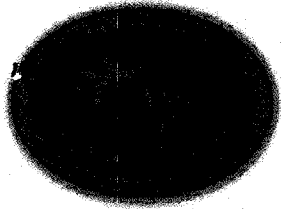
CITRUS POINT-TERRACE GROVE  
HOMEOWNERS ASSOCIATION  
C/O KEYSTONE PACIFIC PROPERTY  
MANAGEMENT, INC.  
16845 VON KARMAN, SUITE 200  
IRVINE, CA 92606  
CV05-6520 \*FOF\* SPRIGGS 5

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature 		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name)		C. Date of Delivery
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No		
3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		
4. Restricted Delivery? (Extra Fee)		<input type="checkbox"/> Yes

2. Article Number  
(Transfer from service label)

7009 1680 0000 9025 3093



**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

**JOHN BOYD**  
Director

**AFFIDAVIT OF POSTING OF NOTICES**

March 2, 2010

RE CASE NO: CV056520

I, Ariana Meza, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 39493 Los Alamos Road, Suite #A, Murrieta, California 92563 .

That on 03/02/2010 at 2:02pm, I securely and conspicuously posted Findings of Fact, Conclusions and Order To Abate Nuisance, Notice List and Proof of Service. at the property described as:

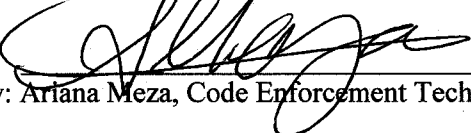
**Property Address:** 45701 TERWILLIGER RD, ANZA

**Assessor's Parcel Number:** 579-270-024

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on March 2, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

  
By: Ariana Meza, Code Enforcement Technician