

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



**FROM:** Don Kent, Treasurer/Tax Collector

**SUBMITTAL DATE:**

JUN 24 2010

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 179, Item 187.  
Last assessed to: Keith S. Peall, an unmarried man.

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Approve the claim from Global Discoveries, Ltd., assignee for Tony Peall AKA Anthony Keith Peall, heir to the Estate of Keith S. Peall, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 639231016-7;

**(Continued on Page 2)**

**BACKGROUND:** (Continued on page two)

FORM APPROVED COUNTY COUNSEL

BY: DALE A. GARDNER 6/24/10 DATE  
Departmental Concurrence

Don Kent, Treasurer-Tax Collector

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$70,532.91	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010-11

<b>SOURCE OF FUNDS:</b> Fund 65595 Excess Proceeds from Tax Sale	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY:

**County Executive Office Signature** Christopher M. Hans

- Policy
- Consent
- Policy
- Consent

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: September 14, 2010  
xc: Treasurer, Auditor

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

9.77

**Prev. Agn. Ref. ATTACHMENTS FILED District: 5 WITH THE CLERK OF THE BOARD**

**Agenda Number:**

Dep't Recomm.:

Per Exec. Ofc.:

BOARD OF SUPERVISORS

Form 11:

Page 2

**RECOMMENDED MOTION:** (Continued)

- 2) Approve the claim from Global Discoveries, Ltd., assignee for Joanna Alexander, heir to the Estate of Keith S. Peall, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 639231016-7;
- 3) Deny the claim from the City of Desert Hot Springs;
- 4) Authorize and direct the Auditor-Controller to issue warrants to Global Discoveries, Ltd., assignee for Tony Peall AKA Anthony Keith Peall, heir to the Estate of Keith S. Peall in the amount of \$35,266.46 and Global Discoveries, Ltd., assignee for Joanna Alexander, heir to the Estate of Keith S. Peall in the amount of \$35,266.45 no sooner than ninety days from the date of this order, unless pursuant to the California Revenue and Taxation Code Section 4675, an appeal has been filed in Superior Court.

**BACKGROUND:** (Continued)

In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, the Tax Collector conducted the March 17, 2008 public auction sale. The deed conveying title to the purchasers at the auction was recorded May 12, 2008. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on June 9, 2008, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest.

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The Treasurer-Tax Collector has received three claims for excess proceeds:

- 1) Claim from Global Discoveries, Ltd., assignee for Tony Peall AKA Anthony Keith Peall, heir to the Estate of Keith S. Peall based on an Assignment of Right to Collect Excess Proceeds dated October 9, 2008, a Grant Deed recorded April 14, 2000 as Instrument No. 2000-139869, an Affidavit under California Probate Code Section 13101 and the death certificate of Keith Stuart Peall.
- 2) Claim from Global Discoveries, Ltd., assignee for Joanna Alexander, heir to the Estate of Keith S. Peall based on an Assignment of Right to Collect Excess Proceeds dated October 8, 2008, a Grant Deed recorded April 14, 2000 as Instrument No. 2000-139869, an Affidavit under California Probate Code Section 13101 and the death certificate of Keith Stuart Peall.
- 3) Claim from the City of Desert Hot Springs based on a Notice of Public Nuisance and Order to Abate recorded February 16, 2006 as Instrument No. 2006-0116063, a Notice of Pendency of Administrative Proceedings recorded February 17, 2006 as Instrument No. 2006-0118597 and a Resolution No. 2008-61 from the City of Desert Hot Springs.

Pursuant to Section 4675 (a) & (b) of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., assignee for Tony Peall AKA Anthony Keith Peall, heir to the Estate of Keith S. Peall be awarded excess proceeds in the amount of \$35,266.46 and Global Discoveries, Ltd., assignee for Joanna Alexander, heir to the Estate of Keith S. Peall be awarded excess proceeds in the amount of \$35,266.45. The claim from the City of Desert Hot Springs be denied since the amount claimed was paid to the city through the 2008-2009 tax roll. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants by certified mail.

**CLAIM SUMMARY**

To: Riverside County Treasurer and Tax Collector

Assessors Parcel Number: 639-231-016-7  
Last Assessee: PEALL KEITH S  
Sale Date: 3/17/2008  
Tax Sale Number: TC179  
Item Number: 187  
Deadline Date: 5/12/2009

RECEIVED  
2009 OCT 30 AM 10:41  
RIVERSIDE COUNTY  
TREAS - TAX COLLECTOR

Dear Treasurer/Tax Collector:

1. Claimant(s): Global Discoveries, Ltd.

The following proof of claim(s) for excess proceeds and documents are attached:

1. Grant Deed granting interest to Keith S. Peall, an unmarried man as Document# 2000-139869, Recorded in Riverside County on 04-14-2000.
2. Death Certificate for Keith S. Peall. **Please Note:** The address listed for Keith's usual residence is one and the same address that is listed on above referenced Grant Deed. **(Certified DC in Joanna Alexander's Claim Package)**
3. Probate Affidavit signed by both Joanna Alexander & Tony Peall **(Original in Joanna Alexander's Claim Package).**
4. Birth Certificate for Anthony Keith Peall
5. Assignment of Excess Proceeds signed by Tony Peall as Heir To The Estate of Keith S. Peall
6. Claim Form(s) signed by Global Discoveries
7. Photo ID for Assignor: Tony Peall. Tony Peall and Anthony Keith Peall are one and the same person. **Please Note:** Photo ID's signature is signed as Tony Peall. Furthermore, the informant listed on Keith S. Peall's Death Certificate is listed as Tony Peall and shows one and the same address that is listed on Tony's Colorado Drivers License.

Upon approval, claimant(s) request that the Treasurer and Tax Collector issue its warrant(s) as follows:

- One warrant in the amount of \$35,266.46 or 100% of the claimant's share of the excess proceeds made payable to Global Discoveries, Ltd. and mailed to P.O. Box 1748, Modesto, California 95353-1748.

Please address questions regarding the attached claim(s) to Jed Byerly, Chief Operating Officer, at (209) 593-3913, or e-mail to [jed@globaldiscoveries.com](mailto:jed@globaldiscoveries.com).

The Client(s) and the staff of Global Discoveries, Ltd., thank you in advance for your timely review and approval of the attached claim(s).



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2. Certified Death Certificate for Keith S. Peall. **Please Note:** The address listed for Keith's usual residence is one and the same address that is listed on above referenced Grant Deed.
3. Probate Affidavit signed by both Joanna Alexander & Tony Peall
4. Birth Certificate for Joanna Peall
5. Marriage Certificate for Joanna Peall to Ronald Alan Alexander
6. Assignment of Excess Proceeds signed by Joanna Alexander as Heir To The Estate of Keith S. Peall
7. Claim Form(s) signed by Global Discoveries
8. Photo ID for Assignor: Joanna Alexander

Upon approval, claimant(s) request that the Treasurer and Tax Collector issue its warrant(s) as follows:

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The Client(s) and the staff of Global Discoveries, Ltd., thank you in advance for your timely review and approval of the attached claim(s).

RECORDING REQUESTED BY  
 Recording Requested By  
 First American Title Company  
 AND WHEN RECORDED MAIL TO

DOC # 2000-138889

04/14/2000 08:00A Fee:2.00  
 Page 1 of 1 Doc 1 Tax Paid  
 Recorded in Official Records  
 County of Riverside

Gary L. Oras  
 Recorder, County Clerk & Recorder



KEITH PEALL  
 66199 - 2nd. Street  
 Desert Hot Springs, CA 92502

Recording Requested By  
 First American Title Company

M	B	U	AMR	RE	DA	NR	NR	NR	NR	NR	NR

Escrow No. 207814034 - 734  
 Order No. 207814034  
 FIRST AMERICAN ORDER #2162373

**GRANT DEED**

THE UNDERSIGNED GRANTOR(S) DECLARE(S)  
 DOCUMENTARY TRANSFER TAX IS \$ 31.90  
 unincorporated area  City of DESERT HOT SPRINGS  
 computed on the full value of the interest or property conveyed, or is  
 computed on the full value less the value of liens or encumbrances remaining at time of sale, and

639-231-016-7  
 TRA 014-007

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
 66199 2ND STREET TRUST, WESTERN STATES HOLDINGS, LTD., A NEVADA CORPORATION, AS TRUSTER

T  
 C2

herby GRANT(S) to  
 KEITH S. PEALL, AN UNMARRIED MAN

2162373-1

the following described real property in the City of DESERT HOT SPRINGS  
 County of RIVERSIDE, State of California:  
 LOT 5 IN BLOCK K OF DESERT HOT SPRINGS CABIN SITES, AS PER MAP RECORDED IN BOOK 19,  
 PAGES 66 AND 67 OF MAPS, RIVERSIDE COUNTY RECORDER.

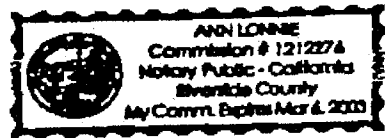
Dated January 12, 2000

66199 - 2ND. ST. TRUST, WESTERN  
 STATES HOLDINGS, LTD., A NEVADA  
 CORPORATION, AS TRUSTER

STATE OF  
 COUNTY OF RIVERSIDE ) SS  
 On APRIL 11, 2000 before me,  
 ANN LONNIE  
 a Notary Public in and for said County and State, personally appeared  
 HARVEY SCHWARTZ\* \* \* \* \*

BY *Harvey Schwartz*  
 HARVEY SCHWARTZ, SECRETARY

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



WITNESS my hand and official seal.  
*Ann Lonnie*  
 Signature of Notary

3/6/2003  
 Date My Commission Expires

FOR NOTARY SEAL OR STAMP

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name \_\_\_\_\_ Street Address \_\_\_\_\_ City State & Zip \_\_\_\_\_

MICROGRAPHICS DIVISION

# WASHOE COUNTY DISTRICT HEALTH DEPARTMENT

## VITAL STATISTICS

Reno, Nevada

### STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES DIVISION OF HEALTH — SECTION OF VITAL STATISTICS CERTIFICATE OF DEATH

ROLL 107 IMAGE 706

1675

LOCAL FILE NUMBER

STATE FILE NUMBER

TYPE OR PRINT IN PERMANENT BLACK INK

DECEDENT

IF DEATH OCCURRED IN INSTITUTION SEE HANDBOOK REGARDING COMPLETION OF RESIDENCE ITEMS

PARENTS

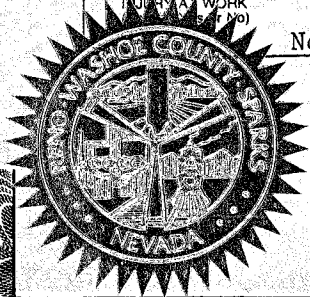
DISPOSITION

CERTIFIER

CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE STATING THE UNDERLYING CAUSE LAST

CAUSE OF DEATH

DECEASED—NAME 1. Keith Stuart PEALL			DATE OF DEATH (Month, Day, Year) 2. June 28, 2002 (Found)		COUNTY OF DEATH 3a. Washoe
CITY, TOWN OR LOCATION OF DEATH 3b. Rural Washoe County		HOSPITAL OR OTHER INSTITUTION—Name (If not either, give street and number) 3c. 1/2 mile east of Mini Lane		SEX 4. Male	
RACE—(e.g., White, Black, American Indian, etc.) (Specify) 5. White	Was Decedent of Hispanic Origin? Specify <input type="checkbox"/> yes <input checked="" type="checkbox"/> no If yes, specify Mexican, Cuban, Puerto Rican, etc. 6.	AGE—Last Birthday (Years) 7a. 59	UNDER 1 YEAR MOS : DAYS 7b. :	UNDER 1 DAY HOURS : MINS 7c. :	DATE OF BIRTH (Mo., Day, Yr.) 8. May 22, 1943
STATE OF BIRTH (If not U.S.A., name country) 9a. Great Britain	CITIZEN OF WHAT COUNTRY 9b. UK	Decedent's Education. Specify highest grade completed. 10. 12	MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) 11. Divorced		SURVIVING SPOUSE (If wife, give maiden name) 12.
SOCIAL SECURITY NUMBER 13. 611-86-8804	USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even if Retired) 14a. Supervisor	KIND OF BUSINESS OR INDUSTRY 14b. Engineering			
RESIDENCE—STATE 15a. California	COUNTY 15b. Riverside	CITY, TOWN, OR LOCATION 15c. Desert Hot Springs	STREET AND NUMBER 15d. 66199 2nd Street	INSIDE CITY LIMITS (Specify Yes or No) 15e. yes	
FATHER—NAME First Middle Last 16. Harold E. Victor Peall			MOTHER—MAIDEN NAME First Middle Last 17. Darcy Wright		
INFORMANT—NAME (Type or Print) 18a. Tony Peall			MAILING ADDRESS (Street or R.F.D. No., City or Town, State, Zip) 18b. 10137 W. Dartmouth Place #11-107 Colorado 80227		
BURIAL, CREMATION, REMOVAL, OTHER (Specify) 19a. Cremation		CEMETERY OR CREMATORY—NAME 19b. Sierra Crematory		LOCATION City or Town State 19c. Reno Nevada	
FUNERAL DIRECTOR—SIGNATURE (Or Person Acting as Such) 20a.		FUNERAL DIRECTOR LICENSE NUMBER 20b. 09	NAME AND ADDRESS OF FACILITY 20c. John Sparks Memorial 644 Pyramid Way, Sparks, Nevada 89431		
21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature and Title) DATE SIGNED (Mo., Day, Yr.) 21b. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print) 21d.		HOUR OF DEATH 21c. 0945	22a. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) and manner stated. (Signature and Title) DATE SIGNED (Mo., Day, Yr.) 22b. July 8, 2002		HOUR OF DEATH 22c. 0945 Found PRONOUNCED DEAD (Mo., Day, Yr.) 22d. ON June 28, 2002 22e. AT 0945
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER). (Type or Print.) 23a. Vernon O. McCarty, Coroner, P.O. Box 11130, Reno, Nevada 89520					LICENSE NUMBER 23b. WCC S. 35
REGISTRAR 24a. (Signature)		DATE RECEIVED BY REGISTRAR (Mo., Day, Yr.) 24b. July 8, 2002	DEATH DUE TO COMMUNICABLE DISEASE 24c. YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c).)					
PART I (a) Hanging		DUE TO, OR AS A CONSEQUENCE OF:			
(b)		DUE TO, OR AS A CONSEQUENCE OF:			
(c)		DUE TO, OR AS A CONSEQUENCE OF:			
PART II OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not resulting in the underlying cause given in Part I.			AUTOPSY (Specify Yes or No) 26. No	WAS CASE REFERRED TO CORONER (Specify Yes or No) 27. Yes	
ACC., SUICIDE, HOM., UNDET., OR PENDING INVEST. (Specify) 28a. Suicide	DATE OF INJURY (Mo., Day, Yr.) 28b. June 28, 2002 Found	HOUR OF INJURY 28c. 0945 Fd M	DESCRIBE HOW INJURY OCCURRED 28d. Hanged self with rope		
INJURY AT WORK (Specify Yes or No) 28e. No	PLACE OF INJURY—At home, farm, street, factory, office building, etc. (Specify) 28f. Rural Area	LOCATION 28g. 1/2 mile east of Mini Lane, rural Washoe County, Nevada	STREET OR R.F.D. No. CITY OR TOWN STATE		



