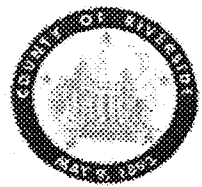


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



617B

**SUBMITTAL DATE:**  
December 30, 2009

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

**SUBJECT:** Abatement of Public Nuisance [Grading Without a Permit]  
Case No.: CV 08-02002 (HAMMOND)  
Subject Property: 37200 Remuda Drive, Temecula  
APN: 915-380-016  
District Three

**RECOMMENDED MOTION:** Move that:

- (1) The grading without permits on the real property located at 37200 Remuda Drive, Temecula, Riverside County, California, APN: 915-380-016, be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not permit grading of more than fifty (50) cubic yards without a grading permit.
- (2) A five (5) year hold on the issuance of building permits and land use approvals be placed on The Property.

Departmental Concurrence

(Continued)

*[Signature]*  
**JULIE A. JARVI**, 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 *[Signature]*  
Tina Grande

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried, IT  
**WAS ORDERED** that the above matter is approved as recommended.

**Ayes:** Buster, Stone, Benoit and Ashley  
**Nays:** None  
**Absent:** Tavaglione  
**Date:** January 26, 2010  
**xc:** Co.Co., CED, Sheriff, Prop. Owner

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

**Prev. Agn. Ref.:**

**District:** 3

**Agenda Number:**

**9.3**

Policy ☒ Policy ☒  
 Consent ☐ Consent ☐  
 Dept Recomm.: ☐ Per Exec. Ofc.: ☐

- (3) David Irwin Hammond, the Owner of the subject real property or whoever has possession or control of the premises, be directed to restore or remediate the unpermitted grading within ninety (90) days.
- (4) If the owners or whoever has possession or control of the real property do not take the above described action within ninety (90) days of the date of the mailing and posting of the Board's Order to Abate, that representatives of the Code Enforcement Department are authorized to obtain the services of a contractor, upon consent of the owner or receipt of a Court Order authorizing entry onto the real property when necessary under applicable law, to restore or remediate the property so as to prevent offsite drainage and slope erosion:
- (5) The reasonable costs of abatement, after notice and an opportunity for hearing, shall be imposed as a lien on the real property, which may be collected as a special assessment against the real property pursuant to Government Code Section 25845 and Ordinance No. 725.
- (6) Upon the restoration or remediation of the property and payment of all abatement costs assessed against the property the five (5) year hold on the issuance of building permits and land use approvals will be lifted.
- (7) County Counsel be directed to prepare the necessary Findings of Facts and Conclusions that the grading without a permit on the real property is declared to be in violation of Riverside County Ordinance No. 457 and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

**JUSTIFICATION:**

1. An inspection was made of the subject property by the Code Enforcement Officer on March 7, 2008, revealed grading on the property which deviated from the natural topography in violation of Riverside County Ordinance No. 457 (RCC Title 15). The Officer estimates that approximately sixteen hundred (1,600) cubic yards of dirt has been graded. A search of Riverside County records indicates that no permit for grading has been obtained. This creates a public and attractive nuisance.
2. Follow-up inspections on March 25, 2008 and January 23, 2009 and December 28, 2009, revealed that the property continues to be in violation of Riverside County Ordinance No. 457.
3. Staff and the Code Enforcement Department have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for grading without a permit.

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**BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE**

IN RE ABATEMENT OF PUBLIC NUISANCE )	CASE NO. CV 08-02002
[GRADING WITHOUT PERMITS] APN: 915- )	
380-016, 37200 REMUDA DRIVE, TEMECULA, )	DECLARATION OF OFFICER
COUNTY OF RIVERSIDE, STATE OF )	CAROL FORREY
CALIFORNIA; DAVID IRWIN HAMMOND, )	
OWNER. )	[R.C.O. Nos. 457 (RCC Title 15) and 725
_____ )	(RCC Title 1) and Board of Supervisors Policy
	F-6]

I, Carol Forrey, declare that the facts set forth below are personally known to me except to the extent that certain information is based on information and belief that I believe to be true, and if called as a witness, I could and would competently testify thereto under oath:

1. I am currently employed by the Riverside County Code Enforcement Department as a Code Enforcement Officer. My current official duties as a Code Enforcement Officer include inspecting property for violations and enforcement of the provisions of Riverside County Ordinances.

2. I am informed and believe and thereupon allege that on March 7, 2008 Officer Chamberlain conducted an initial inspection of the real property described as 37200 Remuda Drive, Temecula, Riverside County, California and further described as Assessor's Parcel Number 915-380-016 (hereinafter referred to as "THE PROPERTY"). A true and correct copy of a Thomas Brothers map indicating the location of THE PROPERTY is attached hereto as Exhibit "A" and incorporated herein by reference.

3. A review of County records and documents disclosed that THE PROPERTY is owned by David Irwin Hammond (hereinafter referred to as "OWNER"). A certified copy of the County Equalized Assessment Roll for the year 2009-2010 and a copy of the County Geographic Information System ("GIS") report is attached hereto and incorporated herein by reference as Exhibit "B." THE PROPERTY is approximately 4.26 acres and is located within the RR (Rural Residential) zone classification.

4. Based upon the Lot Book Report issued by RZ Title Service on November 19, 2008, it is determined that other parties potentially hold a legal interest in THE PROPERTY, to-wit: Larry Hayes

1 and Catherine Hayes and Internal Revenue Service ("INTERESTED PARTIES"). A true and correct  
2 copy of the Lot Book Report is attached hereto and incorporated herein as Exhibit "C."

3 5. I am informed and believe and thereupon allege that on March 7, 2008, Officer  
4 Chamberlain drove to THE PROPERTY to conduct an initial inspection. THE PROPERTY was fenced  
5 but without a front gate. Officer Chamberlain entered THE PROPERTY and knocked at the front door  
6 but did not receive an answer. She observed grading on THE PROPERTY. She determined that THE  
7 PROPERTY constituted a public nuisance in violation of the provisions set forth in Riverside County  
8 Ordinance ("RCO") No 457, Section 4, Subdivision (J)(2), as codified in Riverside County Code  
9 ("RCC") Title 15. She posted a Notice of Violation (RCO No. 457) to THE PROPERTY.

10 6. A search of County records revealed that a grading permit had not been obtained for the  
11 grading on THE PROPERTY.

12 7. I am informed and believe and thereupon allege that on March 25, 2008, OWNER met  
13 with Officer Chamberlain regarding the Notice of Violation. Officer Chamberlain spoke with OWNER  
14 about the Notice and asked him to quantify the amount of dirt he imported and graded to which he  
15 answered sixteen hundred (1600) cubic yards.

16 8. On April 17, 2008, OWNER applied for a restoration permit which subsequently expired.

17 9. On December 12, 2008, a Notice of Violation for Unapproved Grading was sent to  
18 OWNER and INTERESTED PARTIES via certified mail, return receipt requested. The notice advised  
19 that the property owner was required to provide complete restoration or remediation to THE  
20 PROPERTY affected by the unapproved grading. The notice further advises that failure to bring THE  
21 PROPERTY into compliance will result in criminal, administrative, or civil action being brought against  
22 the owner including penalties, restoration, or remediation of the illegal grading by the County. In  
23 addition, the notice states RCO No. 457 allows for the Department of Building & Safety to place a five  
24 year flag on the issuance of building permits and land use approvals for property that has been graded  
25 without approval or permits.

26 10. I am informed and believe and thereupon allege that on January 23, 2009, Officer Tate  
27 conducted a follow-up inspection of THE PROPERTY. She entered the open and accessible parcel and  
28 was met by OWNER. She observed that the pad and graded area extended approximately 180' from the



1 original state of THE PROPERTY. The slopes around the entry driveway to the property were cut to a  
2 2:1 slope and measured approximately 60' on the west side of the driveway and approximately 90' on  
3 the east side. Some trees and shrubs were installed on the slopes. The property remained in violation of  
4 RCO No. 457.

5 11. On September 18, 2009, I conducted a follow up inspection of THE PROPERTY. From  
6 the road right of way I observed that THE PROPERTY continued to remain in violation of RCO No.  
7 457.

8 12. A site plan and photographs of the unapproved grading on THE PROPERTY are attached  
9 hereto as Exhibit "D" and incorporated herein by reference.

10 13. True and correct copies of each Notice issued in this matter and other supporting  
11 documentation are attached hereto as Exhibit "E" and incorporated herein by reference.

12 14. Based upon my experience, knowledge and visual observations, it is my determination  
13 that the conditions on THE PROPERTY are dangerous to the neighboring property owners and the  
14 general public and is a public nuisance.

15 15. Based upon my experience, knowledge and visual observations, it is my determination  
16 that the unpermitted grading on THE PROPERTY is in excess of fifty (50) cubic yards and was done  
17 without a permit and is therefore in violation of Riverside County Ordinance No. 457 (RCC Title 15).  
18 Under Riverside County Ordinance No. 725 (RCC Chapter 1.16), any condition caused, maintained or  
19 permitted to exist in violation of any of the provisions of county land use ordinances, including  
20 Riverside County Ordinance No. 457, is declared unlawful and a public nuisance that may be abated  
21 consistent with the procedures provided for in Riverside County Ordinance No. 725, or in any other  
22 manner provided by law.

23 16. A Notice of Non-Compliance was recorded in the Office of the County Recorder, County  
24 of Riverside, State of California, on March 27, 2008, as Instrument Number 2008-0150092, a true and  
25 correct copy of which is attached hereto and incorporated herein by reference as Exhibit "F".

26 17. A review of County records did not reveal a current application for an assessment or  
27 grading permit on file for THE PROPERTY.

28 ///

1 18. A subsequent inspection on December 28, 2009 revealed that THE PROPERTY  
2 remained in violation of RCO No. 457 (RCC Title 15) due to the grading without permits.

3 19. On December 24, 2009, the second notice – “Notice to Correct County Ordinance  
4 Violations and Abate Public Nuisance” providing notification of the Board of Supervisors’ hearing  
5 scheduled for January 12, 2009, as required by Riverside County Ordinance No. 725, was mailed to  
6 OWNER and INTERESTED PARTIES by certified mail, return receipt requested and on December 28,  
7 2009 was posted on THE PROPERTY. True and correct copies of the notice, returned receipt cards,  
8 together with the proof of service, and the affidavit of posting of notices are attached hereto as Exhibit  
9 “G” and incorporated herein by reference.

10 20. The complete restoration or remediation of THE PROPERTY affected by the unapproved  
11 grading is required to bring THE PROPERTY into compliance with RCO No. 457 (RCC Title 15).

12 21. Accordingly, the following findings and conclusions are recommended:

13 (a) the grading without permits on THE PROPERTY be deemed and declared a  
14 public nuisance; and

15 (b) that a five year hold on the issuance of building permits and land use approvals be  
16 placed on THE PROPERTY;

17 (c) the OWNER or whoever has possession or control of THE PROPERTY be  
18 required to completely restore or remediate the un-permitted grading on THE PROPERTY in  
19 accordance with the provisions of all applicable County ordinances, including but not limited to RCO  
20 No. 457 (RCC Title 15) within ninety days of the Board’s Order to Abate Nuisance;

21 (d) that if THE PROPERTY is not restored or remediated within ninety days of the  
22 Board’s Order to Abate Nuisance, the County will retain a county approved contractor to reclaim THE  
23 PROPERTY so as to prevent offsite drainage and slope erosion;

24 (e) that upon restoration of THE PROPERTY and payment of all abatement costs, the  
25 five year hold on the issuance of building permits and land use approvals will be released; and

26 ///

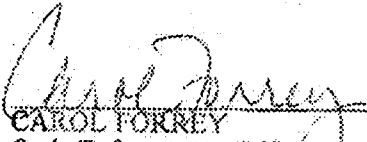
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1 (f) that reasonable costs of abatement, after notice and opportunity for hearing, shall  
2 be imposed as a lien on THE PROPERTY, which may be collected as a special assessment against THE  
3 PROPERTY pursuant to Government Code Section 25845 and Riverside County Ordinance Nos. 457  
4 and 725.

5 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
6 true and correct

7 Executed this 30<sup>th</sup> day of December, 2009 at Merrieta, California.

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10 CAROL FORREY  
11 Code Enforcement Officer  
12 Code Enforcement Department  
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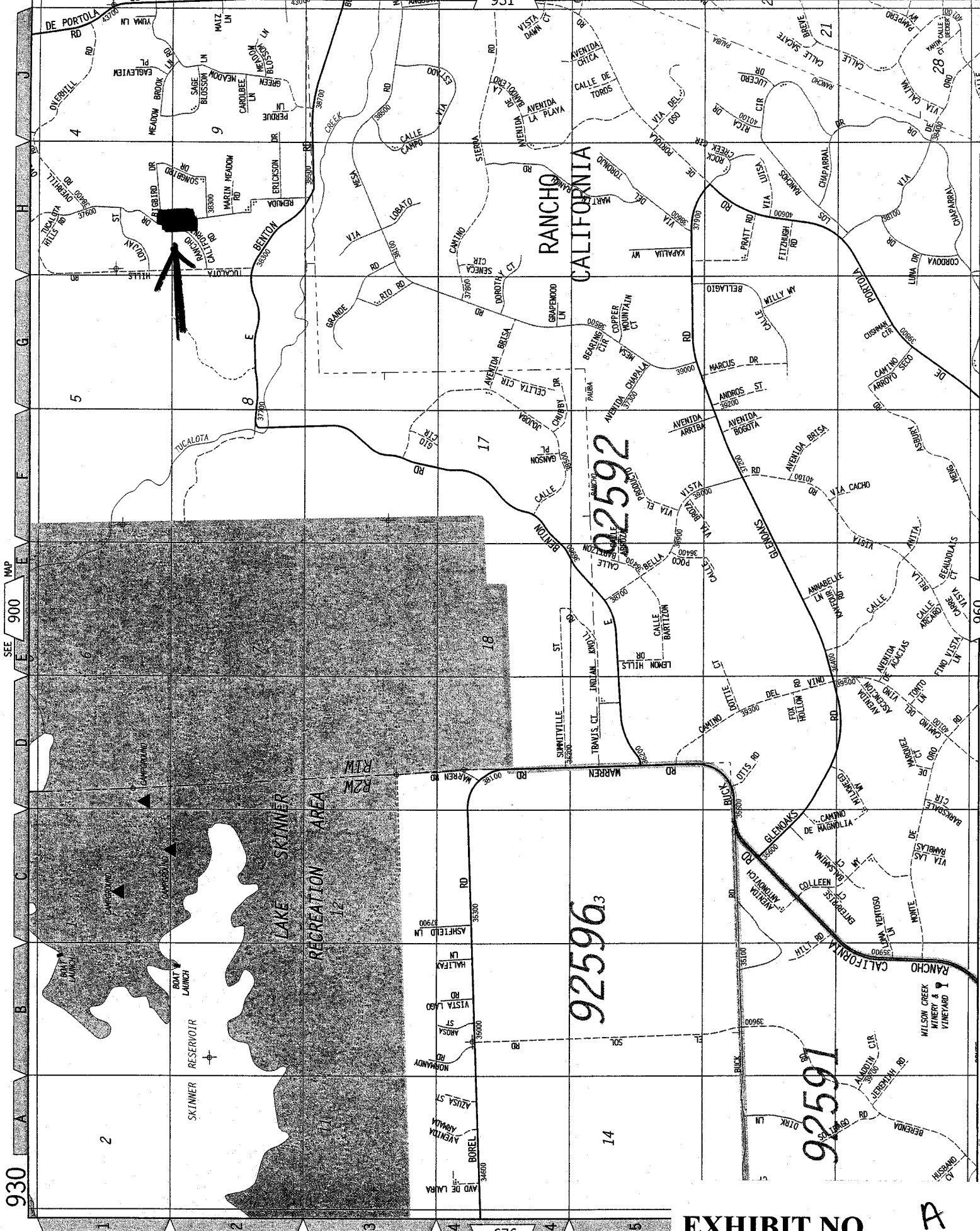
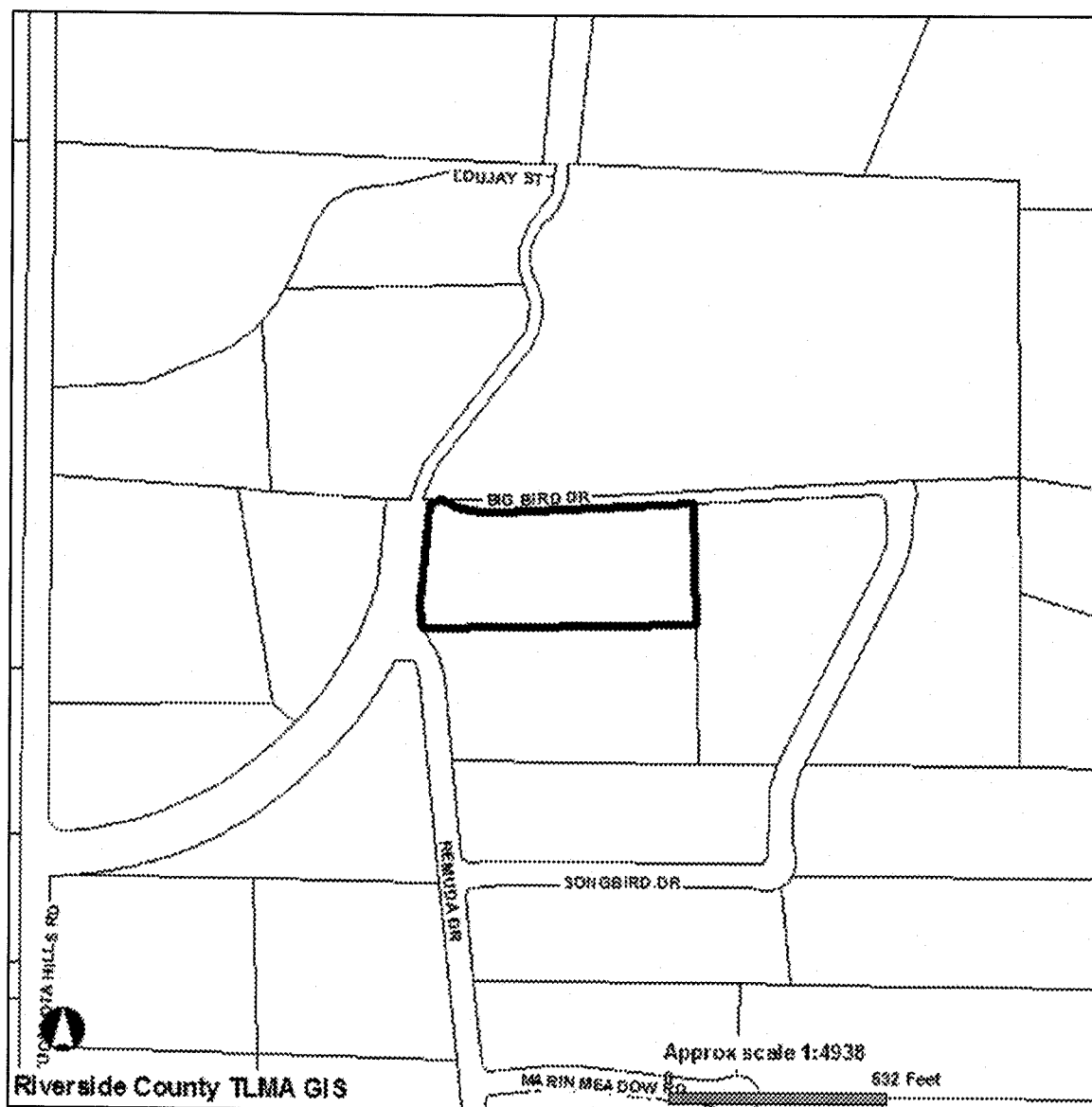


EXHIBIT NO.

