

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

911B



SUBMITTAL DATE:
February 10, 2010

FROM: County Counsel/TLMA
Code Enforcement Department

SUBJECT: Order to Abate [Accumulation of Rubbish];
Case No.: CV 09-04756 (ALIG)
Subject Property: 22841 Fisher Road, Perris
APN 325-200-042
District Five

Departmental Concurrence

RECOMMENDED MOTION: Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 09-04756 be approved;
- (2) The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV 09-04756; and
- (3) The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV 09-04756.

BACKGROUND:

On January 26, 2010 this Board received the Declaration of the Code Enforcement Officer in the above-referenced matter. At the conclusion of the hearing, this Board declared the accumulation of rubbish located on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare the Findings of Fact, Conclusion and Order to Abate.

[Signature]

JULIE BARVI, 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

[Signature]
BY _____
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Buster 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: February 23, 2010
xc: Co.Co.(3); Recorder

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

Prev. Agn. Ref.: 01/26/10: 9.4 | District: 5 | Agenda Number:

2.17

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

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

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

DOC # 2010-0086921
02/25/2010

Customer Copy Label
The paper to which this label is
affixed has not been compared
with the recorded document

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

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4
5 WHEN RECORDED PLEASE MAIL TO:
Julie Jarvi, Deputy County Counsel
6 County of Riverside
OFFICE OF COUNTY COUNSEL
7 3960 Orange Street, Fifth Floor (Stop #1350)
Riverside, CA 92501

[EXEMPT'6103]

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

11 IN RE ABATEMENT OF PUBLIC NUISANCE:
[ACCUMULATION OF RUBBISH]; APN 325-
12 200-042, 22841 FISHER ROAD, PERRIS,
RIVERSIDE COUNTY, CALIFORNIA; RITA
13 NAUTA ALIG, OWNER.

CASE NO. CV 09-04756

FINDINGS OF FACT,
CONCLUSIONS AND ORDER TO
ABATE NUISANCE

[R.C.O. Nos. 541 (RCC Chapter 8.120)
and 725 (RCC Title 1)]

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16 The above-captioned matter came on regularly for hearing on January 26, 2010, before the
17 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
18 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
19 property described as 22841 Fisher Road, Perris, Riverside County, and further described as
20 Assessor's Parcel Number 325-200-042 referred to hereinafter as "THE PROPERTY."

21 Jonathan D. Holub, Deputy County Counsel, appeared along with Brian Black, Supervising
22 Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

23 No one appeared on behalf of Owner.

24 The Board of Supervisors received the Declaration of Code Enforcement Officer together
25 with the attached exhibits, evidencing the accumulation of rubbish on THE PROPERTY as a public
26 nuisance and violation of Riverside County Ordinance No. 541, as codified in Riverside County Code
27 Chapter 8.120.

28 ///

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the OWNER
3 of THE PROPERTY as Rita Nauta Alig ("OWNER").

4 2. Documents of title indicate that other parties potentially hold a legal interest in THE
5 PROPERTY, to-wit: Scott Edward Darling, Eastern Municipal Water District and Alice Beasley
6 ("INTERESTED PARTIES").

7 3. THE PROPERTY was inspected by Code Enforcement Officers on June 30, 2009,
8 September 24, 2009, December 30, 2009 and January 21, 2010.

9 4. During each inspection, an accumulation of rubbish was observed on THE
10 PROPERTY. The rubbish consisted of, but was not limited to: scrap wood, old furniture, trash,
11 green waste, tires and old clothes.

12 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
13 No. 541 (RCC Chapter 8.120) by the Code Enforcement Officer.

14 6. A Notice of Noncompliance was recorded in the Office of the County Recorder,
15 County of Riverside, State of California on July 28, 2009 as instrument number 2009-0400310.

16 7. On June 30, 2009, Notices of Violation were posted on THE PROPERTY. On July
17 27, 2009 Notice of Violation was mailed by certified mail, return receipt requested to OWNER and
18 INTERESTED PARTIES.

19 8. On December 30, 2009 "Notice to Correct County Ordinance Violations and Abate
20 Public Nuisance" providing notice of the public hearing before the Board of Supervisors on January
21 26, 2009, was mailed by certified mail, return receipt requested, to the OWNER and INTERESTED
22 PARTIES and posted on THE PROPERTY on December 30, 2009.