STATE REGISTRAR

No. 223240

This is to certify that the above is a true and legal copy of the certificate on file in this office.

Deputy Registrar:

Date: JUL 16 2002

AFFIDAVIT UNDER CALIFORNIA PROBATE CODE SECTION §13101

The undersigned state(s) as follows:

Keith S. Peall (name of decedent) died on 06/28/02 (date), in the County of WASHOE, NEVADA, State of ~~California~~ NEVADA and

- 1. At least forty days have elapsed since the death of the decedent, as shown by the attached certified copy of decedent's death certificate.
2. Either of the following, as appropriate:
A. No proceeding is now being or has been conducted in California for administration of the decedent's estate.
B. The decedent's personal representative has consented in writing to the payment, transfer, or delivery to the affiant or declarant of the property described in the affidavit or declaration.
3. The current gross fair market value of the decedent's real and personal property in California, excluding the property described in the California Probate Code Section 13050, does not exceed \$100,000.
4. [X] An Inventory and Appraisalment of the real property in the decedent's estate is attached, or [ ] There is no real property in the estate.
5. A description of the property that is to be paid, transferred or delivered to the undersigned under the provisions of California Probate Code Section 13100:

Parcel # 639-231-016-7

(Attach additional sheets if necessary.)

- 6. The successor(s) of the decedent, as defined in Probate Code Section 13006, is/are: Joanna Alexander & Tony Peall
7. [X] The undersigned is/are successor(s) of the decedent to the decedent's interest in the described property, or [ ] The undersigned is/are authorized under California Probate Code Section 13051 to act on behalf of the successor(s) of the decedent with respect to the decedent's interest in the described property.
8. No other person has a superior right to the interest of the decedent in the described property.
9. The undersigned requests that the described property be paid, delivered or transferred to the undersigned.

I/we declare under penalty of perjury under the laws of the State of Colorado that the foregoing is true and correct.

Date Printed name Signature
10-8-08 Joanna Alexander
10/09/08 TONY PEALL

(Attach an additional sheet if necessary.)

- 1. Attach a certified copy of death certificate and if there is real property in the decedent's estate attach a completed Inventory and Appraisalment (Probate Form DE-160, DE-161).
2. Have this affidavit notarized

CERTIFICATE OF ACKNOWLEDGEMENT

State of Colorado

County of Jefferson

On October 9, 2008 before me, Brent Wilkinson, Notary Public Personally appeared  
(Date) (Here insert name and title of the officer)

Anthony Keith Peall, who proved to me on  
(Name of Signer(s))

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

WITNESS my hand and official seal.

[Signature] (seal)

Signature of Notary Public



My Commission Expires 06/18/2009



CERTIFICATE OF ACKNOWLEDGEMENT

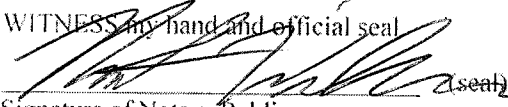
State of Colorado )

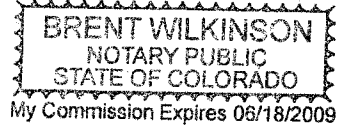
County of Weld )

On October 8, 2008 before me, Brent Wilkinson, Notary Public Personally appeared  
(Date) (Here insert name and title of the officer)

Joanna Alexander who proved to me on  
(Name of Signer(s))

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

WITNESS my hand and official seal  
  
Signature of Notary Public (seal)



No fee is chargeable for this certificate.  
Ni chodir tâl am y dystysgrif hon.

1 & 2 ELIZ. 2 CH. 20

CERTIFICATE  
TYSTYSGRIF



GC 212045

OF BIRTH  
GENEDIGAETH

Name and Surname } Enw a chyfenw	Anthony Keith PEALL
Sex	Male
Rhyw	--
Date of Birth	Eleventh February, 1971
Dyddiad y geni	--
Place of Birth } Registration District } Dosbarth Cofrestru }	Bangor
Lle y ganwyd } Sub-district } Is-ddosbarth }	Bangor

I, }  
Yr wyf i, } ..... A. E. Williams ..... { Registrar of Births and  
Cofrestrydd Genedigaethau

Deaths for the sub-district of }  
a Marwolaethau is-ddosbarth } ..... Bangor

in the Registration District of }  
Dosbarth Cofrestru } ..... Bangor

do hereby certify that the above  
particulars have been compiled from  
an entry in a register in my custody.

yn tystio yma fod y manylion uchod  
wedi eu casglu o gofnod mewn cof-  
restr a gedwir gennyf i.

Date ..... 16th March, 1971

Dyddiad .....

CAUTION:—Any person who (1) falsifies any of the  
particulars on this certificate, or (2) uses  
a falsified certificate as true, knowing  
it to be false, is liable to prosecution.

*A. E. Williams*  
Registrar of Births and Deaths  
Cofrestrydd Genedigaethau a Marwolaethau

RHYBUDD:—Y mae unrhyw berson (1) sy'n achosi rhoi manylion  
anghywir ar y dystysgrif hon neu (2) sy'n defnyddio  
tystysgrif anghywir fel un gywir, ac yntau'n gwybod  
ei fod yn anghywir, yn agored i'w erlyn.

RVDGM 831

The fee for this <sup>£4.00</sup> certificate is B. Cert.  
S.R.  
 See the full and  
 y ddiwyddwr hon.



AA 258774

**CERTIFIED COPY OF AN ENTRY**  
**Pursuant to the Births and**

**COPI DILYS O GOFNOD**  
**Deaths Registration Act 1953**

NHS Number Rhif NHS <b>RVD9M 831</b>		BIRTH—GENEDIGAETH		Entry No. Cofnod Rhif <b>831</b>
Registration district Deddfarth cofrestru <b>Bangor</b>		Administrative area <b>County of Caernarvon</b>		
Sub-district Is-ddeddfarth <b>Bangor</b>		Khanbarth ps einyddol <b>Sir Gaernarfon</b>		
1. Date and place of birth <b>Eleventh February 1971 St. David's Hospital, Bangor</b>				
CHILD—Y PLENTYN				
2. Name and surname Enw a chyfenw <b>Anthony Keith Peall</b>				3. Sex <b>Male</b>
4. Name and surname Enw a chyfenw <b>FATHER—TAD</b> <b>Keith Stuart Peall</b>				
5. Place of birth <b>Chelmsford Essex</b>				
6. Occupation <b>Cafe Proprietor</b>				
7. Name and surname Enw a chyfenw <b>MOTHER—MAM</b> <b>Lesley Joan Peall</b>				
8. Place of birth <b>Hampstead, London</b>				
9. (a) Maiden surname Cyfenw marnodynol <b>Willson</b>		(b) Surname at marriage if different from maiden surname Cyfenw adeiladwr priodol os yn wahanol I'r cyfenw marnodynol		
10. Usual address (if different from place of child's birth) <b>Gerafon, High Street, Llanberis</b>				
INFORMANT—HYSBYSYDD				
11. Name and surname (if not the mother or father) Enw a chyfenw (os nad y tad neu'r fam)		12. Qualification <b>Father</b>		
13. Usual address (if different from that in 10 above)				
14. I certify that the particulars entered above are true to the best of my knowledge and belief. Tystiaf fod y manylion a rofnodir uchod yn gywir hyd y gwaith a y credaf i.		Signature of informant Llofnod yr hysbysydd <b>Keith Peall</b> <i>By declaration dated 12/3/71</i>		
15. Date of registration. Dyddiad cofrestru. <b>Sixteenth March 1971</b>		16. Signature of registrar. Llofnod y cofrestrydd. <b>A. E. Williams</b> <i>Registrar</i>		
17. Name given after registration, and surname. Enw a roddwyd wedi cofrestru, a chyfenw.				

\*See note overleaf  
Gweler nodod

Certified to be a true copy of an entry in a register in my custody.  
 Tystiolaethwyd ci fod yn gopi cywir o gofnod mewn cofrestr a gedwir gennyf i.

*D. Owen Williams*

Superintendent Registrar *18th August 1981* Date  
 Cofrestrydd Arolygol..... Dyddiad

CAUTION:—Any person who (1) falsifies any of the particulars on this certificate or (2) uses a falsified certificate as true, knowing it to be false, is liable to prosecution.

No fee is chargeable for this certificate.  
Ni chodir tâl am y dystysgrif hon.

GC 759265

1 & 2 ELIZ. 2 CH. 20

CERTIFICATE  
TYSTYSGRIF



OF BIRTH  
GENEDIGAETH

Name and Surname } Joanna PEALL  
Enw a chyfenw }

Sex ..... Female

Rhyw.....

Date of Birth ..... Twentyscond April 1972

Dyddiad y geni.....

Place of Birth } Registration District } Bangor  
Birth } Dosbarth Cofrestru }

Lle y ganwyd } Sub-district } Bangor  
ganwyd } Is-ddosbarth }

I, } A. E. Williams } Registrar of Births and  
Yr wyf i, } Cofrestrydd Genedigaethau

Deaths for the sub-district of } Bangor  
a Marwolaethau is-ddosbarth }

in the Registration District of } Bangor  
Dosbarth Cofrestru }

do hereby certify that the above  
particulars have been compiled from  
an entry in a register in my custody.

yn tystio yma fod y manyllon uchod  
wedi eu casglu o gofnod mewn cof-  
restr a gadwir gennyf i.

Date ..... 23rd May 1972

Dyddiad.....

CAUTION:—Any person who (1) falsifies any of the  
particulars on this certificate, or (2) uses  
a falsified certificate as true, knowing  
it to be false, is liable to prosecution.

*A. E. Williams*

Registrar of Births and Deaths  
Cofrestrydd Genedigaethau a Marwolaethau

RHYBUDD:—Y mae unrhyw berson (1) sy'n achosi rhoi manyllon  
anghywir ar y dystysgrif hon neu (2) sy'n defnyddio  
tystysgrif anghywir fel un gywir, ac yntau'n gwybod  
ei bod yn anghywir, yn agored i'w erlyn.

RVDEJ 851

The fee for this certificate is £4.00  
 400<sup>00</sup> p. c. yw'r tâl am  
 y dystysgrif hon.

**B. Cert.**  
**S.R.**



AA 258773

**CERTIFIED COPY OF AN ENTRY**  
**Pursuant to the Births and**

**COPI DILYS O GOFNOD**  
**Deaths Registration Act 1953**

NHS Number Rhif NHS	RVDHJ. 851	<b>BIRTH—GENEDIGAETH</b>	Entry No. Cofnod Rhif	851
Registration district Dosbarth cofrestru	Bangor	Administrative area		
Sub-district Is-ddosbarth	Bangor	County of Caernarvon Rhanbarth gweinyddol Sir Gaernarfon		
1. Date and place of birth Dyddiad a lle y ganwyd	CHILD—Y PLENTYN Twenty second April 1972 St. David's Hospital, Bangor			
2. Name and surname Enw a chyfenw	Joanna Peall			3. Sex Rhyw
				Female
4. Name and surname Enw a chyfenw	FATHER—TAD Keith Stuart Peall			
5. Place of birth	Chelmsford Essex	Lle y ganwyd		
6. Occupation	Cafe Proprietor	Gwaith		
7. Name and surname Enw a chyfenw	MOTHER—MAM Lesley Joan Peall			
8. Place of birth	Hampstead, London	Lle y ganwyd		
9. (a) Maiden surname	Willson	(b) Surname at marriage if different Cynwraig priodol i'r cyfenw morwynol		
10. Usual address (if different from place of child's birth)	Cae'r Mynydd, Deiniolen Cyfeiriad arferol (os yn wahanol i le geni'r plentyn)			
11. Name and surname (if not the mother or father) Enw a chyfenw (os nad y tad neu'r fam)		12. Qualification Cymhwyster		
		Mother		
13. Usual address (if different from that in 10 above)		Cyfeiriad arferol (os yn wahanol i'r hyn sydd yn 10 uchod)		
14. I certify that the particulars entered above are true to the best of my knowledge and belief. Tystiaf fod y manylion a gofnodir uchod yn gywir hyd y gwn ac y credaf i.		Lesley Peall By declaration dated 22 May 1972 Signature of informant Llofnod yr hysbysydd		
15. Date of registration. Dyddiad cofrestru.	Twenty third May 1972		16. Signature of registrar. Llofnod y cofrestrydd.	
		A. E. Williams Registrar		
17. *Name given after registration, and surname. Enw a roddwyd wedi cofrestru, a chyfenw.				

