

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

314B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
September 23, 2010

SUBJECT: Abatement of Public Nuisance [Grading Without a Permit]
Case No: CV 09-06758 (INDYMAC VENTURE, LLC)
Subject Property: 37470 Winners Circle, Temecula; APN: 927-150-032
District: 3

RECOMMENDED MOTION: Move that:

1. The grading without permits on the real property located at 37470 Winners Circle, Temecula, Riverside County, California, APN: 927-150-032 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which prohibits grading of more than fifty (50) cubic yards without a grading permit.
2. That a five (5) year hold on the issuance of building permits and land use approvals be placed on the property.

(Continued)

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

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

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

C.E.O. RECOMMENDATION:

APPROVE

BY *Tina Grande*
Tina Grande

County Executive Office Signature

Policy Policy
Consent Consent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Stone 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: October 5, 2010
xc: Co. Co., CED, Prop. Owner

Kecia Harper-Ihem
Clerk of the Board

By: *Kecia Harper-Ihem*
Deputy

9.1

Prev. Agn. Ref.: ATTACHMENTS FILED | District: 3 | Agenda Number:

WITH THE CLERK OF THE BOARD

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

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

BACKGROUND:

1. An inspection was made of the subject property by the Code Enforcement Officer on September 9, 2009. The inspection revealed several piles of dirt on the property in violation of Riverside County Ordinance No. 457 (RCC Title 15). The Officer measured three thousand five hundred one (3,501) cubic yards of dirt stockpiled on the property. A search of Riverside County records indicates that no permit for grading has been obtained.
2. Follow-up inspections on March 18, 2010, April 29, 2010, May 12, 2010, June 22, 2010 and August 24, 2010, revealed that the property continues to be in violation of Riverside County Ordinance No. 457.
3. Staff and the Code Enforcement Department have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for grading without a permit.

1 **BOARD OF SUPERVISORS**
2 **COUNTY OF RIVERSIDE**

3 IN RE ABATEMENT OF PUBLIC NUISANCE) CASE NO. CV 09-06758
4 [GRADING WITHOUT PERMITS] APN: 927-)
5 150-032, 37470 WINNERS CIRCLE,)
6 TEMECULA, COUNTY OF RIVERSIDE, STATE) DECLARATION OF OFFICER
7 OF CALIFORNIA; INDYMAC VENTURE, LLC,) JANE TATE
8 OWNER.) [R.C.O. Nos. 457 (RCC Title 15) and 725
9) (RCC Title 1) and Board of Supervisors Policy
10) F-6]
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8 I, Jane Tate, declare that the facts set forth below are personally known to me except to the
9 extent that certain information is based on information and belief that I believe to be true, and if called
10 as a witness, I could and would competently testify thereto under oath:

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

14 2. On September 9, 2009, I conducted an initial inspection of the real property described as
15 37470 Winners Circle, Temecula, Riverside County, California and further described as Assessor's
16 Parcel Number 927-150-032 (hereinafter referred to as "THE PROPERTY"). A true and correct copy of
17 a Thomas Brothers map indicating the location of THE PROPERTY is attached hereto as Exhibit "A"
18 and incorporated herein by reference.

19 3. A review of County records and documents disclosed that THE PROPERTY is owned by
20 Indymac Venture, LLC (hereinafter referred to as "OWNER"). The former owners were Timothy
21 Gerard Chachere and Mary Ruth Rivet (hereinafter referred to as "INTERESTED PARTIES"). A
22 certified copy of the County Equalized Assessment Roll for the year 2009-2010 and a copy of the
23 County Geographic Information System ("GIS") report is attached hereto and incorporated herein by
24 reference as Exhibit "B."

25 4. Based upon the Lot Book Report issued by RZ Title Service on March 22, 2010 and
26 updated on June 23, 2010, it is determined that there are no other interested parties. True and correct
27 copies of the Lot Book Reports are attached hereto and incorporated herein as Exhibit "C."