A

## RIVERSIDE COUNTY GIS



**Selected parcel(s):**  
915-380-016

**\*IMPORTANT\***

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

**FULL REPORT**

APN(s):

915-380-016-7

OWNER NAME / ADDRESS:

- 915-380-016  
DAVID IRWIN HAMMOND  
37200 REMUDA DR  
TEMECULA, CA. 92592

MAIL TO NAME/ADDRESS:

- 915-380-016  
- (SEE OWNER)  
- P O BOX 892732  
- TEMECULA CA. 92589

APN CAME FROM:

- 915-380-016  
- CAME FROM: NO DATA AVAILABLE

LOT SIZE: - 915-380-016  
- RECORDED LOT SIZE IS: 4.26 ACRES  
- MAPPED LOT SIZE IS APPROX.: 4.446 ACRES

PROPERTY CHARACTERISTICS: - 1. 915-380-016  
- WOOD FRAME, 3195 SQFT., 4 BDRM/ 3 BATH, 1 STORY, ATTACHED GARAGE(940 SQ. FT),  
CONST'D 2004, TILE ROOF, CENTRAL HEATING, CENTRAL COOLING,

ELEVATION (APPROXIMATE): - 1836/1896 FEET

LEGAL DESCRIPTION: - APN: 915380016  
- RECORDED BOOK/PAGE: PM 132/9  
- SUBDIVISION NAME: PM 15669  
- LOT/PARCEL: 1, BLOCK: NOT AVAILABLE  
- TRACT NUMBER: NOT AVAILABLE

BASE YEAR ASSESSMENT: - 915-380-016  
- BASE YEAR: 2001

TOWNSHIP/RANGE: - NOT IN TOWNSHIP

CEMETERY DISTRICTS: - TEMECULA CEMETERY DISTRICT

CITY BOUNDARY/SPHERE: - CITY: NOT WITHIN A CITY  
- CITY SPHERE: NOT WITHIN A SPHERE  
- ANNEXATION DATE: NO DATE AVAILABLE  
- LAFCO CASE #: NO CASE # AVAILABLE  
- PROPOSALS: NONE

COMMUNITY: - IN OR PARTIALLY WITHIN SAGE. SEE MAP FOR MORE INFORMATION.

2001 SUPERVISORIAL DISTRICT: - JEFF STONE, DISTRICT 3  
as established by County Ordinance 813, August 14, 2001

AREA PLAN: -

COACHELLA VALLEY MULTI-SPECIES HABITAT  
CONSERVATION PLAN FEE AREA: - NOT WITHIN THE COACHELLA VALLEY MSHCP FEE AREA

COACHELLA VALLEY MULTI-SPECIES HABITAT  
CONSERVATION PLAN - CONSERVATION  
AREA: - NOT IN A CONSERVATION AREA

WESTERN RIVERSIDE MULTI-SPECIES  
HABITAT CONSERVATION PLAN FEE AREA: - IN OR PARTIALLY WITHIN THE WESTERN RIVERSIDE MSHCP FEE AREA. SEE MAP FOR  
MORE INFORMATION.

WESTERN RIVERSIDE COUNTY MSHCP AREA  
PLAN: - NOT IN AN AREAPLAN

WESTERN RIVERSIDE COUNTY MSHCP CELL  
GROUP: - NOT IN A CELLGROUP

WESTERN RIVERSIDE COUNTY MSHCP CELL  
NUMBER: - NOT IN A CELL

IMPORTANT NOTICE: On October 7, 2003, the County of Riverside adopted a new General Plan. The General Plan provides new land use designations for all parcels in the unincorporated area of Riverside County. For any parcel, the General Plan may provide for a different type of land use than is provided for under existing zoning. During the next one to two years, the County will undertake a program to review all the zoning in the unincorporated area, and where necessary, change the zoning, following advertised public hearings, to conform to the County's new General Plan. Until then, please be advised that there may be a difference between the zoning and General Plan designations on any parcel. This may result in, at a minimum, the need to change the zoning before desired development may proceed. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200, in Murrieta at (951) 600-6170, or in Indio at (760) 863-8277.

LANDUSE DESIGNATION: Click [here](#) for landuse descriptions.  
- RR

- CHECK MAP TO CONFIRM LANDUSE DESIGNATION
- FOR MORE INFORMATION ABOUT LANDUSE DESIGNATIONS, CALL THE COUNTY'S PLANNING DEPARTMENT AT 951-955-3200.

ZONING CLASSIFICATION(S) ORD. 348: Click [here](#) for zoning classifications.

- R-R

• CHECK MAP TO CONFIRM ZONING CLASSIFICATIONS

• FOR MORE INFORMATION ABOUT ZONING CLASSIFICATIONS, CALL THE COUNTY'S PLANNING DEPARTMENT AT 951-955-3200.

ZONING DISTRICT/AREA:

- RANCHO CALIFORNIA AREA

OUTDOOR BILLBOARDS:

- BILLBOARDS NOT PERMITTED BY ZONING

SPECIFIC PLAN:

- NOT WITHIN A SPECIFIC PLAN

NOTE: Non-mapped Policy Area issues may exist on this parcel. Please contact the Planning Department at (951)955-3200 for more information.  
MAPPED POLICY AREAS:

- NONE

GENERAL PLAN POLICY OVERLAY:

- NOT IN A GENERAL PLAN POLICY OVERLAY AREA

DEVELOPMENT AGREEMENT #:

- NOT IN A DEVELOPMENT AGREEMENT AREA

REDEVELOPMENT AREAS:

- NOT IN A REDEVELOPMENT AREA

AGRICULTURE PRESERVE:

- NOT IN AN AGRICULTURE PRESERVE

AIRPORT INFLUENCE AREAS:

- NOT IN AN AIRPORT INFLUENCE AREA

AIRPORT COMPATIBILITY ZONES:

- NOT IN AN AIRPORT COMPATIBILITY ZONE

Planning Case Map information may not be complete, current, or up-to-date for this area. Please contact the Planning Department if more information is needed.

PLANNING CASE(S):

- HANS01454 DESCRIPTION: SFR - PARTIAL CONSERVATION

APPLIED DATE: 03/16/2006 STATUS AS OF 09/24/2009: APPROVED

- MT063743 DESCRIPTION: NOT AVAILABLE

APPLIED DATE: 05/26/2006 STATUS AS OF 09/24/2009: PAID

- MT063742 DESCRIPTION: NOT AVAILABLE

APPLIED DATE: 05/26/2006 STATUS AS OF 09/24/2009: VOID

- MT063741 DESCRIPTION: NOT AVAILABLE

APPLIED DATE: 05/26/2006 STATUS AS OF 09/24/2009: PAID

DEV. IMP. FEE AREA ORD. 659:

- SOUTHWEST AREA

2000 CENSUS TRACT:

- 043203

1990 FARMLAND DESIGNATION:

- NOT A IN FARMLAND DESIGNATION

2000 CENSUS DESIGNATION:

- CENSUS DESIGNATION REPORT IS NOT AVAILABLE

INDIAN TRIBAL LANDS:

- NOT IN A TRIBAL LAND

SCHOOL DISTRICT:

- TEMECULA VALLEY UNIFIED

ROAD & BRIDGE DISTRICT:

- NOT IN A DISTRICT

ROADBOOK PAGE:

- 126

\* BOUNDARIES ARE APPROXIMATIONS. USE FOR REFERENCE ONLY. SURVEY INFORMATION MUST BE CONSULTED OR PREPARED TO ACCURATELY DETERMINE ANY RIGHT-OF-WAY BOUNDARY.

CETAP CORRIDORS:

- NOT IN A CETAP CORRIDOR.

CIRCULATION ELEMENT ULTIMATE RIGHT-OF-WAY ROADS:

- NOT IN A CIRCULATION ELEMENT RIGHT-OF-WAY

EAST T.U.M.F. ORD. 673:

- NOT WITHIN THE EASTERN TUMF FEE AREA

WEST T.U.M.F. ORD. 824:

- IN OR PARTIALLY WITHIN THESE FEE AREAS. SEE MAP FOR MORE INFORMATION.  
- SOUTHWEST

WATER DISTRICT:

- EASTERN MUNICIPAL WATER DISTRICT (EMWD)

FLOOD CONTROL DISTRICT: - RIVERSIDE COUNTY FLOOD CONTROL DISTRICT

FLOOD PLAIN REVIEW: - NOT REQUIRED.

WATERSHED: - SANTA MARGARITA

VEGETATION: - DATA NOT AVAILABLE

SKR FEE AREA ORD. 663.10: - NOT WITHIN A FEE AREA

HANS/ERP PROJECT: - 01454

FAULT ZONE: - NOT IN A FAULT ZONE

FAULTS: - NOT WITHIN A 1/2 MILE OF A FAULT

LIQUEFACTION POTENTIAL: - NO POTENTIAL FOR LIQUEFACTION EXISTS

SUBSIDENCE: - NOT IN A SUBSIDENCE AREA

HIGH FIRE AREA ORD. 787: - IN HIGH FIRE AREA - Grading And Building Permit Applications Require Fire Dept Clearance Prior To Permit Issuance.

STATE RESPONSIBILITY AREAS: - STATE RESPONSIBILITY AREA

LIGHTING ORD. 655: - ZONE B, 17.35 MILES.

COUNTY SERVICE AREA: - NOT IN A COUNTY SERVICE AREA.

BUILDING PERMIT(S):

- BMR061170 DESCRIPTION: SITE PREP FOR NEW MOBILE HOME  
APPLIED DATE: 04/19/2006 STATUS AS OF 09/24/2009: FINAL
- BEL050308 DESCRIPTION: ELECTRIC TO WELL FOR IRRIGATION ONLY  
APPLIED DATE: 03/10/2005 STATUS AS OF 09/24/2009: FINAL
- BMR061171 DESCRIPTION: INSTALL NEW MOBILE HOME 1248SQFT  
APPLIED DATE: 04/19/2006 STATUS AS OF 09/24/2009: FINAL
- BHR080112 DESCRIPTION: GRADING RESTORATION ASSESSMENT FOR #915-380-016  
APPLIED DATE: 04/07/2008 STATUS AS OF 09/24/2009: ISSUED

CODE COMPLAINTS: - NO CODE COMPLAINTS

ENVIRON. HEALTH CASE(S):

- EHW060182 DESCRIPTION: NOT AVAILABLE  
APPLIED DATE: 03/10/2006 STATUS AS OF 09/24/2009: APPLIED
- EHS061984 DESCRIPTION: NOT AVAILABLE  
APPLIED DATE: 04/19/2006 STATUS AS OF 09/24/2009: APPLIED
- EHW030234 DESCRIPTION: NOT AVAILABLE  
APPLIED DATE: 05/05/2003 STATUS AS OF 09/24/2009: APPLIED

TAX RATE AREAS:

- 094-121
- COUNTY FREE LIBRARY
- COUNTY STRUCTURE FIRE PROTECTION
- COUNTY WASTE RESOURCE MGMT DIST
- CSA 152
- EASTERN MUNICIPAL WATER
- ELS MURRIETA ANZA RESOURCE CONS
- FLOOD CONTROL ADMINISTRATION
- FLOOD CONTROL ZONE 7
- GENERAL
- GENERAL PURPOSE
- M W D EAST 21ST FR 1301021
- MT SAN JACINTO JUNIOR COLLEGE
- RIV CO REG PARK & OPEN SPACE
- RIV. CO. OFFICE OF EDUCATION
- TEMECULA PUBLIC CEMETERY
- TEMECULA UNIFIED
- TEMECULA UNIFIED B & I



## • VALLEY WIDE REC &amp; PARK

## SURFACE MINES:

- NO SURFACE MINES

## PALEONTOLOGICAL SENSITIVITY:

- LOW POTENTIAL.  
FOLLOWING A LITERATURE SEARCH, RECORDS CHECK AND A FIELD SURVEY, AREAS MAY  
BE DETERMINED BY A QUALIFIED VERTEBRATE PALEONTOLOGIST AS HAVING LOW  
POTENTIAL FOR CONTAINING SIGNIFICANT PALEONTOLOGICAL RESOURCES SUBJECT TO  
ADVERSE IMPACTS.

## COMMUNITY FACILITY DISTRICTS:

- NAME: NOT IN A COMMUNITY FACILITY DISTRICT  
- DISTRICT NUMBER: NOT AVAILABLE

## THOMAS BROS. MAPS PAGE/GRID:

- PAGE 930- GRID H1  
- PAGE 930- GRID H2

## SPECIAL NOTES:

- NO SPECIAL NOTES

REPORT PRINTED ON...Thu Sep 24 08:26:54 2009



## INVOICE

Order Number: 18421

Order Date: 11/19/2008

**Customer Information:**

Acct No. 1044

RIVERSIDE COUNTY TLMA-CODE ENFORCEMENT  
4080 Lemon Street  
Riverside, CA 92501

Attn: Brent Steele  
REF: CV08-02002/LaKesha Convington  
IN RE: HAMMOND, DAVID IRWIN

Product and/or Service ordered for Property known as:

**37200 Remuda Road**

DESCRIPTION:	FEE:
Lot Book Report	\$120.00
<b>TOTAL DUE:</b>	<b>\$120.00</b>

**Payment due upon receipt. Please remit to:**

RZ Title Services, Inc.  
8826 Ocean View Ave. #H  
Whittier, CA 90605



8826 Ocean View Ave. #H  
Whittier, CA 90605  
Tel # (562) 325-8351  
Fax # (714) 783-3038

## Lot Book Report

Order Number: **18421**

**Customer:**

RIVERSIDE COUNTY TLMA-CODE ENFORCEMENT  
4080 Lemon Street  
Riverside CA 92501

Attn: Brent Steele  
Reference: CV08-02002/LaKesha Convington  
IN RE: HAMMOND, DAVID IRWIN

Order Date: 11/19/2008

Dated as of: 11/25/2008

County Name: Riverside

FEE(s):

Report: \$120.00

Property Address: 37200 Remuda Road  
Temecula CA

Assessor's Parcel No. : 915-380-016-7

**Assessments:**

Land Value:	\$71,696.00
Improvement Value:	\$37,000.00
Exemption Value:	\$0.00
Total Value:	\$108,696.00

## Tax Information

Property Taxes for the Fiscal Year	2008-2009
First Installment	\$681.92
Penalty	\$0.00
Status	OPEN NOT-PAID (DUE DATE 12/10/2008)
Second Installment	\$681.92
Penalty	\$0.00
Status	OPEN NOT-PAID (DUE DATE 04/10/2009)



8826 Ocean View Ave. #H  
Whittier, CA 90605  
Tel # (562) 325-8351  
Fax # (714) 783-3038

Order Number: 18421  
Reference: CV08-02002/LaKe

## Property Vesting

The last recorded document transferring title of said property

Dated	08/23/2000
Recorded	10/26/2000
Document No.	2000-422494
D.T.T.	\$68.75
Grantor	Larry Vernon Hayes and Catherine Elaine Hayes, husband and wife as joint tenants
Grantee	David Irwin Hammond, an unmarried man

## Deeds of Trust

Position No.	1st
A Deed of Trust Dated	10/09/2000
Recorded	10/26/2000
Document No.	2000-422495
Amount	\$50,000.00
Trustor	David Irwin Hammond, an unmarried man
Trustee	Chicago Title Company, a California corporation
Beneficiary	Larry Vernon Hayes and Catherine Elaine Hayes, husband and wife as joint tenants

## Additional Information

Notice of Non-Compliance filed by	County of Riverside Department of Code Enforcement
In the matter of the property of	David Irwin Hammond
Case No.	CV08-02002
Recorded	03/27/2008
Document No.	2008-0150092



8826 Ocean View Ave. #H  
Whittier, CA 90605  
Tel # (562) 325-8351  
Fax # (714) 783-3038

Order Number: 18421

Reference: CV08-02002/LaKe

---

A Federal Tax Lien Recorded	03/03/2005
Document No	2005-0172468
Amount	\$10,614.27
Debtor	David I. Hammond
ID No.	570-43-6705
Creditor	Internal Revenue Service

### Legal Description

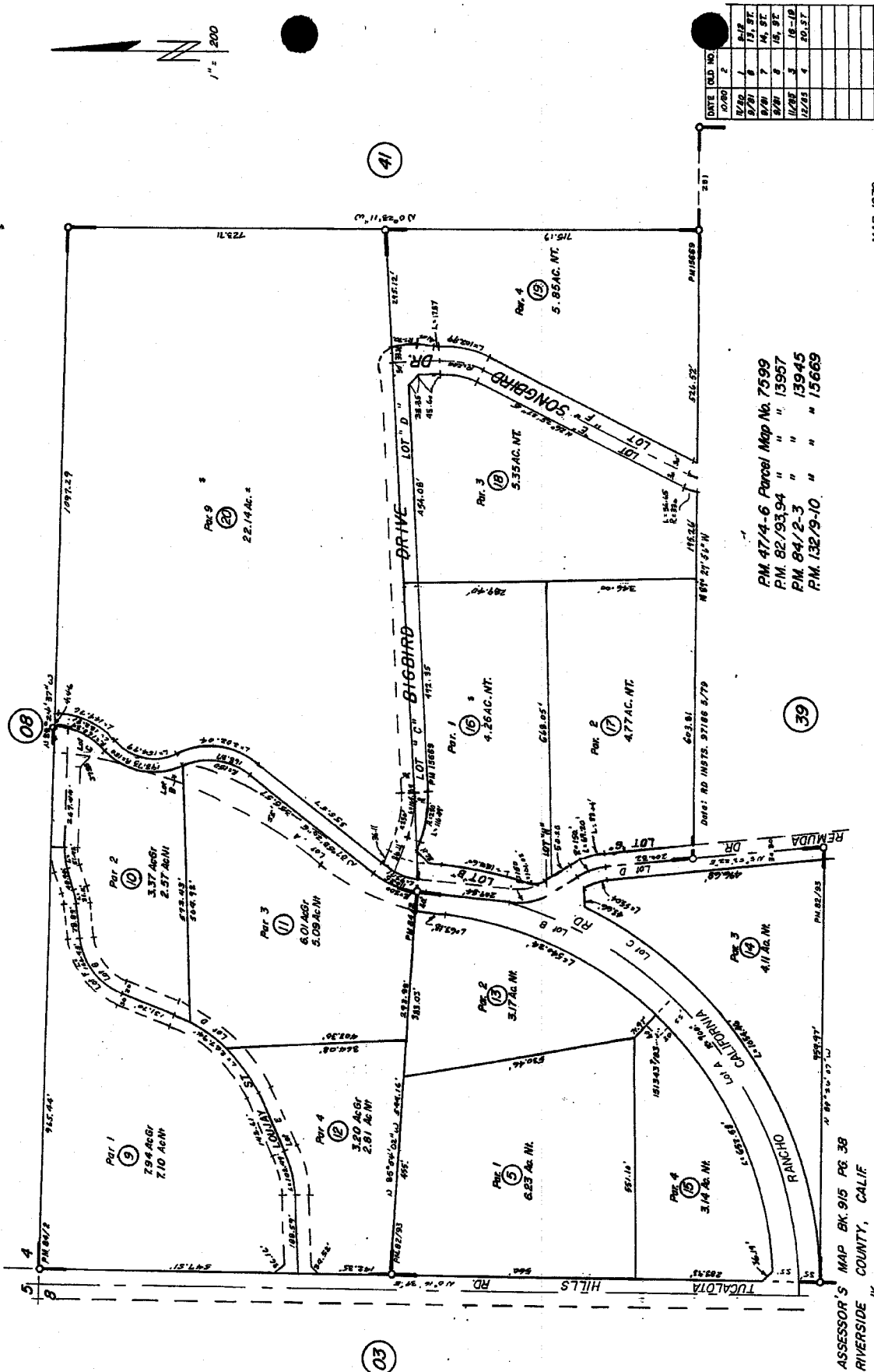
THE LAND REFERRED TO IN THIS REPORT IS LOCATED IN AND IS DESCRIBED AS FOLLOWS:

PARCEL 1 OF PARCEL MAP 15669, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY PARCEL MAP RECORDED IN BOOK 132, PAGE 9 OF PARCEL MAPS, OF SAID COUNTY.