Printed by Authority of the Registrar General  
 Argraffwyd i ddarparu gan y Cofrestrwr Cyffredinol

\*See note overleaf  
 Gweler trosodd

Certified to be a true copy of an entry in a register in my custody.  
 Tystiolaethwyd ei fod yn gopi cywir o gofnod mewn cofrestr a gedwir gennyf i.

Olwen Williams

{ Superintendent Registrar 18<sup>th</sup> August 1981 Date  
 Cofrestrydd Arolygol ..... Dyddiad

**CAUTION:—Any person who (1) falsifies any of the particulars on this certificate or (2) uses a falsified certificate as true, knowing it to be false, is liable to prosecution.**

**RHYBUDD:—Y mae unrhyw berson (1) sy'n achosi rhoi manylion anghywir ar y dystysgrif hon neu (2) sy'n defnyddio tystysgrif anghywir fel yntau'n gwybod ei bod yn anghywir, yn agored i'w erlynnu.**

THIS LICENSE VALID FOR ONLY  
30 DAYS FROM DATE OF ISSUE.

NOTE: THIS IS A MARRIAGE LICENSE—NOT A MARRIAGE CERTIFICATE. IF IT IS NOT USED, THE PERSON TO WHOM  
IT IS DELIVERED MUST RETURN IT PROMPTLY TO THE COUNTY CLERK AND RECORDER WHO ISSUED IT.

# MARRIAGE LICENSE

THE STATE OF COLORADO.  
MORGAN COUNTY

To any person or religious society Authorized by Law to  
Perform the Marriage Ceremony:

**GREETING:**

You are hereby authorized to join in marriage  
Mr. RONALD ALAN ALEXANDER  
of Fort Morgan, Colorado and  
Miss JOANNA PEALL  
of Fort Morgan, Colorado

and of this license you will make due return to my office.

Witness, my hand and the seal of my office at  
Fort Morgan, Colorado, this 30th day of June, 19 94

Issued at 11:30 o'clock M. By Cinda L. Wiley Deputy  
FAY A. JOHNSON County Clerk

# MARRIAGE CERTIFICATE

STATE OF COLORADO, } ss.  
County of \_\_\_\_\_

It is hereby certified that on the 18<sup>th</sup> day of July  
A.D. 1994 at Ft. Morgan United Methodist Church  
in said county, the undersigned, a United Methodist Pastor,  
did join in the Holy Bonds of Matrimony in accordance with the laws  
of the state of Colorado and the authorization of the foregoing license  
Mr. Ronald Alan Alexander  
of Ft. Morgan, CO and  
Miss Joanna Peall  
of Ft. Morgan, CO

Witness, my hand and seal the day and year last above written.

The Rev. Leif E. Morgan

United Methodist Pastor  
Official Title

Witness Dorothy Appellans Signed Ron Alexander Groom  
Witness Janet Hadden Signed Joanna Peall Bride

ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS.

As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby assign to GLOBAL DISCOVERIES, LTD. my right to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 639-231-016-7, Tax Sale Number TC179, Item 187 sold at public auction on 3/17/2008. I understand that the total of excess proceeds available for refund is \$ 70,532.91+/-, and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VALUABLE CONSIDERATION RECEIVED I HAVE SOLD THIS RIGHT OF COLLECTION (assignment) TO THE ASSIGNEE. I certify under penalty of perjury that I have disclosed to the assignee all facts of which I am aware relating to the value of this right I am assigning.

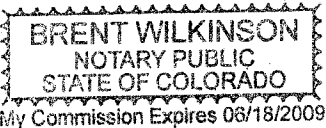
[Signature] 10/09/08  
(Signature of Party of Interest/Assignor) (Date)  
Tax ID/SS# 523-35-2945

Tony Peall as heir to the estate of Keith S. Peall  
(Name Printed)  
10005 W 29th Ave.  
(Address)  
Wheat Ridge, CO 80215  
(City/State/Zip)  
720-937-7939  
(Area Code/Telephone Number)

STATE OF CALIFORNIA )  
COUNTY OF Jefferson ) ss.

On October 9, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Tony Peall, Anthony, Keith Peall known to me (or proven to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.  
[Signature]  
(Signature of Notary)



(This area for official seal)

I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest (assignor), pursuant to Section 4675 of the California Revenue and Taxation Code, all facts of which I am aware relating to the value of the right he is assigning, that I have disclosed to him the full amount of excess proceeds available, and that I HAVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT.

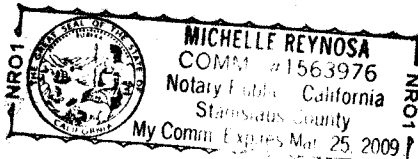
[Signature]  
(Signature of Assignee)  
Tax ID/SS# 77-0558969

Jed Byerly, Chief Operating Officer  
(Name Printed)  
Global Discoveries, Ltd.  
(Address)  
P.O. Box 1748  
Modesto, California 95353-1748  
(City/State/Zip)  
Phone: (209) 593-3913

STATE OF CALIFORNIA )  
COUNTY OF Stanislaus )

On 10-25-08, before me, the undersigned, a Notary Public in and for said State, personally appeared \*\*\*Jed Byerly\*\*\* known to me (or proven 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.

WITNESS my hand and official seal.  
[Signature]  
(Signature of Notary)



(This area for official seal)

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Stanislaus

On 10-25-2008 before me, Michelle Reynosa, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Jeol Brerly  
Name(s) of Signer(s)

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.

Signature Michelle Reynosa  
Signature of Notary Public



Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

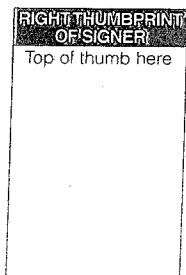
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

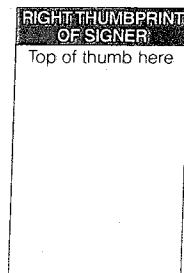
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_



**CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY**

To: Riverside County Treasurer and Tax Collector

Assessor's Parcel No: 639-231-016-7  
Tax Sale Number: TC179  
Item Number: 187  
Date of Sale: 3/17/2008

The undersigned claimant, Global Discoveries, Ltd., claims \$35,266.46+/- or 100% of the claimant's share of the actual amount of excess proceeds from the sale of the property referenced above.

Global Discoveries, Ltd., claims its status as a party of interest pursuant to Section 4675 of the California Revenue and Taxation Code based upon the attached documentation:

Please refer to Claim Summary and attached Documents

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

Executed this 25<sup>th</sup> day of October, 2008 at Modesto, California.

By: Jed Byerly  
Jed Byerly, Chief Operating Officer  
Global Discoveries, Ltd. Tax ID # 77-0558969  
P.O. Box 1748  
Modesto, CA 95353-1748  
(209) 593-3913

**CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC**

State of California )

County of Stanislaus )

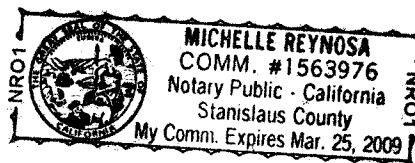
On 10-25-2008 before me, Michelle Reynosa, Notary Public personally appeared  
(Date) (here insert name and title of the officer)

Jed Byerly, 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.

Michelle Reynosa (seal)  
Signature of Notary Public



ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS.

As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby assign to GLOBAL DISCOVERIES, LTD. my right to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 639-231-016-7, Tax Sale Number TC179, Item 187 sold at public auction on 3/17/2008. I understand that the total of excess proceeds available for refund is \$ 70,532.91+/-, and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VALUABLE CONSIDERATION RECEIVED I HAVE SOLD THIS RIGHT OF COLLECTION (assignment) TO THE ASSIGNEE. I certify under penalty of perjury that I have disclosed to the assignee all facts of which I am aware relating to the value of this right I am assigning.

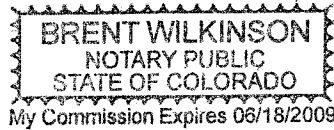
Joanna Alexander 10-8-08 (Signature of Party of Interest/Assignor) (Date) Joanna Alexander as Heir To The Estate of Keith S. Peall (Name Printed)

Tax ID/SS# 523-35-4807 1115 Grayhawk (Address) Eaton, CO 80615 (City/State/Zip)

STATE OF CALIFORNIA Colorado )ss. 970-454-2175 (Area Code/Telephone Number) COUNTY OF Weld )

On October 8, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Joanna Alexander known to me (or proven to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal. (Signature of Notary)



(This area for official seal)

I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest (assignor), pursuant to Section 4675 of the California Revenue and Taxation Code, all facts of which I am aware relating to the value of the right he is assigning, that I have disclosed to him the full amount of excess proceeds available, and that I HAVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT.

(Signature of Assignee)

Jed Byerly, Chief Operating Officer (Name Printed)

Tax ID/SS# 77-0558969

Global Discoveries, Ltd (Address)

STATE OF CALIFORNIA )ss. COUNTY OF Stanislaus )

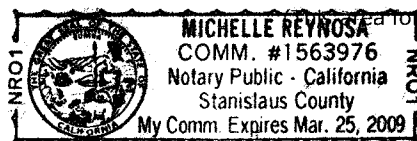
P.O. Box 1748 Modesto, California 95353-1748 (City/State/Zip)

Phone: (209) 593-3913

On 10-24-2008, before me, the undersigned, a Notary Public in and for said State, personally appeared \*\*\*Jed Byerly\*\*\* known to me (or proven 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.

WITNESS my hand and official seal. (Signature of Notary)

117-174 (3/85) (Ret-Perm)



(Official seal)

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Stanislaus

On 10-24-2008 before me, Michelle Reynosa, Notary Public

personally appeared Ted Barclay



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.

Signature [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

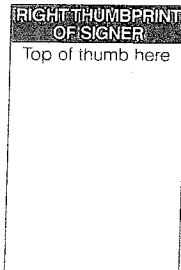
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

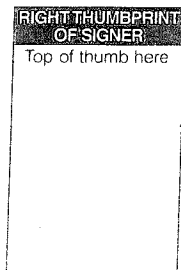
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

**CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY**

To: Riverside County Treasurer and Tax Collector

Assessor's Parcel No: 639-231-016-7  
Tax Sale Number: TC179  
Item Number: 187  
Date of Sale: 3/17/2008

The undersigned claimant, Global Discoveries, Ltd., claims \$35,266.46+/- or 100% of the claimant's share of the actual amount of excess proceeds from the sale of the property referenced above.

Global Discoveries, Ltd., claims its status as a party of interest pursuant to Section 4675 of the California Revenue and Taxation Code based upon the attached documentation:

Please refer to Claim Summary and attached Documents

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

Executed this 24<sup>th</sup> day of October, 2008 at Modesto, California.

By: [Signature]  
Jed Byerly, Chief Operating Officer  
Global Discoveries, Ltd. Tax ID # 77-0558969  
P.O. Box 1748  
Modesto, CA 95353-1748  
(209) 593-3913

**CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC**

State of California )

County of Stanislaus )

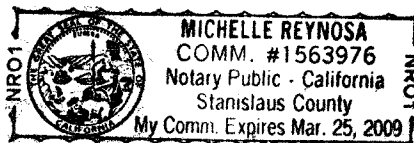
On 10-24-2008 before me, Michelle Reynosa, Notary Public, personally appeared  
(Date) (here insert name and title of the officer)

Jed Byerly, 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.

[Signature] (seal)  
Signature of Notary Public



**CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY**  
(SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

To: Paul McDonnell, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC 179 Item 187 Assessment No.: 639231016-7

Assessee: PEALL, KEITH S

Situs: 66199 W 2ND ST DSRT HOT SPG

Date Sold: March 17, 2008

Date Deed to Purchaser Recorded: May 12, 2008

Final Date to Submit Claim: May 12, 2009

RIVERSIDE COUNTY  
TREASURER/TAX COLLECTOR

08 AUG 19 AM 7:39

RECEIVED

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 19,938.89 from the sale of the above mentioned real property. I/We were the  lienholder(s),  property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. Reso 2008-61; recorded on \_\_\_\_\_. A copy of this document is attached hereto. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.

**NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.**

- Certification of Cynthia Lugo (Desert Hot Springs City Clerk) re: Resolution 2008-61 adopted on 8-5-08; Signed copy of Resolution 2008-61
- **APN 639-231-016** 6/26/08 letter and \$75 invoice; 6/12/08 letter and Invoice 08-04996 in the amount of \$19,863089; map of property; 7/10/08 Signed Declaration in Support of Notice of Submissions of Cost Report

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tentants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of the claim.  
I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 19 day of August, 2008 at Riverside County, CA  
County, State

Kristie Ramos  
Signature of Claimant

\_\_\_\_\_  
Signature of Claimant

Kristie Ramos, Deputy City Clerk  
Print Name City of Desert Hot Springs

\_\_\_\_\_  
Print Name

65950 Pierson Blvd.  
Street Address

\_\_\_\_\_  
Street Address

Desert Hot Springs, CA 92240  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

(760) 329-6411  
Phone Number

\_\_\_\_\_  
Phone Number

**RECORDING REQUESTED BY:**

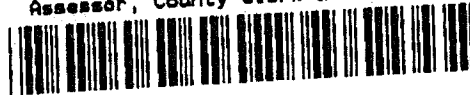
Office of the City Clerk  
City of Desert Hot Springs  
65950 Pierson Boulevard  
Desert Hot Springs, California 92240 ✓

**WHEN RECORDED MAIL TO:**

Code Enforcement Department ✓  
City of Desert Hot Springs  
65950 Pierson Boulevard  
Desert Hot Springs, California 92240

ASSESSOR PARCEL NO. 641-271-007

DOC # 2006-0116063 ✓  
02/16/2006 08:00A Fee:NC  
Page 1 of 7  
Recorded in Official Records  
County of Riverside  
Larry W. Ward  
Assessor, County Clerk & Recorder



M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
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									09
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

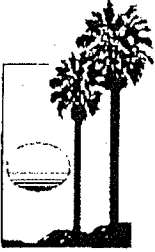
(Space above for Recorder's Use)

RECORDATION OF THIS INSTRUMENT IS EXEMPT FROM ALL FEES AND TAXES  
PURSUANT TO GOVERNMENT CODE §27383

OK  
JB



**NOTICE OF PUBLIC NUISANCE  
AND  
ORDER TO ABATE**



# City of Desert Hot Springs

Code Enforcement Division

65950 Pierson Blvd • Desert Hot Springs, California 92240  
Telephone (760) 329-3068 • FAX (760) 251-7896

## NOTICE OF PUBLIC NUISANCE AND ORDER TO ABATE

November 7, 2005

Keith S. Peall  
66199 2<sup>nd</sup> St.  
Desert Hot Springs, CA 92240 ✓

Dear Mr. Peall:

**PLEASE BE ADVISED** that, on November 7, 2005, the City of Desert Hot Springs (the "City") performed an inspection of real property located at 66199 2<sup>nd</sup> St., Desert Hot Springs, CA., referenced by Assessor's Parcel Number 639-231-016 ✓ and legally described as Lot 5 Blk K MB 019/066 Desert Hot Springs Cabin Sites (the "Property"). The City has determined that the property owner(s) of record is/are Keith S. Peall.

**PLEASE BE FURTHER ADVISED** that the City has determined that the following conditions existed at or upon the Property on November 3, 2005:

This property consists of a main residence (2) bedroom (1) bath, with a separate detached structure and unimproved driveway. The residence is currently unable to be secured, as the front door and all windows have either been removed or damaged to the point of providing no ability to exclude people, animals or the elements from the interior.

Inside the residence I have found no operating utilities (water, gas or electricity). I have also found that the plumbing and electricity lines are in a severe state of disrepair, with exposed plumbing and electric lines throughout the residence. The floorboards inside the living room and kitchen areas have been damaged and partially removed, exposing the crawl space below.



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Throughout the interior are large piles of trash, debris (mattresses, clothing and human urine/fecal matter). This location has been subject to transient, drug and other illegal activity. This has been evidenced by the discovery of subjects found inside, drug and paraphernalia located, as well as arrests made by the Police Department.

The detached building was found in the same state as the main residence. Code Enforcement personnel have located people in both buildings and advised them of the unsafe occupancy status of this property.

Along with the aforementioned conditions, Code Enforcement personnel have found children playing in the buildings who have been bothered by the transients.

**PLEASE BE FURTHER ADVISED** that the City has determined that the above-referenced conditions are public nuisances which pose a risk of harm or injury to property and/or to the health, safety and welfare of the citizens of the City. The identified public nuisances are being maintained and/or permitted to be maintained by you in violation of the laws indicated below:

Desert Hot Springs Municipal Code § 83.12 (A)

(1) **Attractive Nuisances:** It is unlawful and it shall be a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises or property in the city to maintain on any such premises or property any condition that constitutes an attractive nuisance including, but not limited to, the following:

- (a) Abandoned, damaged or broken equipment, machinery or household items;
- (b) Unfenced or otherwise unprotected wells or excavations.

(3) **Weeds:** It is unlawful and it shall be a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises or property in the city to maintain such premises or property in a manner that has resulted in overgrown weeds to be present on any front and visible side yards and sidewalks.

(5) **Fire Hazard:** It is unlawful and it shall be a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises or property in the city to maintain such premises or property in such a manner that has resulted in the accumulation of dry or dead plant matter, combustible refuse and waste or any other matter which by reason of its size, manner of growth and location, constitutes a fire hazard to any building, improvement, crop or other property.

(12) **Abandoned or vacated building or structures:** It is unlawful and it shall be a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises or property in the city to abandon or permanently vacate or cause to be abandoned or permanently vacated, any building or structure, so that it becomes accessible to unauthorized persons including, but not limited to, juveniles and vagrants, for unlawful or hazardous use, or to allow the same to become infested with vermin or rodents, or to become a menace to the health or safety of the public.



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(17) **Illegal, nonconforming building or structure:** It is unlawful and it shall be declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises or property in the city to maintain upon any such premises or property any building or structure, or any part thereof, which has been constructed or is maintained in violation of any applicable state or local law or regulation relating to the condition, use or maintenance of such building or structure.

(23) **Safety hazard:** It is unlawful and it shall be a public nuisance for any person to maintain any premises or property within the city in a manner that presents an imminent safety hazard and/or which creates a present and immediate danger to life, property, health or public safety.

(24) **Disruptive activities:** It is unlawful and it shall be a public nuisance for any person to operate or maintain any premises or property within the city in a manner that has resulted in repeated disruptive activities including, but not limited to, disturbances of the peace, public drunkenness, drinking in public, harassment of passersby's, sale of stolen good, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, illegal parking, loud noises between the hours of 10:00 p.m. and 6 a.m., traffic violations, curfew violations, or police detentions and arrests.

(39) **Municipal code violations:** It shall be deemed a public nuisance for any member of the public to create, cause, commit, permit or maintain any condition or to perform or cause to be performed any activity specifically identified as a public nuisance by the municipal code and/or applicable statute, rule, code or regulation.

**YOU ARE HEREBY ORDERED** to perform the following actions within fifteen (15) calendar days from the date of this Notice in order to remedy the above-referenced violations and public nuisance conditions and to maintain the Property in compliance with all laws at all times hereinafter prior to the imposition of any Administrative Fine:

***Board up and secure both structures in accordance with board-up standards or demolish structures in accordance with municipal codes.***

***Remove all trash, debris and visual blight in accordance with municipal codes.***

***Abandon and secure septic system. Fill in open excavation.***

***Remove all weeds, green litter and dried brush from property in accordance with municipal codes.***

**PLEASE TAKE FURTHER NOTICE** that you have the right to appeal this Notice of Public Nuisance and Order to Abate by filing a written appeal with the Code Enforcement Department, City of Desert Hot Springs, located at 65950 Pierson Blvd., Desert Hot Springs, California 92240, and paying the requisite filing fee within ten (10) calendar days from the service date of this Notice. The form to Appeal the Issuance of a Public Nuisance and Order to Abate is available at the Code Enforcement Department. Your failure to timely and properly file a complete appeal from this Notice of Public Nuisance and Order to Abate and pay the requisite filing fee shall constitute a waiver of all rights to an administrative appeal hearing and adjudication of this Notice of Public Nuisance and Order to Abate or any portion thereof. If you fail to file a timely appeal and pay the requisite filing fee, the determination that the above-referenced

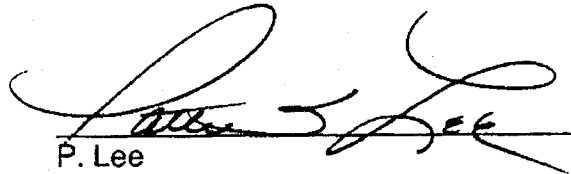


violations occurred and that you are responsible for said violations shall be deemed final on the date of this Notice of Public Nuisance and Order to Abate.

In the event you fail to comply with the Notice of Public Nuisance and Order to Abate once said Notice becomes final, the City may take any of the following actions against you:

- The City may prosecute you for a misdemeanor violation of the City's Municipal Code. Please be advised that each of the above-referenced violations constitutes a separate offense, and each day a violation continues is a new violation.
- The City may institute legal action to abate or enjoin any and all public nuisance conditions, which you have failed, refused, or neglected to abate. Such action may include an abatement warrant to permit the demolition and removal of all improvements located upon the Property and to remove all public nuisance conditions existing on the Property.
- All costs and fees, including attorney's fees, shall be recoverable from you and/or may be assessed against the Property in the event the City performs the abatement referenced herein.
- The City may cause this Notice of Public Nuisance and Order to Abate to be recorded against the Property by the Riverside County Recorder's Office.

Should you have any questions regarding this matter, please contact P. Lee at the Desert Hot Springs Code Enforcement Department at (760) 329-6411 ext 369.



P. Lee  
Code Enforcement Officer



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02/16/2006 08:00A  
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**DESERT HOT SPRINGS CODE ENFORCEMENT  
WARRANT CHECKLIST FOR SUBSTANDARD AND FIRE DAMAGED STRUCTURES**

66199 2<sup>nd</sup> St. CV050788

Assessor Parcel Number: 639-231-016      Date/Time of Inspection: 11-07-05

Date of Fire (if applicable): Unk      Inspector: Patti S. Lee

Legal Description: LOT 5, BLK K, MB 019/066 DESERT HOT SPRINGS CABIN SITES

Property Owner: Keith S. Peall      Address: Same as property

Tenants: \_\_\_\_\_

**Notice of Violation:**  
Date Sent (certified mail): 11-07-05    Date Posted: 11-07-05    Location of Posting: Front of house  
Photo of Posting:  yes  no

**Checklist:**  
Date Sent (certified mail): 11/07/05    Date Posted: 11/07/05    Location of Posting: Front of house  
Photo of Posting:  yes  no

**Notice to Vacate:**  
Date Sent (certified mail): \_\_\_\_\_    Date Posted: \_\_\_\_\_    Location of Posting: \_\_\_\_\_  
Photo of Posting:  yes  no

**Property Details:**

Describe surrounding uses (residential, commercial, etc.) If surrounding uses are residential, indicate whether adjacent residences are occupied: Occupied residential properties

Detailed description of conditions of subject property and any structures located on the property: Vacant, dilapidated dwelling with no running hot or cold water, no electricity.

Describe evidence of any unlawful entry onto property or structure after posting of property: \_\_\_\_\_  
N/A

Describe evidence of other unlawful activity at the structure or upon the property: \_\_\_\_\_

Describe evidence that children are entering the structure and/or property: \_\_\_\_\_

Are the burned portions of the structure readily viewable from the adjacent property or public right-of-way?  yes  no

SUBSTANDARD BUILDING CONDITIONS:	UNIFORM HOUSING CODE SECTIONS	HEALTH AND SAFETY CODE SECTIONS
1. <input checked="" type="checkbox"/> Lack of or improper water closet, lavatory, bathroom, shower or kitchen sink... OBTAIN PERMIT TO: <input checked="" type="checkbox"/> Repair to Applicable Codes <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure	1001 (b) 1,2,3 1001 (b) 4,5	17920.3 (a) 1,2,3 17920.3 (a) 4,5
2. <input checked="" type="checkbox"/> Lack of hot and cold running water to plumbing fixtures... OBTAIN PERMIT TO: <input checked="" type="checkbox"/> Repair to Applicable Codes <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure	1001 (b) 14	17920.3 (a) 14
3. <input type="checkbox"/> Lack of connection to required sewage/septic system... OBTAIN PERMIT TO: <input type="checkbox"/> Repair to Applicable Codes <input type="checkbox"/> Demolish or Rehabilitate Structure	1001 (f)	17920.3 (e)
4. <input checked="" type="checkbox"/> Hazardous plumbing... OBTAIN PERMIT TO: <input checked="" type="checkbox"/> Repair to Applicable Codes <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure	1001 (b) 10	17920.3 (a) 10
5. <input checked="" type="checkbox"/> Lack of required electrical lighting... OBTAIN PERMIT TO: <input checked="" type="checkbox"/> Repair to Applicable Codes <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure	1001 (e)	17920.3 (d)
6. <input checked="" type="checkbox"/> Hazardous wiring... OBTAIN PERMIT TO: <input checked="" type="checkbox"/> Repair to Applicable Codes <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure	1001 (a) 6	17920.3 (a) 6
7. <input checked="" type="checkbox"/> Lack of adequate heating facilities... OBTAIN PERMIT TO: <input checked="" type="checkbox"/> Repair to Applicable Codes <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure	1001 (c) 1	17920.3 (b) 1
8. <input checked="" type="checkbox"/> Deteriorated or inadequate foundation... OBTAIN PERMIT TO: <input checked="" type="checkbox"/> Repair to Applicable Codes <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure	1001 (c) 2	17920.3 (b) 2
9. <input checked="" type="checkbox"/> Defective or deteriorated flooring or floor supports... OBTAIN PERMIT TO: <input checked="" type="checkbox"/> Repair to Applicable Codes <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure	1001 (c) 4	17920.3 (b) 4
10. <input checked="" type="checkbox"/> Members of walls, partitions or other vertical supports that split, lean, list, or buckle due to defective material or deterioration... OBTAIN PERMIT TO: <input checked="" type="checkbox"/> Repair to Applicable Codes <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure	1001 (c) 6	17920.3 (b) 6
11. <input checked="" type="checkbox"/> Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split, or buckle due to defective material or deterioration... OBTAIN PERMIT TO: <input checked="" type="checkbox"/> Repair to Applicable Codes <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure	1001 (b) 11	17920.3 (a) 11
12. <input type="checkbox"/> Dampness of habitable rooms.		

