

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



9.5

9:30 a.m. being the time set for public hearing on the recommendation from County Counsel/Code Enforcement regarding Public Hearing on Abatement of Public Nuisance [Grading without a permit] on Case No. CV 09-01266, located at 71475 Cholla Way, Palm Desert, APN 628-380-009, 4th District.

On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is taken of calendar.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on September 14, 2010 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: September 14, 2010
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

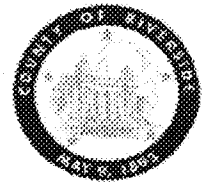
By: *Kecia Harper-Ihem* Deputy

AGENDA NO.
9.5

xc: Co. Co.

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

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



919B

FROM: County Counsel/TLMA
Code Enforcement Department

SUBJECT: Abatement of Public Nuisance [Grading Without a Permit]
Case No.: CV 09-01266 (JENKINS)
Subject Property: 71475 Cholla Way, Palm Desert;
APN: 628-380-009
District Four

SUBMITTAL DATE:
February 10, 2010

RECOMMENDED MOTION: Move that:

Departmental Concurrence

- (1) The grading without permits on the real property located at 71475 Cholla Way, Palm Desert, Riverside County, California, APN: 628-380-009, 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.

JULIE JARVI, Deputy County Counsel
for PAMELA J. WALLS, County Counsel

(Continued)

| | | | | |
|---------------------------|-------------------------------|--------|-------------------------|-----|
| 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
Tina Grande

County Executive Office Signature

Policy Policy
Consent Consent

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

Prev. Agn. Ref.: _____ District: 4 Agenda Number: _____

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

9.5

COUNTY OF RIVERSIDE

10 FEB 10 PM 3:52

EXECUTIVE
OFFICE

RECEIVED RIVERSIDE COUNTY
CLERK OFFICE OF SUPERVISORS
2010 FEB 11 AM 10:22

- (3) Kenneth F. Jenkins, the Owner of the subject real property or whoever has possession or control of the premises, be directed to restore the unpermitted grading so as to prevent offsite drainage and slope erosion 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 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 of the property, so as to prevent offsite drainage and slope erosion, 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 February 23, 2009. The Code Enforcement Officer observed movement of dirt, grubbing by removal of rocks, and removal of natural plant life by the roots in violation of Riverside County Ordinance No. 457 (RCC Title 15). The Officer estimated that approximately one hundred sixty-three (163) 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 April 16, 2009, July 23, 2009, and January 7, 2010, 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.

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



9.4

9:30 a.m. being the time set for public hearing on the recommendation from County Counsel and Code Enforcement Department regarding Abatement of Public Nuisance [Grading without a permit], CV 09-01266, located at 71475 Cholla Way, Palm Desert, 4th District, the Chairman called the matter for hearing.

Alexandra Fong, Deputy County Counsel presented the matter requesting a continuance to September 14, 2010.

On motion of Supervisor Benoit, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is continued to Tuesday, September 14, 2010, at 9:30 a.m.

ROLL CALL:

Ayes: Buster, Ashley, and Benoit
Nays: None
Absent: Tavaglione and Stone

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on June 22, 2010, of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: June 22, 2010

(seal) Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By:  Deputy

AGENDA NO.
9.4

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

**BOARD OF SUPERVISORS
PUBLIC HEARING**

June 22, 2010
(Continued 9.4 of 6/8/10)

AGENDA ITEM NO. 9.4

Supplemental Documents

Abatement of Public Nuisance
71475 Cholla Way, Palm Desert
Case No. CV 09-01266

DISTRICT 4

JUN 22 2010 10:08

2010-06-101240

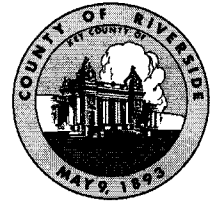
RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS
2010 JUN 21 AM 9:09

PAMELA J. WALLS
County Counsel

Principal Deputy
KATHERINE A. LIND

OFFICE OF COUNTY COUNSEL
COUNTY OF RIVERSIDE

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



June 14, 2010

CONTINUATION
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.: CV09-01266
APN: 628-380-009; JENKINS
Property: 71475 Cholla Way, Palm Desert

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 **71475 Cholla Way, Palm Desert, Riverside County, California**, and more particularly described as Assessor's Parcel Number 628-380-009.

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 previously scheduled for Tuesday, June 8, 2010, at 9:30 a.m. in the Board of Supervisors Room, 4080 Lemon Street, 1st Floor Annex, Riverside, California **has been continued to Tuesday, June 22, 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 Dave Lawless at (760) 343-4150 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 1st floor annex in front of the Clerk of the Board's Office to discuss the case.

PAMELA J. WALLS
Riverside County Counsel



L. ALEXANDRA FONG
Deputy County Counsel



Track & Confirm

Search Results

Label/Receipt Number: **7009 3410 0000 1318 4371**
Service(s): **Certified Mail™**
Status: **Delivered**

Your item was delivered at 2:33 PM on June 18, 2010 in INDIO, CA 92201.

Detailed Results:

- Delivered, June 18, 2010, 2:33 pm, INDIO, CA 92201
- Notice Left, June 15, 2010, 12:38 pm, INDIO, CA 92201
- Arrival at Unit, June 15, 2010, 7:08 am, INDIO, CA 92201

Notification Options

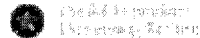
Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)



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OFFICIAL USE

| | | |
|---|----------------|---------------------------------|
| Postage | \$.44 | Mailed 6/14/10 Postmark Here |
| Certified Fee | 2.80 | |
| Return Receipt Fee (Endorsement Required) | 2.30 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 5.54 | |

7009 3410 0000 1318 4371

Sent To
 Street, Apt. or PO Box CARLYN K STEINKE
 48398 PANORAMA STREET
 City, State, INDIO CA 92201

PS Form 3800, August 2006 See Reverse for Instructions



[Home](#) | [Help](#) | [Sign In](#)

[Track & Confirm](#)

[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: **7009 3410 0000 1318 4388**
 Service(s): **Certified Mail™**
 Status: **Delivered**

Your item was delivered at 8:15 AM on June 18, 2010 in CINCINNATI, OH 45250.

Detailed Results:

- **Delivered, June 18, 2010, 8:15 am, CINCINNATI, OH 45250**
- **Notice Left, June 17, 2010, 12:56 pm, CINCINNATI, OH 45250**
- **Arrival at Unit, June 17, 2010, 12:20 pm, CINCINNATI, OH 45250**

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

[Site Map](#) [Customer Service](#) [Forms](#) [Gov't Services](#) [Careers](#) [Privacy Policy](#) [Terms of Use](#) [Business Customer Gateway](#)

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For delivery information visit our website at www.usps.com

OFFICIAL USE

| | | |
|---|----------------|-------------------------------------|
| Postage | \$.44 | Mailed 6/14/10 Postmark Here |
| Certified Fee | 2.80 | |
| Return Receipt Fee (Endorsement Required) | 2.30 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 5.54 | |

Sent To: INTERNAL REVENUE SERVICES
 Street, or PO Box: PO BOX 145585 STOP 8420G
 City, St: CINCINNATI OH 45250-5585

PS Form 3800, August 2006 See Reverse for Instructions

NOTICE LIST

Subject Property: 71475 Cholla Way, Palm Desert
Case No.: CV 09-01266; APN: 628-380-009; District 4

INTERNAL REVENUE SERVICES
P.O. BOX 145585, STOP 8420G
CINCINNATI, OH 45250-5585

CARLYN K. STEINKE
48398 PANORAMA STREET
INDIO, CA 92201

1 **PROOF OF SERVICE**

2 Case No. CV 09-01266

3 STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

4 I, Brenda Peeler, 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, 5th Floor, Riverside, California 92501.

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

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

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

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

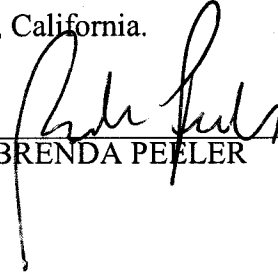
12 XX **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** I am "readily familiar"
13 with the office's practice of collection and processing correspondence for mailing. Under
that practice it would be deposited with the U.S. Postal Service on that same day with
postage thereon fully prepaid at Riverside,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

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

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

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

19 EXECUTED ON June 14, 2010, at Riverside, California.

20 
21 _____
22 BRENDA PEELER
23
24
25
26
27
28



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

AFFIDAVIT OF POSTING OF NOTICES

June 18, 2010

RE CASE NO: CV0901266

I, Eddie Delgado, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 31-290 Plantation Drive, Thousand Palms, California 92276 .

That on 6/18/10 at 11:00am, I securely and conspicuously posted Continuation Notice To Correct County Ordinance Violations and Abate Public Nuisance at the property described as:

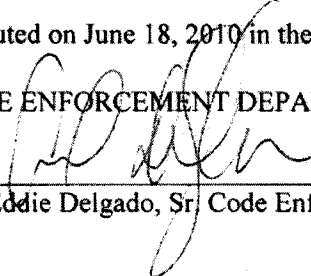
Property Address: 71475 CHOLLA WAY, PALM DESERT

Assessor's Parcel Number: 628-380-009

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

Executed on June 18, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT


By: Eddie Delgado, Sr Code Enforcement Officer

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



9.4

9:30 a.m. being the time set for public hearing on the recommendation from County Counsel/Code Enforcement regarding Abatement of Public Nuisance [Grading without a permit] on Case No. CV 09-01266, located at 71475 Cholla Way, Palm Desert, APN 628-380-009, 4th District, the chairman called the matter for hearing.

Alexandra Fong, Deputy County Counsel, presented the matter.

The chairman closed the public hearing.

On motion of Supervisor Stone, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter is continued to Tuesday, June 22, 2010 at 9:30 a.m.

Roll Call:

Ayes: Tavaglione, Stone and Ashley
Nays: None
Absent: Buster and Benoit

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on June 8, 2010 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: June 8, 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.
9.4

xc: Co. Co., CED(2), Prop. Owner, ~~COB~~

**BOARD OF SUPERVISORS
PUBLIC HEARING**

**June 8, 2010
(Continued 9.16 of 4/20/10)**

AGENDA ITEM NO. 9.4

Supplemental Documents

**Abatement of Public Nuisance
71475 Cholla Way, Palm Desert
Case No. CV 09-01266**

DISTRICT 4

3/10/10 10:00

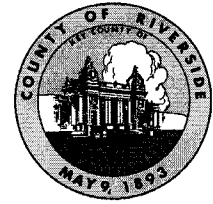
RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS
2010 JUN -7 PM 1:05

PAMELA J. WALLS
County Counsel

Principal Deputy
KATHERINE A. LIND

OFFICE OF COUNTY COUNSEL
COUNTY OF RIVERSIDE

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



April 22, 2010

CONTINUATION
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.: CV09-01266
APN: 628-380-009; JENKINS
Property: 71475 Cholla Way, Palm Desert

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 **71475 Cholla Way, Palm Desert, Riverside County, California**, and more particularly described as Assessor's Parcel Number 628-380-009.

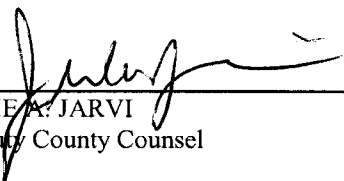
YOU ARE HEREBY DIRECTED as owner of the SUBJECT PROPERTY, to appear at this hearing to show cause why the SUBJECT PROPERTY should not be condemned as a public nuisance and be abated by demonstrating compliance with a restoration assessment from Riverside County Department of Building and Safety or by 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, April 20, 2010, at 9:30 a.m. in the Board of Supervisors Room, 4080 Lemon Street, 1st Floor Annex, Riverside, California **has been continued to Tuesday, June 8, 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 Dave Lawless at (760) 343-4150 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 1st 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: 71475 Cholla Way, Palm Desert
 Case No.: CV 09-01266; APN: 628-380-009; District 4

KENNETH F JENKINS
 71475 CHOLLA WAY
 PALM DESERT, CA 92260

KENNETH F. JENKINS
 AVALON CONSERVTORS & FIDUCIARY SERVICES
 74-075 EL PASEO, SUITE A-15
 PALM DESERT, CA 92260

ORVILLE K. DOYLE, JR.
 P.O. BOX 2886
 PALM DESERT, CA 92261-2886

HANS P. FLEISCHNER
 74075 EL PASEO, SUITE A-11
 PALM DESERT, CA 92260-1445

INTERNAL REVENUE SERVICES
 P.O. BOX 145585, STOP 8420G
 CINCINNATI, OH 45250-5585

CARLYN K. STEINKE
 48398 PANORAMA STREET
 INDIO, CA 92201

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:

KENNETH F JENKINS
 AVALON CONSERVTORS & FIDUCIARY SERVICES
 74-075 EL PASEO SUITE A-15
 PALM DESERT CA 92260

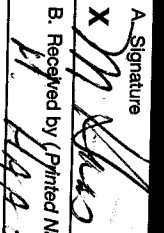
709-0162 (Jenkins) ABF 6

2. Article Number (Transfer from service label) **7009 3410 0000 1317 6611**

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

| | | | |
|---|--|---|--|
| A. Signature  | | <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee | |
| B. Received by (Printed Name) K F JENKINS | | C. Date of Delivery 4-23 | |
| D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No | | | |

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes



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[Track & Confirm](#)

[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: **7009 3410 0000 1317 6604**
 Service(s): **Certified Mail™**
 Status: **Notice Left**

We attempted to deliver your item at 6:14 PM on April 26, 2010 in PALM DESERT, CA 92261 and a notice was left. No further information is available for this item.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

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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| For delivery information visit our website at www.usps.com | |
| OFFICIAL USE | |
| Postage \$ 1.44 Certified Fee 2.80 Return Receipt Fee (Endorsement Required) 2.30 Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$ 5.54 | Mailed 4/22/10 Postmark Here |
| Sent To Street, Ap or PO Box City, State | ORVILLE K DOYLE JR PO BOX 2886 PALM DESERT CA 92261-2886 |
| PS Form 3800, August 2006 See Reverse for Instructions | |

7009 3410 0000 1317 6604

NOTICE LIST

Subject Property: 71475 Cholla Way, Palm Desert
 Case No.: CV 09-01266; APN: 628-380-009; District 4

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:

HANS P FLEISCHNER
 74075 EL PASO SUITE A-11
 PALM DESERT CA 92260-1445

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:

CARLYN K STEINKE
 48398 PANORAMA STREET
 INDIO CA 92201

COMPLETE THIS SECTION ON DELIVERY

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

A. Signature Agent
 X *[Signature]* Addressee
 B. Received by (Printed Name) Addressee
 Audrey Nohoz Agent
 C. Date of Delivery Yes
 4/23/10 No
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

2. Article Number

(Transfer from service label)

7009 3410 0000 1317 6574

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:

INTERNAL REVENUE SERVICES
 PO BOX 145585 STOP 8420G
 CINCINNATI OH 45250-5585

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 X *[Signature]* Addressee
 B. Received by (Printed Name) Addressee
 SERVICE CENTER DIRECTOR
 COVINGTON, KY
 MAIL UNIT #78
 C. Date of Delivery Yes
 APR 26 2010 No

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

09-01266 (Jenkins) & ABT 6

2. Article Number

(Transfer from service label)

7009 3410 0000 1317 6581

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

1 **PROOF OF SERVICE**

2 Case No. CV 09-01266

3 STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

4 I, Brenda Peeler, 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, 5th Floor, Riverside, California 92501.

6 That on April 22, 2010, I served the following document(s):

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

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

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

12 XX **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** I am "readily familiar"
13 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.

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

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

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

19 EXECUTED ON April 22, 2010, at Riverside, California.

20 
21 _____
22 BRENDA PEELER
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**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

AFFIDAVIT OF POSTING OF NOTICES

April 23, 2010

RE CASE NO: CV0901266

I, Brenda Hannah, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 31-290 Plantation Drive, Thousand Palms, California 92276 .

