

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

611B



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

**SUBMITTAL DATE:**  
July 15, 2010

**SUBJECT:** Order to Abate [Accumulation of Rubbish]  
Case No. : CV 09-10860 (PACK/BONNETT)  
Subject Property: 17902 Haines Street, Perris; APN: 295-230-019  
District: 1

**RECOMMENDED MOTION:** Move that:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV 09-10860 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 09-10860; 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 09-10860.

(Continued)

*L. Alexandra Fong*  
L. ALEXANDRA FONG, Deputy County Counsel  
for PAMELA J. WALLS, County Counsel

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE  
BY: *Tina Grande*  
Tina Grande

**County Executive Office Signature**

- Policy
- Policy
- Consent
- Consent

**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: July 27, 2010  
xc: Co.Co.(3); Recorder

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

2.8

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

Departmental Concurrence

Dep't Recomm.:  
Per Exec. Ofc.:

Abatement of Public Nuisance  
Case No. CV 09-10860; PACK/BONNETT  
17902 Haines Street, Perris  
Page 2

**BACKGROUND:**

On June 29, 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 Findings of Fact, Conclusions and Order to Abate.

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



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

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[EXEMPT'6103]

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

10  
11 IN RE ABATEMENT OF PUBLIC NUISANCE:  
[ACCUMULATION OF RUBBISH]; APN 295-  
12 230-019, 17902 HAINES STREET, PERRIS,  
RIVERSIDE COUNTY, CALIFORNIA; JAMES  
13 R. PACK AND MICHAEL BONNETT, OWNERS.

CASE NO. CV 09-10860

FINDINGS OF FACT,  
CONCLUSIONS AND ORDER TO  
ABATE NUISANCE

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



14  
15  
16 The above-captioned matter came on regularly for hearing on June 29, 2010, before the Board  
17 of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex,  
18 County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property  
19 described as 17902 Haines Street, Perris, Riverside County, and further described as Assessor's  
20 Parcel Number 295-230-019 referred to hereinafter as "THE PROPERTY."

21 L. Alexandra Fong, Deputy County Counsel, appeared along with Brian Black, Supervising  
22 Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

23 Owners did not appear.

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  
3 OWNERS of THE PROPERTY as James R. Pack and Michael Bonnett ("OWNERS").

4 2. Documents of title indicate that other parties potentially hold a legal interest in THE  
5 PROPERTY, to-wit: Mical Mortgage, Inc., CTC Real Estate Services, Countrywide Home Loans,  
6 Eastern Municipal Water District, Internal Revenue Service and Traffic Control Services, Inc.  
7 ("INTERESTED PARTIES").

8 3. THE PROPERTY was inspected by Code Enforcement Officers on October 6, 2009,  
9 February 9, 2010, April 6, 2010, June 11, 2010 and June 25, 2010.

10 4. During each inspection, an accumulation of rubbish was observed on THE  
11 PROPERTY. The rubbish consisted of, but was not limited to: broken cement pieces, tires and  
12 household trash.

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

15 6. A Notice of Noncompliance was recorded in the Office of the County Recorder,  
16 County of Riverside, State of California on March 11, 2010 as instrument number 2010-0114069.

17 7. On October 6, 2009, a Notice of Violation was posted on THE PROPERTY. On  
18 October 8, 2009, and March 2, 2010, Notices of Violation were mailed by certified mail, return  
19 receipt requested to OWNERS. On March 2, 2010, a Notice of Violation was mailed by certified  
20 mail, return receipt requested to INTERESTED PARTIES.

21 8. On June 10, 2010, a "Notice to Correct County Ordinance Violations and Abate  
22 Public Nuisance" providing notice of the public hearing before the Board of Supervisors on June 29,  
23 2010 was mailed by certified mail, return receipt requested, to the OWNERS and INTERESTED  
24 PARTIES and was posted on THE PROPERTY on June 11, 2010.

25 **FINDINGS AND CONCLUSIONS**

26 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
27 regular session assembled on June 29, 2010, finds and concludes that:

28 1. WHEREAS, the accumulation of rubbish on the real property located at 17902 Haines

2010-0352205  
07/28/2010 08:00A  
2 of 5



1 Street, Perris, Riverside County, California, also identified as Assessor's Parcel Number 295-230-019  
2 violates Riverside County Ordinance No. 541 and constitutes a public nuisance.