915-09  
915-38

T.R.A. 094-121

POR NW1/4 SEC. 9 T.7S. R.1W



RECORDING REQUESTED BY  
**COMMONWEALTH LAND TITLE CO.**

AND WHEN RECORDED MAIL TO:  
David I. Hammond  
28301 Encanto Drive  
Sun City, CA 92586

DOC # 2000-422494

10/25/2000 08:00A Fee:19.00  
Page 1 of 2 Doc T Tax Paid  
Recorded in Official Records  
County of Riverside

Gary L. Orso  
Assessor, County Clerk & Recorder



M	S	U	PAGE	SIZE	DA	POOR	WOOD	SLIP	REC.
	1	9				✓		1	
									TV
A	R	L				COPY	LONG	REFUND	RECALL

A.P.N.: 915-380-016 TRA #:

Order No.

094/21

**GRANT DEED**

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS: COUNTY \$89.75  
☒ computed on full value of property conveyed, or  
☒ computed on full value less value of liens or encumbrances remaining at time of sale,  
unincorporated area: ( ) City of Jessup, and

FOR A VALUABLE CONSIDERATION, Receipt of which is hereby acknowledged,  
Larry Vernon Hayes and Catherine Elaine Hayes, Husband and Wife as Joint Tenants



hereby GRANT(S) to ~~DAVID IRWIN HAMMOND~~ **DAVID IRWIN HAMMOND, AN UNMARRIED MAN**

the following described property in the County of Riverside, State of California:  
**SEE ATTACHED FOR LEGAL DESCRIPTION**

~~THE PROPERTY DESCRIBED IN THIS INSTRUMENT IS THE PROPERTY OF DAVID IRWIN HAMMOND, AN UNMARRIED MAN, AND IS NOT TO BE RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF RIVERSIDE, CALIFORNIA.~~

*Larry Vernon Hayes*  
Larry Vernon Hayes

*Catherine Elaine Hayes*  
Catherine Elaine Hayes

Document Date: August 23, 2000

STATE OF ~~CALIFORNIA~~ Missouri JSS  
COUNTY OF Putnam

On October 18, 2999 before me, Ranae S. Bruce  
personally appeared Larry Vernon Hayes and Catherine Elaine Hayes

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.  
WITNESS my hand and official seal.

Signature Ranae S. Bruce  
Ranae S. Bruce

This area for official notarial seal

My Term Expires: 10/25/2000



Mail Tax Statements to: **SAME AS ABOVE**

422494

10 26 00

THIS MICROFILM COPYRIGHTED  
1997 BY SECURITY UNION TITLE  
INSURANCE COMPANY  
MICROFILMS DIVISION

**RIVERSIDE**

File No.: 6017219

**EXHIBIT "A"**

Parcel 1 of Parcel Map 15669, as shown by Parcel Map recorded in Book 132, Page 9 of Parcel Maps, Riverside County Records.

Excepting an undivided 1/2 interest of all oil, gas, hydrocarbon substances and other minerals contained within the property hereinabove referred to whether now known to exist or hereafter discovered, all oil, gas, hydrocarbon substances and other mineral rights belonging to or appertaining to said property, the exclusive right to prospect for, drill for, produce, mine, extract and remove oil, gas, hydrocarbon substances and other minerals upon and from said property, together with the right to drill and operate whatever other facilities and to whatever else may be reasonably necessary on and in said property for the full enjoyment and exercise of the rights to excepted, excluded and reserved, for all such purposes, as contained in the Deed from William C. Collyer, et al, recorded March 23, 1965, as Instrument No. 32198, of Official Records of Riverside County, California.



2000-422494  
10/26/2000 00-000  
2 of 2

Page 3 of 6

5555555555

10 26 00

THIS MICROFILM COPYRIGHTED  
1997 BY SECURITY UNION TITLE  
INSURANCE COMPANY  
MICROGRAPHICS DIVISION

RIVERSIDE



RECORDING REQUIRED BY  
**COMMONWEALTH LAND TITLE CO.**

AND WHEN RECORDED MAIL TO:

Larry Vernon Hayes  
Catherine Elaine Hayes  
1614 Washington Street  
Unionville, CA 93586

DOC # 2000-422495  
10/26/2000 05:00A Fee:17.00

Page 1 of 2

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



M	S	U	PAGE	SEE	DA	FOUR	NOOR	DAY	SEC.
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									T✓
A	R	L				COPY	LONG	REFUND	NOO

A.P.N.: 915-380-016

TRA 8/12/1

Order No.:

### SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

THIS DEED OF TRUST, made this Ninth day of October, 2000, between

TRUSTOR: David Irwin Hammond, an unmarried man whose address is 28301 Encanto Drive #45, Sun City, CA 92586, and

TRUSTEE: Chicago Title Company, a California Corporation, and

BENEFICIARY: Larry Vernon Hayes and Catherine Elaine Hayes, husband and wife as Joint Tenants

Witnesseth: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS to TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the City of Fontana, Riverside County, State of California, described as:

Parcel 1 of Parcel Map 15669 as shown by Parcel Map recorded in Book 132, Page 9 of Parcel Maps, Records of Riverside County, California.

This Note is given and accepted as a portion of the purchase price.

The Deed of Trust, and the note secured hereby, are given and accepted upon the express provision that should the property hereinabove described, or any part thereof, or any interest therein, be conveyed by Trustors, whether voluntarily, involuntarily or by operation of law, without the prior written consent of the Beneficiary and Holder of this note having been first obtained, then and in that event all sums secured hereby shall, at the option of the Beneficiary and Holder of this note become immediately due and payable. Beneficiary's approval of one transfer without calling the note due and payable shall not be deemed a waiver of beneficiary's right to enforce this provision on future transfers.

TOGETHER WITH the rents, issues, and profits thereof, SUBJECT, HOWEVER, to the right, power and authority given to and conferred upon Beneficiary by paragraph 10 of the provisions incorporated by reference to collect and apply such rents, issues and profits.

FOR THE PURPOSE OF SECURING: 1. Performance of each agreement of Trustor incorporated by reference or contained herein. 2. Payment of the indebtedness evidenced by one promissory note of even date herewith, and any extension or renewal thereof, in the principal sum of \$80,000.00 executed by Trustor in favor of Beneficiary or order. 3. Payment of such further sums as the then record owner of said property hereafter may borrow from Beneficiary, when evidenced by another note (or notes) reciting it is so secured.

TO PROTECT THE SECURITY OF THIS DEED OF TRUST, TRUSTOR AGREES: By the execution and delivery of this Deed of Trust and the note secured hereby, that provisions (1) to (14), inclusive, of the fictitious deed of trust recorded in Santa Barbara County and Sonoma County on October 18, 1961, and in all other counties on October 23, 1961, in the book and at the page of Official Records in the office of the county recorder of the county where said property is located, noted below and opposite the name of such county, viz:

PAGE 1 OF 4

5222505

10 26 00

THIS PROGRAM COPIRIGHTED  
1997 BY SECURITY UNION TITLE  
INSURANCE COMPANY  
MORRISFONICS DIVISION

RIVERSIDE

915-380-016

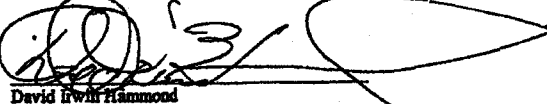
Book	Page	County	Book	Page	County	Book	Page	County	Book	Page	County	Book	Page
Alameda	435	Imperial	1091	301	Merced	1547	538	San Benito	271	383	Shirley	468	181
Alpine	1	Inyo	147	398	Modoc	184	851	San Bernardino	5567	61	Solano	1105	182
Amador	104	Kern	3427	60	Monro	52	429	San Francisco	A332	905	Sonoma	1851	689
Butte	1145	Kings	792	833	Monterey	2194	538	San Joaquin	2470	311	Stanislaus	1715	456
Calaveras	145	Lake	362	39	Napa	639	86	San Luis Obispo	1151	12	Sutter	572	297
Colusa	296	Lassen	171	471	Nevada	305	320	San Mateo	4078	420	Tehama	401	289
Contra Costa	3978	Los Angeles	72055	899	Orange	5889	611	Santa Barbara	1878	860	Trinity	93	366
Del Norte	78	Madison	810	170	Placer	895	301	Santa Clara	5336	01	Tulare	2294	273
El Dorado	368	Marin	1508	339	Plumas	151	5	Santa Cruz	1431	494	Toolumne	135	47
Fresno	4626572	Mariposa	77	292	Riverside	3005	523	Shasta	684	528	Ventura	2062	386
Glenn	422	Monterey	579	530	Sacramento	4331	62	Sierra	29	335	Yolo	653	245
Humboldt	657				San Diego	Series 2	Book 1961, Page 183887				Yuba	334	486

(which provisions, identical in all counties, are printed on page 3 of this document) hereby are adopted and incorporated herein and made a part hereof as fully as though set forth herein at length; that he will observe and perform said provisions; and that the references to property, obligations, and parties in said provisions shall be construed to refer to the property, obligations, and parties set forth in this Deed of Trust.

In accordance with Section 2924b, Civil Code, request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale be mailed to Trustor at Trustor's address hereinbefore set forth, or if none shown, to Trustor at the property address.

NOTICE: A COPY OF ANY NOTICE OF DEFAULT AND OF ANY NOTICE OF SALE WILL BE SENT ONLY TO THE ADDRESS CONTAINED IN THIS RECORDED REQUEST. IF YOUR ADDRESS CHANGES, A NEW REQUEST MUST BE RECORDED.

Signature of Trustor(s)

  
David Irwin Hammond

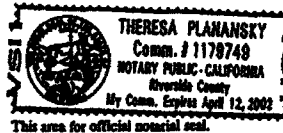
STATE OF CALIFORNIA  
COUNTY OF Riverside

On October 29, 2000 before me, Theresa Plamansky  
personally appeared David Irwin Hammond

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Theresa Plamansky



2000-422495  
18/28/2000 09:09  
2 of 2

PAGE 2 OF 4

10 26 00

THIS MICROFILM COPY REPRODUCED  
1987 BY SECURITY UNION TITLE  
INSURANCE COMPANY  
MICROGRAPHICS DIVISION

RIVERSIDE

When recorded please mail to:  
Mail Stop 5155

DOC # 2008-0150092

03/27/2008 08:00A Fee:NC

Page 1 of 1

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



**NOTICE OF NONCOMPLIANCE for UNAPPROVED GRADING**

In the matter of the Property of )

Case No.: CV08-02002

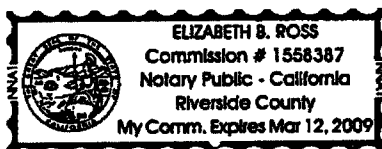
David Irwin Hammond )

**NOTICE IS HEREBY GIVEN** to all persons, pursuant to Section 10 of Ordinance Number 725 of the County of Riverside, State of California, that proceedings have been commenced with respect to violations of Riverside County Ordinance No. 457, Section 4, (RCC Title 15) described as grading without approval from the Department of Building and Safety. Such proceedings are based upon the noncompliance of such real property, located at 37200 Remuda Road, Temecula, CA, and more particularly described as Assessment Parcel No. 915-380-016 and having a legal description of 4.26 ACRES NET IN PAR 1 PM 132/009 PM 15669 with the requirements of Ordinance No.457, Section 4, (RCC Title 15).

The owner has been advised to immediately correct the above-referenced violation to avoid further action by the County of Riverside, which may include remediation or restoration to abate the public nuisance or other remedies available to the department by a court of competent jurisdiction. Any costs incurred by the County, including, but not limited to investigative, administrative and abatement costs and attorneys' fees, may become a lien on the property. Further details regarding this notice may be obtained by addressing an inquiry to the Code Enforcement Department, 39493 Los Alamos Road, Murrieta, CA 92563; Attention Code Enforcement Officer J. Chamberlain (951) 600-6140.

**NOTICE IS FURTHER GIVEN** in accordance with §17274 and §24436.5 of the California Revenue and Taxation Code, that a tax deduction may not be allowed for interest, taxes, depreciation, or amortization paid or incurred in the taxable year affected by these proceedings.

**NOTICE OF FURTHER GIVEN** that pursuant to Riverside County Ordinance 457.96 Section 4, 3306.03 the Department of Building and Safety may place a five year hold on the issuance of related building permits and land use approvals for this property. Any property owner aggrieved by this decision has the right to appeal to the County of Riverside Board of Supervisors.



COUNTY OF RIVERSIDE  
DEPARTMENT OF CODE ENFORCEMENT

By: 

Mark Slocum  
Code Enforcement Department

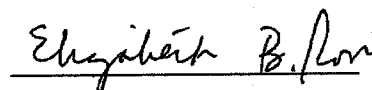
**ACKNOWLEDGMENT**

State of California)  
County of Riverside)

On 03/19/08 before me, Elizabeth B. Ross, Notary Public, personally appeared Mark Slocum, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Public Record

Recording Requested By Internal Revenue Service. When recorded mail to:

INTERNAL REVENUE SERVICE  
24000 AVILA ROAD, MAIL STOP 5910  
LAGUNA NIGUEL, CA 92677

DOC # 2005-0172468

03/03/2005 08:00A Fee:7.00

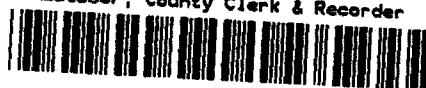
Page 1 of 1

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



For Optional Use by Recording Office

Form 668 (Y)(c)

(Rev. February 2004)

1872 Department of the Treasury - Internal Revenue Service

### Notice of Federal Tax Lien

7  
M

R

Area: SMALL BUSINESS/SELF EMPLOYED AREA #14

Serial Number

Lien Unit Phone: (800) 829-3903

214510005

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer DAVID I HAMMOND

Residence

37664 REMUDA DR  
TEMECULA, CA 92592-8466

**IMPORTANT RELEASE INFORMATION:** For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2000	570-43-6705	07/08/2002	08/07/2012	457.97
1040	12/31/2001	570-43-6705	12/06/2004	01/05/2015	6927.42
1040	12/31/2002	570-43-6705	02/09/2004	03/11/2014	3228.88

Place of Filing

COUNTY RECORDER  
RIVERSIDE COUNTY  
RIVERSIDE, CA 92502-0751

Total \$ 10614.27

This notice was prepared and signed at LAGUNA NIGUEL, CA, on this, the 15th day of February, 2005.

Signature

*C Sherwood*

Title  
ACS

34-00-0008

for L DUQUETTE

(800) 829-3903

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien  
Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)  
CAT. NO 60025X

Public Record



# PHOTOGRAPHIC EVIDENCE

TAKEN BY: JTATE

CASE # CV08-02002

DATE: 1/23/09

LOCATION: 37200 REMUDA, TEMECULA, CA.

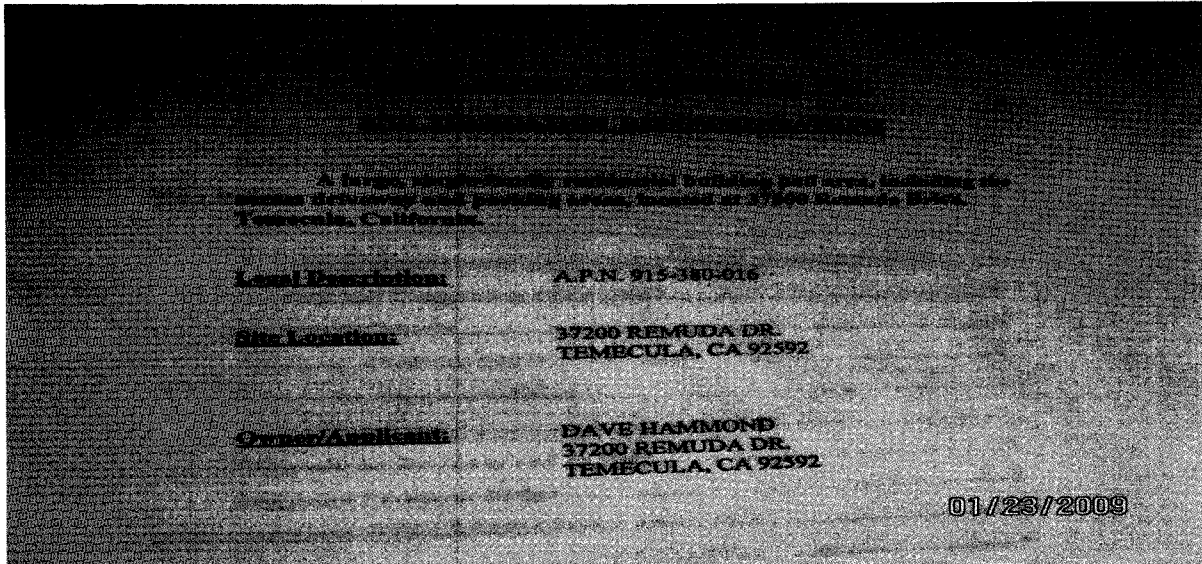


PHOTO # 3

NOTES: COMPACTION REPORT



PHOTO # 4

NOTES: PLANTED IRRIGATED SLOPE

EXHIBIT NO. D2

## PHOTOGRAPHIC EVIDENCE

TAKEN BY: JTATE

CASE # CV08-02002

DATE: 1/23/09

LOCATION: 37200 REMUDA, TEMECULA, CA.