That on 04/23/2010 at 1:30 PM, I securely and conspicuously posted CONTINUATION NOTICE TO CORRECT COUNTY ORDINANCE VIOLATIONS AND ABATE PUBLIC NUISANCE at the property described as:

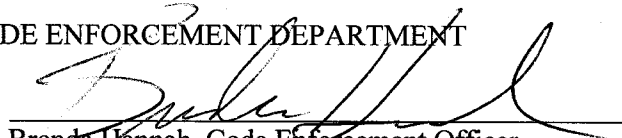
Property Address: 71475 CHOLLA WAY, PALM DESERT

Assessor's Parcel Number: 628-380-009

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

Executed on April 23, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT


By: Brenda Hannah, Code Enforcement Officer

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



9.16

9:30 a.m. being the time set for public hearing on the recommendation from County Counsel/Code Enforcement Department regarding Abatement of Public Nuisance Case CV 09-01266, located at 71475 Cholla Way, Palm Desert, 4th District, the Chairman called the matter for hearing.

Julie Jarvi, Deputy County Counsel presented the matter recommending continuance.

On motion of Supervisor Buster, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, June 8, 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 April 20, 2010 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: April 20, 2010

(seal) Kecia Harper Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By:  Deputy

AGENDA NO.
9.16

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

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



9.6

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 a permit] on Case No. CV 09-01266, located at 71475 Cholla Way, Palm Desert, 4th District.

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is continued to Tuesday, April 20, 2010 at 9:30 a.m.

Roll Call:

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on February 23, 2010 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: February 23, 2010
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: *Kecia Harper-Ihem* Deputy

AGENDA NO.

9.6

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

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**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

IN RE ABATEMENT OF PUBLIC NUISANCE) CASE NO. CV 09-01266
[GRADING WITHOUT PERMITS] APN: 628-)
380-009, 71475 CHOLLA WAY, PALM DESERT,)
COUNTY OF RIVERSIDE, STATE OF) DECLARATION OF OFFICER
CALIFORNIA; KENNETH J. JENKINS, OWNER.) BRENDA HANNAH
_____) [R.C.O. Nos. 457 (RCC Title 15) and 725
(RCC Title 1) and Board of Supervisors Policy
F-6]

I, Brenda Hannah, 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. On February 23, 2009, I conducted an initial inspection of the real property described as 71475 Cholla Way, Palm Desert, Riverside County, California and further described as Assessor's Parcel Number 628-380-009 (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 Kenneth F. Jenkins (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 two acres and is located within the R-1 (Residential - One Family Dwelling) zone classification.

4. Based upon the Lot Book Report issued by RZ Title Service on August 4, 2009, it is determined that other parties potentially hold a legal interest in THE PROPERTY, to-wit: Orville K. Doyle, Jr., and Carolyn K. Steinke and Internal Revenue Services ("INTERESTED PARTIES"). True and correct copies of the Lot Book Reports are attached hereto and incorporated herein as Exhibit "C."

1 5. On February 23, 2009, while conducting follow-up inspections in the area, I came across
2 THE PROPERTY and immediately noticed the fresh dirt and vegetation disturbance on THE
3 PROPERTY. THE PROPERTY was not secured with any type of fence so I continued my inspection
4 and took photographs. I spoke with Orville K. Doyle, Jr., explaining my findings of the illegal grading.
5 Mr. Doyle claimed to be the son of OWNER, who was deceased. Mr. Doyle had made a drain that went
6 under the paved road to his neighbor's natural water crossing, and Mr. Doyle claimed that he was
7 clearing out the natural water crossing of overgrowth and blockage on the east end of THE PROPERTY.
8 My major concern was the natural water crossing. With respect to the cut and dirt fill from the water
9 crossing located on the west end of THE PROPERTY, Mr. Doyle stated that he was just moving around
10 dirt to make more room on his lot.

11 6. On February 23, 2009, during the initial inspection, I observed major grubbing by
12 moving of rocks, removal of natural plant life by the roots, and removal of dirt from the natural water
13 crossing. I informed Mr. Doyle that he needed to apply for an hourly restoration assessment number
14 (restoration plan) at the Building and Safety Department within 30 days of the inspection and Building
15 and Safety Department would determine what was required to make THE PROPERTY come into
16 compliance to restore the site if needed. Additionally, I explained to Mr. Doyle that the total yardage of
17 one hundred sixty-two and nine-tenths (162.9) cubic yards was over the fifty (50) cubic yards allowed
18 by the County.

19 7. On April 16, 2009, I returned to the area to perform a follow-up inspection. I observed
20 there had been no changes since the last inspection. I posted a citation and took photographs.

21 8. On July 23, 2009, I conducted a follow-up inspection of THE PROPERTY. THE
22 PROPERTY was open and accessible with no signs prohibiting access. The grading consisted of but
23 was not limited to grubbing, removal of natural plant life by the roots, cut dirt, and fill dirt. The
24 following is a summary of the measured areas:

- 25 a) Area #1 measured two hundred ninety (290) feet by ten (10) feet by one (1) feet.
- 26 b) Area #2 measured thirty (30) feet by fifty (50) feet by one (1) feet.

27 9. The total graded area measured approximately one hundred sixty-two and nine-tenths
28 (162.9) cubic yards. I determined that THE PROPERTY constituted a public nuisance in violation of

1 the provisions set forth in Riverside County Ordinance (“RCO”) No 457, Section 4, Subdivision (J)(2),
2 as codified in Riverside County Code (“RCC”) Title 15. On February 23, 2009, we posted a Notice of
3 Violation (RCO No. 457) to THE PROPERTY.

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

6 11. On February 23, 2009, I personally served a Notice of Violation for Unapproved Grading
7 to Orville K. Doyle, Jr.

8 12. On June 4, 2009, a Notice of Violation for Unapproved Grading was sent to OWNER via
9 certified mail, return receipt requested. The notice advised that the property owner was required to
10 provide complete restoration or remediation to THE PROPERTY affected by the unapproved grading.
11 The notice further advises that failure to bring THE PROPERTY into compliance will result in criminal,
12 administrative, or civil action being brought against the owner including penalties, restoration, or
13 remediation of the illegal grading by the County. In addition, the notice states RCO No. 457 allows for
14 the Department of Building & Safety to place a five year flag on the issuance of building permits and
15 land use approvals for property that has been graded without approval or permits.

16 13. A site plan and photographs of the unapproved grading of THE PROPERTY are attached
17 hereto as Exhibit “D” and incorporated herein by reference.

18 14. True and correct copies of each Notice issued in this matter and other supporting
19 documentation are attached hereto as Exhibit “E” and incorporated herein by reference.

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

23 16. Based upon my experience, knowledge and visual observations, it is my determination
24 that the un-permitted grading on THE PROPERTY is in excess of fifty (50) cubic yards and was done
25 without a permit and is therefore in violation of Riverside County Ordinance No. 457 (RCC Title 15).
26 Under Riverside County Ordinance No. 725 (RCC Chapter 1.16), any condition caused, maintained or
27 permitted to exist in violation of any of the provisions of county land use ordinances, including
28 Riverside County Ordinance No. 457, is declared unlawful and a public nuisance that may be abated

1 consistent with the procedures provided for in Riverside County Ordinance No. 725, or in any other
2 manner provided by law.

3 17. A Notice of Non-Compliance was recorded in the Office of the County Recorder, County
4 of Riverside, State of California, on June 25, 2009 as Instrument Number 2009-0322495, a true and
5 correct copy of which is attached hereto and incorporated herein by reference as Exhibit "F".

6 18. A review of County records revealed no application for an assessment permit or grading
7 permit on file for THE PROPERTY.

8 19. A subsequent inspection on January 7, 2010, revealed that THE PROPERTY remained in
9 violation of RCO Nos. 457 (RCC Title 15) due to the grading without permits.

10 20. On January 6, 2010, the second notice – "Notice to Correct County Ordinance Violations
11 and Abate Public Nuisance" providing notification of the Board of Supervisors' hearing scheduled for
12 February 23, 2010, as required by Riverside County Ordinance No. 725, was mailed to OWNERS and
13 INTERESTED PARTIES by certified mail, return receipt requested and on January 7, 2010, was posted
14 on THE PROPERTY. True and correct copies of the notice, returned receipt cards, together with the
15 proof of service, and the affidavit of posting of notices are attached hereto as Exhibit "G" and
16 incorporated herein by reference.

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

19 22. Accordingly, the following findings and conclusions are recommended:

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

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

24 (c) the OWNER or whoever has possession or control of THE PROPERTY be
25 required to restore the unpermitted grading on THE PROPERTY so as to prevent offsite drainage and
26 slope erosion in accordance with the provisions of all applicable County ordinances, including but not
27 limited to RCO No. 457 (RCC Title 15) within ninety (90) days of the Board's Order to Abate Nuisance;

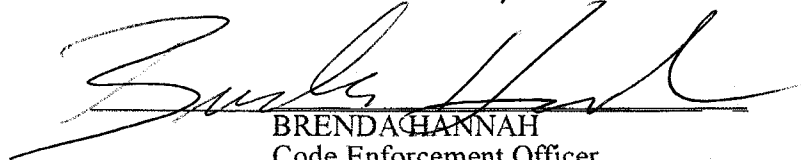
1 (d) that if THE PROPERTY is not restored so as to prevent offsite drainage and slope
2 erosion within ninety (90) days of the Board's Order to Abate Nuisance, the County will retain a county
3 approved contractor to reclaim THE PROPERTY so as to prevent offsite drainage and slope erosion;

4 (e) that upon restoration of THE PROPERTY, so as to prevent offsite drainage and
5 slope erosion, and payment of all abatement costs, the five year hold on the issuance of building permits
6 and land use approvals will be released; and

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

11 I declare under penalty of perjury under the laws of the State of California that the foregoing is
12 true and correct.

13 Executed this Jan day of 7, 2000 at Shorewood Palms, California.

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15 
16 BRENDACHANNAH
17 Code Enforcement Officer
18 Code Enforcement Department
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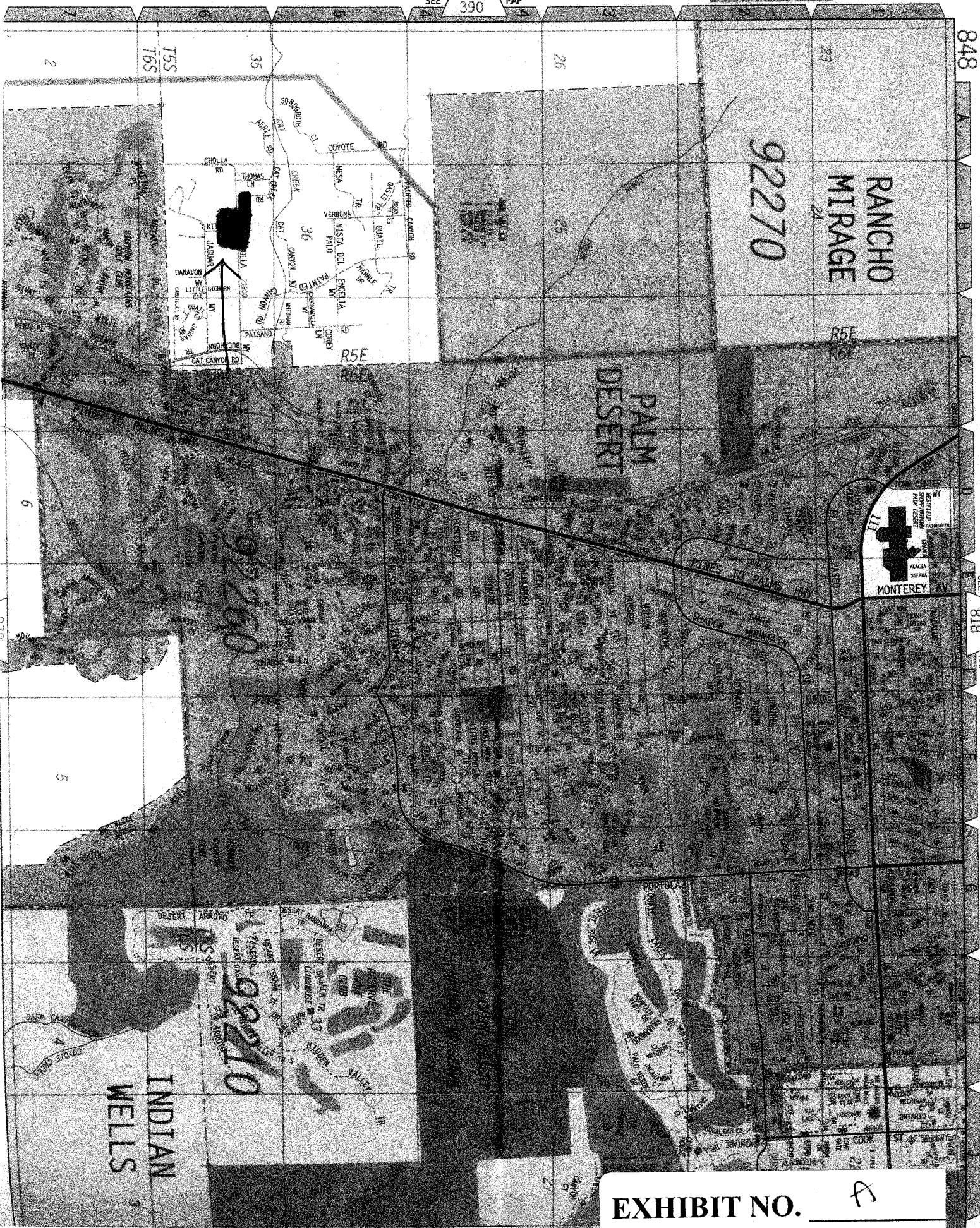


EXHIBIT NO. A

Assessment Roll For the 2009-2010 Tax Year as of January 1,2009

| Assessment #628380009-2 | | Parcel # 628380009-2 | |
|--------------------------------|--|----------------------|---------|
| Assessee: | JENKINS KENNETH F | Land | 70,204 |
| Mail Address: | 71475 CHOLLA WAY PALM DESERT CA 92260 | Structure | 286,216 |
| Real Property Use Code: | R1 | Full Value | 356,420 |
| Base Year | 2001 | Total Net | 356,420 |
| Conveyance Number: | 0740053 | | |
| Conveyance (mm/yy): | 12/2007 | | |
| PUI: | R010012 | | |
| TRA: | 75-149 | | |
| Taxability Code: | 0-00 | | |
| ID Data: | SEE ASSESSOR MAPS | | |
| Situs Address: | 71475 CHOLLA WAY PALM DESERT CA 92260 | | |

View Parcel Map

This must be in red to be a
"CERTIFIED COPY"

I hereby certify the foregoing instrument to which this stamp has been affixed consisting of 1 page to be a full, true and correct copy of the original on file and of record in my office.