3 2. WHEREAS, THE OWNERS, or any person having possession or control of the  
4 premises shall abate the condition by removing and disposing all accumulated rubbish from the subject  
5 real property in strict accordance with all Riverside County Ordinances, including but not limited to  
6 Riverside County Ordinance No. 541 (RCC Chapter 8.120) within ninety (90) days.

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

12 **ORDER TO ABATE NUISANCE**

13 IT IS THEREFORE ORDERED that the accumulation of rubbish on THE PROPERTY be  
14 abated by THE OWNERS or anyone having possession or control of THE PROPERTY, by removing  
15 and disposing of all rubbish from the subject real property in strict accordance with all Riverside  
16 County Ordinances, including but not limited to Riverside County Ordinance No. 541 (RCC Chapter  
17 8.120) within ninety (90) days of the date of this Order to Abate Nuisance.

18 IT IS FURTHER ORDERED that if the rubbish is not removed and disposed of in strict  
19 accordance with all Riverside County Ordinances, including but not limited to Riverside County  
20 Ordinance No. 541, within ninety (90) days of the date of this Order to Abate Nuisance, the rubbish  
21 shall be abated and disposed of by representatives of the Riverside County Code Enforcement, a  
22 contractor or the Sheriff's Department upon receipt of an owner's consent or a Court Order  
23 authorizing entry onto THE PROPERTY when necessary under applicable law.

24 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
25 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
26 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
27 County Ordinance Nos. 541 and 725. Under Riverside County Ordinance No. 725, "abatement  
28 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate

2010-0352205  
07/28/2010 08:00A  
3 of 5



FORM APPROVED COUNTY COUNSEL  
BY: L. ALEXANDRA FONG DATE 7/27/10

1 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
2 collection and administrative costs, attorneys fees, and the costs associated with the removal or  
3 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement  
4 Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into  
5 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

7 Dated: July 27, 2010

COUNTY OF RIVERSIDE

8 By Marion Ashley  
9 Marion Ashley  
10 Chairman, Board of Supervisors

11 ATTEST:

12 KECIA HARPER-IHEM

13 Clerk to the Board

14  
15 By [Signature]  
16 Deputy

18 (SEAL)



2010-0352205  
07/28/2010 08:00A  
4 of 5



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

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

<http://riverside.asrelkrec.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:

7-27-10

Signature:

*Karen Barton*

Print Name:

Karen Barton, Board Assistant, Riverside County Clerk of the Board

2010-07-27 08:00H  
5 of 5



# NOTICE LIST

Subject Property: 17902 Haines Street, Perris  
 Case No.: CV 09-10860 APN: 295-230-019; District 1

JAMES R PACK  
 MICHAEL BONNETT  
 17902 HAINES STREET  
 PERRIS, CA 92570

MICAL MORTGAGE, INC.  
 44 MONTGOMERY STREET, STE. 1310  
 SAN FRANCISCO, CA 94104

CTC REAL ESTATE SERVICES  
 8521 FALLBROOK AVENUE  
 MAIL CODE: CA9-902-02-01  
 WEST HILLS, CA 91304

COUNTRYWIDE HOME LOANS  
 155 N. LAKE AVENUE  
 PASADENA, CA 91101

EASTERN MUNICIPAL WATER DISTRICT  
 PO BOX 8300  
 PERRIS, CA 92570

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

TRAFFIC CONTROL SERVICE, INC.  
 PO BOX 4180  
 FULLERTON, CA 92834

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Article Addressed to:</p> <p>COUNTRYWIDE HOME LOANS                      155 N LAKE AVENUE                      PASADENA CA 91101</p>		<p>A. Signature <input checked="" type="checkbox"/> X</p> <p><input type="checkbox"/> Agent</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7009 3410 0000 1317 7809</p> <p>PS Form 3811, February 2004 Domestic Return Receipt</p>		<p>B. Received by (Printed Name) <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes</p> <p>If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>			

*Handwritten:* 09-10860 (Rec/Bonnet) FF 7

102599-02-M-1540

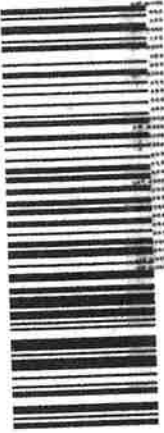


# NOTICE LIST

Subject Property: 17902 Haines Street, Perris  
 Case No.: CV 09-10860 APN: 295-230-019 District 1