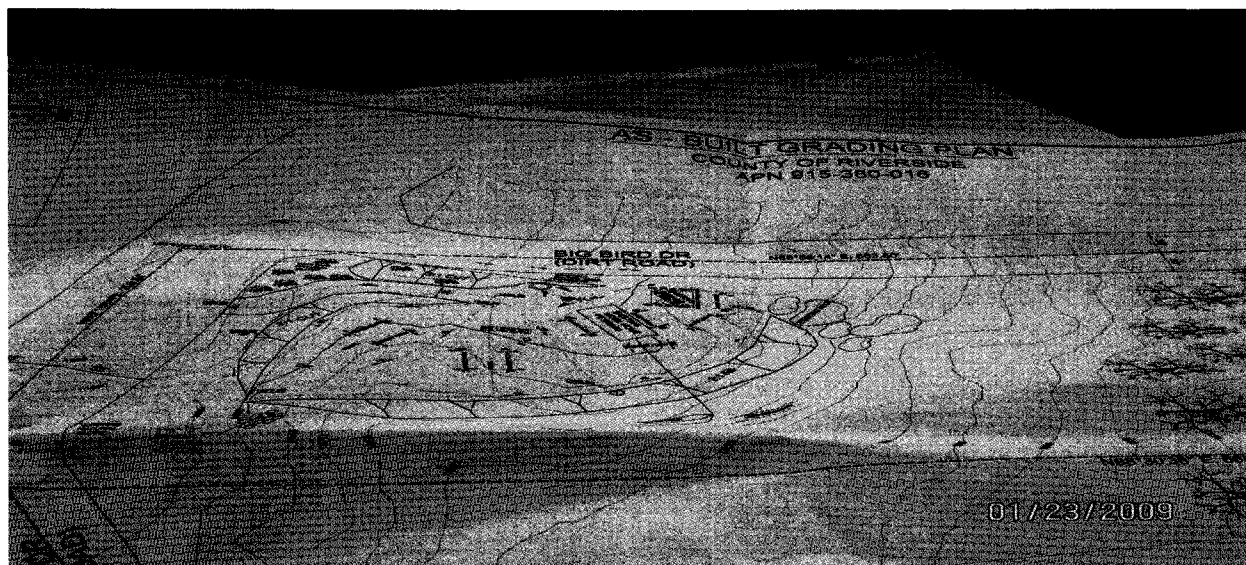


PHOTO # 1

NOTES: ENG. AS-BUILT GRADING PLAN

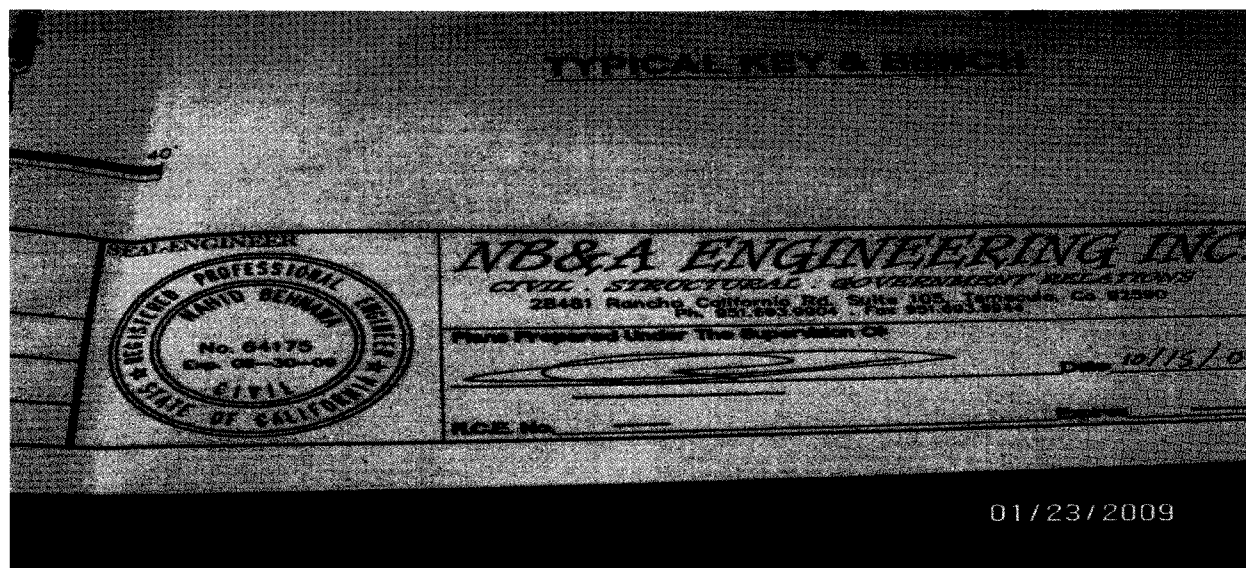


PHOTO # 2

NOTES: ENG. STAMP AS-BUILT PLANS

EXHIBIT NO. D3



PHOTO # 1 TAKEN BY: J. Kimberlain

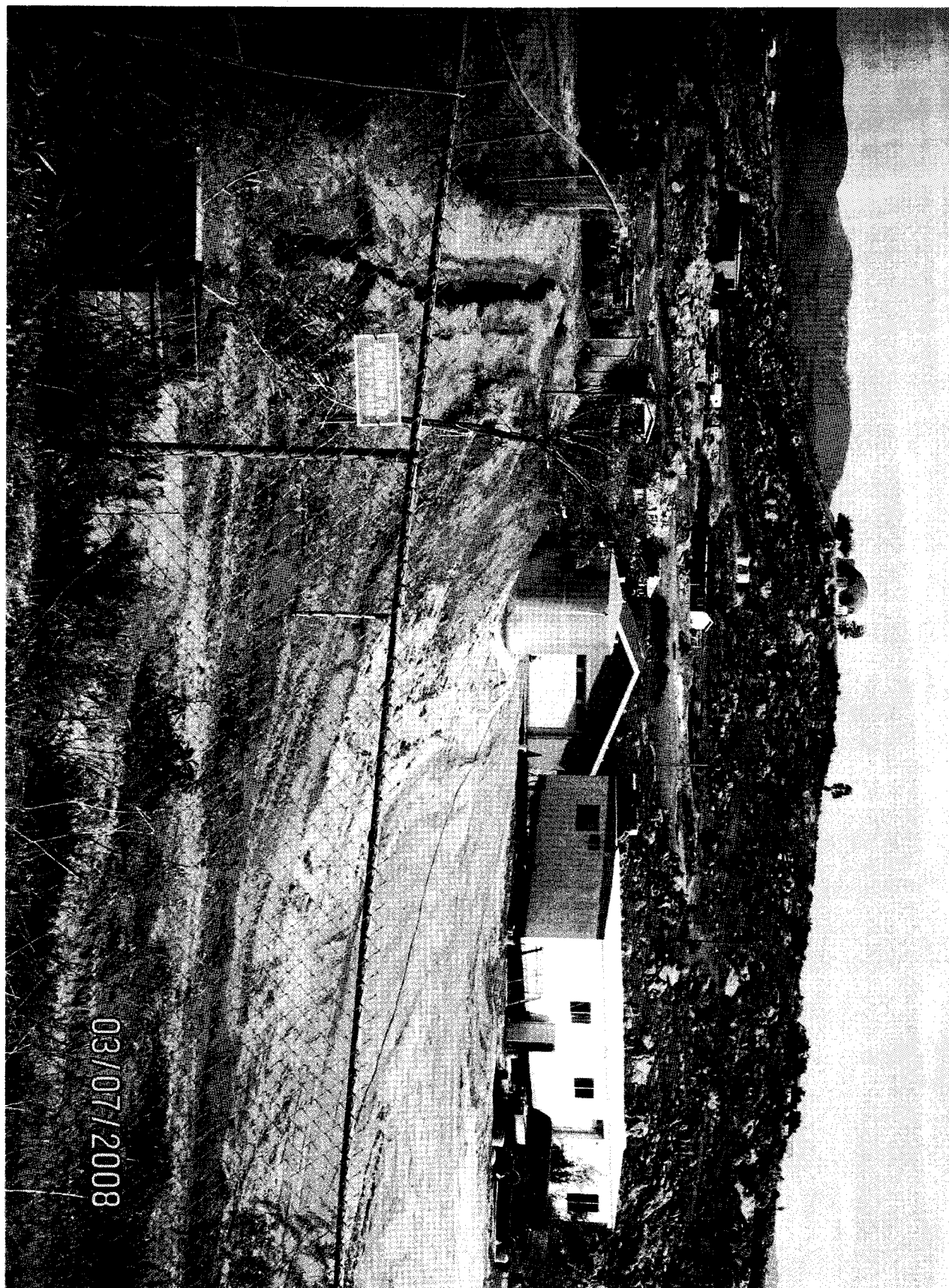
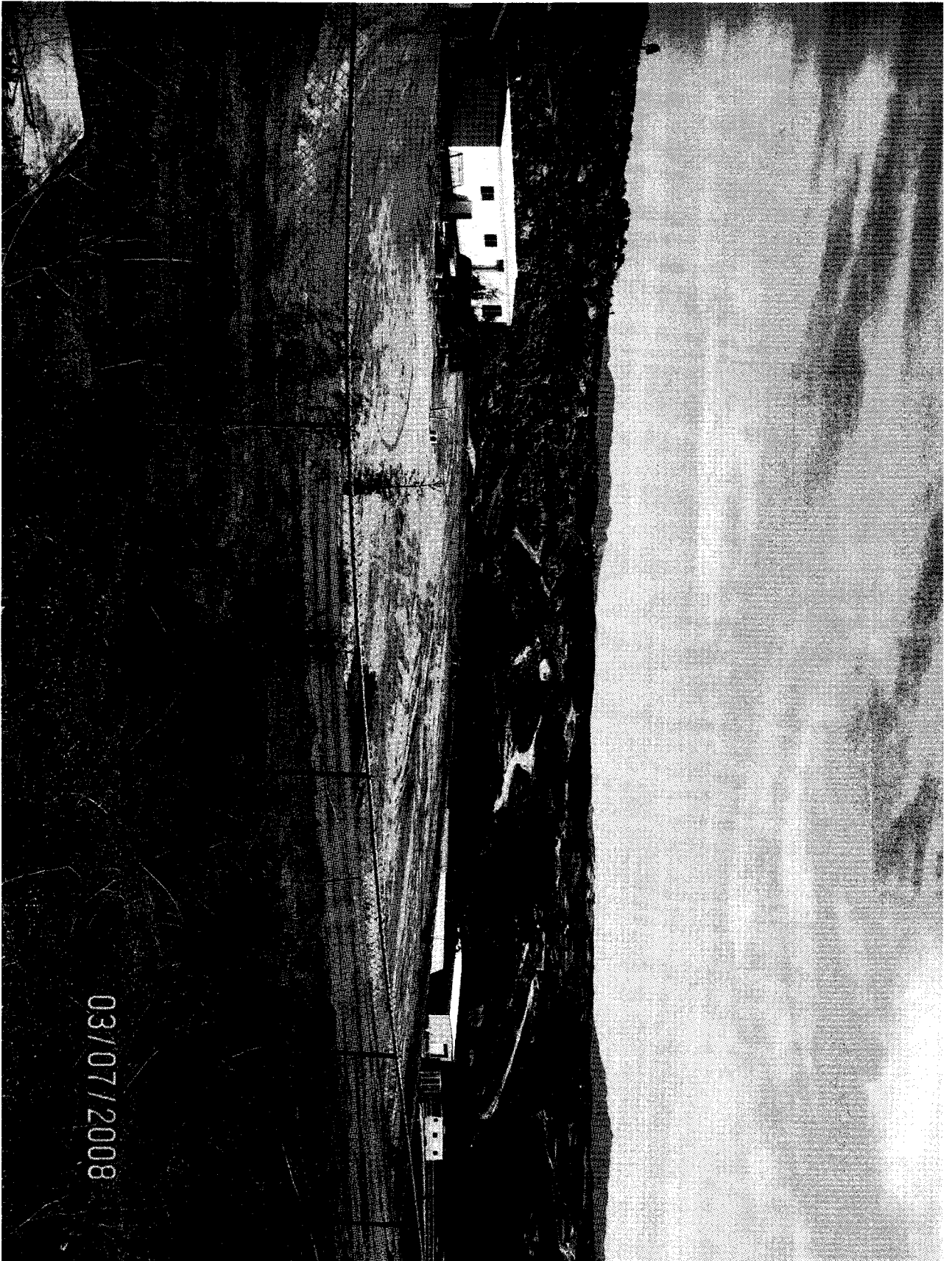


EXHIBIT NO. D4





03/07/2008

PHOTO # 2 TAKEN BY: J. Chamberlain

EXHIBIT NO. DS



03/07/2008

PHOTO # 3 TAKEN BY: J. Chamberlain

EXHIBIT NO. D6

PHOTO # 4 TAKEN BY: J. Chamberlain



03/07/2008

EXHIBIT NO. 57



PHOTO # 5 TAKEN BY: J. Chamberlain



EXHIBIT NO. 52

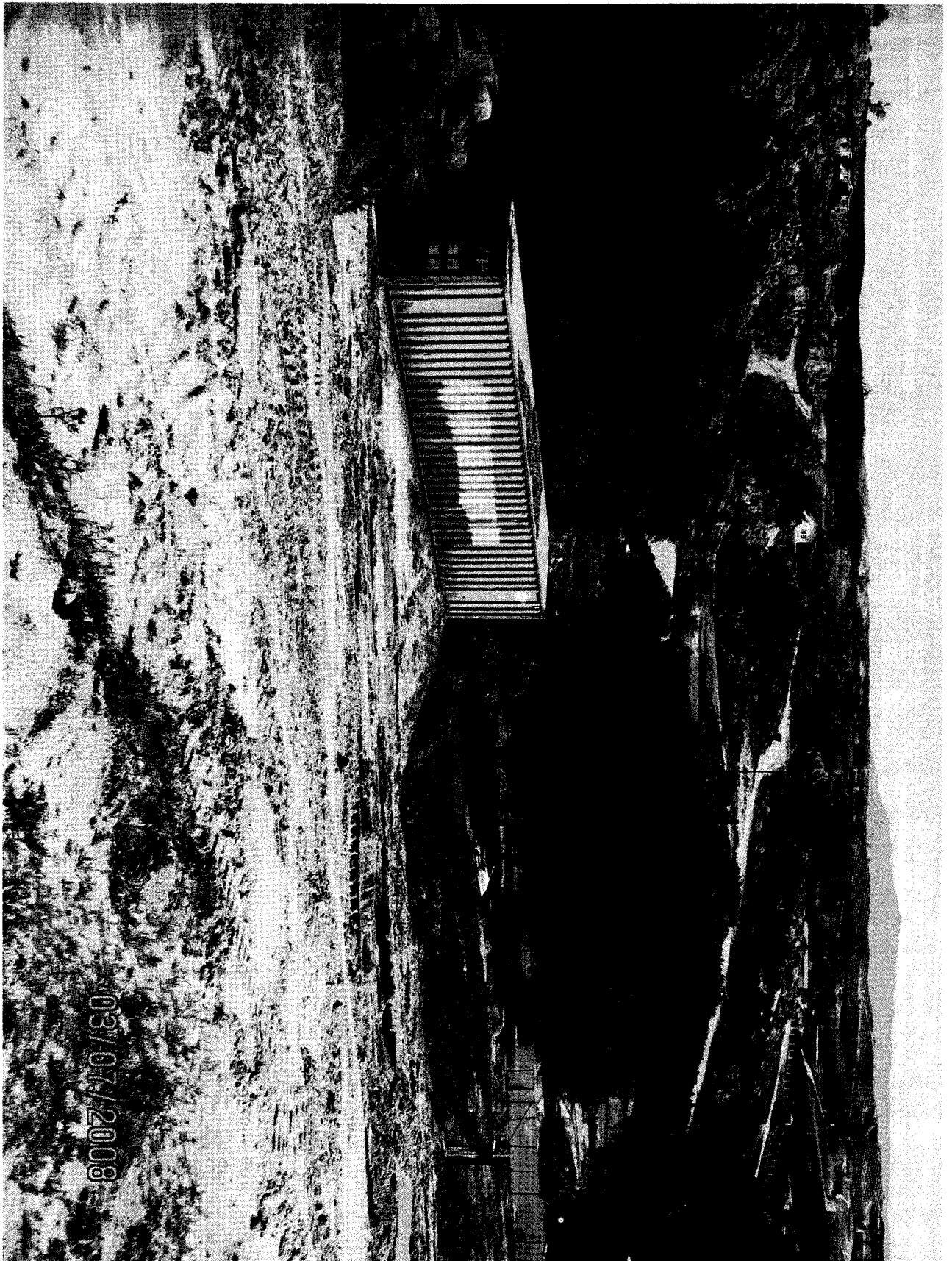
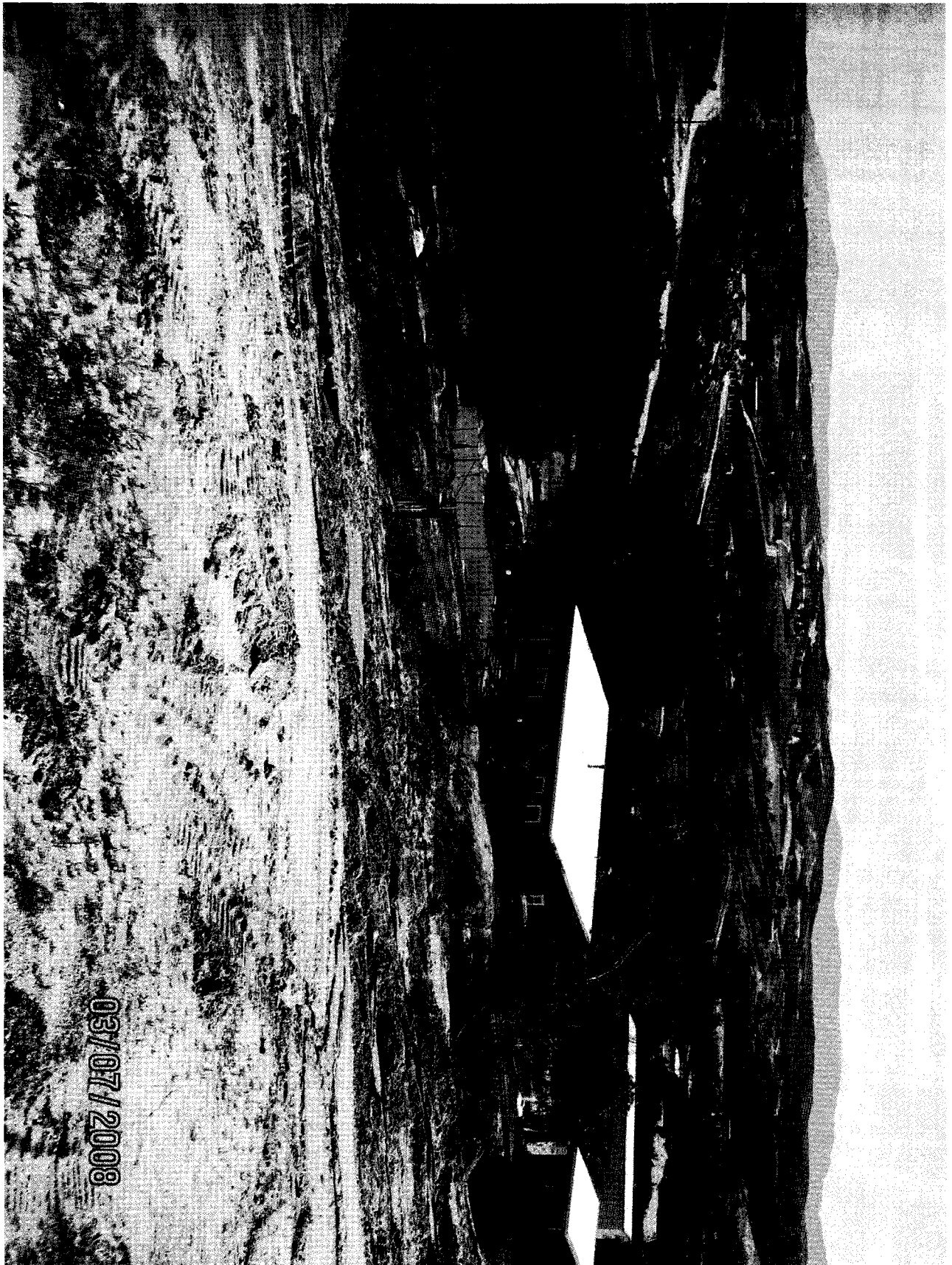