Larry W. Wan
Assessor - County Clerk - Recorder
County of Riverside, State of California

Dated: **AUG 13 2009**



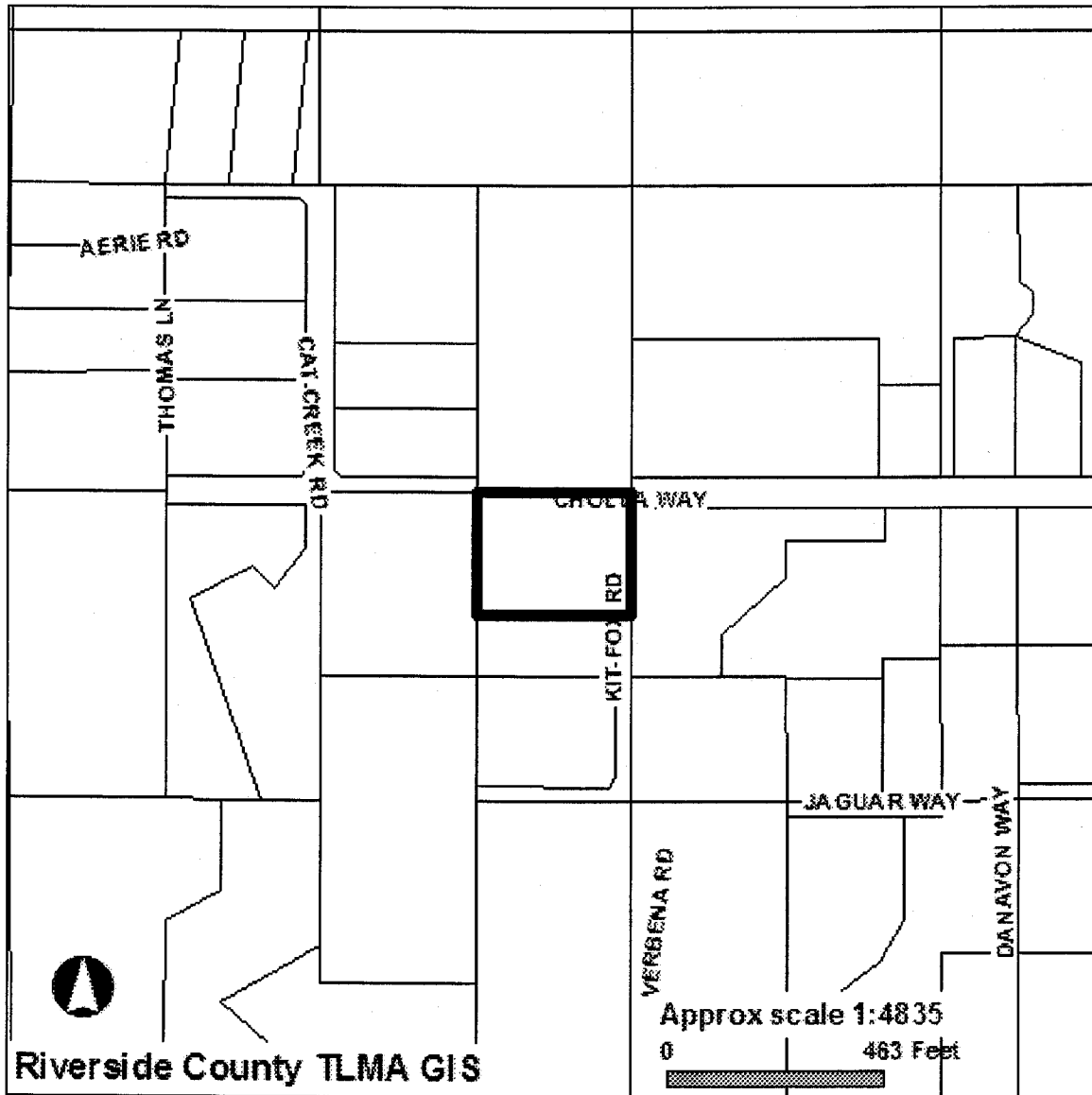
Certification must be in red to be a
"CERTIFIED COPY"

EXHIBIT NO. B



Faint, illegible text, possibly a signature or a list of names, located to the right of the circular seal.

RIVERSIDE COUNTY GIS



Selected parcel(s):
628-380-009

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):

628-380-009-2

OWNER NAME / ADDRESS:

- 628-380-009
KENNETH F JENKINS
71475 CHOLLA WAY
PALM DESERT, CA. 92260

MAIL TO NAME/ADDRESS:

- 628-380-009
- (SEE OWNER)
- 71475 CHOLLA WAY
- PALM DESERT CA.. 92260

APN CAME FROM:

- 628-380-009
- CAME FROM: 686-380-005

EXHIBIT NO.

B2

LOT SIZE: - 628-380-009
- RECORDED LOT SIZE IS: 2 ACRES

PROPERTY CHARACTERISTICS: - 1. 628-380-009
- WOOD FRAME, 2607 SQFT., 3 BDRM/ 1.75 BATH, 1 STORY, DETACHED GARAGE(792 SQ. FT), CONST'D 1978, COMPOSITION ROOF, CENTRAL HEATING, CENTRAL COOLING,

ELEVATION (APPROXIMATE): - 928/952 FEET

LEGAL DESCRIPTION: - APN: 628380009
- RECORDED BOOK/PAGE: NOT AVAILABLE
- SUBDIVISION NAME: NOT AVAILABLE
- LOT/PARCEL: NOT AVAILABLE
- TRACT NUMBER: NOT AVAILABLE

BASE YEAR ASSESSMENT: - 628-380-009
- BASE YEAR: 2001

TOWNSHIP/RANGE: - T5SR5E SEC 36

CEMETERY DISTRICTS: - PALM SPRINGS CEMETERY DISTRICT

CITY BOUNDARY/SPHERE: - CITY: NOT WITHIN A CITY
- CITY SPHERE: PALM DESERT
- ANNEXATION DATE: OCT. 25, 2007
- LAFCO CASE #: 2006-89-4
- PROPOSALS: NONE

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

2001 SUPERVISORIAL DISTRICT: - ROY WILSON, DISTRICT 4
as established by County Ordinance 813, August 14, 2001

AREA PLAN: - WESTERN COACHELLA VALLEY

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

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.

- RC-VLDR

● 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-1-5 (CZ 7612)

- 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: - CATHEDRAL CITY-PALM DESERT DIST

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): - NO PLANNING CASES DESCRIPTION: NOT APPLICABLE
APPLIED DATE: NOT APPLICABLE STATUS: NOT APPLICABLE

DEV. IMP. FEE AREA ORD. 659: - WESTERN COACHELLA VALLEY

2000 CENSUS TRACT: - 045113

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: - DESERT SANDS UNIFIED

ROAD & BRIDGE DISTRICT: - NOT IN A DISTRICT

ROADBOOK PAGE: - 191

* 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: - IN OR PARTIALLY WITHIN THESE FEE AREAS. SEE MAP FOR MORE INFORMATION.
- EAST

WEST T.U.M.F. ORD. 824: - NOT WITHIN THE WESTERN TUMF FEE AREA

WATER DISTRICT: - COACHELLA VALLEY WATER DISTRICT (CVWD)

FLOOD CONTROL DISTRICT: - NOT IN A FLOOD DISTRICT

FLOOD PLAIN REVIEW: - NOT REQUIRED.

WATERSHED: - WHITEWATER

VEGETATION: - DATA NOT AVAILABLE

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

HANS/ERP PROJECT: - NONE

FAULT ZONE: - NOT IN A FAULT ZONE

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

LIQUEFACTION POTENTIAL: - VERY LOW

SUBSIDENCE: - SUSCEPTIBLE

HIGH FIRE AREA ORD. 787: - NOT IN A HIGH FIRE AREA

STATE RESPONSIBILITY AREAS: - NOT IN A STATE RESPONSIBILITY AREA

LIGHTING ORD. 655: - ZONE B, 34.47 MILES.

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

BUILDING PERMIT(S):

- BZ290493 DESCRIPTION: DWELLING
APPLIED DATE: 10/10/2003 STATUS AS OF 08/6/2009: EXPIRED
- BZ290494 DESCRIPTION: DETACHED GARAGE
APPLIED DATE: 10/10/2003 STATUS AS OF 08/6/2009: EXPIRED
- BAR070103 DESCRIPTION: ROOM ADDITION (AS BUILT) 1251.25 SQFT
APPLIED DATE: 02/09/2007 STATUS AS OF 08/6/2009: FINAL
- BZ290508 DESCRIPTION: ELECTRICAL SAFETY INSPECTION
APPLIED DATE: 10/10/2003 STATUS AS OF 08/6/2009: FINAL
- BZ290358 DESCRIPTION: DWELLING AND DETACHED GARAGE
APPLIED DATE: 10/07/2003 STATUS AS OF 08/6/2009: FINAL

CODE COMPLAINTS:

- CV062641 ZONING VIOLATION
APPLIED DATE: May. 1, 2006 STATUS: COMPLETED
- CV0901266 GRADING W/O PERMIT
APPLIED DATE: Feb. 23, 2009 STATUS: INVESTIGATION

ENVIRON. HEALTH CASE(S): - NO ENVIRONMENTAL CASES

TAX RATE AREAS:

- 075-149
- CITRUS PEST CONTROL 2
- COACHELLA VALLEY RESOURCE CONSER
- COACHELLA VALLEY WATER DISTRICT
- COUNTY FREE LIBRARY
- COUNTY STRUCTURE FIRE PROTECTION
- COUNTY WASTE RESOURCE MGMT DIST
- CSA 152
- CV MOSQ & VECTOR CONTROL
- CVWD IMP DIST 6
- DESERT COMMUNITY COLLEGE
- DESERT HOSPITAL
- DESERT SANDS UNIFIED SCHOOL
- GENERAL
- GENERAL PURPOSE
- PALM SPRINGS PUBLIC CEMETERY
- PALM SPRINGS UNIF B & I 1992-A
- RIV CO REG PARK & OPEN SPACE
- RIV. CO. OFFICE OF EDUCATION
- SUPERVISORIAL ROAD DISTRICT 4

SURFACE MINES: - NO SURFACE MINES

PALEONTOLOGICAL SENSITIVITY: - UNDETERMINED POTENTIAL.
AREAS UNDERLAIN BY SEDIMENTARY ROCKS FOR WHICH LITERATURE AND UNPUBLISHED STUDIES ARE NOT AVAILABLE HAVE UNDETERMINED POTENTIAL FOR CONTAINING SIGNIFICANT PALEONTOLOGICAL RESOURCES. THESE AREAS MUST BE INSPECTED BY A FIELD SURVEY CONDUCTED BY A QUALIFIED VERTEBRATE PALEONTOLOGIST.

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

THOMAS BROS. MAPS PAGE/GRID: - PAGE 848- GRID B6

SPECIAL NOTES: - NO SPECIAL NOTES

REPORT PRINTED ON...Thu Aug 06 13:35:26 2009



INVOICE

Order Number: 19395

Order Date: 8/4/2009

Customer Information:

Acct No. 1044

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

Attn: Brent Steele
REF: CV09-01266 / Brenda Peeler
IN RE: JENKINS, KENNETH F.

| | |
|---|-----------------|
| Product and/or Service ordered for Property known as: | |
| 71475 Cholla Way Palm Desert, CA 92260 | |
| DESCRIPTION: | FEE: |
| Lot Book Report | \$114.00 |
| TOTAL DUE: | \$114.00 |

Payment due upon receipt. Please remit to:

RZ Title Services, Inc.
P.O. Box 1193
Whittier, CA 90609



P.O. Box 1193
Whittier, CA 90609
Tel # (562) 325-8351
Fax # (714) 783-3038

Lot Book Report

Order Number: **19395**

Customer:

RIVERSIDE COUNTY TLMA-CODE INFORCEMENT

4080 Lemon Street

Riverside

CA 92501

Attn: Brent Steele

Reference: CV09-01266 / Brenda Peeler

IN RE: JENKINS, KENNETH F.

Order Date: 8/4/2009

Dated as of: 8/3/2009

County Name: Riverside

FEE(s):

Report: \$114.00

Property Address: 71475 Cholla Way

Palm Desert

CA 92260

Assessor's Parcel No. : 628-380-009-2

Assessments:

| | |
|--------------------|--------------|
| Land Value: | \$68,828.00 |
| Improvement Value: | \$280,604.00 |
| Exemption Value: | \$0.00 |
| Total Value: | \$349,432.00 |

Tax Information

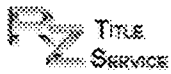
| | |
|------------------------------------|-----------------------------|
| Property Taxes for the Fiscal Year | 2008-2009 |
| Total Annual Tax | \$4,223.46 |
| Status: Paid through | PAID (PAID THRU 06/30/2009) |

Property Vesting

The last recorded document transferring title of said property

Dated 10/10/1997

Recorded 11/18/1997



P.O. Box 1193
Whittier, CA 90609
Tel # (562) 325-8351
Fax # (714) 783-3038

Order Number: 19395
Reference: CV09-01266 / Bre

| | |
|---|---|
| Document No. | 422036 |
| D.T.T. | \$0.00 |
| Grantor | Orville K. Doyle |
| Grantee | All his interest to Orville k. Doyle, Jr. or his successors, as Trustee of the Orville K. Doyle Living trust u/a Dated June 5, 1997 |
| Vesting Subject to the Effect if any of | Settlemen Agreement and Release Regarding Voluntary Resignation of o.k. Doyle, Jr. as trustee of the Orville K. Doyle Living trust, established June 5, 1997, and Order thereon |
| Dated | 10/31/2007 |
| Recorded | 12/11/2007 |
| Document No. | 2007-0740053 |
| Grantor | Orville Kit Doyle, Sr., also known as Orville K. Doyle, Sr., also known as O. K. Doyle, Sr., also known as Orville Kit Doyle, also known as Orville K. Koyle, also known as o.k. Koyle |
| Grantee | Orville K. Doyle living trus established June 5, 1997 |

Deeds of Trust

No Deeds of Trust of Record

Additional Information

| | |
|-----------------------------------|--|
| Notice of Non-Compliance filed by | County of Riverside Department of Code Enforcement |
| In the matter of the property of | Kenneth F. Jenkins |
| Case No. | CV0901266 |
| Recorded | 06/25/2009 |
| Document No. | 2009-0322495 |
| A Federal Tax Lien Recorded | 03/23/2009 |
| Document No | 2009-0137989 |



P.O. Box 1193
Whittier, CA 90609
Tel # (562) 325-8351
Fax # (714) 783-3038

Order Number: 19395

Reference: CV09-01266 / Bre

| | |
|----------|--------------------------|
| Amount | \$21,193.67 |
| Debtor | O K Doyle Sr. Estate |
| ID No. | 33-6291678 |
| Creditor | Internal Revenue Service |

Legal Description

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

THE NORTH 2/5 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36 TOWNSHIP 5 SOUTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACORDING TO THE OFFICIAL PLAT THEDRE OF.