- |       |  |  |  |                 |
|-------|--|--|--|-----------------|
|       | OBTAIN PERMIT TO:  | <input type="checkbox"/> Repair to Applicable Codes            | <input type="checkbox"/> Demolish or Rehabilitate Structure            |                 |
| 13.   | <input checked="" type="checkbox"/> Faulty weather protection.....   |  | 1001 (b) 1-4   | 17920.3 (g) 1-4 |
|       | A. Deterioration or ineffective weather proofing or exterior walls, roof or floors including Broken windows or doors, lack of paint or other approved wall covering. |  |  |                 |
|       | OBTAIN PERMIT TO:  | <input checked="" type="checkbox"/> Repair to Applicable Codes | <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure |                 |
| 14.   | <input checked="" type="checkbox"/> General dilapidation or improper maintenance.....  |  | 1001 (b) 13  | 17920.3 (a) 13  |
|       | OBTAIN PERMIT TO:  | <input checked="" type="checkbox"/> Repair to Applicable Codes | <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure |                 |
| 15.   | <input checked="" type="checkbox"/> Fire Hazard.....   |  | 1001 (l)   | 17920.3 (h)     |
|       | OBTAIN PERMIT TO:  | <input checked="" type="checkbox"/> Repair to Applicable Codes | <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure |                 |
| 16.   | <input checked="" type="checkbox"/> Extensive Fire Damage.....   |  | DHSMC 83.01 A-17   |                 |
|       | OBTAIN PERMIT TO:  | <input checked="" type="checkbox"/> Repair to Applicable Codes | <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure |                 |
| 17.   | <input checked="" type="checkbox"/> Public and attractive nuisance – abandoned/vacant.....   |  | DHSMC 83.01 A-1  |                 |
|       | OBTAIN PERMIT TO:  | <input checked="" type="checkbox"/> Repair to Applicable Codes | <input checked="" type="checkbox"/> Demolish or Rehabilitate Structure |                 |
| 18.   | <input type="checkbox"/> Improper Occupancy.....   |  | 1001 (o)   | 17920.3 (a)     |
|       | OBTAIN PERMIT TO:  | <input type="checkbox"/> Repair to Applicable Codes            | <input type="checkbox"/> Demolish or Rehabilitate Structure            |                 |
| <hr/> |  |  |  |                 |
| 19.   | <input type="checkbox"/>   | <input type="checkbox"/> Repair to Applicable Codes            | <input type="checkbox"/> Demolish or Rehabilitate Structure            |                 |
| <hr/> |  |  |  |                 |
| 20.   | <input type="checkbox"/>   | <input type="checkbox"/> Repair to Applicable Codes            | <input type="checkbox"/> Demolish or Rehabilitate Structure            |                 |

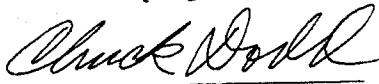
**Required Action:**

Check each box that describes the relief sought by the City of Desert Hot Springs:

- Demolish and remove the structure and any structural attachments to the structure such as pavement, foundation, room additions, patios, etc.
- Remove and destroy or dispose of any and all personal property items located inside and outside the residential structure that are not claimed by the property owners and/or occupants of the structure prior to the execution of the requested warrant.
- Other: Remove accumulated trash, debris and junk from in and around property. Remove weeds from property.

This property has been inspected for all structural deficiencies as noted within this document. The correction of these damages or deficiencies are the responsibility of the owner(s) of record or any other person(s) have a vested interest in this property. All cost associated with the abatement process including the warrant and other administrative actions or assessments will be attached as lien against this property.

  
Desert Hot Springs, Building Inspector

  
Desert Hot Springs, Building Official



DOC # 2006-0118597 ✓

02/17/2006 08:00A Fee:NC

Page 1 of 4

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



PLEASE COMPLETE THIS INFORMATION  
RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

*OFFICE OF THE CITY CLERK  
CITY OF DESERT HOT SPRINGS  
65950 PIERSON BLVD  
DESERT HOT SPRINGS CA 92240*

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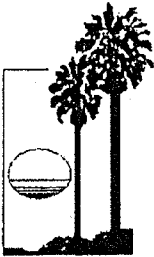


Title of Document

*NOTICE OF PENDENCY OF ADMINISTRATIVE PROCEEDINGS*

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

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



# City of Desert Hot Springs

## Code Enforcement Division

65950 Pierson Blvd • Desert Hot Springs, California 92240  
Telephone (760) 329-6411 • FAX (760) 251-3523

**Recording requested by:**

**When recorded, return to:**

Office of the City Clerk  
City of Desert Hot Springs ✓  
65950 Pierson Boulevard  
Desert Hot Springs, California 92240

**With a copy to:**

Code Enforcement Department ✓  
City of Desert Hot Springs  
65950 Pierson Boulevard  
Desert Hot Springs, California 92240

*EXEMPT FROM RECORDING FEES PURSUANT TO GOVERNMENT CODE SECTIONS 6103 & 27383*

### **NOTICE OF PENDENCY OF ADMINISTRATIVE PROCEEDINGS**

TO ALL PERSONS AND PARTIES HAVING OR CLAIMING ANY INTEREST IN  
THE FOLLOWING PROPERTY:

Property Address: 66199 2<sup>nd</sup> Street ✓  
Assessor Parcel Number: 639-231-016  
Legal Description: Lot 5 Blk K MB 019/066 Desert Hot Springs  
Cabin Sites

AND TO:

**Property owner of record and address:**

Keith S. Peall  
66199 2<sup>nd</sup> Street  
Desert Hot Springs, CA 92240 ✓

**Lender, Mortgage Holder, Guarantor, and other like interested parties and  
addresses:**

(BEING ALL PARTIES KNOWN TO HAVE A RECORD INTEREST IN SUCH  
PROPERTY)



2966-0118597  
02/17/2006 08:00A  
2 of 4

PLEASE TAKE NOTICE that the City of Desert Hot Springs, a municipal corporation, has determined that a public nuisance condition(s) exists on the real property described above and has instituted administrative proceedings for the abatement of said nuisance condition(s) pursuant to Desert Hot Springs Municipal Code Chapters 83, 84, 85, 86 and/or Chapter 87. Should the property owner of record, tenant, occupant, if any, and/or agent, if any, having charge or control of the property fail to abate all known and identified public nuisance condition(s) existing on the subject property, the City of Desert Hot Springs may institute any appropriate legal action or proceeding necessary to abate or enjoin the conditions causing the nuisance and charge the property owner of record for all costs and fees including, but not limited to, administrative costs and attorney's fees, incurred by the City of Desert Hot Springs to abate or enjoin, or cause to abate or enjoin, said nuisance condition(s). Should the property owner of record fail to pay all costs and fees incurred by the City of Desert Hot Springs to abate or enjoin, or cause to abate or enjoin, the nuisance condition(s), said costs and fees may become a special assessment against the subject property.

PLEASE TAKE FURTHER NOTICE that all parties who may hereafter have or claim an interest in the subject property are hereby placed on notice of the proceedings set forth herein. This notice of pendency of administrative proceedings shall be withdrawn by the City of Desert Hot Springs upon abatement of all known and identified public nuisance condition(s) on the subject property and the payment of all costs and fees (including legal costs and fees), if any, incurred by the City of Desert Hot Springs to abate or enjoin, or cause to abate or enjoin, said nuisance condition(s).

Information regarding this notice may be obtained from the Desert Hot Springs Code Enforcement Department located at 65950 Pierson Boulevard, Desert Hot Springs, California 92240, or by telephone at: (760) 329-6411.

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

DATE:

8/16/06

CITY OF DESERT HOT  
SPRINGS,  
a municipal corporation

BY:

[Signature]  
Authorized Agent

TITLE:

Code Enforcement  
Officer



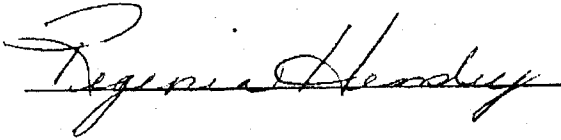
State of California

County of Riverside

On February 16, 2006 before me, Regenia Hensley Notary Public, personally appeared PATTI S. LEE, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

(Seal)



Document Description: Notice of Pendency of Administrative Proceedings

Address/APN: 66199 2nd St., Desert Hot Springs (639-231-016)



2006-0118597  
02/17/2006 08:08A  
4 of 4





**Yvonne Parks**  
Mayor

**Scott Matas**  
Mayor Pro Tem


**Karl Baker, Jr.**  
Councilmember

**Russell Betts**  
Councilmember

**Al Schmidt**  
Councilmember

**Rick Daniels**  
City Manager

I, Cynthia Lugo, City Clerk of the City of Desert Hot Springs, do hereby certify that the attached are true copy Resolution No. 2008-61, which was duly approved by the City Council of the City of Desert Hot Springs on the fifth of August, 2008.

  
Cynthia Lugo, City Clerk      8/6/08  
date

55950 Pierson Blvd.  
Desert Hot Springs  
California 92240

(760) 329-6411

[www.cityofdhs.org](http://www.cityofdhs.org)

RESOLUTION NO. 2008-61

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF DESERT HOT SPRINGS CONFIRMING A  
REPORT ACCOUNTING THE COSTS OF WEED  
ABATEMENT AND CONFIRMING AND ORDERING  
THE ASSESSMENT OF SUCH COSTS

**WHEREAS**, Chapter 83, Section 83.12 of the City of Desert Hot Springs Municipal Code and Article 2, Chapter 13, Part 2, Division 3, Title 4 of the California Government Code (Section 39500 *et. seq.*) authorize the City Council to order the abatement of weeds, rubbish and other flammable materials upon private property and to levy an assessment against such property for the cost of such abatement; and

**WHEREAS**, the City Council has, by prior action after duly noticed public hearing, issued an abatement order with respect to each of the properties described in Exhibit A to this resolution (the "Parcels"); and

**WHEREAS**, the City has incurred abatement costs with respect to each of the Parcels that remain unpaid by the owners of the Parcels; and

**WHEREAS**, on the date of the adoption of this Resolution, an itemized report accounting the cost of abatement in front of or on each of the Parcels (the "Report") was submitted to this City Council; and

**WHEREAS**, a copy of the Report is on file in the Office of the City Clerk and incorporated herein by reference; and

**WHEREAS**, on the date of the adoption of this Resolution, the City Council held a public hearing at which the owners of each of the Parcels had an opportunity to present the City Council with objections to the assessments described in the Report (the "Hearing"); and

**WHEREAS**, a copy of the Report, with a notice of the time of the Hearing was posted on or near the chamber door of the City Council for least three days prior to the Hearing; and

**WHEREAS**, notice of the submission of the report and the Hearing was mailed at least five days prior to the Hearing to each property owner liable to be assessed for the abatement.

THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS DOES RESOLVE AS FOLLOWS:

**SECTION 1:** The foregoing recitals are each true and correct.

**SECTION 2.** The City Council overrules any objections made pursuant to Section 3109C of the Municipal Code and confirms the Report as submitted.

**SECTION 3.** The City Council confirms the assessments against each of the parcels as shown on Exhibit A, hereto, and orders that the assessments be transmitted to the County of Riverside for collection at the same time and in the same manner as ordinary municipal taxes

**SECTION 4.** The City Clerk is directed to record in the office of the County Recorder notice of this order confirming the assessment.

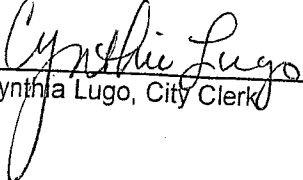
**PASSED, APPROVED AND ADOPTED** this fifth day of August, 2008.

AYES: 5

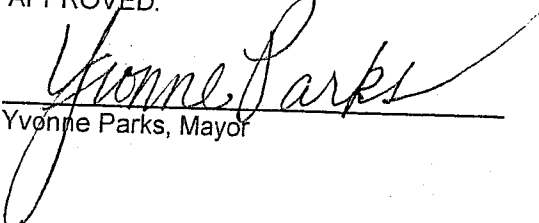
NAYS: 0

ABSTAIN: 0

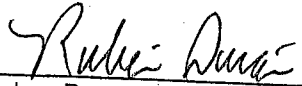
ATTEST:


  
Cynthia Lugo, City Clerk

APPROVED:

  
Yvonne Parks, Mayor

APPROVED AS TO FORM:

  
Ruben Duran, City Attorney

  
Rick Daniels, City Manager

**Abatement Services – Properties presented at Public Hearing – August 5, 2008**

Tiza Ozar  
66560 Ironwood Drive  
Desert Hot Springs, CA 92240  
APN# 641-271-007  
**\$36,055.89**

Keith Peall  
66199 Second Street  
Desert Hot Springs, Ca 92240  
APN# 639-231-016  
**\$19,938.89**



**Yvonne Parks**  
Mayor

**Scott Matas**  
Mayor Pro Tem

**Karl Baker, Jr.**  
Councilmember

**Russell Betts**  
Councilmember

**Al Schmidt**  
Councilmember

**Rick Daniels**  
City Manager

June 26, 2008

Tiza Ozar  
27432 Aliso Creek Road, 2<sup>ND</sup> Floor  
Aliso Viejo, CA 92656

RE: 66560 IRONWOOD DR. - (APN 641-271-007) - CITY OF DESERT HOT  
SPRINGS COST RECOVERY INVOICE FOR ABATEMENT & SERVICES

Dear Ms. Ozar:

The City of Desert Hot Springs Code Enforcement Department had an open case on your property as referenced above. Despite all attempts to obtain voluntary compliance, the City of Desert Hot Springs was forced to obtain an Abatement Warrant and abate the Public Nuisance.