PHOTO # 6 TAKEN BY: J. Chamberlain

PHOTO # 7 TAKEN BY: J. Chamberlain



03/07/2008

EXHIBIT NO. D10



PHOTO # 8 TAKEN BY: J. Chamberlain

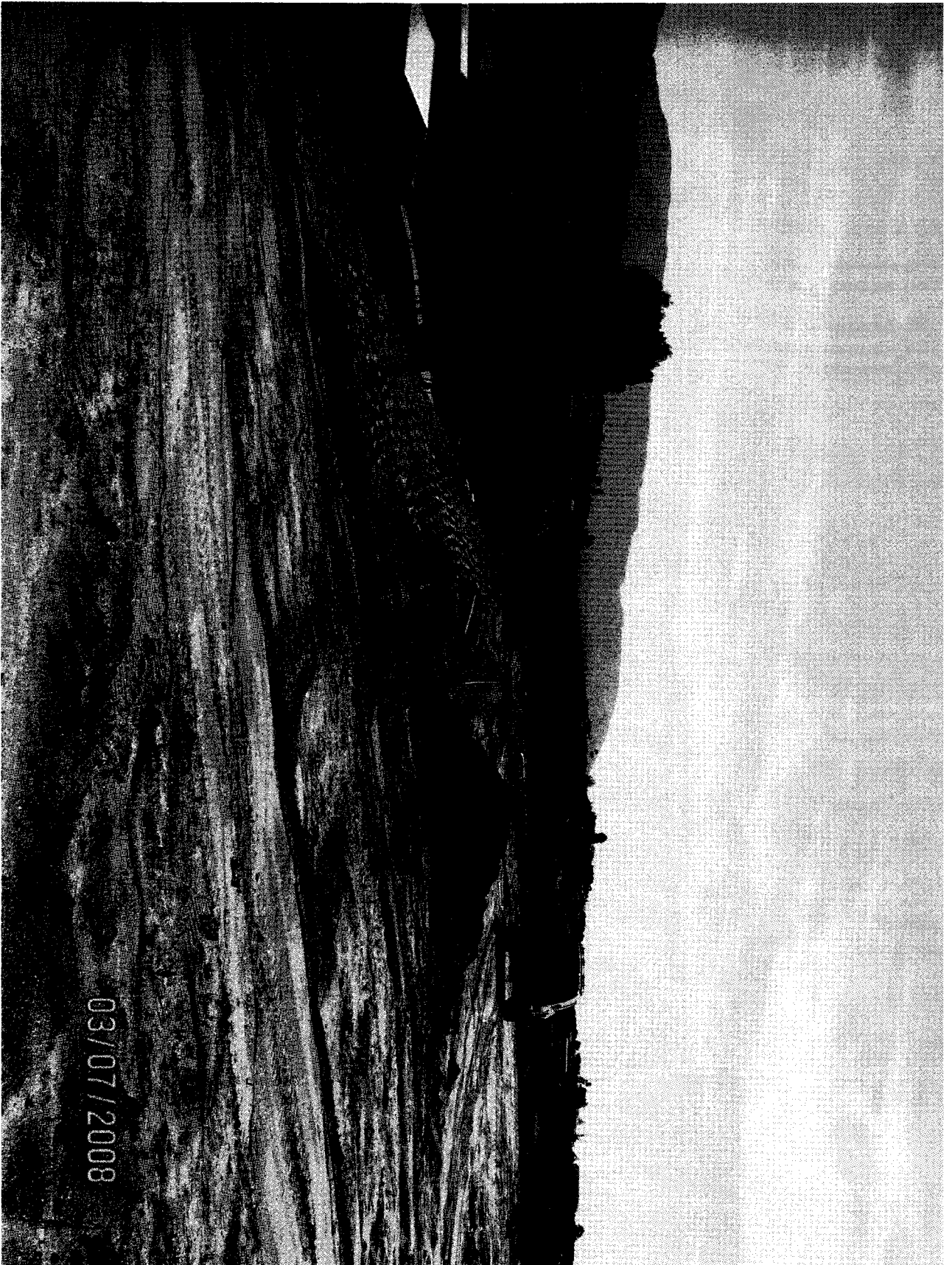


EXHIBIT NO. Dx

PHOTO # 9 TAKEN BY: J. Chamberlain

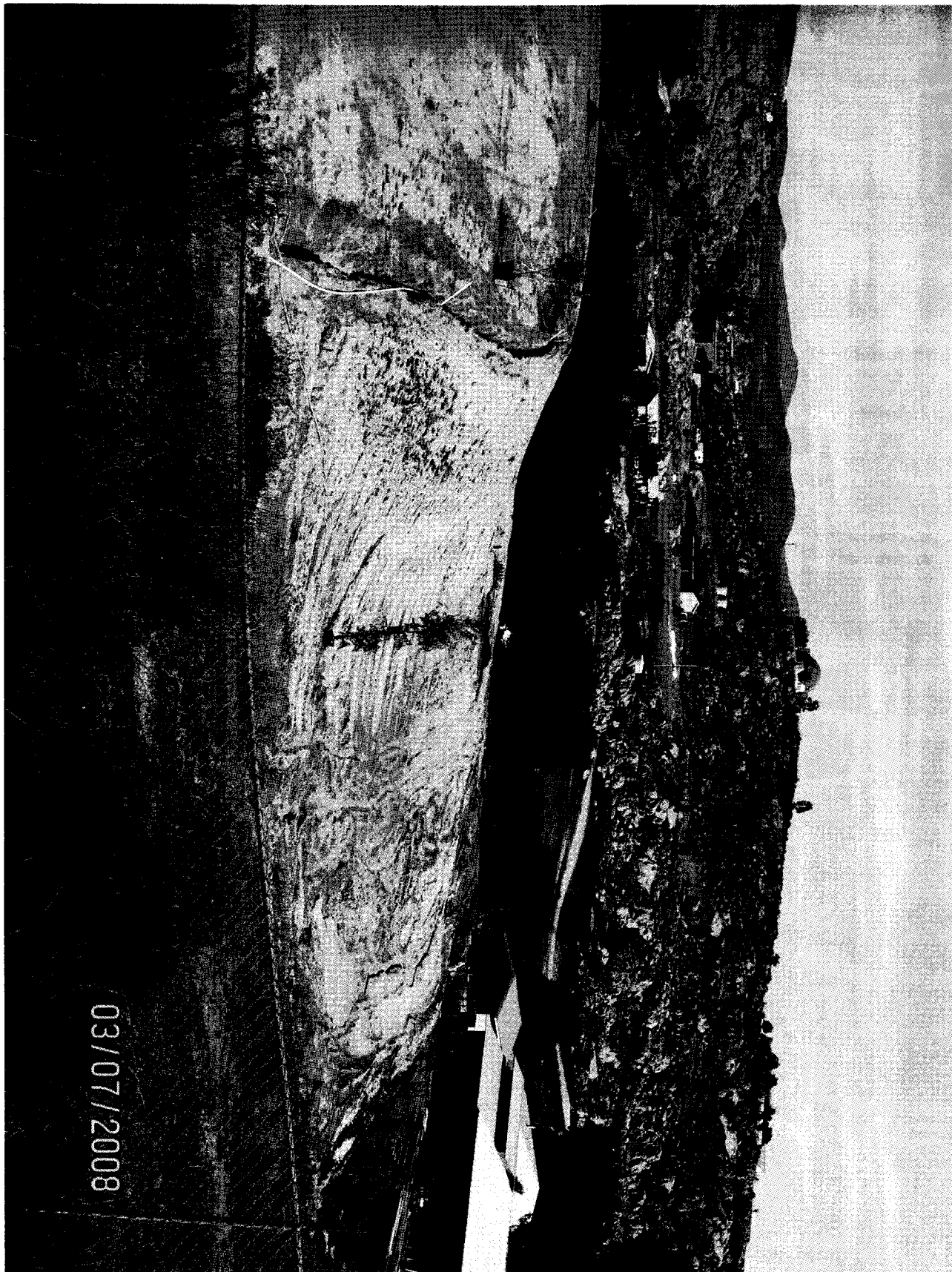


03/07/2008

EXHIBIT NO. D12



PHOTO # 10 TAKEN BY: J. Chamberlain



03/07/2008

EXHIBIT NO. D13

EXHIBIT NO. 712

03/07/2008

PHOTO # 11 TAKEN BY: J. Chamber

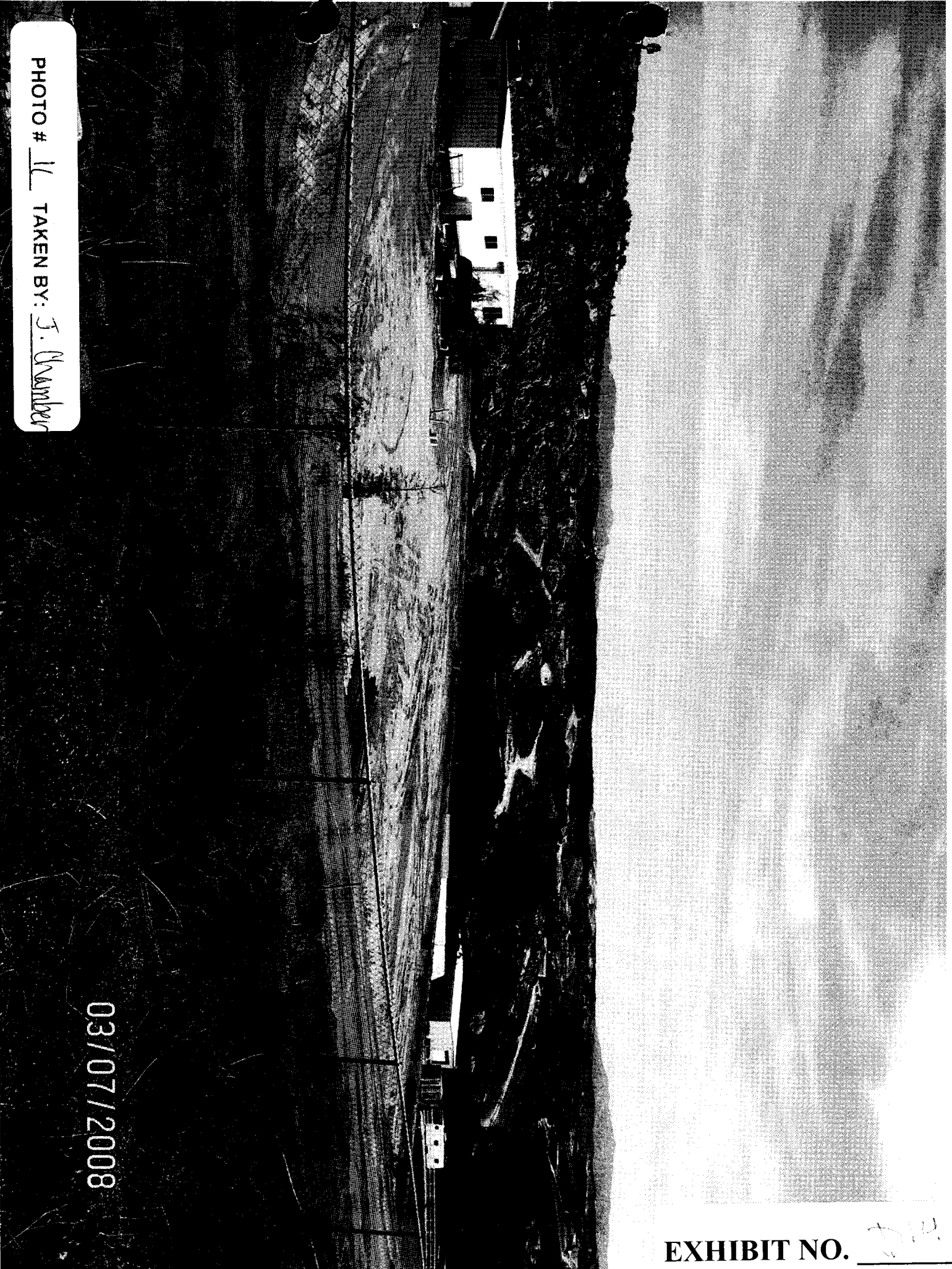
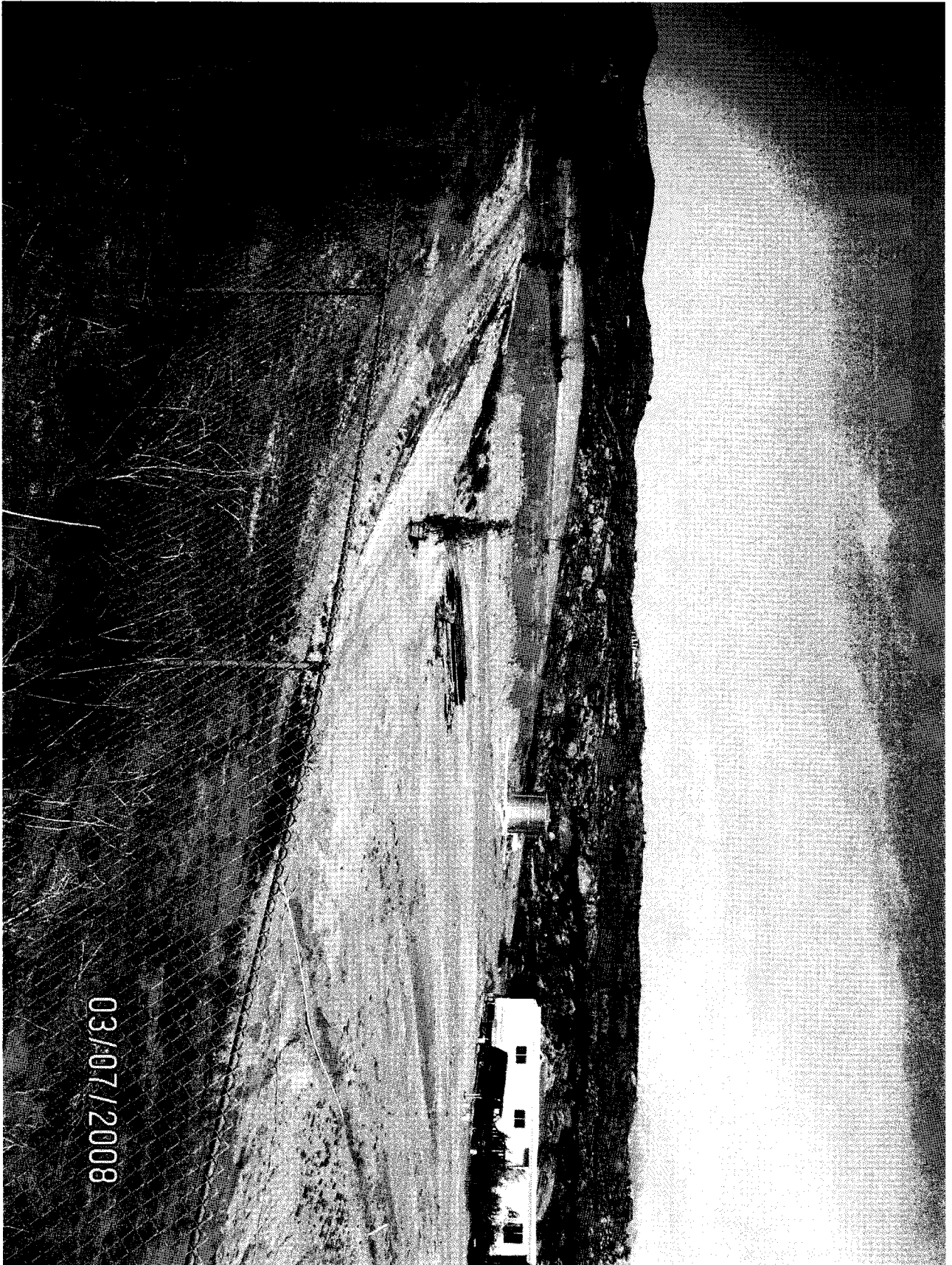