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCEL MAP NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

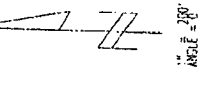
JUL 13 2005

POR. W 36 T. 5S., R. 5E

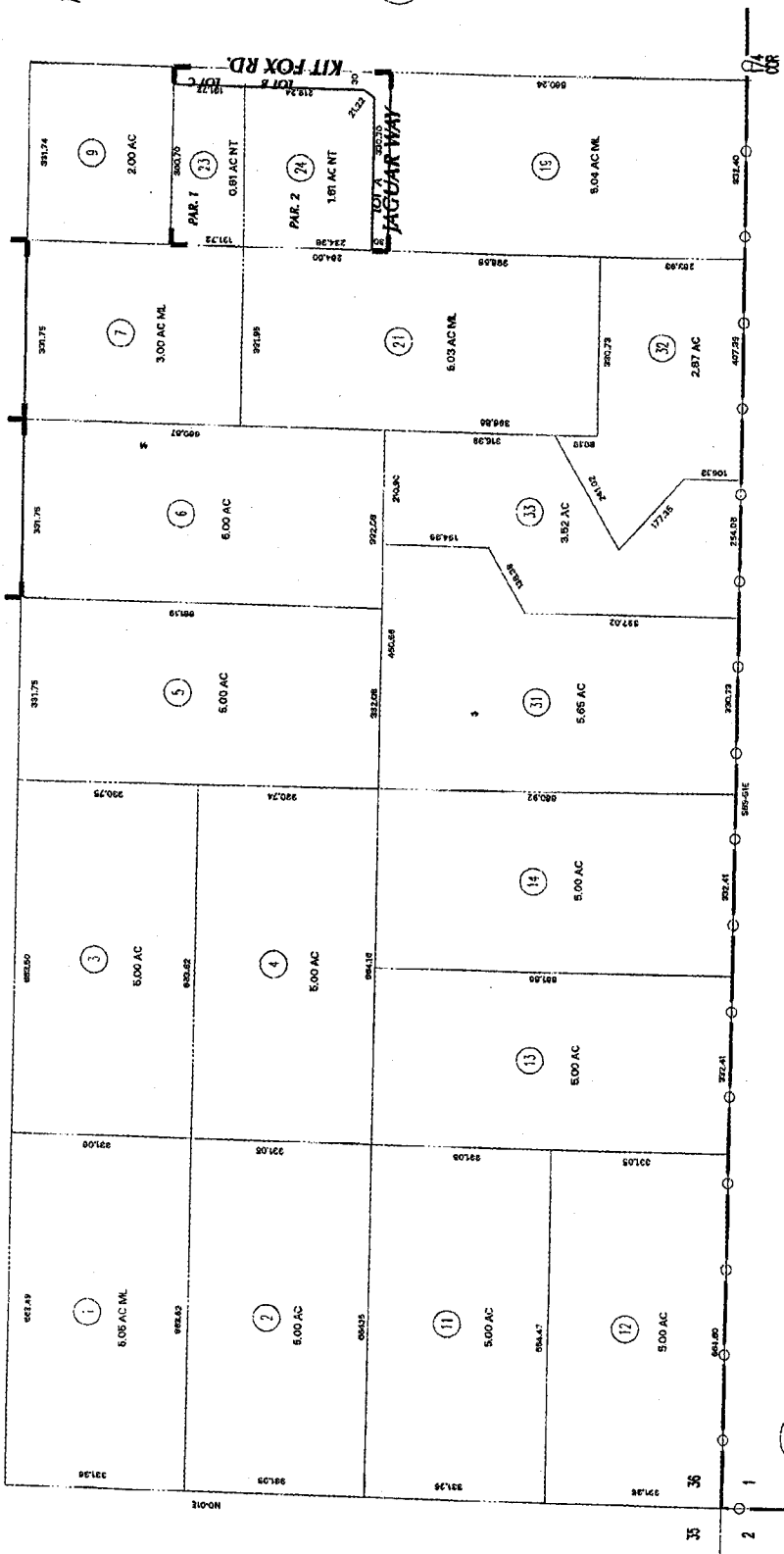
T. R.A. 0745-149

628-38

586-38



37 39



DATE: 05/15/01, 05/04/03, 05/06/05

635 03

ASSESSOR'S MAP 30628 PG. 38
Riverside County, Calif.

PM 176/45-46 PARCEL MAP NO. 27341

Jul 2005

| DATE | NO. SHEETS | TOTAL SHEETS |
|----------|------------|--------------|
| 05/15/01 | 1 | 1 |
| 05/04/03 | 1 | 2 |
| 05/06/05 | 1 | 3 |
| 05/15/01 | 1 | 4 |
| 05/04/03 | 1 | 5 |
| 05/06/05 | 1 | 6 |
| 05/15/01 | 1 | 7 |
| 05/04/03 | 1 | 8 |
| 05/06/05 | 1 | 9 |
| 05/15/01 | 1 | 10 |
| 05/04/03 | 1 | 11 |
| 05/06/05 | 1 | 12 |
| 05/15/01 | 1 | 13 |
| 05/04/03 | 1 | 14 |
| 05/06/05 | 1 | 15 |
| 05/15/01 | 1 | 16 |
| 05/04/03 | 1 | 17 |
| 05/06/05 | 1 | 18 |
| 05/15/01 | 1 | 19 |
| 05/04/03 | 1 | 20 |
| 05/06/05 | 1 | 21 |
| 05/15/01 | 1 | 22 |
| 05/04/03 | 1 | 23 |
| 05/06/05 | 1 | 24 |
| 05/15/01 | 1 | 25 |
| 05/04/03 | 1 | 26 |
| 05/06/05 | 1 | 27 |
| 05/15/01 | 1 | 28 |
| 05/04/03 | 1 | 29 |
| 05/06/05 | 1 | 30 |
| 05/15/01 | 1 | 31 |
| 05/04/03 | 1 | 32 |
| 05/06/05 | 1 | 33 |
| 05/15/01 | 1 | 34 |
| 05/04/03 | 1 | 35 |
| 05/06/05 | 1 | 36 |
| 05/15/01 | 1 | 37 |
| 05/04/03 | 1 | 38 |
| 05/06/05 | 1 | 39 |
| 05/15/01 | 1 | 40 |

771 19

Order No.
Escrow No.
Loan No.

422036

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

WHEN RECORDED MAIL TO:

NOV 18 1997

ORVILLE K. DOYLE, JR., TRUSTEE
P.O. BOX 2886
PALM DESERT, CA.
92261-2886

Recorded in Official Records
of Riverside County California
Recorder

Fee \$ 9.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

DOCUMENTARY TRANSFER TAX \$ NONE

SAME AS ABOVE

..... Computed on the consideration or value of property conveyed; OR
..... Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

Orville K. Doyle, Trustee
Signature of Declarant or Agent determining Tax -- Firm Name

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

ORVILLE K. DOYLE

do hereby REMISE, RELEASE AND FOREVER QUITCLAIM ALL HIS INTEREST TO
ORVILLE K. DOYLE, JR., or his successors, as Trustee of THE ORVILLE K.
DOYLE LIVING TRUST, U/A DATED JUNE 5, 1997

the real property in the City of unincorporated area _____, State of California, described as
County of Riverside

The North 2/5ths of the East half of the Northeast Quarter of the
Southeast Quarter of the Southwest Quarter of Section 36 Township
5 South, Range 5 East, San Bernardino Base and Meridian.

This is a statement of change of title only ORVILLE K. DOYLE
still owns an interest in the parcel described herein, but now
under "THE ORVILLE K. DOYLE LIVING TRUST", U/A DATED JUNE 5, 1997

Dated October 10, 1997

Orville K. Doyle
Orville K. Doyle

STATE OF CALIFORNIA }
COUNTY OF Riverside } ss

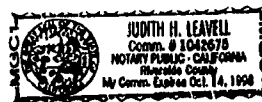
On Nov 17, 1997 before me,

personally appeared Orville K. Doyle

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 s/he/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signa-
ture(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 Judith H. Leavell



(This area for official notarial seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

1085 (1/91)

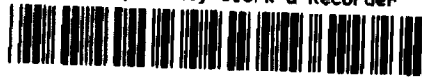
422036

1 18 97

RIVERSIDE

DOC # 2007-0740053
12/11/2007 08:00A Fee:43.00
Page 1 of 13

Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

CAROLYN STEINKE

AND WHEN RECORDED MAIL TO:

CAROLYN STEINKE
48398 PANORAMA
INDIO, CA 92201

| S | R | U | PAGE | SIZE | DA | MISC | LONG | RFD | COPY |
|---------------------|---|---|------|------|------|------|------|------|------|
| 1 | | | 13 | | | | | | 2 |
| M | A | L | 465 | 426 | PCOR | NCOR | SMF | NCHG | EXAM |
| Per N Poser "Order" | | | | | | T: | CTY | UNI | 805 |

45

C
805

Space above this line for recorder's use only

TRA:
DTT:

Title of Document

SETTLEMENT AGREEMENT AND RELEASE REGARDING
VOLUNTARY RESIGNATION OF D.K. DOYLE, JR. AS TRUSTEE
OF THE DRVILLE K. DOYLE LIVING TRUST, ESTABLISHED
JUNE 5, 1997, AND ORDER THEREON

**THIS AREA FOR
RECORDER'S
USE ONLY**

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(\$3:00 Additional Recording Fee Applies)

ACR 238P-AS4RE0 (Rev. 06/2007)

Public Record

PROOF OF SERVICE BY MAIL
Case No. CV0901266

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 is 31290 Plantation Drive, Thousand Palms, CA 92276.

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 4th day of June, 2009 I served a copy of the papers to which this proof of service is attached, entitled:

“Corrected” Notice of Violation (RCC 15.12.020(J)(2); Grading Restoration

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:

✓ Kenneth F. Jenkins
71475 Cholla Way
Palm Desert, CA 92260

Kenneth F Jenkins TTEE
O.K. Doyle Trust att 4/15/09
Living w/A

Kenneth F. Jenkins
c/o O.K. Doyle
P.O. Box 2886
Palm Desert, CA 92261

IRS
P.O. Box 148585, Stop
84266
Cincinnati OH
45250-5585

✓ Hans P. Fleischner
74075 El Paseo, Suite A-11 *atty*
Palm Desert, CA 92260-1445

The envelope was sealed and placed for collection and mailing at 31290 Plantation Drive, Thousand Palms, CA 92276, 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 4th of June, 2009 at Thousand Palms, California.

Lupe T. Alatorre
Lupe T. Alatorre, Code Enforcement Aide

Article Number: 7008 1830 0003 4707 0538
0545
0552

1 **PETER M. BOCHNEWICH, BAR NO. 163274**
2 **SLOVAK BARON & EMPEY LLP**
3 **1800 East Tahquitz Canyon Way**
4 **Palm Springs, CA 92262**
5 **Telephone (760) 322-2275**
6 **Telecopy (760) 322-2107**

7 **JOHN C. SHEVLIN, BAR NO. 43094**
8 **SCHLECHT, SHEVLIN & SHOENBERGER**
9 **A Law Corporation**
10 **801 East Tahquitz Canyon Way, #100**
11 **P. O. Box 2744**
12 **Palm Springs, California 92263**
13 **Telephone (760) 320-7161**
14 **Telecopy (760) 323-1758**

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

NOV 07 2007

3 MOMB

SLK
NOV 13 2007

D:\11761.6\7-SETTLEMENT.TW\JCS11\6\071512.ppt

15 **ATTORNEYS FOR ORVILLE K. DOYLE, JR.**

16 **SUPERIOR COURT OF CALIFORNIA**
17 **COUNTY OF RIVERSIDE**

18 **In the Matter of the Estate**

19 **of**

20 **ORVILLE KIT DOYLE, SR., also known as**
21 **ORVILLE K. DOYLE, SR., also known as**
22 **O. K. DOYLE, SR., also known as**
23 **ORVILLE KIT DOYLE, also known as**
24 **ORVILLE K. DOYLE, also known as O. K.**
25 **DOYLE,**

26 **Deceased.**

CASE NO. INP 017233

SETTLEMENT AGREEMENT AND
RELEASE REGARDING VOLUNTARY
RESIGNATION OF O.K. DOYLE, JR. AS
TRUSTEE OF THE ORVILLE K. DOYLE
LIVING TRUST, ESTABLISHED JUNE 5,
1997, AND ORDER THEREON

27 **In the Administration of the**

28 **ORVILLE K. DOYLE LIVING TRUST,**
ESTABLISHED JUNE 5, 1997

See attached.

-1-

SETTLEMENT AGREEMENT AND RELEASE, ETC., AND ORDER THEREON

2007-0740053
12/11/2007 08:00A
2 of 13



SETTLEMENT AGREEMENT AND RELEASE REGARDING:

**VOLUNTARY RESIGNATION OF O.K. DOYLE, JR. AS TRUSTEE OF THE ORVILLE
K. DOYLE LIVING TRUST, ESTABLISHED JUNE 5, 1997, AND ORDER THEREON**

1. Parties and Counsel:

The parties to this Settlement Agreement are CAROLYN K. STEINKE and O.K. DOYLE, JR., individually and as trustee of the Orville K. Doyle Living Trust, established June 5, 1997. Ms. Steinke is represented herein by Ackerman, Cowles & Lindsley, by Richard D. Ackerman. O.K. Doyle, Jr. is represented as an individual herein by Slovak Baron & Empey LLP, by Peter M. Bochnewich, and as trustee of the Orville K. Doyle Living Trust by Schlecht, Shevlin & Shoenberger, A Law Corporation, by John C. Shevlin.

2. Settlement Terms:

A. Carolyn K. Steinke, for herself individually, and O.K. Doyle, Jr., in his capacity as trustee of the Orville K. Doyle Living Trust, Established June 5, 1997 (the "Trust"), hereby settle all matters pertaining to that Petition currently pending before the Court entitled "Petition for Removal of Trustee of the Orville K. Doyle Living Trust, Established June 5, 1997, Pursuant to Probate Code § 17200." The settlement shall be made on the following terms and conditions:

B. Without any admission of any liability or any alleged wrongdoing whatsoever, and while maintaining his innocence with regard to any alleged breach of fiduciary duty arising out of the Trust in any way, O.K. Doyle, Jr. hereby resigns as trustee of the Orville K. Doyle Living Trust, Established June 5, 1997, in favor of the appointment of Kenneth F. Jenkins as successor trustee, effective immediately.

C. Carolyn K. Steinke hereby dismisses, with prejudice, her "Petition for Removal of Trustee of the Orville K. Doyle Living Trust, Established June 5, 1997,



Pursuant to Probate Code § 17200," and any documents filed in support thereof. Ms. Steinke understands that this dismissal, with prejudice, is made within the full meaning under the law regarding those terms, and shall include a waiver of the provisions of California Civil Code § 1542, which provides in relevant part:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor. "

See Attachment "A" Plus
DA *CKS*
J.P.S.
OKW

D. Carolyn K. Steinke acknowledges receipt of accountings of the affairs of the Trust for the period January 1, 2000 through December 31, 2006, inclusive, together with notices given pursuant to California Probate Code §§ 16062 and 16063.

E. Ms. Steinke further agrees that any additional duty of O.K. Doyle, Jr. to account with respect to the affairs of the Orville K. Doyle Living Trust, Established June 5, 1997, if any duty yet there be, may be discharged by submitting an accounting of such affairs from Mr. Doyle to Mr. Jenkins, as successor trustee. If the accounting is accepted by Mr. Jenkins, it shall be deemed accepted by Ms. Steinke, and any and all objections that she might have to said accounting shall be conclusively deemed waived.

F. Carolyn K. Steinke agrees that in consideration of O.K. Doyle, Jr.'s resignation herein, she will dismiss, with prejudice, her pending Petition for "Order to Show Cause re Contempt of Court Order of June 27, 2007," for a finding of contempt currently scheduled for hearing in the separate probate matter on November 19, 2007.

G. Although not related to the above-captioned Trust matter, Carolyn K. Steinke agrees that in consideration of O.K. Doyle, Jr.'s resignation herein, she will extend the time within which O.K. Doyle, Jr. may file his Final Account and Report, etc. in the separate



"A" Pms

~~#11~~

Notwithstanding the foregoing waiver of E.O. 1542, parties agree that only the successor trustee is authorized to bring to the attention of the court matters which ^{may} ~~will~~ involve the successor trustee's duties, ~~as~~ ^{well as} the past and present ~~of~~ ^{of} the trust and ~~with~~ ^{without} the trustee, O'Rourke, Jr.

Richard Green

For O.K. Doyle Jr., Member

John C. Deakin

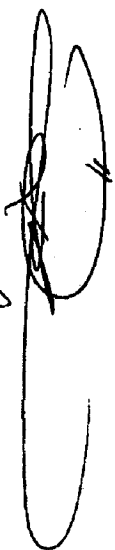
For O.K. Doyle, Jr. as

Trustee of the O'Rourke

Doyle Living Trust

1/2/00 to 05/97

Orville R. Hays



Attorney R. Steven Stevens
Canaan, N.H.



2007-0740053
12/11/2007 08:00A
5 of 13

probate matter to February 1, 2008.

~~H. As with the accounting of the affairs of the Orville K. Doyle Living Trust, Mr. Doyle may submit said accounting to Kenneth F. Jenkins, the personal representative of the trustor's probate estate. Ms. Steinke agrees that if the accounting is accepted by Mr. Jenkins, it shall be deemed accepted by Ms. Steinke, and any and all objections that she might have to said accounting shall be conclusively deemed waived.~~

BMS
DJA
OKD
CKS

3. **Release:**

It is the intent of the parties to release each other to the fullest extent possible with regard to the subject matter hereof. The parties hereby forever release each other in all official and individual capacities and each other's predecessors, successors, assigns, insurers, representatives, officers, directors, shareholders, affiliates, subsidiaries, related entities, current or former employees and agents, their heirs, minor children, legal successors, executors, administrators, spouses and attorneys, from any and all causes of action, actions, judgments, liens, damages, losses, claims, liabilities, and demands whatsoever, which each side had, or now has, based upon or by reason of any action, transaction, practice, conduct, matter, cause, affect or thing whatsoever regarding or arising out of the subject matter of this Agreement. However, this release shall not apply to the obligations created by this Agreement or to the rights reserved in this Agreement.