Attached is the Cost Recovery Invoice # 08-04999 submitted to the City of Desert Hot Springs Finance Department. All fees are currently due and payable in full.

Please contact Linda Kelly, Finance Director at (760) 329-6411, Ext 289 to make arrangements to pay the fees identified in the Cost Recovery Invoice (attached).

Should you choose not to pay the fees incurred and/or do not contact Linda Kelly, the City of Desert Hot Springs will seek to lien your property and/or a tax lien to recover all monies as identified in the Cost Recovery Invoice and all additional fees incurred to process such Cost Recovery.

Should you have any further questions regarding this or other code related matters, please contact Code Enforcement by phoning (760) 329-6411, Ext 266 or sending an E-mail to [cvi@cityofdhs.org](mailto:cvi@cityofdhs.org).

Thank you for your anticipated cooperation.

Sincerely,

Fred T. Andree  
Code Enforcement Supervisor

Attachment: Cost Recovery Invoice # 08-04999

cc: Linda Kelly, Finance Director  
Steven Mendoza, Community Development Director/Asst. City Manager  
Glen E. Tucker, Prosecuting Attorney  
Ruben Duran, City Attorney

65950 Pierson Blvd.  
Desert Hot Springs  
California 92240

(760) 329-6411

[www.cityofdhs.org](http://www.cityofdhs.org)



# CITY OF DESERT HOT SPRINGS

65950 PIERSON BLVD.  
DESERT HOT SPRINGS, CA 92240  
(760) 329-6411

**INVOICE**

08-04999

Ozar, Tisa  
27432 Aliso Creek Road, Second Floor  
Aliso Viejo CA 92656-  
Account: 001-0000-1130

### Regarding Property Location

APN 641-271-007  
66560 Ironwood Drive  
Desert Hot Springs CA 92240-

Invoice Date 6/25/2008	Department Code Enforcement		
<b>QTY</b>	<b>DESCRIPTION</b>	<b>UNIT PRICE</b>	<b>AMOUNT</b>

Legal services to prepare return to warrant re abatement	75.00
--	-------

<b>Total</b>	<b>75.00</b>
--------------	--------------

*Thank You*

JUN 12 2008



June 12, 2008

**Yvonne Parks**  
Mayor

**Scott Matas**  
Mayor Pro Tem

**Karl Baker, Jr.**  
Councilmember

**Russell Betts**  
Councilmember

**Al Schmidt**  
Councilmember

**Rick Daniels**  
City Manager

Tiza Ozar  
27432 Aliso Creek Road, 2<sup>ND</sup> Floor  
Aliso Viejo, CA 92656

RE: 66560 IRONWOOD DR. - (APN 641-271-007) - CITY OF DESERT HOT SPRINGS COST RECOVERY INVOICE FOR ABATEMENT & SERVICES

Dear Ms. Ozar:

The City of Desert Hot Springs Code Enforcement Department had an open case on your property as referenced above. Despite all attempts to obtain voluntary compliance, the City of Desert Hot Springs was forced to obtain an Abatement Warrant and abate the Public Nuisance.

Attached is the Cost Recovery Invoice # 08-04995 submitted to the City of Desert Hot Springs Finance Department. **All fees are currently due and payable in full.**

Please contact Linda Kelly, Finance Director at (760) 329-6411, Ext 289 to make arrangements to pay the fees identified in the Cost Recovery Invoice (attached).

Should you choose not to pay the fees incurred and/or do not contact Linda Kelly, the City of Desert Hot Springs will seek to lien your property and/or a tax lien to recover all monies as identified in the Cost Recovery Invoice and all additional fees incurred to process such Cost Recovery.

Should you have any further questions regarding this or other code related matters, please contact Code Enforcement by phoning (760) 329-6411, Ext 266 or sending an E-mail to [cvi@cityofdhs.org](mailto:cvi@cityofdhs.org).

Thank you for your anticipated cooperation.

Sincerely,

Fred T. Andree  
Code Enforcement Supervisor  
City of Desert Hot Springs

Attachment: Cost Recovery Invoice # 08-04995

cc: Linda Kelly, Finance Director  
Steven Mendoza, Community Development Director/Asst. City Manager  
Glen E. Tucker, Prosecuting Attorney  
Ruben Duran, City Attorney

35950 Pierson Blvd.  
Desert Hot Springs  
California 92240

760) 329-6411

[www.cityofdhs.org](http://www.cityofdhs.org)



CITY OF DESERT HOT SPRINGS

65950 PIERSON BLVD.  
DESERT HOT SPRINGS, CA 92240  
(760) 329-6411

INVOICE

COPY 08-04995

Ozar, Tisa  
27432 Aliso Creek Road, Second Floor  
Aliso Viejo CA 92656-  
Account: 001-0000-1130

Regarding Property Location  
APN 641-271-007  
66560 Ironwood Drive  
Desert Hot Springs CA 92240-

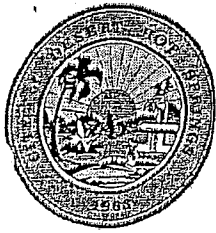
Invoice Date 6/11/2008	Department Code Enforcement		
CITY	DESCRIPTION	UNIT PRICE	AMOUNT

The following Code Enforcement Violation fees and associated legal fees listed below are due and payable:

21	Code Compliance Inspections - CE-17500	35.00	735.00
1	Property Research-Title/Map/Metro Scan - CE-17004	160.00	160.00
5	Administrative Citation Fee - CE-17600	45.00	225.00
1	Citation # 1226	500.00	500.00
1	Citation # 2058	2,000.00	2,000.00
1	Citation # 1178	1,500.00	1,500.00
1	Citation # 1179	500.00	500.00
1	Citation # 1225	1,500.00	1,500.00
1	Special Building Inspection/Red Tag Structures - BU-15417	103.00	103.00
1	Emergency Abatement Order- CE-17002	1,700.00	1,700.00
1	Building Demolition Fee - BU-15400	225.00	225.00
1	Contracted Abatement Costs - Asbestos Removal	3,700.00	3,700.00
1	Contracted Abatement Costs - Demolition and Capping Utilities	19,500.00	19,500.00
	Attorney/Legal Services		1,785.00
9	Code Enforcement and Administrative Staff time for meetings, file and document review and processing related to Cost Recovery. (9 Hours)	178.00	1,602.00
1	Administrative Time Finance Department (1 Hour)	132.89	132.89
1	Administrative Time Code Enforcement Department (1 Hour)	113.00	113.00

Thank You





CITY OF DESERT HOT SPRINGS

INVOICE

COPY 08-04995

65950 PIERSON BLVD.  
DESERT HOT SPRINGS, CA 92240  
(760) 329-6411

Ozar, Tisa  
27432 Aliso Creek Road, Second Floor  
Aliso Viejo CA 92656-  
Account: 001-0000-1130

Regarding Property Location

APN 641-271-007  
66560 Ironwood Drive  
Desert Hot Springs CA 92240-

Invoice Date 6/11/2008	Department Code Enforcement
DESCRIPTION	UNIT PRICE AMOUNT

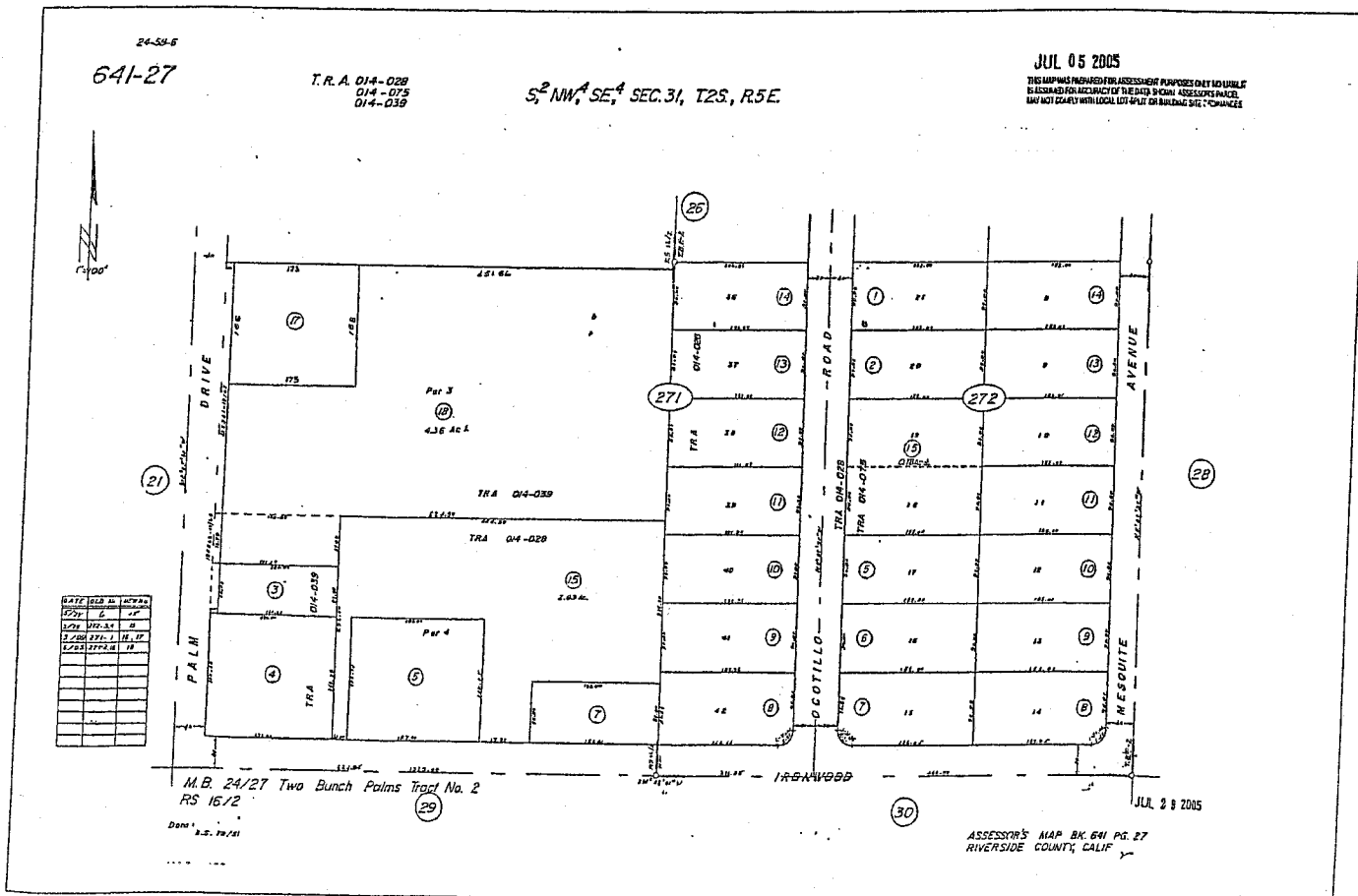
Total	35,980.89
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Thank You

## MetroScan / Riverside (CA)

Parcel : 641 271 007	Pos Int :	Ref APN : 000 000 000
Owner : Nakagawa Gregory D/Tisa		Land : \$47,754
CoOwner :		Struct : \$185,711
Site : 66560 Ironwood Dr Desert Hot Springs 92240		Other :
Mail : 27372 Aliso Creek Rd #100 Aliso Viejo Ca 92656		Total : \$233,465
Xfered : 12/31/2003	Doc # : 1017278	Exempt :
Price : \$220,000 Full	Deed : Grant Deed	Type :
LoanAmt : \$154,000	Loan : Conventional	% Imprvd : 80
Lender : Preferred Mortgage Alliance	IntTyp : Adjustable	% Owned : 100
VestTyp : Married Persons		Tax Area : 14-028
Use : R04 Res,2 Or More Residential Units		07-08 Tax : \$3,757.34
Plat :		Map Grid : 696 J5
Census : Tract : 445.10	Block : 1	OwnerPh :
S : T : R : Q :		Tenant Ph :

Bedrms : 4	Stories : 1	Acres : .33	Year Built : 1961
BthFull : 3	Fireplace : Yes	LotSqFt : 14,374	Street Type : Paved
Bth3Qt :	Pool : Yes	Bldg SF : 1,050	Waterfront :
BthHalf : 1	RmAddms : No	AddOnSF :	Gas Service : Developed
CntlHt : Yes	AddPkgTyp :	GarSqFt : 400	Water Source : Developed
CntlA/C : Yes	RoofType : Composition	Gar Type : Attached	Sewer Type : Available
			Agri Preserve :



Information compiled from various sources. Real Estate Solutions makes no representations or warranties as to the accuracy or completeness of information contained in this report.