PHOTO # 12 TAKEN BY: J. Chamberlain



03/07/2008



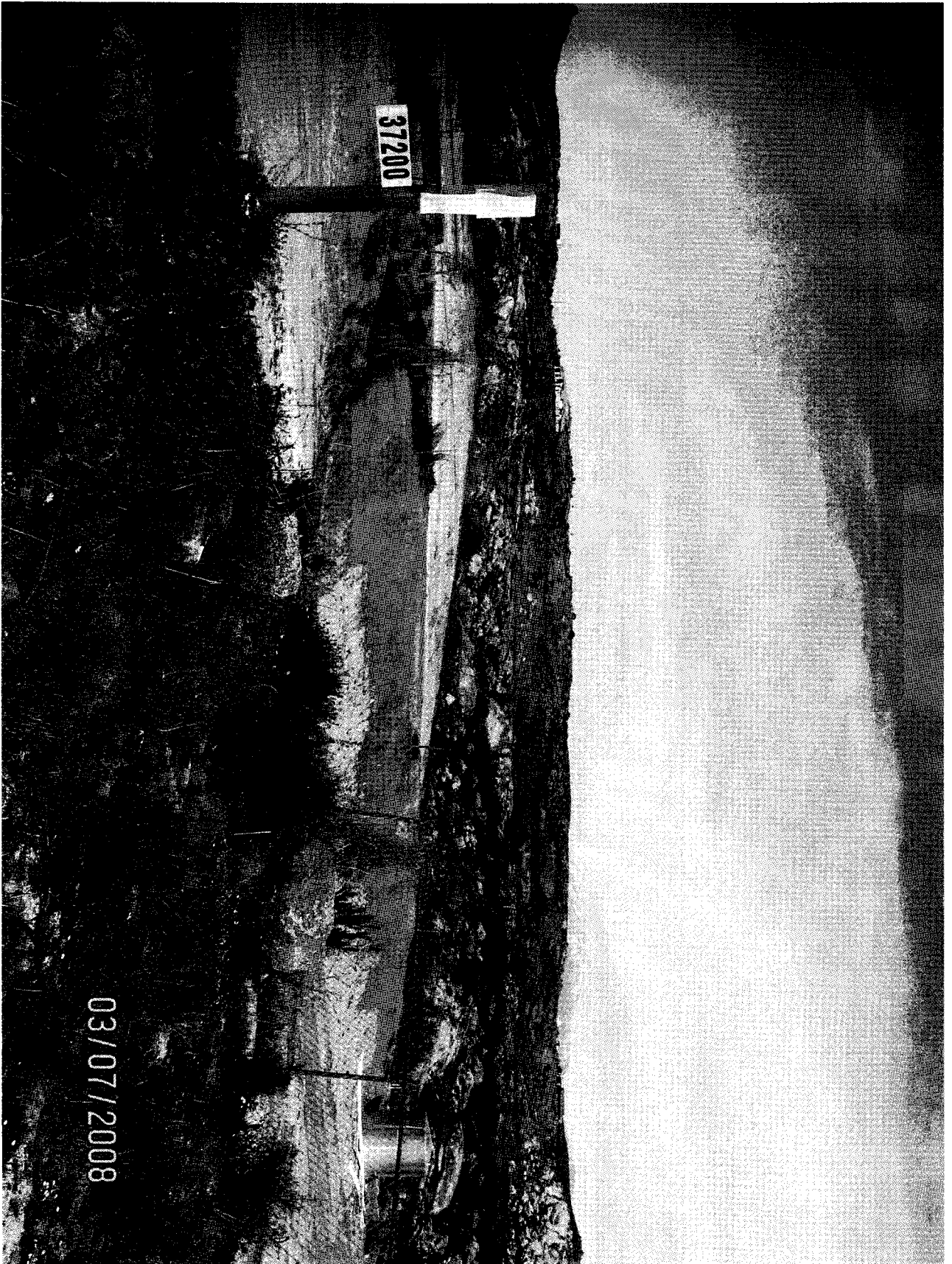


PHOTO # 13 TAKEN BY: J. Chamberlain

PHOTO # 14 TAKEN BY: J. Chamberlain



EXHIBIT NO. D17



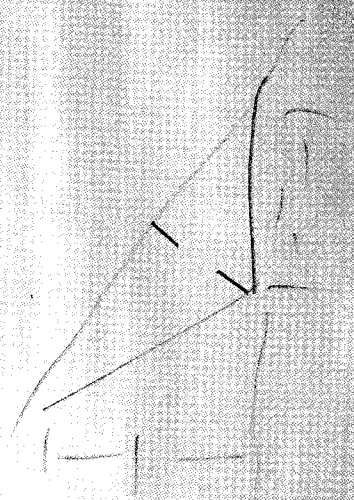


EXHIBIT NO. 38

37200

PHOTO # 15 TAKEN BY: J. Chamber

03/07/2008

EXHIBIT NO. DM

03/07/2008

PHOTO # 16 TAKEN BY: J. Chamberlain

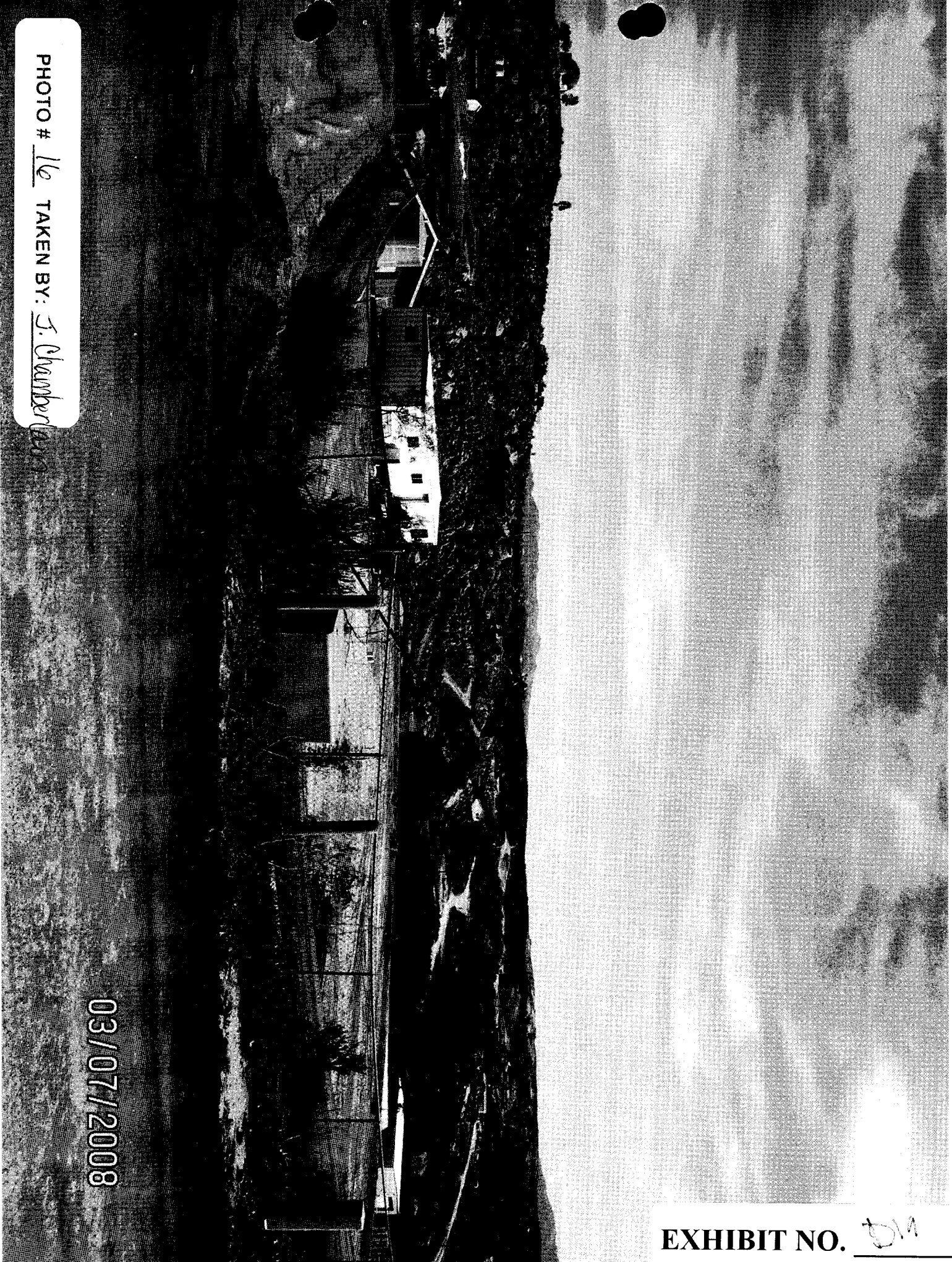




PHOTO # 17 TAKEN BY: J. Chamberlain

03/07/2008

EXHIBIT NO. J20

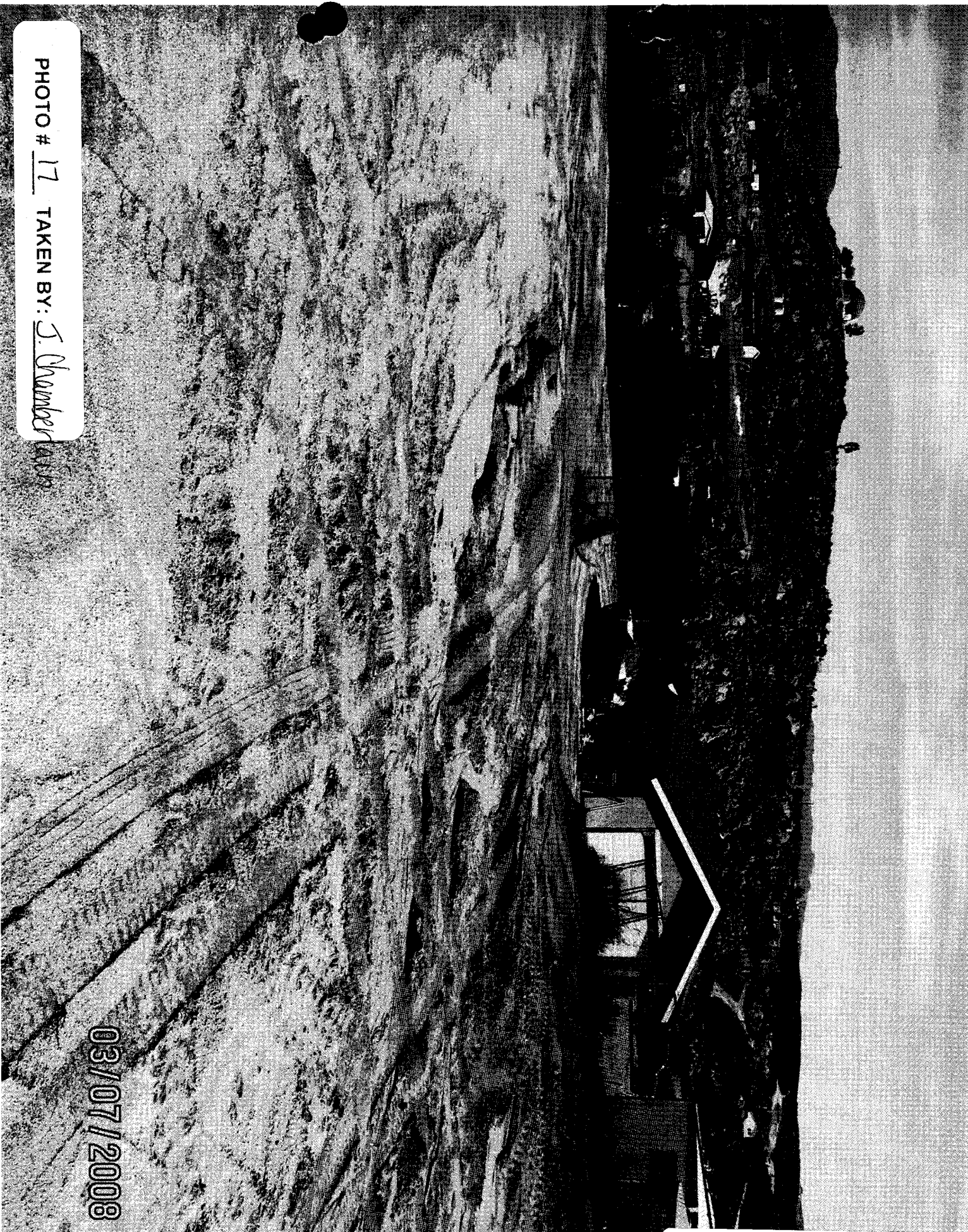




PHOTO # 18 TAKEN BY: J. Chamberlain

03/07/2008

EXHIBIT NO. 721

PHOTO # 19 TAKEN BY: J. Chamberlain

03/07/2008

EXHIBIT NO. D22

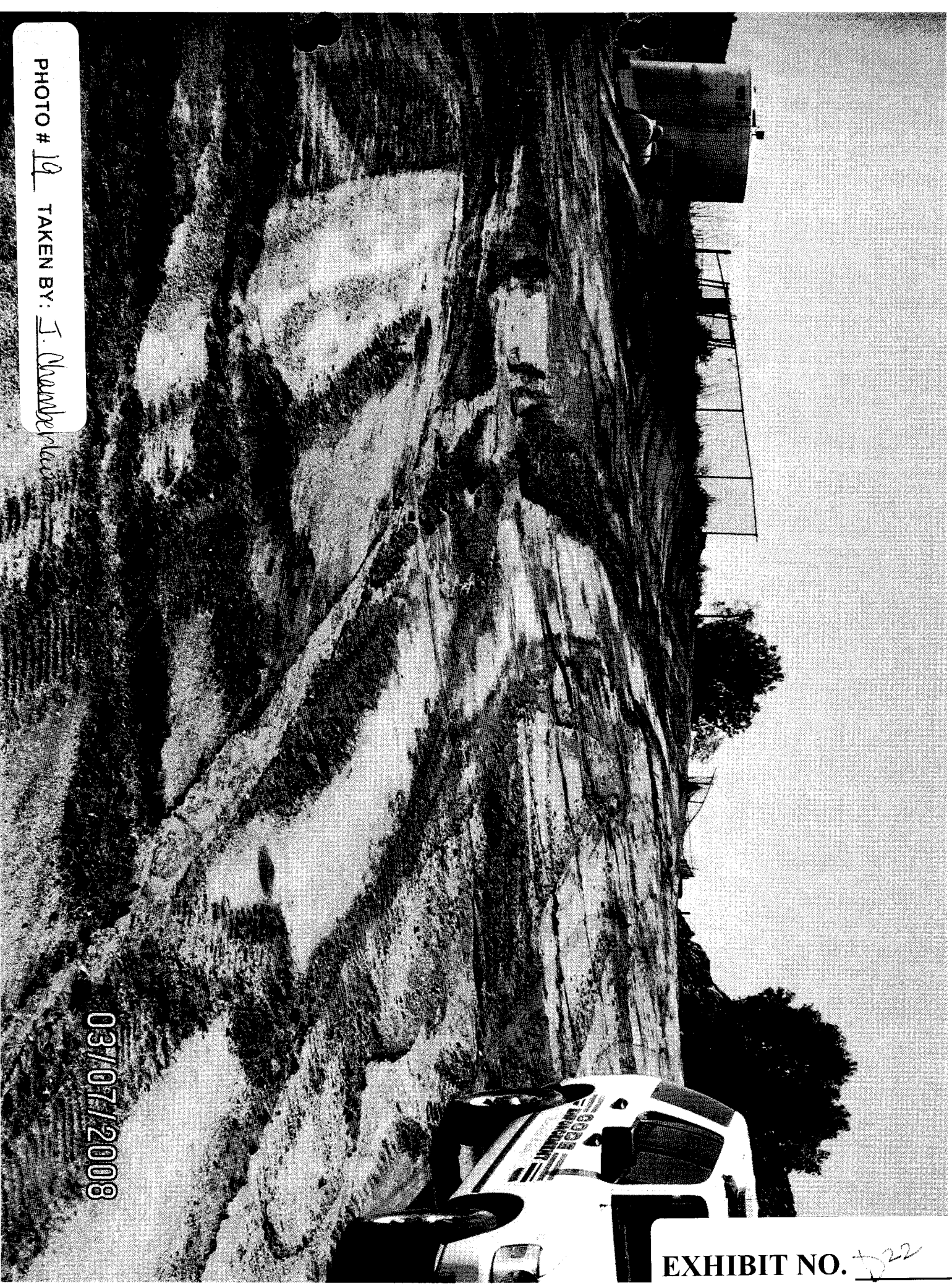




PHOTO # 80 TAKEN BY: J. Chamber

03/07/2008

EXHIBIT NO. D23



RECEIVED 4/21  
11:15 AM  
FBI - EL PASO

PHOTO # 21 TAKEN BY: J. Chamberlain

03/07/2008

EXHIBIT NO. 724



PHOTO # 22 TAKEN BY: J. Chamberlain

03/07/2008

EXHIBIT NO. D25

PHOTO # 23 TAKEN BY: J. Chumbley

03/07/2008

EXHIBIT NO. D26



PHOTO # 84

TAKEN BY: J

Chamberlain

03/07/2008

EXHIBIT NO. D27



PHOTO # 25 TAKEN BY: J. Chambers

03/07/2008

EXHIBIT NO. 25



PHOTO # 26 TAKEN BY: J. Chamber

03/07/2008

EXHIBIT NO. D29

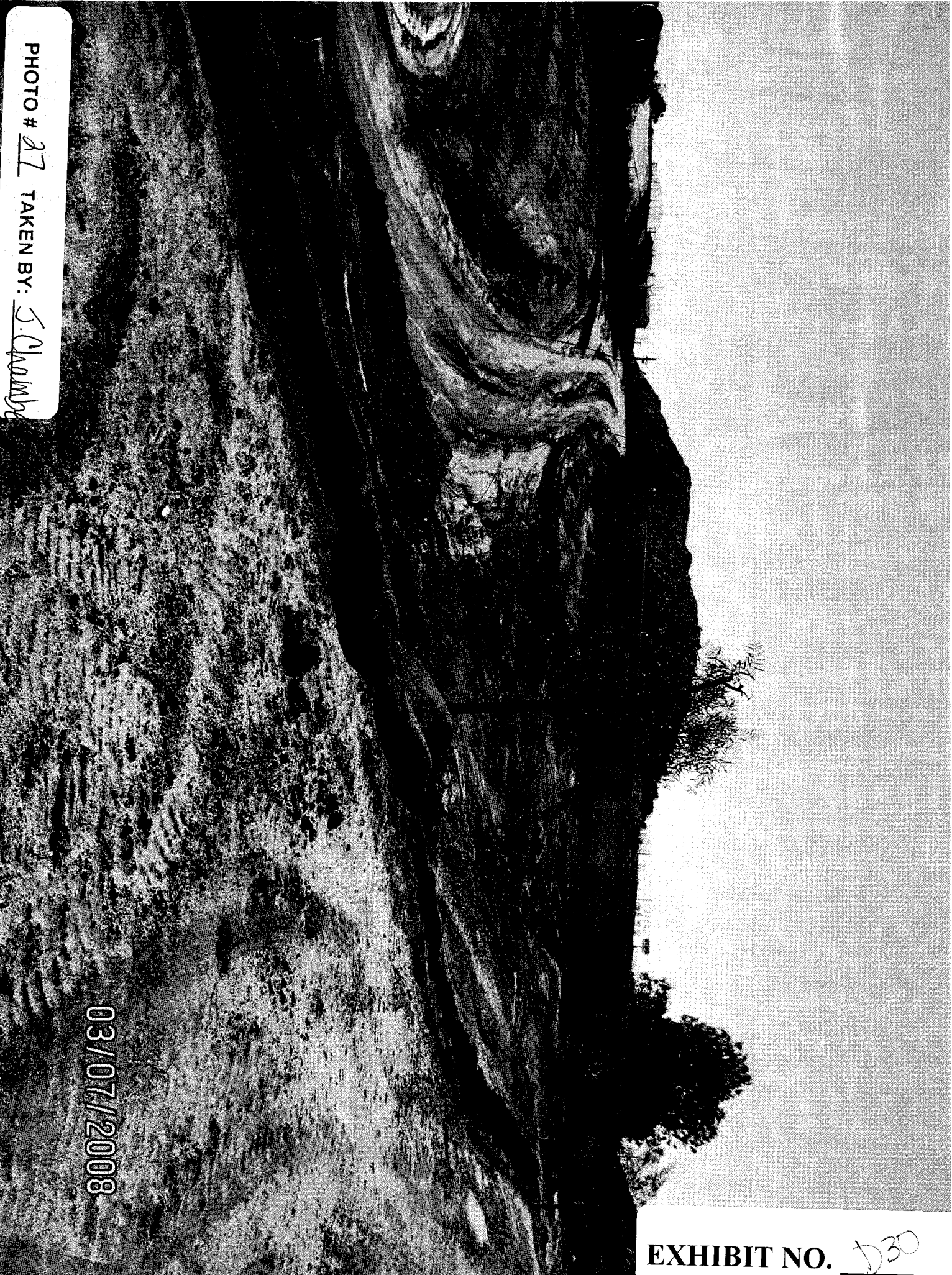


PHOTO # 27 TAKEN BY: S. Chandy

03/07/2008

EXHIBIT NO. D30



PHOTO # 28 TAKEN BY: J. Champ

03/07/2008

EXHIBIT NO. D31

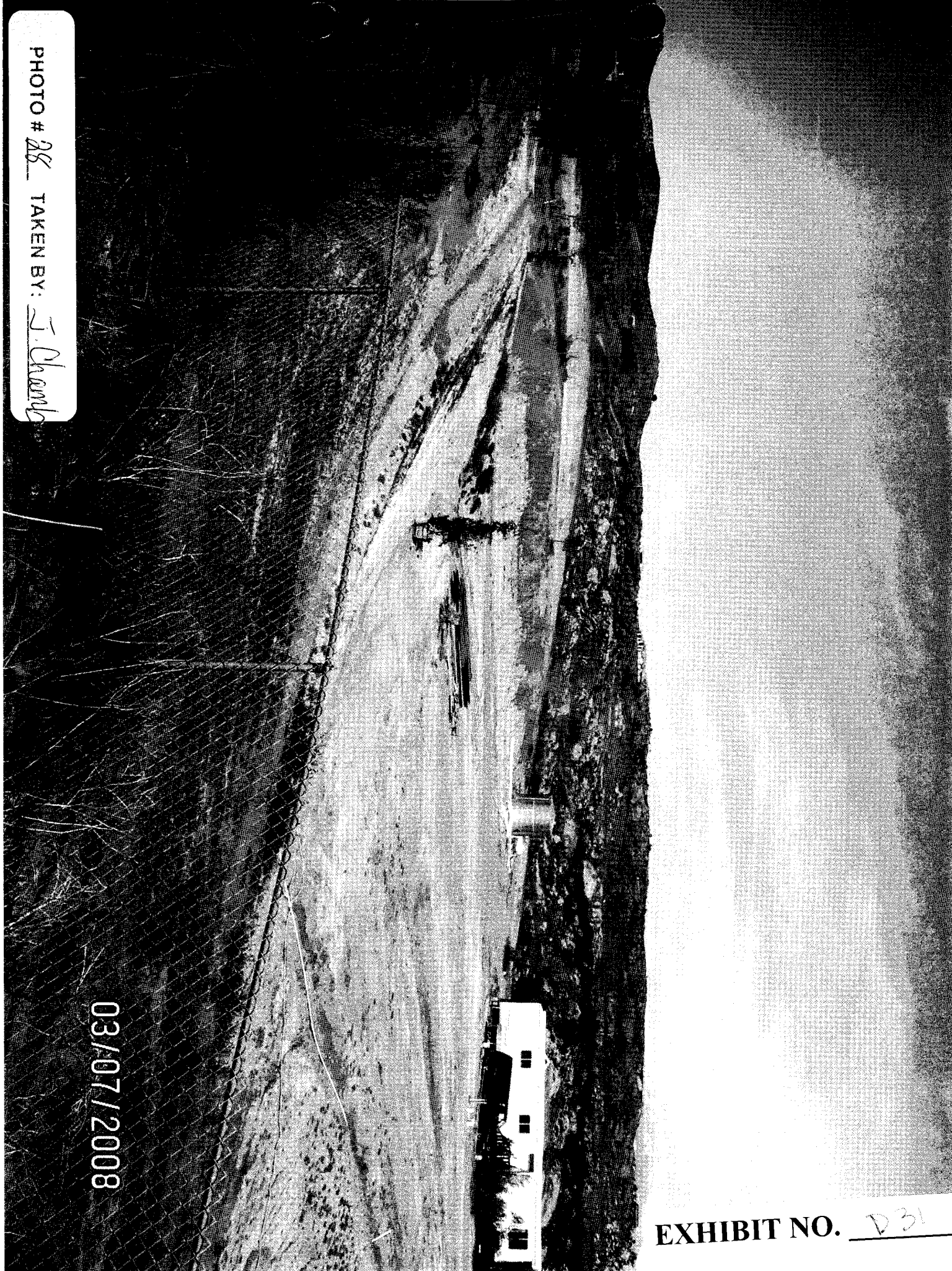


PHOTO # 29 TAKEN BY: J. Chamberlain

03/07/2008

EXHIBIT NO. D32



PHOTO # 30 TAKEN BY: J. Chamber

03/07/2008

EXHIBIT NO.

COUNTY OF RIVERSIDE  
CODE ENFORCEMENT DEPARTMENT

NOTICE OF VIOLATION

CV08-02002

CASE NO.: \_\_\_\_\_ APN 915-380-016

THE PROPERTY AT 37200 Remuda Rd. Temecula  
WAS INSPECTED AT 1:27 pm ON 3/7/08  
BY J. Chamberlain #36

(Name of Inspector or Investigator/ Badge No.)

AND FOUND TO BE IN VIOLATION OF RIVERSIDE COUNTY CODE  
AS FOLLOWS:

CODE RCC SECTION 15.12

Grading without permit

YOU ARE DIRECTED TO COMPLY WITH THIS NOTICE BY  
obtain a Restoration Assessment from the Dept.  
of Building & Safety and comply with the process  
and conditions.

IMMEDIATELY. A FOLLOW-UP INVESTIGATION WILL BE CONDUCTED  
ON OR ABOUT 4/7/08. FAILURE TO COMPLY BY THIS DATE  
COULD RESULT IN THE ISSUANCE OF AN ADMINISTRATIVE  
CITATION, AND THE IMPOSITION OF A LIEN ON THE PROPERTY FOR  
THE ABATEMENT AND ENFORCEMENT COSTS.

**PENALTY FOR FAILURE TO COMPLY**

A FINE MAY BE ASSESSED AT THE RATE OF:

\$100 FOR EACH VIOLATION ON THE FIRST OFFENSE

\$200 FOR EACH VIOLATION ON THE SECOND OFFENSE

\$500 FOR EACH VIOLATION ON THE THIRD OFFENSE

NOTICE IS HEREBY GIVEN THAT AT THE CONCLUSION OF THIS  
CASE YOU WILL RECEIVE A SUMMARY OF ADMINISTRATIVE COSTS  
ASSOCIATED WITH THE PROCESSING OF SUCH VIOLATION(S), AT AN  
HOURLY RATE OF \$ 109.00 AS DETERMINED BY THE BOARD OF  
SUPERVISORS. YOU WILL HAVE THE RIGHT TO OBJECT TO THESE  
CHARGES BY FILING A REQUEST FOR HEARING WITH THE  
DEPARTMENT OF BUILDING & SAFETY WITHIN TEN (10) DAYS OF  
SERVICE OF THE SUMMARY OF CHARGES, PURSUANT TO SECTION  
C. OF RIVERSIDE COUNTY CODE 1.16.080

J. Chamberlain  
SIGNATURE -INSPECTOR OR INVESTIGATOR

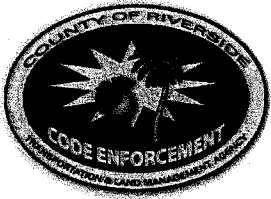
OFFICE LOCATIONS: (See Reverse Side)

RECEIVED BY:

Posted

DATE: 3/7/08

EXHIBIT NO. E



JAY E. ORR  
DIRECTOR

**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

4080 LEMON STREET, 12TH FLOOR  
RIVERSIDE, CALIFORNIA 92501  
(951) 955-2004 • FAX (951) 955-8680

BRIAN BLACK  
STEVE BLOOMQUIST  
JOHN BOYD  
NEIL LINGLE  
JAMES P. MONROE  
DIVISION MANAGERS

## AFFIDAVIT OF POSTING OF NOTICES

**Case No.: CV08-02002**

**I, J. Chamberlain, the undersigned, hereby declare:**

1. I am employed by the Riverside County Department of Code Enforcement and that my business address is:

County of Riverside  
Transportation & Land Management Agency  
Code Enforcement Department  
39493 Los Alamos Rd.  
Murrieta, CA 92563

2. That on March 7, 2008 at 1:27 pm, I securely and conspicuously posted a Notice of Violation (RCC 15.12 – Grading without permit) at the property described as:

Property Address: 37200 Remuda Rd., Temecula, CA  
Assessor's Parcel Number: 915-380-016

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

Executed on March 12, 2008, at Murrieta, California.

**CODE ENFORCEMENT DEPARTMENT**

By: J. Chamberlain

J. Chamberlain, Code Enforcement Officer  
District 3, Murrieta

**EXHIBIT NO. E2**



**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

JOHN BOYD  
Director

**NOTICE OF VIOLATION  
For  
UNAPPROVED GRADING**

December 12, 2008

See attached Notice List / Interested Parties

Re: Case No.: **CV08-02002**

**NOTICE IS HEREBY GIVEN** that property owned or controlled by you at 37200 Remuda Road, Temecula, California, Assessor's Parcel Number 915-380-016, is in violation of Riverside County Ordinance 457 (RCC Title 15), relating to grading without approval by the Department of Building and Safety.

**YOU ARE HEREBY REQUIRED TO COMPLY** with the provisions of the ordinance by:


1. "Obtain a Restoration Assessment from the Dept. of Building & Safety and comply with the process and conditions".

**YOU MUST COMPLY WITH THIS NOTICE NO LATER THAN JANUARY 12, 2009. FAILURE TO COMPLY WILL RESULT IN CRIMINAL, ADMINISTRATIVE, OR CIVIL ACTION BEING BROUGHT AGAINST YOU INCLUDING PENALTIES, RESTORATION, OR REMEDIATION OF THE ILLEGAL GRADING BY THE COUNTY AND ALL COSTS INCURRED BY THE COUNTY MAY BE IMPOSED AS A SPECIAL ASSESSMENT AND/ OR LIEN AGAINST THE PROPERTY.**

**NOTICE IS HEREBY GIVEN** that Ordinance 457.96 Section 4, 3306.03 allows for the Department of Building and Safety to place a five year flag on the issuance of building permits and land use approvals for property that has been graded without approval or permits. Any property owner aggrieved by this decision will have the right to appeal to the County of Riverside Board of Supervisors.

**FURTHER NOTICE IS HEREBY GIVEN** that a Notice of Non-Compliance will be recorded against the affected property.

**FURTHER NOTICE IS HEREBY GIVEN** that at the conclusion of this case you will receive a summary of administrative costs associated with the processing of this violation at an hourly rate of \$129.00 per hour as determined by the County of Riverside Board of Supervisors. You will have the right to object to these charges by filing a request for hearing with the Department of Building and Safety within 10 days of the service of the summary of charges pursuant to Section 1.16.080 of Riverside County Code.

  
Michael Sanders, Sr. Code Enforcement Officer





# COUNTY OF RIVERSIDE

## TRANSPORTATION AND LAND MANAGEMENT AGENCY

Tony Carstens  
Agency Director



Katherine Gifford  
Director,  
Administrative  
Services Dept.

Ron Goldman  
Director,  
Planning  
Department

George Johnson  
Director,  
Transportation  
Department

Jim Miller  
Director,  
Building & Safety  
Department

Jay E. Orr  
Director,  
Code Enforcement  
Department

Carolyn Syms Luna  
Director,  
Environmental  
Programs Dept.

### Illegal Grading Notification

On September 13, 2005 the Board of Supervisors adopted an amendment to Ordinance 457, which allows the Department of Building and Safety to place a five year hold on the issuance of building permits and land use approvals if that property is graded without permits. Any property owner aggrieved by this decision has the right to appeal to the Board of Supervisors.

You have been cited for grading without a permit, you are required to complete an "application to construct" and file for an hourly restoration assessment number. This can be done in any one of the three permit assistance centers listed at the bottom of this page. Once the number has been generated and payment made, you will be contacted by the Environmental Programs Department (EPD) or the Department of Building and Safety to set up your site assessment inspection. Once the site assessment has been completed you will be provided plan requirements in writing. You may be required to provide a Biological Restoration Plan and or Earthwork Restoration Plan. A brief description on each of these is provided below:

#### Biological Restoration Plan:

A biological restoration plan may be required which is prepared by a qualified biologist and is submitted to the County for review and approval. A biological restoration plan determines how to restore the site to its original state prior to disturbance. This plan may include a re-vegetation plan, an irrigation plan, a mitigation and monitoring plan, schedules and cost estimates for restoration. The level of detail that will be required will be determined through a site assessment conducted by the Environmental Programs Department.

#### Earthwork Restoration Plan:

The need for an Earthwork Component is based on the estimated volume of earthwork required to be moved on the site in order to effectively restore the site per the intent of County Ordinance 457.