4. **No Admission of Liability:**

This Agreement is in compromise of disputed claims and shall not be deemed an admission of liability under any theory asserted herein by any party.

5. **Independent Legal Advice:**

All parties have received independent legal advice with respect to the advisability of entering into this Agreement. The parties have made such investigation of facts



pertaining to this Agreement and of such other matters pertaining hereto as they deem necessary.

6. **Entire Agreement as to "Petition for Removal of Trustee of the Orville K. Doyle Living Trust, Established June 5, 1997, Pursuant to Probate Code § 17200":**

This Agreement constitutes an integration of the entire understanding and Agreement of the parties with respect to the matters referred to in this Agreement.

7. **Jointly Drafted:**

This Agreement shall be construed according to its fair meaning and as if prepared by all the parties.

8. **Subsequent Documents:**

The parties agree to execute, or cause their counsel to execute, any additional documents and take any further action which may reasonably be required in order to consummate this Agreement and/or otherwise fulfill the obligations of the parties.

9. **California Law:**

This Agreement shall be construed and enforced in accordance with the laws of the State of California. Jurisdiction and venue for any action arising under this Agreement shall be exclusively in the Desert Judicial District, Indio Branch, Superior Court for the County of Riverside, State of California.

10. **Attorney's Fee Recovery for Enforcement of Agreement**

Should any action be brought by any party on any claim released and discharged by this Agreement or to enforce any provision herein, the prevailing party shall be entitled to recover, in addition to any other relief, reasonable attorney's fees.

11. **Binding Effect:**

The parties understand and agree that this Agreement shall bind and benefit each



party's agents, employees, owners, shareholders, officers, directors, predecessors, successors, heirs, spouses, beneficiaries, divisions, subsidiaries, affiliates, witnesses, attorneys, representatives, assigns and insurers.

12. Authority to Sign:

Each person signing this Agreement represents and warrants that he/she has authority to sign the Agreement. This Agreement may be executed and delivered in two or more counterparts, all of which when so executed and delivered shall constitute an original.

Dated: 10-31-07 X. Carolyn K. Steinke
CAROLYN K. STEINKE

Dated: 10.31.07 OK Doyle, Jr.
O.K. DOYLE, JR.

APPROVED AS TO FORM AND SUBSTANCE:

ACKERMAN, COWLES & LINDSLEY

[Signature]
By: Richard D. Ackerman
Attorneys for Carolyn K. Steinke

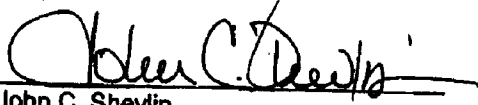
SLOVAK BARON & EMPEY LLP

[Signature]
By: Peter M. Bochnewich
Attorneys for Orville K. Doyle, Jr., individually



SCHLECHT, SHEVLIN & SHOENBERGER,
A Law Corporation

By:



John C. Shevlin

Attorneys for Orville K. Doyle, Jr., as Trustee of the
Orville K. Doyle Living Trust, established June 5, 1997

ORDER

The Court, having reviewed the foregoing Settlement Agreement and Release Regarding the Voluntary Resignation of O.K. Doyle, Jr. as trustee of the Orville K. Doyle Living Trust, Established June 5, 1997, makes the following findings of fact:

1. The parties to the foregoing Settlement Agreement and Release have reviewed the terms thereof, have had an opportunity to discuss those terms and the legal effects thereof with the counsel of their choice, and understand said terms and circumstances. The Settlement Agreement and Release has been signed by the parties thereto freely and voluntarily and without reservation.

2. The terms of the Settlement Agreement and Release are fair, just and equitable, and are in the best interests of the parties thereto.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The foregoing Settlement Agreement and Release, etc. is ratified, confirmed and approved in its entirety.

2. The resignation of O.K. Doyle, Jr. as trustee of the Orville K. Doyle Living Trust, established June 5, 1997, is accepted. Kenneth F. Jenkins is hereby appointed the successor trustee of said Trust, to serve without bond.



3. The Order to Show Cause Re: Contempt of Court Order of June 27, 2007, now set for hearing on November 19, 2007, is hereby dismissed with prejudice.

4. O.K. Doyle, Jr., as the former personal representative of the probate administration of the estate of the above-captioned decedent, shall have to and including February 1, 2008 to file his Final Account and Report of the affairs of said administration herein. This provision shall supercede any prior orders of this Court to the contrary.

Dated: October 31, 2007


HAROLD BRADFORD
Judge of the Superior Court



MAILING LIST

David J. Erwin, Esq.
Best Best & Krieger LLP
74-760 Highway 111, Suite 200
Indian Wells, CA 92210
Request for Special Notice

Kipp Ian Lyons, Esq.
P.O. Box 194
Timnath, CO 80547
Request for Special Notice

Michael S. Kahn, Esq.
P.O. Box 2286
Palm Springs, CA 92263-2286
Request for Special Notice

Phillip R. LaRocca, Esq.
44-489 Town Center Way, Ste D-471
Palm Desert, CA 92260

Richard D. Ackerman, Esq.
Ackerman, Cowles & Lindsley
41690 Enterprise Circle North, Ste. 216
Temecula, CA 92590

Carolyn K. Steinke
48398 Panorama Street
Indio, CA 92201

Orville K. Doyle, Jr.
P.O. Box 2886
Palm Desert, CA 92261-2886

Kenneth F. Jenkins
Avalon Conservators & Fiduciary Services
74-075 El Paseo, Suite A-15
Palm Desert, CA 92260

Dennis J. Healey, Esq.
74-075 El Paseo, Suite A-15
Palm Desert, CA 92260

Peter M. Bochnewich, Esq.
Slovak Baron & Empey
1800 East Tahquitz Canyon Way
Palm Springs, CA 92262



2007-0740053
12/11/2007 08:00A
12 of 13

This must be in red to be a
"CERTIFIED COPY"

Each document to which this certificate is attached is certified to be a full, true and correct copy of the original on file and of record in my office.

Superior Court of California
County of Riverside

I. McElyea, Executive Officer

By: *[Signature]*

Dated: 12/11/2007



Certification must be in red to be a
"CERTIFIED COPY"



2007-0740053
12/11/2007 08:08A
13 of 13

When recorded please mail to:
 Riverside County Code Enforcement
 31290 Plantation Dr.
 Thousand Palms, CA 92276
 Mail Stop # 4016

DOC # 2009-0322495
 06/25/2009 08:00A Fee:NC
 Page 1 of 1
 Recorded in Official Records
 County of Riverside
 Larry W. Ward
 Assessor, County Clerk & Recorder



| S | R | U | PAGE | SIZE | DA | MISC | LONG | RFD | COPY |
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| 1 | | | 1 | | | | | | |
| M | A | L | 465 | 426 | PCOR | NCOR | SMF | NCHG | EXAM |
| "NCHG CC" | | | | | | T: | CTY | UNI | 806 |

NOTICE OF NONCOMPLIANCE

C
806

In the matter of the Property of)
 Kenneth F. Jenkins)

Case No.: CV0901266

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 (RCC Title 15.12.020(J)(2) described as Grading without Permit. Such Proceedings are based upon the noncompliance of such real property, located at 71475 Cholla Way, Palm Desert, CA, and more particularly described as Assessor's Parcel Number 628-380-009 and having a legal description of 2.00 ACRES IN POR SW 1/4 OF SEC 36 T5S R5E, Records of Riverside County, with the requirements of Ordinance No. 457 (RCC Title 15.12.020(J)(2).

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, 31290 Plantation Dr., Thousand Palms, CA 92276, Attention Code Enforcement Officer Brenda Hannah (760) 343-4150.

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.

COUNTY OF RIVERSIDE
 DEPARTMENT OF CODE ENFORCEMENT

By: *Dave Lawless*
 Dave Lawless
 Code Enforcement Division

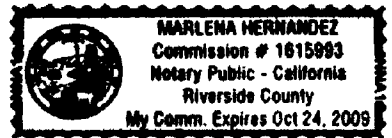
ACKNOWLEDGEMENT

State of California)
 County of Riverside)

On 6/25/09 before me, Marlena Hernandez, Notary Public, personally appeared Dave Lawless 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.
M Hernandez
 Commission # 1615993 Comm. Expires Oct 24, 2009



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

INTERNAL REVENUE SERVICE
PO BOX 145585, STOP 8420G
CINCINNATI, OH 45250-5585

DOC # 2009-0137989

03/23/2009 08:00A Fee:9.00

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)

5223 Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

9
053 **M**
053

Area: SMALL BUSINESS/SELF EMPLOYED AREA #7
Lien Unit Phone: (800) 829-3903

Serial Number
522659009

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 O K DOYLE SR ESTATE

Residence PO BOX 699
PALM DESERT, CA 92261-0699

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) |
|-----------------|-----------------------|------------------------|------------------------|---------------------------|----------------------------------|
| 1041 | 12/31/2006 | 33-6291678 | 12/17/2007 | 01/16/2018 | 21193.67 |

| | |
|--|-------------------|
| Place of Filing COUNTY RECORDER RIVERSIDE COUNTY RIVERSIDE, CA 92502-0751 | Total \$ 21193.67 |
|--|-------------------|

This notice was prepared and signed at OAKLAND, CA, on this, the 05th day of March, 2009.

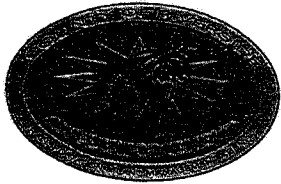
| | | |
|---|--------------------------------|------------|
| Signature <i>R. A. Mitchell</i> for MICHAEL W. COX | Title ACS (800) 829-3903 | 27-00-0008 |
|---|--------------------------------|------------|

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-468, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

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

Public Record



Jay E. Orr
DIRECTOR

Code Enforcement Department
County Of Riverside
Indio District Office
82-675 Highway 111, Room 3050
Indio, California 92201
(760) 863-7180 - Fax (760) 863-7066

Water crossing =
 $290' \times 10' \times 1' = 2900 \text{ spft}$
 $\div .27 = 107.40 \text{ cubic yards}$


WEST END OF LOT =
 $30' \times 50' \times 1' = 1500 \text{ spft}$
 $\div .27 = 55.5 \text{ cubic yards}$
TOTAL 162.9

CASES#: CU0901266 PROPERTY SITUS: 71475 Cholla Way, Palm Desert
A.P.N.: 628380009 DRAWN ON (date) 2/25/05 DRAWN BY: B. Hannah

Provide North Arrow

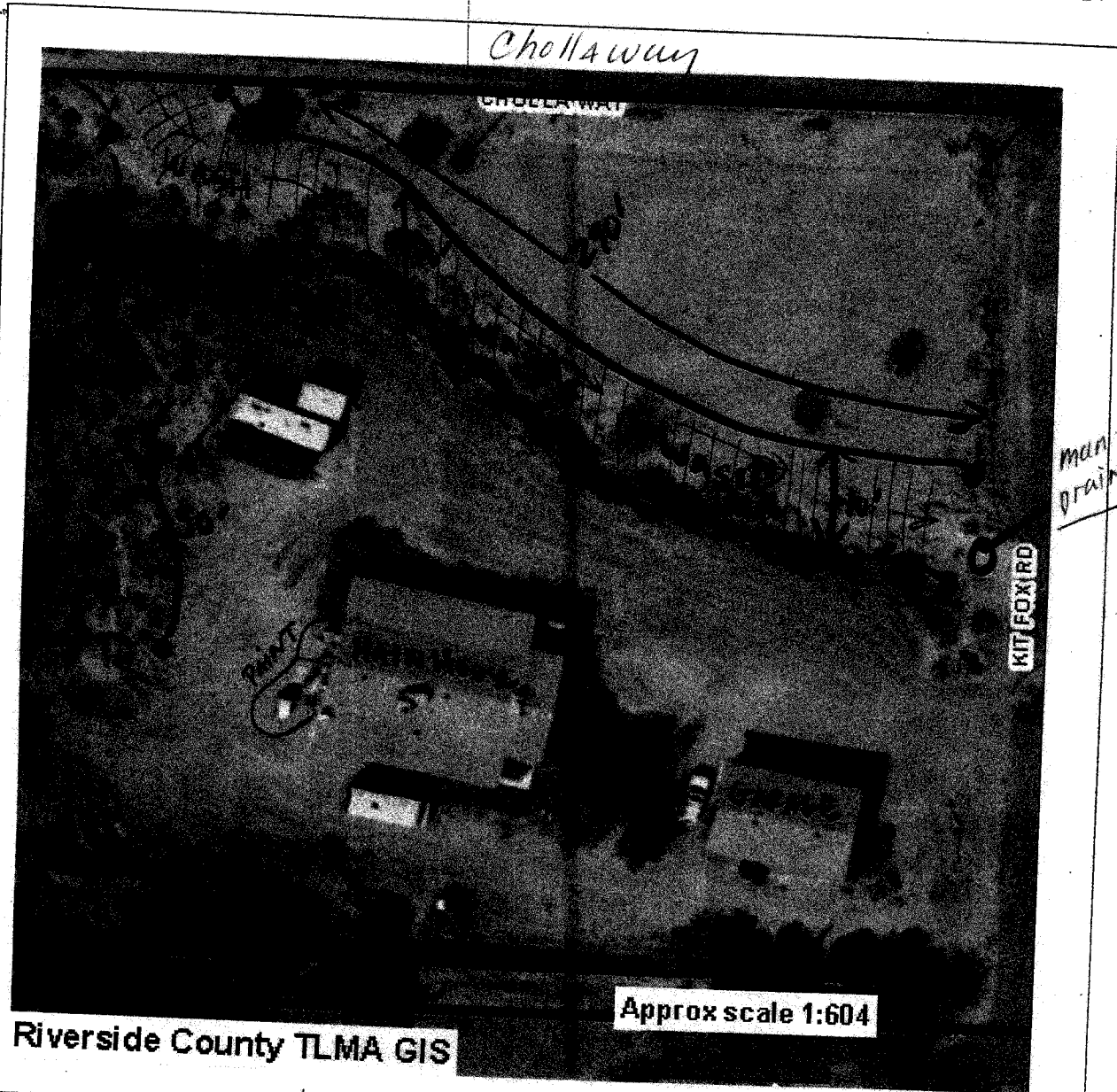


REAR PROPERTY LINE

 = Dry water crossing

S
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P
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S
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Riverside County TLMA GIS