Office of County Counsel  
 3960 Orange Street, 5th Floor  
 Riverside, CA 92501

CERTIFIED MAIL



7009 3410 0000 1317 7779



~~MICAL MORTGAGE INC  
 44 MONTGOMERY STREET STE 1310  
 SAN FRANCISCO CA 94104~~

NIXIE 544 DC 1 70 08/26/10  
 RETURN TO SENDER  
 INSUFFICIENT ADDRESS  
 UNABLE TO FORWARD

15 MAY 01:02:57 PM  
 100 00 5410414314  
 9250103644

BC: 925010364405 \*0740-15753-26-44

**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:

TRAFFIC CONTROL SERVICE INC  
 PO BOX 4180  
 FULLERTON CA 92834

**COMPLETE THIS SECTION ON DELIVERY**

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

17902 HAINES ST  
 PERRIS CA 92501

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 7009 3410 0000 1317 7793  
 (Transfer from service label)  
 PS Form 3811, February 2004 Domestic Return Receipt

102595-02-M-1540

# NOTICE LIST

Subject Property: 17902 Haines Street, Perris  
Case No.: CV 09-10860 APN: 295-230-019; District 1

<p><b>SENDER: COMPLETE THIS SECTION</b></p> <ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:</p> <p style="text-align: center;">INTERNAL REVENUE SERVICE 24000 AVILA ROAD MAIL STOP 5910 LAGUNA NIGUEL CA 92677</p>	<p style="text-align: center;"><b>COMPLETE THIS SECTION ON DELIVERY</b></p> <p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Transfer from service label)</p> <p>PS Form 3811, February 2004</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

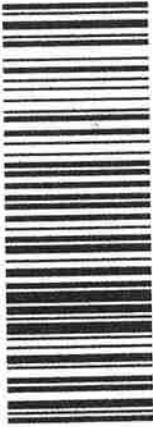
<p><b>SENDER: COMPLETE THIS SECTION</b></p> <ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:</p> <p style="text-align: center;">CTC REAL ESTATE SERVICES 8521 FALLBROOK AVENUE MAIL CODE: CA9-902-02-01 WEST HILLS CA 91304</p>	<p style="text-align: center;"><b>COMPLETE THIS SECTION ON DELIVERY</b></p> <p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Transfer from service label)</p> <p>PS Form 3811, February 2004</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

# NOTICE LIST

Subject Property: 17902 Haines Street, Perris  
Case No.: CV 09-10860 APN: 295-230-019; District 1

Office of County Counsel  
3960 Orange Street, 5th Floor  
Riverside, CA 92501

**CERTIFIED MAIL**



7009 3410 0000 1317 7786



02 1P  
0003958246 AUG 18 2010  
MAILED FROM ZIP CODE 92501  
UNITED STATES POSTAGE  
PITNEY BOWES  
**\$ 005.710**

JAMES R PACK  
MICHAEL BONNETT  
17902 HAINES STREET  
PERRIS CA 9

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*(12)*

NIXIE 923 DE 1 00 09/09/10

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

BC: 92501364405 \*0704-03298-18-43

9257083488 0910644



**PROOF OF SERVICE**

Case No. CV09-10860

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STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Brenda Peeler, 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 3960 Orange Street, 5<sup>th</sup> Floor, Riverside, California 92501-3674.

That on August 18, 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)**

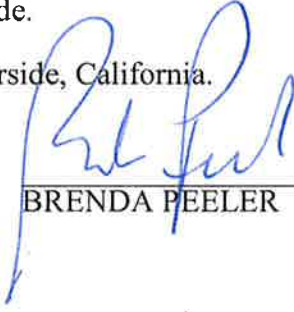
XX **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** I am "readily familiar" with the office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Riverside, California, 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 August 18, 2010, at Riverside, California.

  
\_\_\_\_\_  
BRENDA PEELER



## CODE ENFORCEMENT DEPARTMENT COUNTY OF RIVERSIDE

GLENN BAUDE  
Director

### AFFIDAVIT OF POSTING OF NOTICES

September 3, 2010

RE CASE NO: CV0910860

I, Lanee Padilla, 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 9/3/2010 at 12:00PM, I securely and conspicuously posted Findings Of Fact, Conclusion And Order To Abate Nuisance. at the property described as:

**Property Address:** 17902 HAINES ST, PERRIS

**Assessor's Parcel Number:** 295-230-019

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

Executed on September 3, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

  
By: Lanee Padilla, Code Enforcement Officer