If an Earthwork Plan is required, the plan shall be prepared by a registered civil engineer. All Riverside County Department of Building and Safety typically grading plan requirements are necessary to be incorporated into the Earthwork Plan. Plan requirements shall include the details necessary for earthwork movement, cut and fill slopes, property lines, water courses, the location of surface streets and all associated related information. The Earthwork Plan shall also contain standard notes for the accomplishment of the approved restoration effort. A civil engineer letter of certification of earthwork and a formal compaction report for fills of more than one foot may be required prior to final of the Earthwork Plan.

**PROOF OF SERVICE BY MAIL**  
**Case No. CV08-02002**

I, the undersigned, say 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 39493 Los Alamos Road, Murrieta, CA 92563.

I am readily familiar with our department's practice for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence is deposited with the United States Postal Service on the same day in the ordinary course of business.

That on the 12th day of December 2008 I served a copy of the papers to which this proof of service is attached, entitled:

NOTICE OF VIOLATION  
ILLEGAL GRADING NOTIFICATION  
RCC 15.12

by depositing a copy thereof in an envelope for deposit in the United States Postal Service via Certified Mail, return receipt requested, and addressed as follows:

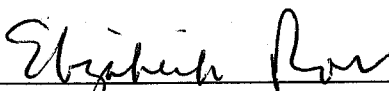
1. David Irwin Hammond  
37200 Remuda Dr.  
Temecula, CA 92592
2. David Irwin Hammond  
PO Box 892732  
Temecula, CA 92589
3. David Irwin Hammond  
37664 Remuda Dr.  
Temecula, CA 92592
4. David I. Hammond  
28301 Encanto Dr.  
Sun City, CA 92586
5. Larry Vernon Hayes  
Catherine Elaine Hayes  
1614 Washington St.  
Unionville, CA 63565
6. Internal Revenue Service  
24000 Avila Rd., # 5910  
Laguna Niguel, CA 92677

**EXHIBIT NO.** ES

The envelope was sealed and placed for collection and mailing at MURRIETA, CALIFORNIA, on the same date following the ordinary business practices.

I certify under penalty of perjury according to the laws of the State of California that the foregoing is true and correct.

Executed this 12<sup>th</sup> of December, 2008 at MURRIETA, CALIFORNIA.

  
Elizabeth Ross, Code Enforcement Aide

Article Number: 70062760000005708705, 70062760000005708712, 70062760000005708729,  
70062760000005708736, 70062760000005708743, 70062760000005708750

7006 2760 0000 0570 8750

**U.S. Postal Service™**  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark  
Here

**INTERNAL REVENUE SERVICE**  
**24000 Avila Rd. #5910**  
**Laguna Niguel, CA 92677**  
**CV08-02002 ms**

**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:

REC'D DEC 22 2008

**INTERNAL REVENUE SERVICE**  
**24000 Avila Rd. #5910**  
**Laguna Niguel, CA 92677**  
**CV08-02002 ms**

2. Article Number  
(Transfer from service label)

PS Form 3811, August 2001

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X 

- ☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

12-17-08

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

- Mail ☐ Express Mail  
☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

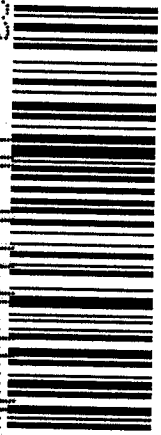
7006 2760 0000 0570 8750

Domestic Return Receipt

102595-02-M-1540

County of Riverside  
Code Enforcement Department  
39493 Los Alamos Road  
Murrieta, CA 92563

E428 0250 0000 0922 9002  
7006 2760 0000 0570 8743



**CERTIFIED MAIL™**  
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE



- ☐ MOVED, LEFT NO ADDRESS
- ☐ FORWARDING ORDER EXPIRED
- ☐ ATTEMPTED NOT KNOWN
- ☐ UNCLAIMED ☐ REFUSED
- ☐ NO SUCH STREET
- ☐ INSUFFICIENT ADDRESS
- ☐ DO NOT RECALL IN THIS ENVELOPE

ANK

RETURN RECEIPT REQUESTED

Larry Vernon Hayes  
Catherine Elaine Hayes  
1614 Washington St.  
Unionville, CA 93565

REC'D JAN 07 2009

UNITED STATES POSTAGE  
02 1A  
0004632914  
DEC 15 2008  
MAILED FROM ZIP CODE 92501

\$ 05.320

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)  
**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee	

Postmark  
Here

Larry Vernon Hayes  
Catherine Elaine Hayes  
1614 Washington St.  
Unionville, CA 93565  
CV08-02002 MS

PS Form 3800, August 2006 See Reverse for Instructions

7006 2760 0000 0570 8712

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark  
Here

**David Irwin Hammond**  
**PO Box 892732**  
**Temecula, CA 92589**  
**CV0802002 MS**

PS Form 3800, August 2006

See Reverse for Instructions

**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:

**David Irwin Hammond**  
**PO Box 892732**  
**Temecula, CA 92589**  
**CV0802002 MS**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature <i>[Signature]</i>		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name) <i>David Hammond</i>	C. Date of Delivery <i>12/27/08</i>	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No		

Mail	<input type="checkbox"/> Express Mail
d	<input type="checkbox"/> Return Receipt for Merchandise
Insurance Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label)

7006 2760 0000 0570 8712

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

EXHIBIT NO. E8

7006 2760 0000 0570 8729

**U.S. Postal Service™**  
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**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark  
Here

**David Irwin Hammond**  
**37664 Remuda Dr.**  
**Temecula, CA 92592**  
**CV08-02002 MS**

PS Form 3800, August 2006

See Reverse for Instructions

**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 **REC'D DEC 22 2008**

**David Irwin Hammond**  
**37664 Remuda Dr.**  
**Temecula, CA 92592**  
**CV08-02002 MS**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature <i>[Signature]</i>		<input type="checkbox"/> Agent
B. Received by (Printed Name) <i>David Hammond</i>		<input type="checkbox"/> Addressee
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		

Mail	<input type="checkbox"/> Express Mail
d	<input type="checkbox"/> Return Receipt for Merchandise
Insurance Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label)

7006 2760 0000 0570 8729

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

EXHIBIT NO. *EA*



County of Riverside  
Code Enforcement Department  
39493 Los Alamos Road  
Murrieta, CA 92563

9528 0250 0000 0922 9002

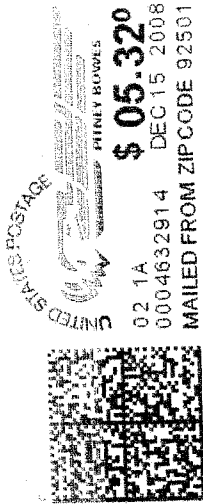


**CERTIFIED MAIL™**

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**David I. Hammond  
28301 Encanto Dr.  
Sun City, CA 92586**

11/5  
11/10



02 1A \$05.32  
0004632914 DEC 15 2008  
MAILED FROM ZIP CODE 92501

REC'D JAN 13 2009

1A

NIXIE 923 SE 1 06 12/18/08

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

EC: 9256305039 \*1977-06349-18-44

9256305039

RETURN RECEIPT REQUEST

7006 2760 0000 0570 8736

U.S. Postal Service™  
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**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark  
Here

**David I. Hammond  
28301 Encanto Dr.  
Sun City, CA 92586  
CV08-02002 MS**

PS Form 3800, August 2006

See Reverse for Instructions

EXHIBIT NO. EVO

7006 2760 0000 0570 8705

U.S. Postal Service<sup>TM</sup>  
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**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark  
Here

**David Irwin Hammond**  
**37200 Remuda Dr.**  
**Temecula, CA 92592**  
**CV0802002 MS**

PS Form 3800, August 2006

See Reverse for Instructions

5028 0250 0000 0922 9002



**CERTIFIED MAIL<sup>TM</sup>**

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

County of Riverside  
Code Enforcement Department  
39493 Los Alamos Road  
Murrieta, CA 92563



02 1A  
0004632914  
MAILED FROM ZIP CODE 92501  
DEC 15 2008

REC'D JAN 13 2009

**David Irwin Hammond**  
**37200 Remuda Dr.**  
**Temecula, C**

NIXIE 923 SE 1 06 01/07/09  
RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

BC: 9256305099 \*0704-09035-15-42

RETURN RECEIPT REQUESTED  
9256305099

EXHIBIT NO. 7

When recorded please mail to:  
Mail Stop 5155

DOC # 2008-0150092

03/27/2008 08:00A Fee:NC

Page 1 of 1

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



**NOTICE OF NONCOMPLIANCE for UNAPPROVED GRADING**

In the matter of the Property of )

Case No.: CV08-02002

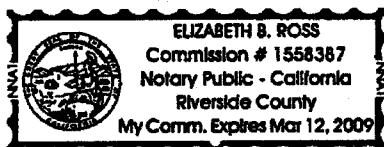
David Irwin Hammond )

**NOTICE IS HEREBY GIVEN** to all persons, pursuant to Section 10 of Ordinance Number 725 of the County of Riverside, State of California, that proceedings have been commenced with respect to violations of Riverside County Ordinance No. 457, Section 4, (RCC Title 15) described as grading without approval from the Department of Building and Safety. Such proceedings are based upon the noncompliance of such real property, located at 37200 Remuda Road, Temecula, CA, and more particularly described as Assessment Parcel No. 915-380-016 and having a legal description of 4.26 ACRES NET IN PAR 1 PM 132/009 PM 15669 with the requirements of Ordinance No. 457, Section 4, (RCC Title 15).