Approx scale 1:604

NOT TO SCALE

FRONT PROPERTY LINE

EXHIBIT NO. D



02/23/2009

EXHIBIT NO. D2



EXHIBIT NO. 13

20F20



02/23/2009

3 OF 20

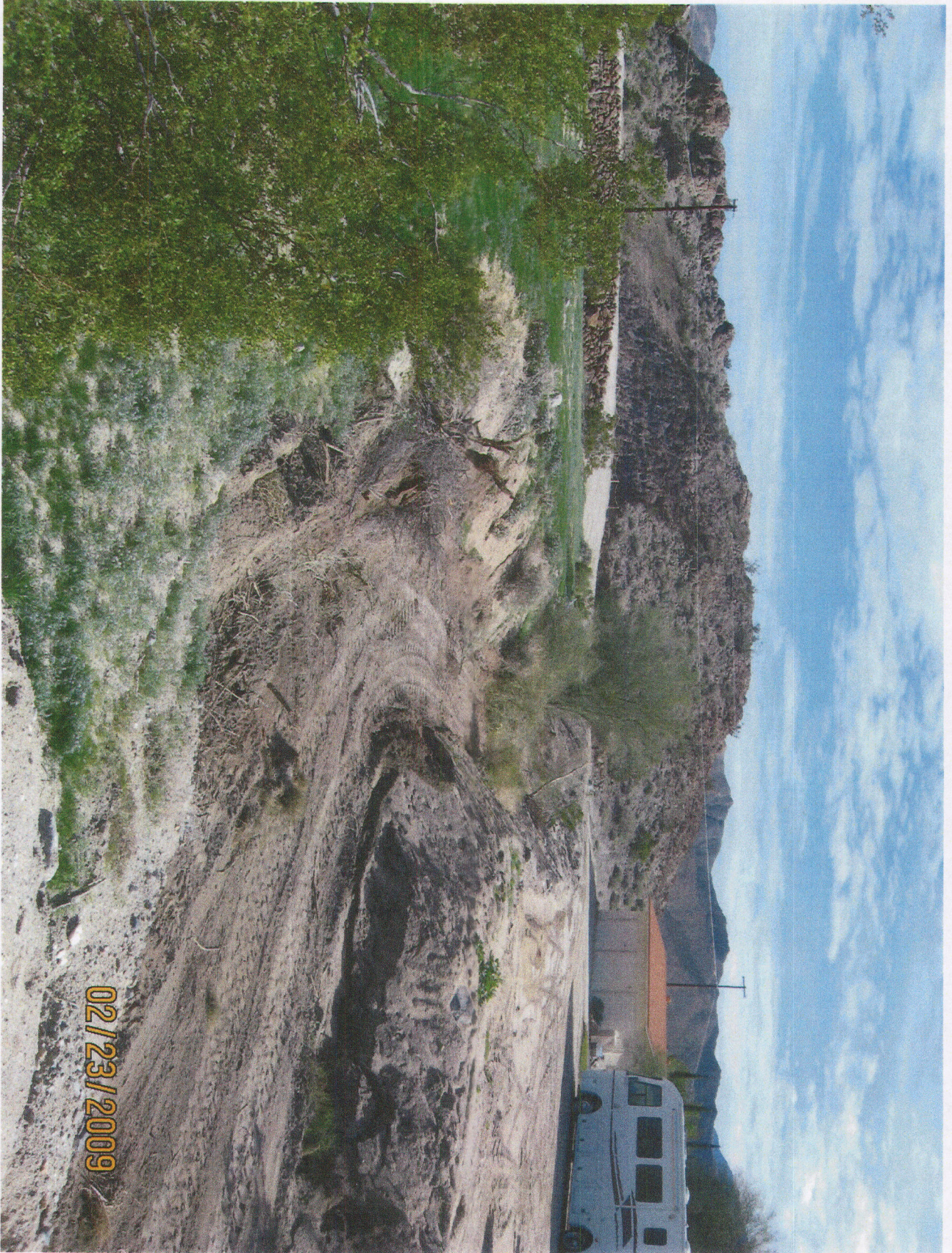
EXHIBIT NO. D4



02/23/2009

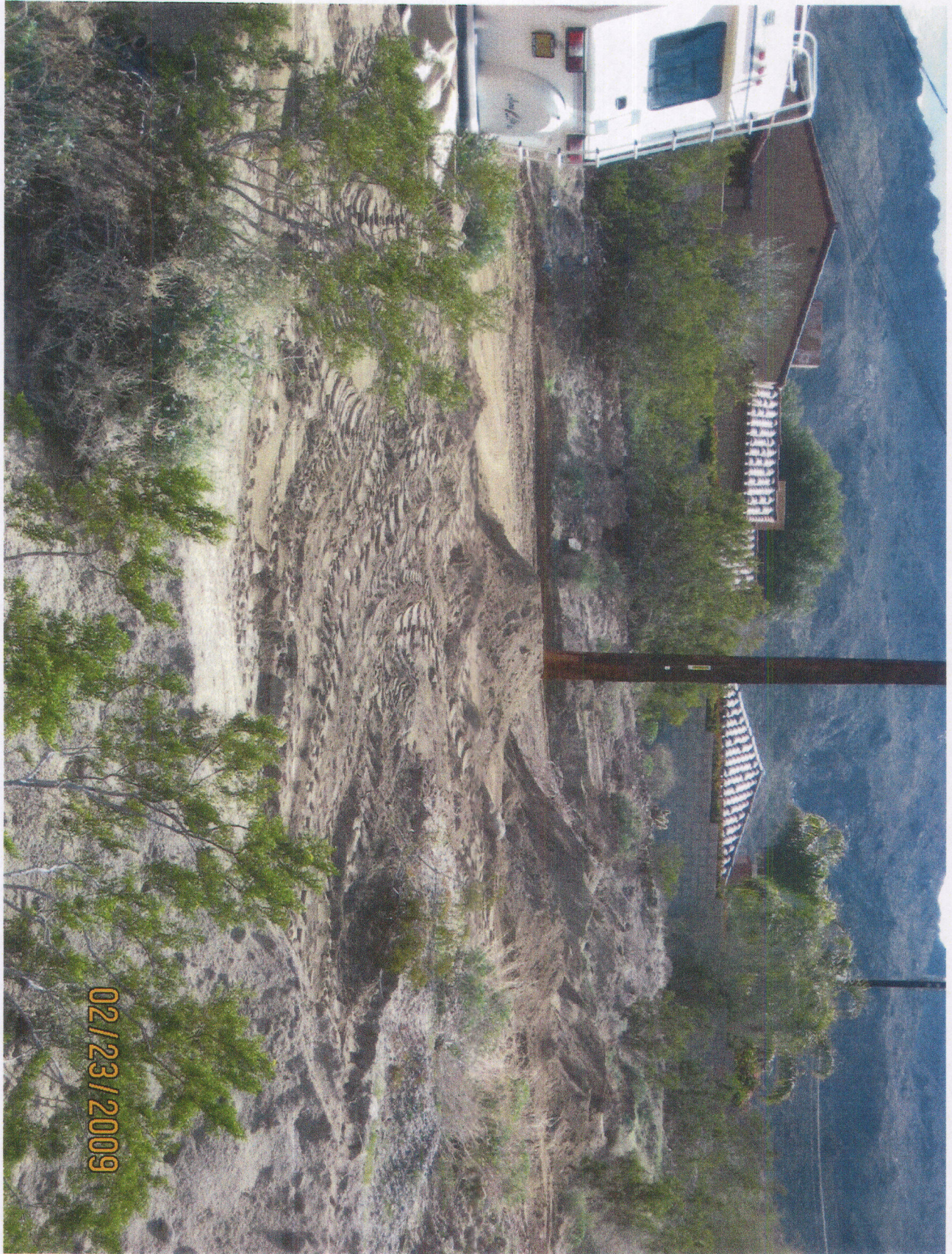
40520

EXHIBIT NO. DS



50520

EXHIBIT NO. D4



02/23/2009

6 OF 20

EXHIBIT NO. D7



02/23/2009

70F2D

EXHIBIT NO. D8



02/23/2009

8 of 20

EXHIBIT NO. D9



02/23/2009

9 of 20

EXHIBIT NO. D10



10 of 20

02/23/2009

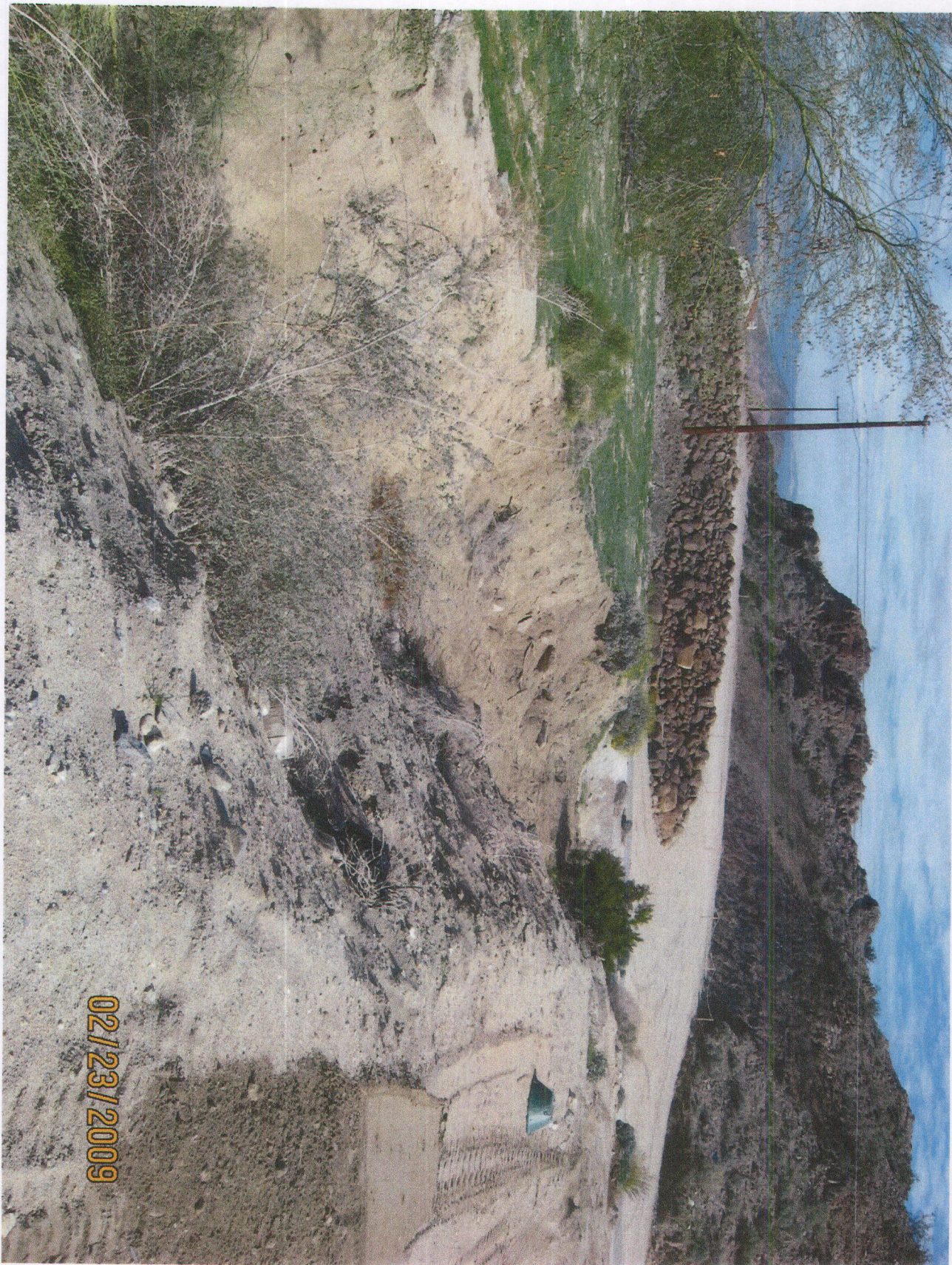
EXHIBIT NO. D11



02/23/2009

This property has a permit but look how they had to do for the Dry Water crossing