June 26, 2008

**Yvonne Parks**  
Mayor

Keith S. Peall  
66199 2<sup>ND</sup> Street  
Desert Hot Springs, CA 92240

**Scott Matas**  
Mayor Pro Tem

RE: 66199 2<sup>ND</sup> STREET - (APN 639-231-016) - CITY OF DESERT HOT SPRINGS  
COST RECOVERY INVOICE FOR ABATEMENT & SERVICES

**Karl Baker, Jr.**  
Councilmember

Dear Mr. Peall:

**Russell Betts**  
Councilmember

The City of Desert Hot Springs Code Enforcement Department had an open case on your property as referenced above. Despite all attempts to obtain voluntary compliance, the City of Desert Hot Springs was forced to obtain an Abatement Warrant and abate the Public Nuisance.

**Al Schmidt**  
Councilmember

Attached is the Cost Recovery Invoice # 08-04998 submitted to the City of Desert Hot Springs Finance Department. All fees are currently due and payable in full.

**Rick Daniels**  
City Manager

Please contact Linda Kelly, Finance Director at (760) 329-6411, Ext 289 to make arrangements to pay the fees identified in the Cost Recovery Invoice (attached).

Should you choose not to pay the fees incurred and/or do not contact Linda Kelly, the City of Desert Hot Springs will seek to lien your property and/or a tax lien to recover all monies as identified in the Cost Recovery Invoice and all additional fees incurred to process such Cost Recovery.

Should you have any further questions regarding this or other code related matters, please contact Code Enforcement by phoning (760) 329-6411, Ext 266 or sending an E-mail to [cvi@cityofdhs.org](mailto:cvi@cityofdhs.org).

Thank you for your anticipated cooperation.

Sincerely,

Fred T. Andree  
Code Enforcement Supervisor

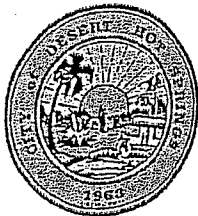
Attachment: Cost Recovery Invoice # 08-04998

cc: Linda Kelly, Finance Director  
Steven Mendoza, Community Development Director/Asst. City Manager  
Glen E. Tucker, Prosecuting Attorney  
Ruben Duran, City Attorney

65950 Pierson Blvd.  
Desert Hot Springs  
California 92240

(760) 329-6411

[www.cityofdhs.org](http://www.cityofdhs.org)



# CITY OF DESERT HOT SPRINGS

65950 PIERSON BLVD.  
DESERT HOT SPRINGS, CA 92240  
(760) 329-6411

**INVOICE**

08-04998

Peall, Keith S.

66199 Second Street

Desert Hot Springs CA 92240-

Account: 001-0000-1130

## Regarding Property Location

APN 639-231-016

66199 Second Street

Desert Hot Springs CA 92240-

Invoice Date 6/25/2008

Department Code Enforcement

CITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Legal services to prepare return to warrant re abatement		75.00
<b>Total.</b>			<b>75.00</b>

*Thank You*



**COPY**

JUN 12 2008

June 12, 2008

**Yvonne Parks**  
Mayor

**Scott Matas**  
Mayor Pro Tem

**Karl Baker, Jr.**  
Councilmember

**Russell Betts**  
Councilmember

**Al Schmidt**  
Councilmember

**Rick Daniels**  
City Manager

Keith S. Peall  
66199 2<sup>ND</sup> Street  
Desert Hot Springs, CA 92240

RE: 66199 2<sup>ND</sup> STREET - (APN 639-231-016) - CITY OF DESERT HOT SPRINGS  
COST RECOVERY INVOICE FOR ABATEMENT & SERVICES

Dear Mr. Peall:

The City of Desert Hot Springs Code Enforcement Department had an open case on your property as referenced above. Despite all attempts to obtain voluntary compliance, the City of Desert Hot Springs was forced to obtain an Abatement Warrant and abate the Public Nuisance.

Attached is the Cost Recovery Invoice # 08-04996 submitted to the City of Desert Hot Springs Finance Department. **All fees are currently due and payable in full.**

Please contact Linda Kelly, Finance Director at (760) 329-6411, Ext 289 to make arrangements to pay the fees identified in the Cost Recovery Invoice (attached).

Should you choose not to pay the fees incurred and/or do not contact Linda Kelly, the City of Desert Hot Springs will seek to lien your property and/or a tax lien to recover all monies as identified in the Cost Recovery Invoice and all additional fees incurred to process such Cost Recovery.

Should you have any further questions regarding this or other code related matters, please contact Code Enforcement by phoning (760) 329-6411, Ext 266 or sending an E-mail to [cvi@cityofdhs.org](mailto:cvi@cityofdhs.org).

Thank you for your anticipated cooperation.

Sincerely,

Fred T. Andree  
Code Enforcement Supervisor  
City of Desert Hot Springs

Attachment: Cost Recovery Invoice # 08-04996

cc: Linda Kelly, Finance Director  
Steven Mendoza, Community Development Director/Asst. City Manager  
Glen E. Tucker, Prosecuting Attorney  
Ruben Duran, City Attorney

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CITY OF DESERT HOT SPRINGS

65950 PIERSON BLVD.  
DESERT HOT SPRINGS, CA 92240  
(760) 329-6411

INVOICE

08-04996

COPY

Peall, Keith S.  
66199 Second Street  
Desert Hot Springs CA 92240-  
Account: 001-0000-1130

Regarding Property Location

APN 639-231-016  
66199 Second Street  
Desert Hot Springs CA 92240-

Invoice Date 6/11/2008 Department Code Enforcement

CITY	DESCRIPTION	UNIT PRICE	AMOUNT
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The following Code Enforcement Violation fees and associated legal fees listed below are due and payable:

14	Code Compliance Inspections - CE-17500	35.00	490.00
1	Property Research-Title/Map/Metro Scan - CE-17004	160.00	160.00
3	Administrative Citation Fee - CE-17600	45.00	135.00
1	Citation #1207	300.00	300.00
1	Citation # 1014	850.00	850.00
1	Citation #1027	2,000.00	2,000.00
1	Special Building Inspection/Red Tag Structures - BU-15417	103.00	103.00
1	Emergency Abatement Order - CE-17002	1,700.00	1,700.00
1	Building Demolition Fee - BU-15400	225.00	225.00
1	Contracted Abatement Costs - Asbestos Removal	800.00	800.00
1	Contracted Abatement Costs - Demolition and Capping Utilities	9,350.00	9,350.00
	Attorney/Legal Fees		1,725.00
10	Code Enforcement and Administrative Staff timefor meetings, file and document review and processing related to Cost Recovery. (10 hours)	178.00	1,780.00
1	Administrative Time Finance Department (1hour)	132.89	132.89
1	Administrative Time Code Enforcement Department (1hour)	113.00	113.00

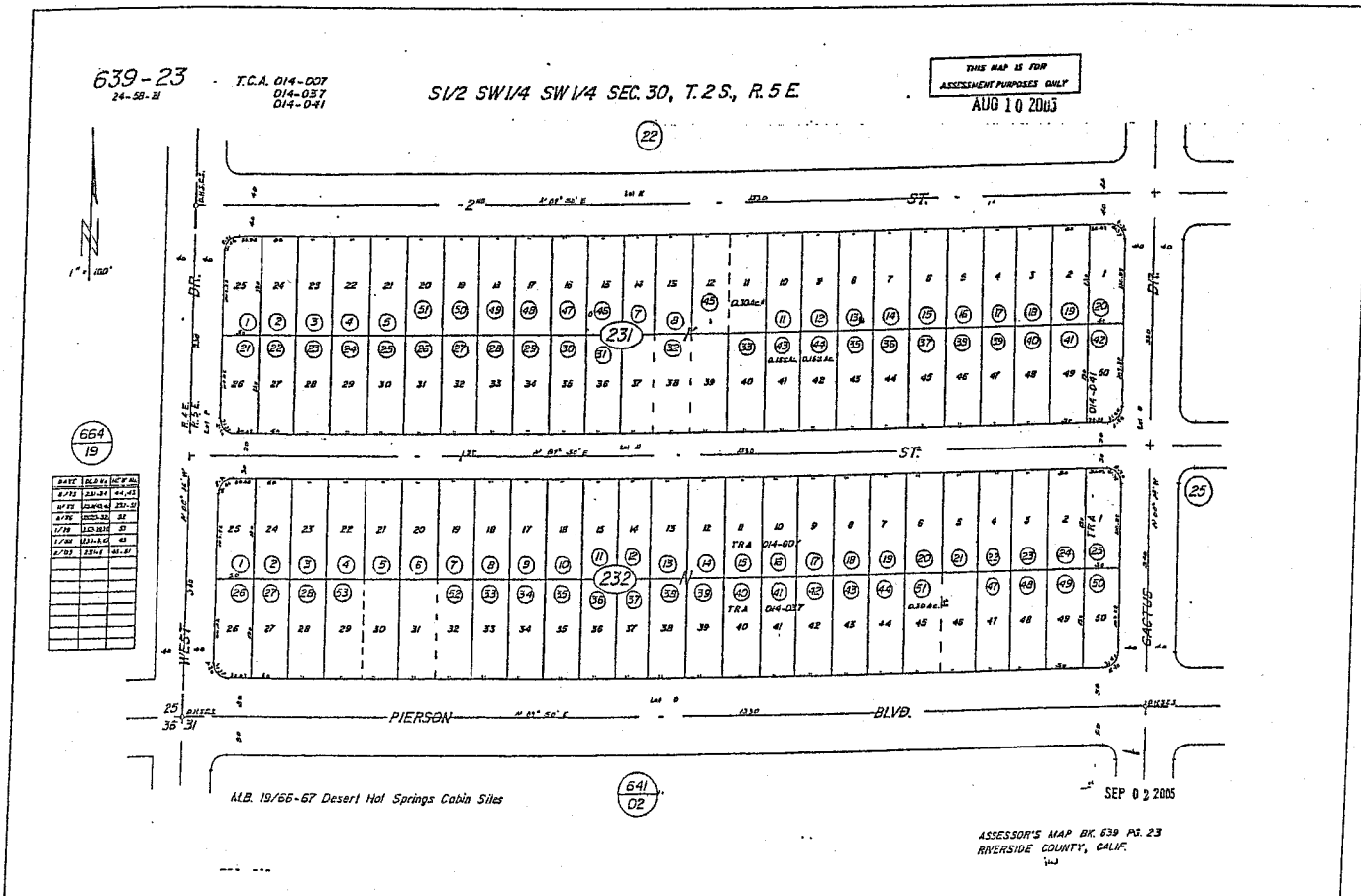
Total 19,863.89

Thank You

MetroScan / Riverside (CA)

Parcel	: 639 231 016	Pos Int	:	Ref APN	: 000 000 000
Owner	: Peall Keith S			Land	: \$8,027
CoOwner	:			Struct	: \$25,005
Site	: 66199 2nd St Desert Hot Springs 92240			Other	:
Mail	: 66199 2nd St Desert Hot Springs Ca 92240			Total	: \$33,032
Xfered	: 04/14/2000	Doc #	: 139869	Exempt	:
Price	: \$29,000 Full	Deed	: Grant Deed	Type	:
LoanAmt	: \$30,736	Loan	: Conventional	% Imprvd	: 76
Lender	: Associates Financial Services	IntTyp	: Fixed	% Owned	: 100
VestTyp	: Unmarried Person			Tax Area	: 14-007
Use	: R04 Res,2 Or More Residential Units			07-08 Tax	: \$843.54
Plat	: 19			Map Grid	: 696 H3
Census	: Tract : 445.09	Block	: 1	OwnerPh	:
S :	T :	R :	Q :	Tenant Ph	:

Bedrms	: 1	Stories	: 1	Acres	: .15	Year Built	: 1960
BthFull	:	Fireplace	: No	LotSqFt	: 6,534	Street Type	: Paved
Bth3Qt	: 1	Pool	: No	Bldg SF	: 848	Waterfront	:
BthHalf	:	RmAddtns	: Yes	AddOnSF	:	Gas Service	: Developed
CntlHt	: Yes	AddPkgTyp	:	GarSqFt	:	Water Source	: Developed
CntlA/C	: Yes	Roof Type	: Composition	Gar Type	:	Sewer Type	: Developed
						Agri Preserve	:



## CERTIFICATE OF THE CLERK

I Cynthia Lugo, City Clerk of the City of Desert Hot Springs, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of the City of Desert Hot Springs duly and regularly held at the regular meeting place thereof on August 5, 2008, of which meeting all of the members of said City Council had due notice, and at said meeting said resolution was adopted by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

I do hereby further certify that an agenda of said meeting was posted at least 72 hours before said meeting at 65950 Pierson Boulevard, Desert Hot Springs, Ca. 92240, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I do hereby further certify that I have carefully compared the foregoing copy with the original minutes of said meeting on file and of record in my office; that said copy is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified, rescinded or revoked in any manner since the date of its adoption, and the same is now in full force and effect.

Dated: August 5, 2008

---

City Clerk of the City of Desert Hot Springs

(SEAL)



July 10, 2008

**DECLARATION IN SUPPORT OF NOTICE OF SUBMISSION OF COST REPORT  
made under Desert Hot Springs Municipal Code Section 83.13 PUBLIC NUISANCE  
ABATEMENT COSTS.**

I the undersigned attest to the accuracy and adherence to the above referenced code:

I am employed as a Code Enforcement Officer and Supervisor for the City of Desert Hot Springs, California, and have been throughout this investigation and abatement process. I have been assigned to investigate, monitor and inspect the property and files of this case.