The owner has been advised to immediately correct the above-referenced violation to avoid further action by the County of Riverside, which may include remediation or restoration to abate the public nuisance or other remedies available to the department by a court of competent jurisdiction. Any costs incurred by the County, including, but not limited to investigative, administrative and abatement costs and attorneys' fees, may become a lien on the property. Further details regarding this notice may be obtained by addressing an inquiry to the Code Enforcement Department, 39493 Los Alamos Road, Murrieta, CA 92563; Attention Code Enforcement Officer J. Chamberlain (951) 600-6140.

**NOTICE IS FURTHER GIVEN** in accordance with §17274 and §24436.5 of the California Revenue and Taxation Code, that a tax deduction may not be allowed for interest, taxes, depreciation, or amortization paid or incurred in the taxable year affected by these proceedings.

**NOTICE OF FURTHER GIVEN** that pursuant to Riverside County Ordinance 457.96 Section 4, 3306.03 the Department of Building and Safety may place a five year hold on the issuance of related building permits and land use approvals for this property. Any property owner aggrieved by this decision has the right to appeal to the County of Riverside Board of Supervisors.



COUNTY OF RIVERSIDE  
DEPARTMENT OF CODE ENFORCEMENT

By:

Mark Slocum  
Code Enforcement Department

**ACKNOWLEDGMENT**

State of California)  
County of Riverside)

On 03/19/08 before me, Elizabeth B. Ross, Notary Public, personally appeared Mark Slocum, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

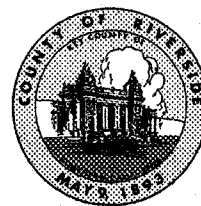
Public Record

PAMELA J. WALLS  
County Counsel

Principal Deputy  
KATHERINE A. LIND

OFFICE OF COUNTY COUNSEL  
COUNTY OF RIVERSIDE

3535 TENTH STREET, SUITE 300  
RIVERSIDE, CA 92501-3674  
TELEPHONE: 951/955-6300  
FAX: 951/955-6322 & 955-6363



December 24, 2009

NOTICE TO CORRECT COUNTY ORDINANCE VIOLATIONS  
AND ABATE PUBLIC NUISANCE

TO: Owners and Interested Parties  
(See Attached Proof of Service  
and Notice List)

Case No.: CV08-02002  
APN: 915-380-016  
Property: 37200 Remuda Drive, Temecula

NOTICE IS HEREBY GIVEN that a hearing will be held before the Riverside County Board of Supervisors pursuant to Riverside County Ordinance Nos. 457 (RCC Title 15) and 725 (RCC Title 1) to consider the abatement of the grading without permits located on the SUBJECT PROPERTY described as **37200 Remuda Drive, Temecula, Riverside County, California**, and more particularly described as Assessor's Parcel Number 915-380-016.

YOU ARE HEREBY DIRECTED as owner of the SUBJECT PROPERTY, to appear at this hearing to show cause why the SUBJECT PROPERTY should not be condemned as a public nuisance and be abated by demonstrating compliance with a restoration assessment from Riverside County Department of Building and Safety or by complete restoration/remediation of the un-permitted grading so as to return the SUBJECT PROPERTY to its previous natural condition. Additionally, notice is hereby given that Riverside County Ordinance No. 457 allows for the Department of Building and Safety to place a five year flag on the issuance of building permits and land use approvals for property that has been graded without approval or permits. The Code Enforcement Department will request that the five year flag be placed on the SUBJECT PROPERTY at the hearing.

SAID HEARING will be held on **Tuesday, January 12, 2010, at 9:30 a.m.** in the Board of Supervisors Room, County Administrative Center, 4080 Lemon Street, 1<sup>st</sup> Floor Annex, Riverside, California at which time and place pertinent evidence will be received and/or testimony from all concerned parties will be heard. Failure to appear on your behalf will result in the exclusion of your testimony, and facts as known to the Code Enforcement Department ("Department") will be presented to the Board of Supervisors for consideration and deliberation in this matter.

Please be advised that the costs already accrued in this case, including but not limited to, enforcement and investigation costs, are recoverable by the Department, as allowed under Riverside County Ordinance No. 725. The Department may seek recovery of such costs from the property owner(s) which may result in a special assessment lien against the SUBJECT PROPERTY. Additionally, should the Department abate the property, the costs associated therewith, as well as all abatement costs allowed under Riverside County Ordinance No. 725 (RCC Title 1), will be sought from the property owner(s) and/or may result in a special assessment lien against the property.

**You are encouraged to contact Supervising Code Enforcement Officer Hector Viray at (951) 600-6140 or the undersigned prior to the hearing. Please meet the undersigned and Ken King, Senior Code Enforcement Officer, at 8:30 a.m. on the day of the hearing in the lobby of the 1<sup>st</sup> floor annex in front of the Clerk of the Board's Office to discuss the case.**

PAMELA J. WALLS  
Riverside County Counsel

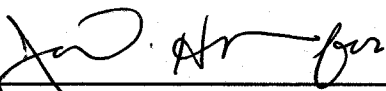
  
\_\_\_\_\_  
JULIA A. JARVI  
Deputy County Counsel

EXHIBIT NO. 6



**PROOF OF SERVICE**  
Case Nos. CV08-02002

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Yadira Oseguera, 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 December 24, 2009 I served the following document(s):

**NOTICE TO CORRECT COUNTY ORDINANCE VIOLATIONS  
AND ABATE PUBLIC 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 December 24, 2009 at Riverside, California.

*Yadira Oseguera*  
YADIRA OSEGUERA

7009 1680 0000 9025 4762

U.S. Postal Service	
<b>CERTIFIED MAIL RECEIPT</b>	
<small>(Domestic Mail Only; No Insurance Coverage Provided)</small>	
<small>For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a></small>	
<b>OFFICIAL USE</b>	
Postage	\$ .44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.80
Restricted Delivery Fee (Endorsement Required)	5.54

mailed  
12/24/09  
Postmark  
Here

LARRY VERNON HAYES  
CATHERINE ELAINE HAYES  
1614 WASHINGTON STREET  
UNIONVILLE, CA 93565  
CV08-02002 \*ABT\* (3) HAMMOND

PS Form 3800, June 2008

**EXHIBIT NO.**

G2

# NOTICE LIST

Subject Property: 37200 Remuda Drive, Temecula  
Case No.: CV 08-02002 APN: 915-380-016; District 3

DAVID IRWIN HAMMOND  
PO BOX 892732  
TEMECULA, CA 92589

LARRY VERNON HAYES  
CATHERINE ELAINE HAYES  
1614 WASHINGTON STREET  
UNIONVILLE, CA 63565

INTERNAL REVENUE SERVICE  
24000 AVILA RD., MAIL STOP 5910  
LAGUNA NIGUEL, CA 92677

2. Article Number  
(Transfer from service label)  
PS Form 3811, February 2004

Domestic Return Receipt

7009 1680 0000 9025 4755

102595-02-14-16-0

INTERNAL REVENUE SERVICE  
24000 AVILA RD., MAIL STOP 5910  
LAGUNA NIGUEL, CA 92677  
CV08-02002 \*ABT\* (3) HAMMOND

1. Article Addressed to:
- 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.

A. Signature ☐ Agent  
X ☐ Addressee  
B. Received by (Printed Name)  
C. Date of Delivery  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.  
4. Restricted Delivery? (Extra Fee) ☐ Yes

## 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:

DAVID IRWIN HAMMOND  
PO BOX 892732  
TEMECULA, CA 92589  
CV08-02002 \*ABT\* (3) HAMMOND

A. Signature ☐ Agent  
X ☐ Addressee  
B. Received by (Printed Name)  
C. Date of Delivery  
D. Is delivery address different from item 1? ☒ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.  
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label)

7009 1680 0000 9025 4748

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-14-16-0

EXHIBIT NO.

63



**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

**JOHN BOYD**  
Director

**AFFIDAVIT OF POSTING OF NOTICES**

December 28, 2009

RE CASE NO: CV0802002

I, Carol Forrey, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 4080 Lemon Street, 12th Floor, Riverside, California 92501.

That on 12/28/09 at 1:17 PM, I securely and conspicuously posted NOTICE TO CORRECT COUNTY ORDINANCE VIOLATIONS AND ABATE PUBLIC NUISANCE, at the property described as:

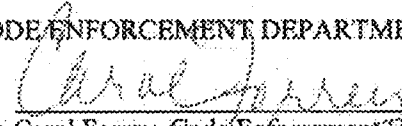
Property Address: 37200 REMUDA DR, TEMECULA

Assessor's Parcel Number: 915-380-016

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

Executed on December 28, 2009 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

  
By: Carol Forrey, Code Enforcement Officer III

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**9.3**

9:30 a.m. being the time set for public hearing on the recommendation from County Counsel/Code Enforcement regarding the Abatement of Public Nuisance [Grading without permit] Case No. CV 08-02002, located at 37200 Remuda Drive, Temecula, 3<sup>rd</sup> District, the Chairman called the matter for hearing.

Julie Jarvi, Deputy County Counsel presented the matter.

David Hammond spoke on the matter.

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, January 26, 2010 at 9:30 a.m.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on January 12, 2010 of Supervisors  
Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: January 12, 2010  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: [Signature] Deputy

AGENDA NO.  
9.3

xc: Co. Co., CED, Prop. Owner, COB



**BOARD OF SUPERVISORS  
PUBLIC HEARING**

**January 26, 2010  
(Continued 9.3 of 1/12/2010)**

**AGENDA ITEM NO. 9.3**

**Supplemental Documents**

**Abatement of Public Nuisance  
37200 Remuda Drive, Temecula  
Case No. CV08-02002**

**DISTRICT 3**

PAMELA J. WALLS  
County Counsel

Principal Deputy  
KATHERINE A. LIND

OFFICE OF COUNTY COUNSEL  
COUNTY OF RIVERSIDE

3960 ORANGE STREET, 5<sup>TH</sup> FLOOR  
RIVERSIDE, CA 92501  
TELEPHONE: 951/955-6300  
FAX: 951/955-6322 & 955-6363



January 14, 2010

CONTINUATION  
NOTICE TO CORRECT COUNTY ORDINANCE VIOLATIONS  
AND ABATE PUBLIC NUISANCE

TO: Owners and Interested Parties  
(See Attached Notice List)

Case No.: CV08-02002  
APN: 915-380-016  
Property: 37200 Remuda Drive, Temecula

NOTICE IS HEREBY GIVEN that a hearing will be held before the Riverside County Board of Supervisors pursuant to Riverside County Ordinance Nos. 457 (RCC Title 15) and 725 (RCC Title 1) to consider the abatement of the grading without permits located on the SUBJECT PROPERTY described as **37200 Remuda Drive, Temecula, Riverside County, California**, and more particularly described as Assessor's Parcel Number 915-380-016.

YOU ARE HEREBY DIRECTED as owner of the SUBJECT PROPERTY, to appear at this hearing to show cause why the SUBJECT PROPERTY should not be condemned as a public nuisance and be abated by demonstrating compliance with a restoration assessment from Riverside County Department of Building and Safety or by complete restoration/remediation of the un-permitted grading so as to return the SUBJECT PROPERTY to its previous natural condition. Additionally, notice is hereby given that Riverside County Ordinance No. 457 allows for the Department of Building and Safety to place a five year flag on the issuance of building permits and land use approvals for property that has been graded without approval or permits. The Code Enforcement Department will request that the five year flag be placed on the SUBJECT PROPERTY at the hearing.

SAID HEARING that was held on Tuesday, January 12, 2010, at 9:30 a.m. in the Board of Supervisors Room, 4080 Lemon Street, 1<sup>st</sup> Floor Annex, Riverside, California **has been rescheduled to Tuesday, January 26, 2010 at 9:30 a.m.** at which time and place pertinent evidence will be received and/or testimony from all concerned parties will be heard. Failure to appear on your behalf will result in the exclusion of your testimony, and facts as known to this department, will be presented to the Board of Supervisors, for consideration and deliberation in this matter.

Be on notice that in addition to costs that have already accrued for this case, costs associated therewith will be sought from the property owner(s) and/or may result in a special assessment lien against the property.

You are encouraged to contact the Supervising Code Enforcement Officer Hector Viray at (951) 600-6140 or the undersigned prior to the hearing. Please meet the undersigned or Brian Black, Supervising Code Enforcement Officer, at 8:30 a.m. on the day of the hearing in the lobby of the 1<sup>st</sup> floor annex in front of the Clerk of the Board's Office to discuss the case.

PAMELA J. WALLS  
Riverside County Counsel

JULIE A. JARVI  
Deputy County Counsel

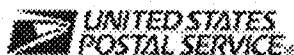
## **NOTICE LIST**

Subject Property: 37200 Remuda Drive, Temecula  
Case No.: CV 08-02002 APN: 915-380-016; District 3

DAVID IRWIN HAMMOND  
PO BOX 892732  
TEMECULA, CA 92589

LARRY VERNON HAYES  
CATHERINE ELAINE HAYES  
1614 WASHINGTON STREET  
UNIONVILLE, CA 63565

INTERNAL REVENUE SERVICE  
24000 AVILA RD., MAIL STOP 5910  
LAGUNA NIGUEL, CA 92677


[Home](#) | [Help](#) | [Sign In](#)
[Track & Confirm](#)
[FAQs](#)

## Track & Confirm

### Search Results

Label/Receipt Number: **7009 1680 0000 9025 3031**Service(s): **Certified Mail™**Status: **Notice Left**

We attempted to deliver your item at 10:41 AM on January 15, 2010 in TEMECULA, CA 92589 and a notice was left. You may pick up the item at the Post Office indicated on the notice, go to [www.usps.com/redelivery](http://www.usps.com/redelivery), or call 800-ASK-USPS to arrange for redelivery. If this item is unclaimed after 30 days then it will be returned to the sender. Information, if available, is updated periodically throughout the day. Please check again later.

Track &amp; Confirm

Enter Label/Receipt Number.

Go &gt;

### Notification Options

#### Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)
[Site Map](#)
[Customer Service](#)
[Forms](#)
[Gov't Services](#)
[Careers](#)
[Privacy Policy](#)
[Terms of Use](#)
[Business Customer Gateway](#)

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No FEAR Act EEO Data

FOIA


[United States Postal Service](#)

[Internet Services](#)

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage	\$ .44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	5.84
<b>DAVID IRWIN HAMMOND</b> <b>P O BOX 892732</b> <b>TEMECULA, CA 92589</b> <b>CV08-02002 *ABT* HAMMOND 3</b>	

11/11/09  
Postmark Here

PS Form 3800, August 2006



**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

**JOHN BOYD**  
Director

**AFFIDAVIT OF POSTING OF NOTICES**

January 15, 2010

RE CASE NO: CV0802002

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 01/15/2010 at 11:55am, I securely and conspicuously posted Continuation Notice To Correct County Ordinance Violations and Abate Public Nuisance, Proof of Service and Notice List at the property described as:

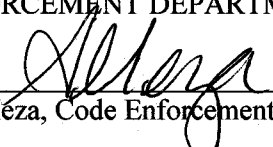
**Property Address:** 37200 REMUDA DR, TEMECULA

**Assessor's Parcel Number:** 915-380-016

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

Executed on January 15, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

  
By: Ariana Meza, Code Enforcement Technician

1 **PROOF OF SERVICE**

2 Case Nos. CV08-02002

3 STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

4 I, Yadira Oseguera, declare that I am a citizen of the United States and am employed in the County of  
5 Riverside, over the age of 18 years and not a party to the within action or proceeding; that my  
business address is 3960 Orange Street, 5<sup>th</sup> Floor, Riverside, California 92501.

6 That on January 14, 2010 I served the following document(s):

7 **CONTINUED**  
8 **NOTICE TO CORRECT COUNTY ORDINANCE VIOLATIONS**  
9 **AND ABATE PUBLIC NUISANCE**

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

11 **Owners or Interested Parties**  
12 **(see attached notice list)**

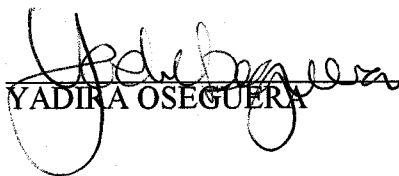
13 XX **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** I am "readily familiar"  
14 with the office's practice of collection and processing correspondence for mailing. Under that  
15 practice it would be deposited with the U.S. Postal Service on that same day with postage  
16 thereon fully prepaid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

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

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

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

23 **EXECUTED ON** January 14, 2010 at Riverside, California.

24  
25  
26  
27  
28  
  
YADIRA OSEGUERA

**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** Robert Mabee

**Address:** 3086 Mibuel St  
(only if follow-up mail response requested)

**City:** Riverside **Zip:** 92506

**Phone #:** 788 4855

**Date:** 1-26-2010 **Agenda #** 9.3

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

       **Support**        X   **Oppose**             **Neutral**

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

       **Support**             **Oppose**             **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_

## **BOARD RULES**

### **Requests to Address Board on "Agenda" Items:**

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

### **Requests to Address Board on items that are "NOT" on the Agenda:**

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

### **Power Point Presentations/Printed Material:**

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

### **Individual Speaker Limits:**

**Individual speakers are limited to a maximum of three (3) minutes.** Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

### **Group/Organized Presentations:**

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

### **Addressing the Board & Acknowledgement by Chairman:**

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.



**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** David Hammond

**Address:** 37664 Remuda Dr.  
(only if follow-up mail response requested)

**City:** Temecula **Zip:** 92592

**Phone #:** 951-343-3921

**Date:** 1/12/09 **Agenda #** 9.3

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

       **Support**      ☒ **Oppose**             **Neutral**

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

       **Support**             **Oppose**             **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_

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**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium).  
Speakers are entitled to three (3) minutes, subject  
Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** GARRY GRANT

**Address:** 97668 JARVIS ST.  
(only if follow-up mail response requested)

**City:** PERRIS **Zip:** 92570

**Phone #:** 657-9319

**Date:** JAN 26TH **Agenda #** 2.3

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

       **Support**             **Oppose**        X   **Neutral**

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       **Support**             **Oppose**             **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_

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