23 **FINDINGS AND CONCLUSIONS**

24 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
25 regular session assembled on January 26, 2010 finds and concludes that:

26 1. WHEREAS, the accumulation of rubbish on the real property located at 22841 Fisher
27 Road, Perris, Riverside County, California, also identified as Assessor's Parcel Number 325-200-042
28 violates Riverside County Ordinance No. 541 and constitutes a public nuisance.

FORM APPROVED COUNTY COUNSEL
BY *Julia Koons Jarvi*
DATE 2/23/10

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

Dated: February 23, 2010

COUNTY OF RIVERSIDE

By *Marion Ashley*
Marion Ashley
Chairman, Board of Supervisors

ATTEST:
KECIA HARPER-IHEM
Clerk to the Board

By *Kalen Burton*
Deputy

(SEAL)



LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

<http://riverside.asrclrec.com>

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors
(embossed on document)



Date: 2-23-10

Signature: 

Print Name: Karen Barton, Board Assistant, Riverside County Clerk of the Board

NOTICE LIST

Subject Property: 22841 Fisher Street, Perris
Case No.: CV 09-04756; APN: 325-200-042; District 5

RITA NAUTA ALIG
22841 FISHER ROAD
PERRIS, CA 92570

EASTERN MUNICIPAL WATER DISTRICT
PO BOX 8300
PERRIS, CA 92570

ALICE BEASLEY
P.O. BOX 1280
RIVERSIDE, CA 92502

EASTERN MUNICIPAL WATER DIST
P O BOX 8300
PERRIS, CA, 92570
CV09-04756 * FOF* ALIG 3

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:

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
Allice James Addressee
- B. Received by (Printed Name) Date of Delivery
Allice James 3-10
- 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 3410 0000 1318 0564

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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:

ALICE BEASLEY
P O BOX 1280
RIVERSIDE, CA. 92502
CV09-04756 * FOF* ALIG 3

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
Alice Beasley Addressee
- B. Received by (Printed Name) Date of Delivery
Alice Beasley 3-11-10
- 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 3410 0000 1318 0557

PS Form 3811, February 2004

Domestic Return Receipt

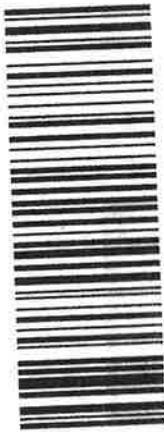
102595-02-M-1540

NOTICE LIST

Subject Property: 22841 Fisher Street, Perris
Case No.: CV 09-04756; APN: 325-200-042; District 5

OFFICE OF COUNTY COUNSEL
RIVERSIDE COUNTY
3960 ORANGE STREET 5TH FLOOR
RIVERSIDE CA. 92501

RITANAUTA ALIG
22841 FISHER RD
PERRIS, CA 92570



7009 3410 0000 1318 0571

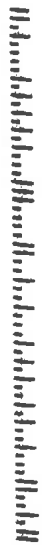


02 1P
0003958246 MAR 09 2010
MAILED FROM ZIP CODE 92501



\$ 005.710

9257058246 PD10



VAC
2009

PROOF OF SERVICE

Case Nos. CV09-04756

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STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

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

That on March 9, 2010, I served the following document(s):

FINDINGS OF FACT, CONCLUSIONS AND ORDER TO ABATE NUISANCE

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

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

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

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

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

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

EXECUTED ON March 9, 2010, at Riverside, California.


YADIRA OSEGUERA



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

AFFIDAVIT OF POSTING OF NOTICES

March 11, 2010

RE CASE NO: CV0904756

I, Jennifer Morris, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 24318 Hemlock, Ave., Suite C-1, Moreno Valley, California 92557 .

That on 3/11/10 at 11:45 hrs, I securely and conspicuously posted Findings of Facts and Order to Abate at the property described as:

Property Address: 22841 FISHER RD, PERRIS

Assessor's Parcel Number: 325-200-042

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

Executed on March 11, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT


By: Jennifer Morris, Code Enforcement Officer