I am in that capacity, I am responsible for investigation of violations of violations and enforcement of the Desert Hot Springs Municipal Code (the "Code") including violations of Chapter 83 of the Code relating to Public Nuisance Abatement. As a Code Enforcement Officer of the City, I am also responsible for investigation reports of the building, zoning, health, safety and housing codes adopted by the Code. The City offices are located at 65-950 Pierson Blvd, in the City of Desert Hot Springs, County of Riverside.

This declaration is made in Support of the Notice of Submission of Cost Recovery for the property commonly known as 66560 Ironwood Drive, Desert Hot Springs, California, identified as Assessor's Parcel No. 641-271-007 (the "property") located in the above-mentioned judicial district.

- (A.) The conditions which necessitated the summary abatement exist on private property and the City of Desert Hot Springs elected to perform public nuisance abatement work pursuant to Section 83.12, seeks to recover all costs of abatement incurred by the city, including, but not limited to, administrative costs for which the property is liable pursuant to code.
- (B.) The conditions were limited to private property not public property.
- (C.) Recovery of costs pursuant to this section are in addition to and do not limit any prevailing party's right to recover any cost that a prevailing party is entitled to recover by law.
- (D.) Upon completion of the abatement work performed by or under the direction of the City, I prepare an abatement cost report in the form proscribed by this section which provides an accounting of the cost, including incidental expenses, incurred as a result of abating the public nuisance.
- (E.) The abatement cost report includes all costs associated with the demolition of buildings or structures and abatement of all trash, junk, debris and asbestos located on this property. property, including any salvage value relating thereto and a total of all such costs. The abatement cost report shall also include the following information:

1. A description of the real property where the abatement activity took place;
2. The names and addresses of the persons entitled to receive notice;
3. Description of the work completed;
4. A determination that the amount of the costs set forth in the abatement cost report are accurate and reasonable;
5. A determination that the City took the minimal and most reasonable and feasible action necessary to immediately abate the activity or activities and/or condition or conditions causing the public nuisance;
6. Notice of the opportunity to appeal the amount and the reasonableness of the abatement costs; and
7. Notice of the manner in which the City intends to collect the final and approved abatement costs.


- (F.) The Abatement Officer shall file the original abatement cost report with the City Clerk who shall cause the abatement cost report to be filed in the office of the County Recorder.
- (G.) If the Abatement Officer determines that the public nuisance conditions which necessitate summary abatement have been caused or permitted by the person(s) having charge or control of the property where the nuisance is located, the abatement cost report and any amended or supplemental report, shall be served upon the record owner and/or any agent having charge or control of the property.
- (H.) If the Abatement Officer determines that the public nuisance conditions which necessitate summary abatement have been caused or permitted by person(s) other than the person(s) having charge or control of the property where the nuisance is located, the Abatement Officer shall make a diligent effort to determine the address of such person(s) and shall cause a copy of the abatement cost and any amended or supplemental report to be served upon such persons.
- (I.) The failure of the Abatement Officer to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this chapter.
- (J.) Where the public nuisance conditions exist on private property, service of a copy of the abatement cost report shall be made upon the owner(s) of record of the parcel of land on which the public nuisance exists by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the County or as known to the Abatement Officer. If no address of any such person so appears or is not otherwise known,

then a copy of the abatement cost report shall be so mailed, addressed to such person(s), at the address of the subject premises.

- (K.) Where the public nuisance conditions exist on public property and the Abatement Officer is able to determine the person(s) responsible for causing the public nuisance conditions, the Abatement Officer shall make a diligent effort to determine the address of such person(s) and service of a copy of the abatement cost report shall be made upon each such person(s) by certified mail, postage prepaid, return receipt requested.
- (L.) The failure of the Abatement Officer to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this chapter.
- (M.) Proof of service of the abatement cost report shall be certified at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail shall be affixed to a copy of the abatement cost report and retained by the Abatement Officer.
- (N.) Service of an abatement cost report which is personally served shall be deemed completed at the time of such delivery. Service of a abatement cost report which is served by mail is deemed completed on the date the abatement cost report is deposited in the mail.
- (O.) Any person(s) responsible for payment of abatement costs pursuant to this section may appeal the City's determination that the amount of the costs set forth in the abatement cost report are accurate and reasonable and/or the City's determination that the City took the minimal and most reasonable and feasible action necessary to immediately abate the activity or activities and/or condition or conditions causing the public nuisance.
- (P.) Failure to timely and properly file an appeal from an abatement cost report shall constitute a waiver of all rights to an appeal of the abatement cost report or any portion thereof. The determination that the amount of the costs set forth in the abatement cost report are accurate and reasonable shall be deemed final on the day that service of the abatement cost report is deemed completed.
- (Q.) Person(s) responsible for payment of abatement costs shall pay all such costs no later than 30 calendar days from the date the abatement cost report becomes final. The amount of the abatement costs for which such person(s) shall be responsible shall be as set forth in the final abatement cost report.
- (R.) Final abatement costs shall be deemed a civil debt owing to the City. An action may be commenced in the name of the City in any court of competent jurisdiction for the collection of the amount of any delinquent or unpaid

abatement cost. The remedy prescribed by this section shall be cumulative, and the use of an action to collect such an amount as a debt by civil action shall not bar the use of any other remedy provided by the municipal code or by law.

- (T.) Notice of the imposition of a special assessment shall be sent by certified mail return receipt requested to the property owner, if the property owner's identity can be determined from the records of the office of the County Assessor or the office of the County Recorder. The notice shall be given at the time of imposing the assessment and shall specify that the property may be sold after three years by the Tax Collector for unpaid delinquent assessments.
- (U.) The notice of special assessment shall be filed and recorded in the office of the County Recorder.
- (V.) Subject to the requirements applicable to the sale of property pursuant to the California Revenue and Taxation Code Section 3691, the City may conduct a sale of vacant residential developed property for which the payment of an assessment is delinquent.
- (W.) Upon entry of a second or subsequent civil or criminal judgment within a two-year period finding that an owner of property is responsible for a condition that may be abated, excepting any conditions abated pursuant to California Health and Safety Code Section 17980, the City may seek to recover treble the costs of the abatement from the owner. (Ord. 2001-11, adopted 9-18-01)



Fred T. Andree  
Code Enforcement Supervisor  
City of Desert Hot Springs

July 10, 2008

**DECLARATION IN SUPPORT OF NOTICE OF SUBMISSION OF COST REPORT  
made under Desert Hot Springs Municipal Code Section 83.13 PUBLIC NUISANCE  
ABATEMENT COSTS.**

I the undersigned attest to the accuracy and adherence to the above referenced code:

I am employed as a Code Enforcement Officer and Supervisor for the City of Desert Hot Springs, California, and have been throughout this investigation and abatement process. I have been assigned to investigate, monitor and inspect the property and files of this case.

I am in that capacity, I am responsible for investigation of violations of violations and enforcement of the Desert Hot Springs Municipal Code (the "Code") including violations of Chapter 83 of the Code relating to Public Nuisance Abatement. As a Code Enforcement Officer of the City, I am also responsible for investigation reports of the building, zoning, health, safety and housing codes adopted by the Code. The City offices are located at 65-950 Pierson Blvd, in the City of Desert Hot Springs, County of Riverside.

This declaration is made in Support of the Notice of Submission of Cost Recovery for the property commonly known as 66199 Second Street, Desert Hot Springs, California, identified as Assessor's Parcel No. 639-231-016 (the "property") located in the above-mentioned judicial district.

- (A.) The conditions which necessitated the summary abatement exist on private property and the City of Desert Hot Springs elected to perform public nuisance abatement work pursuant to Section 83.12, seeks to recover all costs of abatement incurred by the city, including, but not limited to, administrative costs for which the property is liable pursuant to code.
- (B.) The conditions were limited to private property not public property.
- (C.) Recovery of costs pursuant to this section are in addition to and do not limit any prevailing party's right to recover any cost that a prevailing party is entitled to recover by law.
- (D.) Upon completion of the abatement work performed by or under the direction of the City, I prepare an abatement cost report in the form proscribed by this section which provides an accounting of the cost, including incidental expenses, incurred as a result of abating the public nuisance.
- (E.) The abatement cost report includes all costs associated with the demolition of buildings or structures and abatement of all trash, junk, debris and asbestos located on this property. property, including any salvage value relating thereto and a total of all such costs. The abatement cost report shall also include the following information:

1. A description of the real property where the abatement activity took place;
2. The names and addresses of the persons entitled to receive notice;
3. Description of the work completed;
4. A determination that the amount of the costs set forth in the abatement cost report are accurate and reasonable;
5. A determination that the City took the minimal and most reasonable and feasible action necessary to immediately abate the activity or activities and/or condition or conditions causing the public nuisance;
6. Notice of the opportunity to appeal the amount and the reasonableness of the abatement costs; and
7. Notice of the manner in which the City intends to collect the final and approved abatement costs.

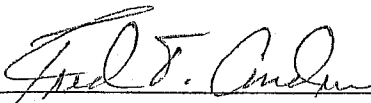
- (F.) The Abatement Officer shall file the original abatement cost report with the City Clerk who shall cause the abatement cost report to be filed in the office of the County Recorder.
- (G.) If the Abatement Officer determines that the public nuisance conditions which necessitate summary abatement have been caused or permitted by the person(s) having charge or control of the property where the nuisance is located, the abatement cost report and any amended or supplemental report, shall be served upon the record owner and/or any agent having charge or control of the property.
- (H.) If the Abatement Officer determines that the public nuisance conditions which necessitate summary abatement have been caused or permitted by person(s) other than the person(s) having charge or control of the property where the nuisance is located, the Abatement Officer shall make a diligent effort to determine the address of such person(s) and shall cause a copy of the abatement cost and any amended or supplemental report to be served upon such persons.
- (I.) The failure of the Abatement Officer to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this chapter.
- (J.) Where the public nuisance conditions exist on private property, service of a copy of the abatement cost report shall be made upon the owner(s) of record of the parcel of land on which the public nuisance exists by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the County or as known to the Abatement Officer. If no address of any such person so appears or is not otherwise known,

then a copy of the abatement cost report shall be so mailed, addressed to such person(s), at the address of the subject premises.

- (K.) Where the public nuisance conditions exist on public property and the Abatement Officer is able to determine the person(s) responsible for causing the public nuisance conditions, the Abatement Officer shall make a diligent effort to determine the address of such person(s) and service of a copy of the abatement cost report shall be made upon each such person(s) by certified mail, postage prepaid, return receipt requested.
- (L.) The failure of the Abatement Officer to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this chapter.
- (M.) Proof of service of the abatement cost report shall be certified at the time of service by a written declaration under penalty of perjury executed by the persons effecting service, declaring the date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail shall be affixed to a copy of the abatement cost report and retained by the Abatement Officer.
- (N.) Service of an abatement cost report which is personally served shall be deemed completed at the time of such delivery. Service of a abatement cost report which is served by mail is deemed completed on the date the abatement cost report is deposited in the mail.
- (O.) Any person(s) responsible for payment of abatement costs pursuant to this section may appeal the City's determination that the amount of the costs set forth in the abatement cost report are accurate and reasonable and/or the City's determination that the City took the minimal and most reasonable and feasible action necessary to immediately abate the activity or activities and/or condition or conditions causing the public nuisance.
- (P.) Failure to timely and properly file an appeal from an abatement cost report shall constitute a waiver of all rights to an appeal of the abatement cost report or any portion thereof. The determination that the amount of the costs set forth in the abatement cost report are accurate and reasonable shall be deemed final on the day that service of the abatement cost report is deemed completed.
- (Q.) Person(s) responsible for payment of abatement costs shall pay all such costs no later than 30 calendar days from the date the abatement cost report becomes final. The amount of the abatement costs for which such person(s) shall be responsible shall be as set forth in the final abatement cost report.
- (R.) Final abatement costs shall be deemed a civil debt owing to the City. An action may be commenced in the name of the City in any court of competent jurisdiction for the collection of the amount of any delinquent or unpaid

abatement cost. The remedy prescribed by this section shall be cumulative, and the use of an action to collect such an amount as a debt by civil action shall not bar the use of any other remedy provided by the municipal code or by law.

- (T.) Notice of the imposition of a special assessment shall be sent by certified mail return receipt requested to the property owner, if the property owner's identity can be determined from the records of the office of the County Assessor or the office of the County Recorder. The notice shall be given at the time of imposing the assessment and shall specify that the property may be sold after three years by the Tax Collector for unpaid delinquent assessments.
- (U.) The notice of special assessment shall be filed and recorded in the office of the County Recorder.
- (V.) Subject to the requirements applicable to the sale of property pursuant to the California Revenue and Taxation Code Section 3691, the City may conduct a sale of vacant residential developed property for which the payment of an assessment is delinquent.
- (W.) Upon entry of a second or subsequent civil or criminal judgment within a two-year period finding that an owner of property is responsible for a condition that may be abated, excepting any conditions abated pursuant to California Health and Safety Code Section 17980, the City may seek to recover treble the costs of the abatement from the owner. (Ord. 2001-11, adopted 9-18-01)



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Fred T. Andree

Code Enforcement Supervisor

City of Desert Hot Springs