EXHIBIT NO. D12



12 0520

EXHIBIT NO. D13



02/23/2009

13 OF 20

EXHIBIT NO. D14



02/23/2009

14 of 20

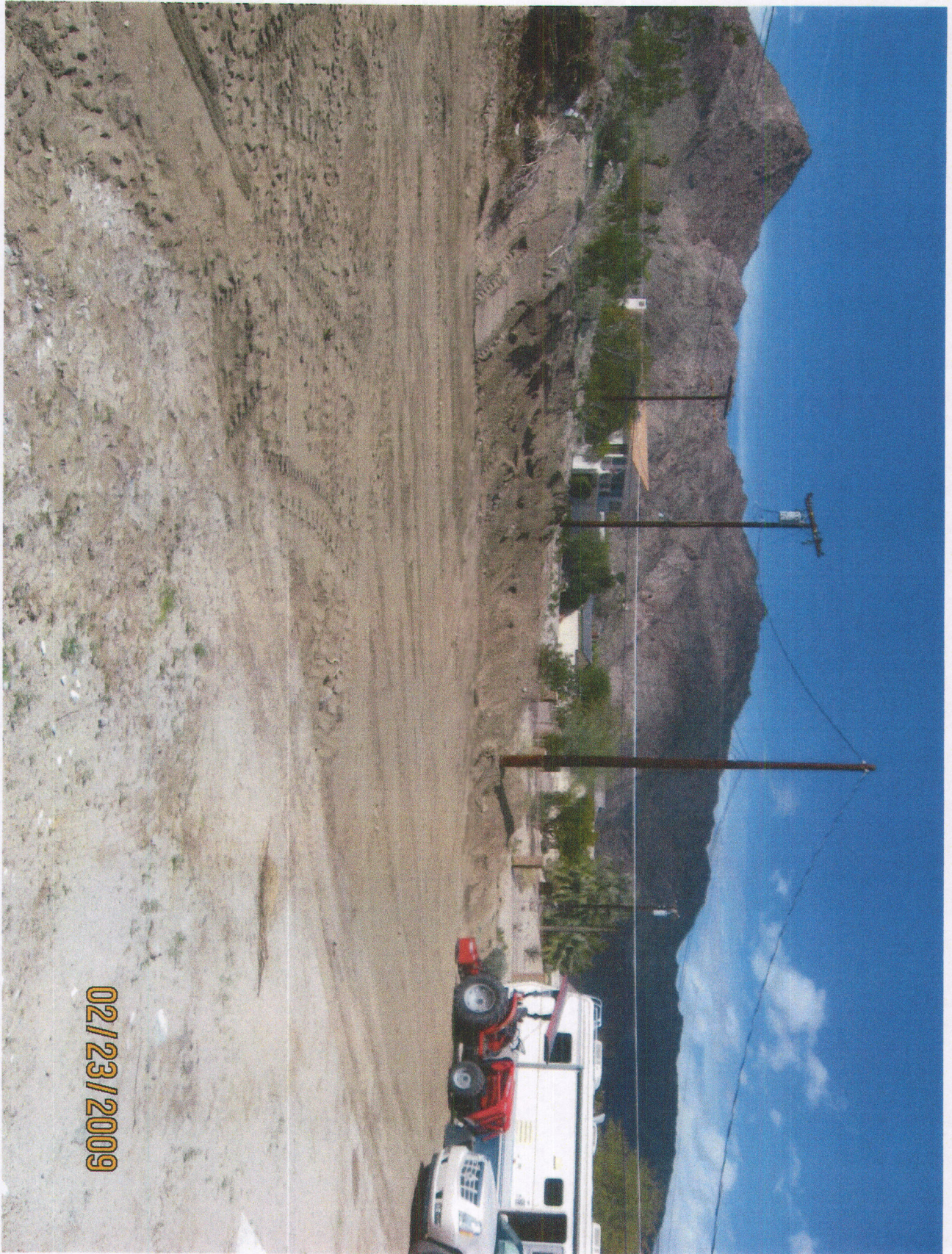
EXHIBIT NO. D15



15 OF 20

02/23/2009

EXHIBIT NO. D140



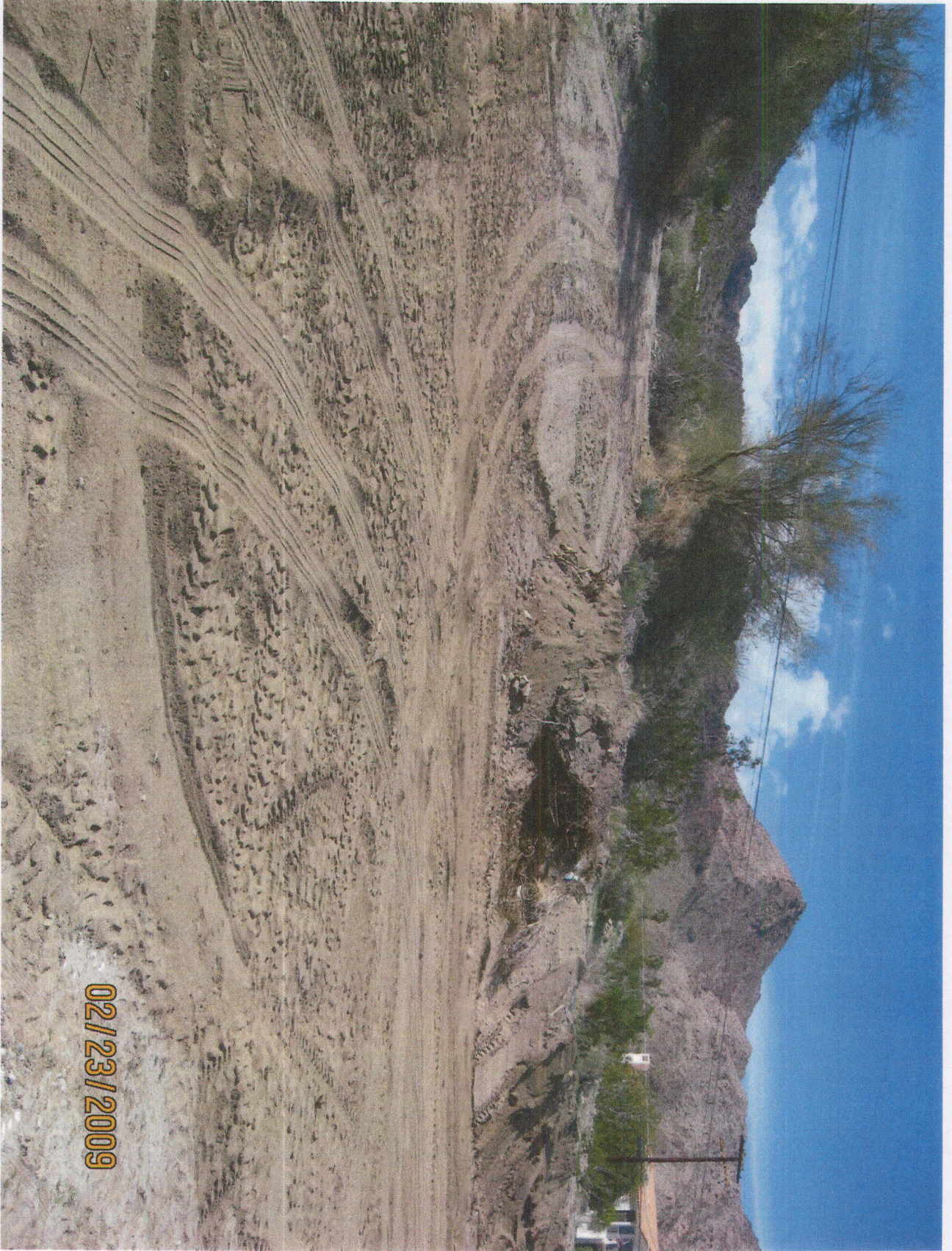
02/23/2009

16 of 20

EXHIBIT NO. D17



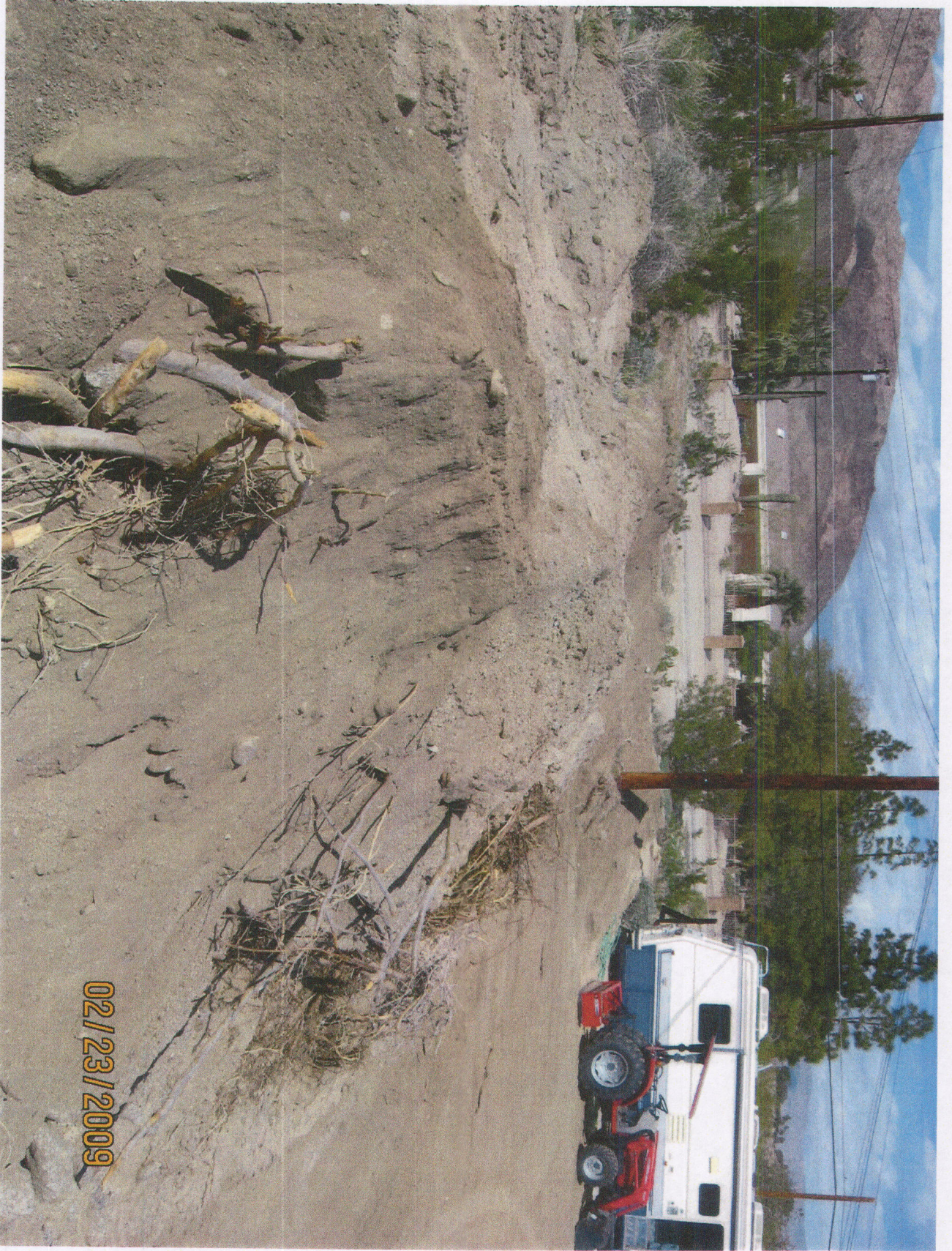
02/23/2009



02/23/2009

18 of 20

EXHIBIT NO. D19



02/23/2009

19 of 20

EXHIBIT NO. D20



02/23/2009



EXHIBIT NO. D22

CV0901266

BH 21 of 27



CV0901266

BH 22 of 27

EXHIBIT NO. D23

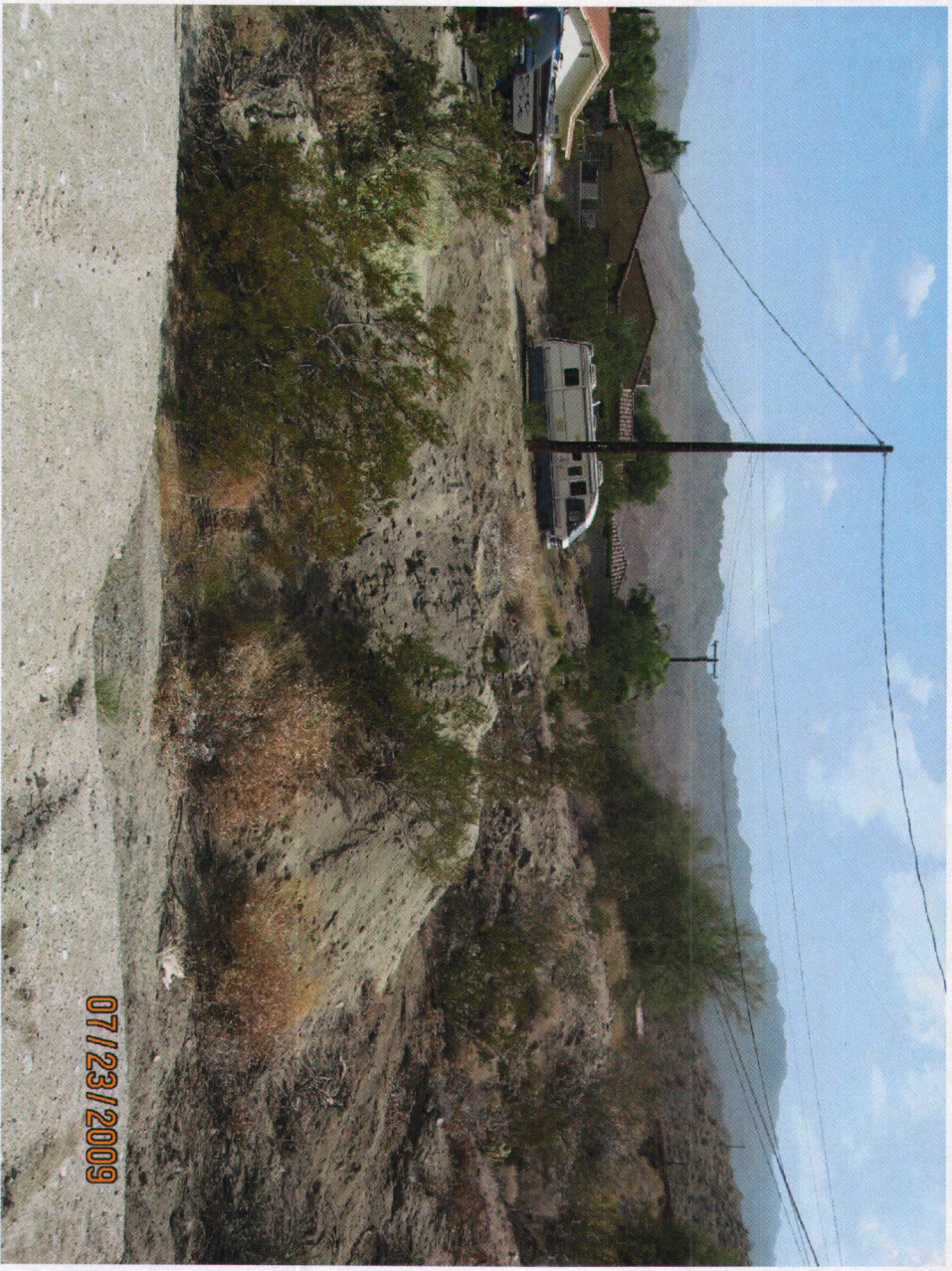


CV0901266

BH 23 of 27

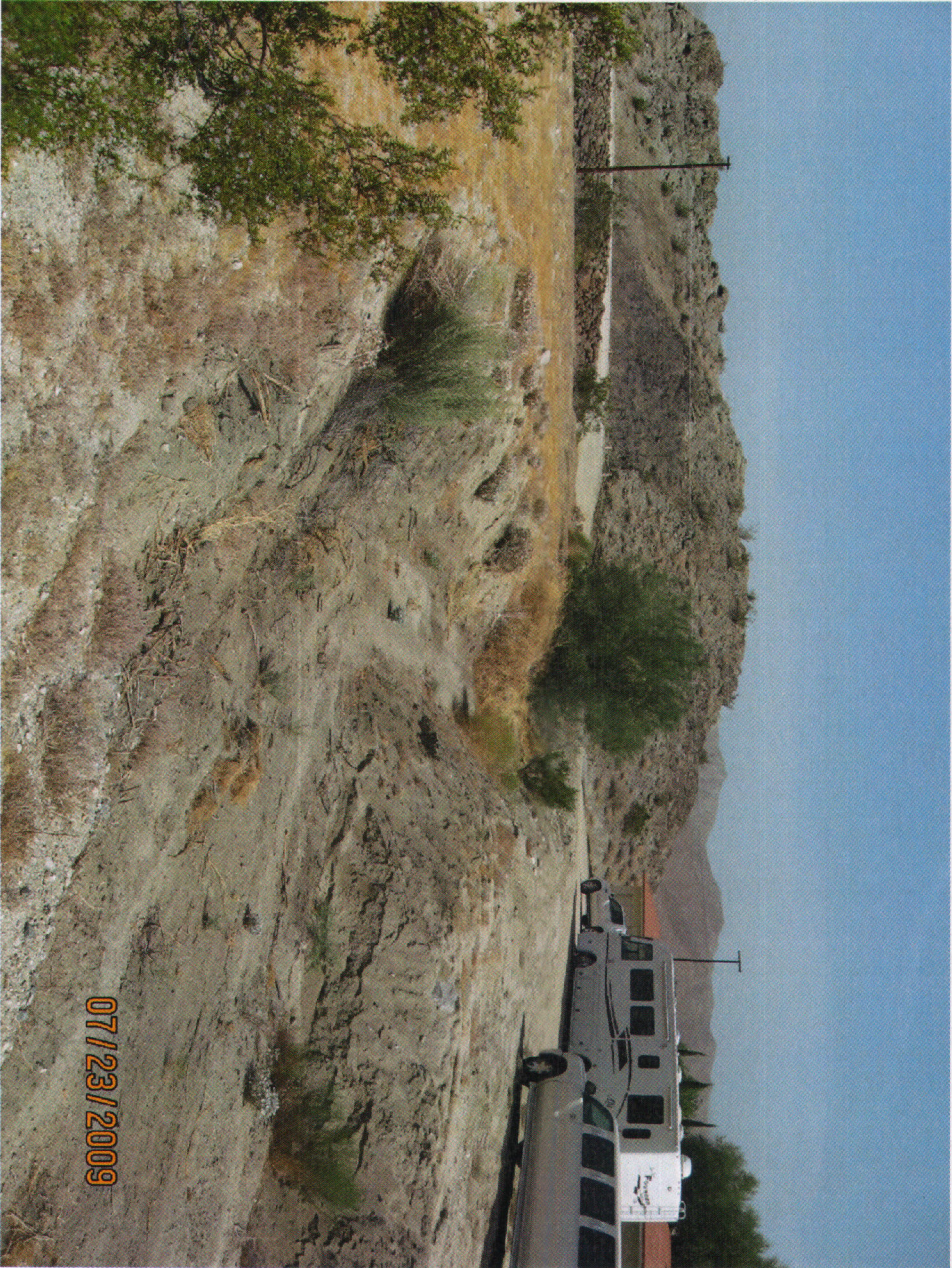
EXHIBIT NO. D24

EXHIBIT NO. D25



CV0901266

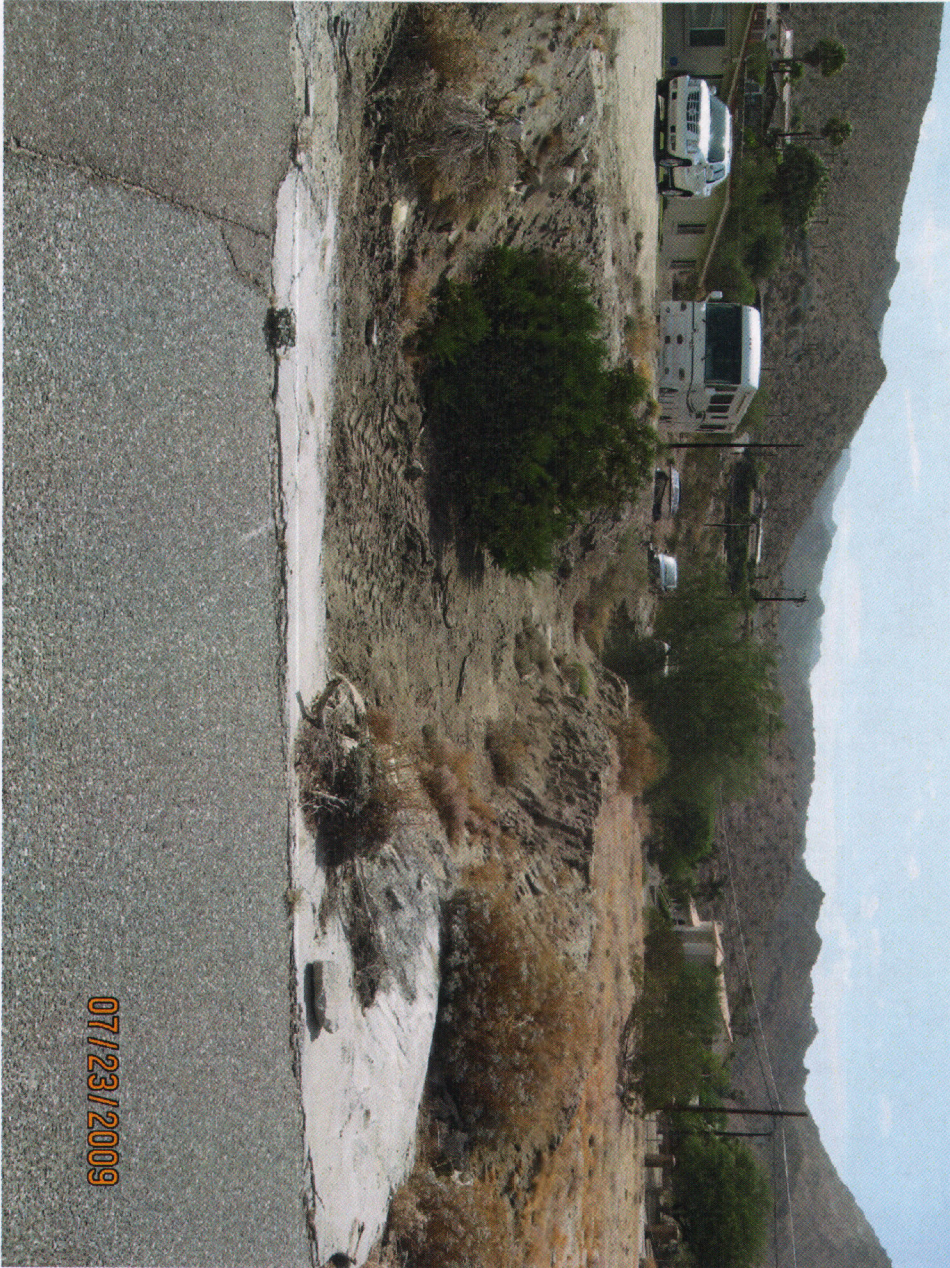
BH 24 of 27



CV0901266

BH 25 of 27

EXHIBIT NO. D24



CV0901266

BH 26 of 27

EXHIBIT NO. D27



CV0901266

BH 27 of 27

EXHIBIT NO. D28

PROOF OF PERSONAL SERVICE

Case No. CV0901266

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Brenda Hannah, declare that I am a citizen of the United States and am employed by 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 County of Riverside, Code Enforcement Department, 31290 Plantation Dr. Thousand Palms, Ca 92276

That on February 23, 2009, I served the following document: Notice of Violation for RCC 15.12.020 (J)(2) Unapproved Grading/Clearing by placing a true copy thereof in the hand of O.K. Doyle at the following address:

71475 Cholla Way , Palm Desert

XX BY PERSONAL SERVICE: I caused to be delivered such document by hand to the house of the addressee.

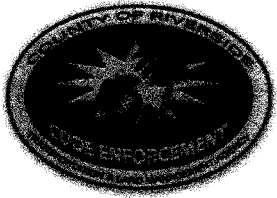
XX STATE - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED ON February 25, 2009, at Indio, California.



Signed: Brenda hannah, Code Enforcement Officer III

EXHIBIT NO. E2



John Boyd
DIRECTOR

CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE

31290 Plantation Drive
Thousand Palms, CA 92276
(760) 343-4150 • FAX (760) 343-0882

“CORRECTED”
NOTICE OF VIOLATION

June 4, 2009

Kenneth F. Jenkins
71475 Cholla Way
Palm Desert, CA 92260

Kenneth F. Jenkins
c/o O.K. Doyle
P.O. Box 2886
Palm Desert, CA 92261

Hans P. Fleischner
74075 El Paseo, Suite A-11
Palm Desert, Ca 92260-1445

Re: Case No.: CV0901266

NOTICE IS HEREBY GIVEN that property owned or controlled by you at **71475 Cholla Way, Palm Desert, California**, Assessor's Parcel Number **628-380-009**, is in violation of Section(s) 15.12.020(J)(2), of Riverside County Code relating to building requirements. Said violation is described as:

1. Grading without Permit.

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

1. Cease grading/clearing/stockpiling/importing fill. Obtain a restoration Assessment from the Dept. of Building & Safety. Perform complete restoration and remediation of the property affected by the unapproved grading in accordance with the Restoration Assessment.

COMPLIANCE MUST BE COMPLETED BY July 4, 2009. (Per field Notice of Violation signed by O.K. Doyle on 2/23/09). FAILURE TO COMPLY WILL RESULT IN LEGAL ACTION BEING BROUGHT AGAINST YOU.

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 CODE ENFORCEMENT WITHIN TEN (10) DAYS OF SERVICE OF THE SUMMARY OF CHARGES, PURSUANT TO SECTION 1.16.080 OF RIVERSIDE COUNTY CODE.

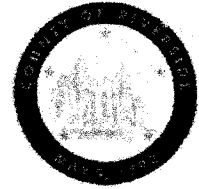
Brenda Hannah

Brenda Hannah, Code Enforcement Officer

EXHIBIT NO. E3



**COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY**



*George Johnson
Agency Director*

*Katherine Gifford
Director,
Administrative
Services Dept.*

*Ron Goldman
Director,
Planning
Department*

*Juan Perez
Director,
Transportation
Department*

*Nick Anderson
Director,
Building & Safety
Department*

*Jay E. Orr
Director,
Code Enforcement
Department*

*Carolyn Syms Luna
Director,
Environmental
Programs Dept.*

**Illegal Grading Notification
Rev 12/04/07**

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 (**estimated cost \$3000 to \$7000**), 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 of 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 restoration Plan 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 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.

4080 Lemon Street, 2nd Floor • Riverside, California 92501 • (951) 955-1800
38686 El Cerrito Road • Palm Desert, California 92211 • (760) 863-8271
39493 Los Alamos Road, Suite A • Murrieta, California 92566

EXHIBIT NO. E4

PROOF OF SERVICE BY MAIL
Case No. CV0901266

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 is 31290 Plantation Drive, Thousand Palms, CA 92276.

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 4th day of June, 2009 I served a copy of the papers to which this proof of service is attached, entitled:

“Corrected” Notice of Violation (RCC 15.12.020(J)(2); Grading Restoration

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:

Kenneth F. Jenkins
71475 Cholla Way
Palm Desert, CA 92260

Kenneth F. Jenkins
c/o O.K. Doyle
P.O. Box 2886
Palm Desert, CA 92261

Hans P. Fleischner
74075 El Paseo, Suite A-11
Palm Desert, CA 92260-1445

The envelope was sealed and placed for collection and mailing at 31290 Plantation Drive, Thousand Palms, CA 92276, 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 4th of June, 2009 at Thousand Palms, California.

Lupe T. Alatorre

Lupe T. Alatorre, Code Enforcement Aide

Article Number: 7008 1830 0003 4707 0538
0545
0552

EXHIBIT NO. ES

7008 1830 0003 4707 0538

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

For delivery information visit our website at www.usps.com

OFFICIAL USE

| | | | |
|---------------|----|---|--------|
| Postage | \$ | ① | 6/4/09 |
| Certified Fee | | | |

Re (Endor):
 Restri (Endor):
 Total:

Kenneth F. Jenkins
 71475 Cholla Way
 Palm Desert, CA 92260
 CV0901266bh/la

Sent To

Street, Apt. No., or PO Box No. 71475 (15-12-020 (g)) (2)
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|--|
| <ul style="list-style-type: none"> 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. | <p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) K.F. JENKINS</p> <p>C. Date of Delivery 6-16-09</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>1. Article Addressed to:</p> <p>Kenneth F. Jenkins 71475 Cholla Way Palm Desert, CA 92260 CV0901266bh/la</p> | <p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> |
| <p>2. Article Number (Transfer from service label)</p> | <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>7008 1830 0003 4707 0538</p> | |
| <p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p> | |

EXHIBIT NO. EV



[Home](#) | [Help](#) | [Sign In](#)

[Track & Confirm](#)

[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 7008 1830 0003 4707 0552

Service(s): Certified Mail™

Status: Delivered

Your item was delivered at 10:50 AM on June 8, 2009 in PALM DESERT, CA 92260.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

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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Feedback to product
improvement

Feedback to product
improvement

7008 1830 0003 4707 0552

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

For delivery information visit our website at www.usps.com

OFFICIAL USE

| | | | |
|---------------|----|---|--------|
| Postage | \$ | ② | 6/4/09 |
| Certified Fee | | | |

Resi (Endc)
 Tot: Hans P. Fleischner
 74075 El Paseo, Suite A-11
 Palm Desert, CA 92260-1445
 CV0901266bh/1a

Sent

Street, Apt. No.,
 or PO Box No. NOV 15 12 020 (9) (2)

City, State, ZIP+4

PS Form 3800, August 2008 See Reverse for Instructions

EXHIBIT NO. e8

When recorded please mail to:
Riverside County Code Enforcement
31290 Plantation Dr.
Thousand Palms, CA 92276
Mail Stop # 4016

DOC # 2009-0322495
06/25/2009

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

NOTICE OF NONCOMPLIANCE

In the matter of the Property of)
Kenneth F. Jenkins)

Case No.: CV0901266

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 (RCC Title 15.12.020(J)(2) described as Grading without Permit. Such Proceedings are based upon the noncompliance of such real property, located at 71475 Cholla Way, Palm Desert, CA, and more particularly described as Assessor's Parcel Number 628-380-009 and having a legal description of 2.00 ACRES IN POR SW 1/4 OF SEC 36 T5S R5E, Records of Riverside County, with the requirements of Ordinance No. 457 (RCC Title 15.12.020(J)(2).

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, 31290 Plantation Dr., Thousand Palms, CA 92276, Attention Code Enforcement Officer Brenda Hannah (760) 343-4150.

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.

COUNTY OF RIVERSIDE
DEPARTMENT OF CODE ENFORCEMENT

By: [Signature]
Dave Lawless
Code Enforcement Division

ACKNOWLEDGEMENT

State of California)
County of Riverside)

On 6/25/09 before me, Marlena Hernandez, Notary Public, personally appeared Dave Lawless who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he is the person(s) who executed the same in his her authorized capacity(ies), and that by his her 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.

[Signature]
Commission # 1615993 Comm. Expires Oct 24, 2009



COPY

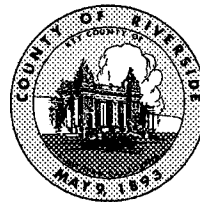
EXHIBIT NO. F

PAMELA J. WALLS
County Counsel

Principal Deputy
KATHERINE A. LIND

OFFICE OF COUNTY COUNSEL
COUNTY OF RIVERSIDE

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



January 6, 2010

RESCHEDULED
NOTICE TO CORRECT COUNTY ORDINANCE VIOLATIONS
AND ABATE PUBLIC NUISANCE

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

Case No.: CV09-01266
APN: 628-380-009
Property: 71475 Cholla Way, Palm Desert

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 **71475 Cholla Way, Palm Desert, Riverside County, California**, and more particularly described as Assessor's Parcel Number 628-380-009.

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 was rescheduled from Tuesday, January 26, 2010, at 9:30 a.m. in the Board of Supervisors Room, 4080 Lemon Street, 1st Floor Annex, Riverside, California **has been rescheduled to Tuesday, February 23, 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 Dave Lawless at (760) 343-4150 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 1st 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

EXHIBIT NO. G

NOTICE LIST

Subject Property: 71475 Cholla Way, Palm Desert
Case No.: CV 09-01266; APN: 628-380-009; District 4

KENNETH F JENKINS
71475 CHOLLA WAY
PALM DESERT, CA 92260


KENNETH F. JENKINS
AVALON CONSERVTORS & FIDUCIARY SERVICES
74-075 EL PASEO, SUITE A-15
PALM DESERT, CA 92260

ORVILLE K. DOYLE, JR.
P.O. BOX 2886
PALM DESERT, CA 92261-2886

HANS P. FLEISCHNER
74075 EL PASEO, SUITE A-11
PALM DESERT, CA 92260-1445

INTERNAL REVENUE SERVICES
P.O. BOX 145585, STOP 8420G
CINCINNATI, OH 45250-5585

CARLYN K. STEINKE
48398 PANORAMA STREET
INDIO, CA 92201

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|--|
| <ul style="list-style-type: none">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. | <p>A. Signature  <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> |
| <p>1. Article Addressed to:</p> <p>CARLYN K. STEINKE 48398 PANORAMA STREET INDIO, CA 92201 CV09-01266 *ABT* JENKINS 6</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>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>2. Article Number (Transfer from service label)</p> | <p>7009 1680 0000 9025 3789</p> |

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

EXHIBIT NO. 62

NOTICE LIST

Subject Property: 71475 Cholla Way, Palm Desert
Case No.: CV 09-01266; APN: 628-380-009; District 4

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:

HANS P. FLEISCHNER
74075 EL PASO, SUITE A-11
PALM DESERT, CA 92260-1445
CV09-01266 *ABT* JENKINS 6

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

7009 1680 0000 9025 3802
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:

KENNETH F. JENKINS
AVAILON CONSERVATORS &
FIDUCIARY SERVICES
74-075 EL PASO, SUITE A-15
PALM DESERT, CA 92260
CV09-01266 *ABT* JENKINS 6

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

7009 1680 0000 9025 3826
Domestic Return Receipt
102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

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

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

COMPLETE THIS SECTION ON DELIVERY

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

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:

INTERNAL REVENUE SERVICES
P.O. BOX 145585, STOP 8420G
CINCINNATI, OH 45250-5585
CV09-01266 *ABT* JENKINS 6

COMPLETE THIS SECTION ON DELIVERY

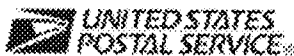
A. Signature Agent Addressee
 B. Received by (Printed Name) Agent Addressee
 C. Date of Delivery
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

INTERNAL REVENUE SERVICE
 JAN 11 2010
 SERVICE CENTER DIRECTOR
 COVINGTON, KY
 MAIL UNIT # 78

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 3796

EXHIBIT NO. 63



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Track & Confirm

Search Results

Label/Receipt Number: **7009 1680 0000 9025 3819**
Service(s): **Certified Mail™**
Status: **Notice Left**

We attempted to deliver your item at 4:25 PM on January 13, 2010 in PALM DESERT, CA 92261 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, 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 & Confirm

Enter Label/Receipt Number.

Go >

Notification Options

Track & Confirm by email

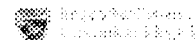
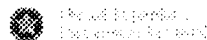
Get current event information or updates for your item sent to you or others by email.

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CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com

OFFICIAL USE

| | | |
|---|---------|-----------------------|
| Postage | \$ 4.00 | Note Postmark Here |
| Certified Fee | 2.35 | |
| Return Receipt Fee (Endorsement Required) | 2.00 | |
| Restricted Delivery Fee (Endorsement Required) | 0.84 | |
| Total | | |

Sent 1
Street or PO
City, State, ZIP+4®

ORVILLE K. DOYLE, JR.
P.O. BOX 2886
PALM DESERT, CA 92261-2886
CV09-01266 *ABT* JENKINS 6

PS Form 3800, August 2008 Instructions