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1 5. On September 9, 2009, I conducted an initial inspection of THE PROPERTY. I entered
2 onto THE PROPERTY through an open fence. I observed several piles of dirt. Using a measuring
3 wheel, I measured the areas and determined that three thousand five hundred one (3,501) cubic yards of
4 dirt had been stockpiled and constituted a public nuisance in violation of the provisions set forth in
5 Riverside County Ordinance ("RCO") No 457, Section 4, Subdivision (J)(2), as codified in Riverside
6 County Code ("RCC") Title 15. I posted a Notice of Violation (RCO No. 457) to THE PROPERTY.

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

9 7. On September 18, 2009, a Notice of Violation for Unapproved was mailed to former
10 owners and INTERESTED PARTIES by certified mail, return receipt requested.

11 8. On April 26, 2010, a Notice of Violation for Unapproved Grading was mailed to
12 OWNER by certified mail, return receipt requested.

13 9. On October 15, 2009, a representative of INTERESTED PARTIES, Juan Durant,
14 telephoned and inquired as to how to comply with the Notice. I explained the permit process and
15 provided him with the address and telephone number of the Building and Safety Department. A permit
16 was subsequently applied for and later became unresponsive for lack of payment.

17 10. On March 18, 2010, April 29, 2010 and June 22, 2010, I conducted follow-up inspections
18 of THE PROPERTY. From the road right of way, I observed that natural vegetation had grown over the
19 piles of dirt and THE PROPERTY remained in violation of RCO No. 457.

20 11. On April 30, 2010, I received a telephone call from a representative of OWNER. She
21 requested information on how to gain compliance and the permit process. I explained the violation and
22 the process to gain compliance. On May 6, 2010, I received an e-mail from OWNER'S representative
23 stating that they had obtained a civil engineer and would be obtaining a permit.

24 12. On May 12, 2010, I met OWNER'S grading contractor, Kerry Clegg, at THE
25 PROPERTY for a follow up inspection. I provided photographs of THE PROPERTY taken during my
26 initial inspection and explained the compliance process. I observed THE PROPERTY remained in
27 violation. Later that day I received a call from OWNER'S engineer and again I explained the
28 compliance process.

1 13. On May 20, 2010, I met OWNER'S grader, John Thomas at my office. I provided him
2 with photographs of THE PROPERTY and we discussed the compliance process and timeframe.

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

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

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

10 17. The grading on THE PROPERTY is in excess of fifty (50) cubic yards and was done
11 without a permit and is therefore in violation of Riverside County Ordinance No. 457 (RCC Title 15).
12 Under Riverside County Ordinance No. 725 (RCC Chapter 1.16), any condition caused, maintained or
13 permitted to exist in violation of any of the provisions of county land use ordinances, including
14 Riverside County Ordinance No. 457, is declared unlawful and a public nuisance that may be abated
15 consistent with the procedures provided for in Riverside County Ordinance No. 725, or in any other
16 manner provided by law.

17 18. A Notice of Non-Compliance was recorded in the Office of the County Recorder, County
18 of Riverside, State of California, on May 7, 2010, as Instrument Number 2010-0211086. The notice
19 advised OWNER to immediately correct the grading violation to avoid further action by the County of
20 Riverside, which may include remediation or restoration to abate the illegal grading or other remedies
21 available to the department by a court of competent jurisdiction. The notice further advised that any
22 costs incurred by the County may become a lien on THE PROPERTY. In addition, the notice states
23 RCO No. 457 allows for the Department of Building & Safety to place a five year flag on the issuance
24 of building permits and land use approvals for property that has been graded without approval or
25 permits. A true and correct copy of the Notice of Non-Compliance is attached hereto and incorporated
26 herein by reference as Exhibit "F".

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1 19. A review of County records revealed no active assessment or grading permit on file for
2 THE PROPERTY. The BHR permit obtained by INTERESTED PARTIES is in an "unresponsive"
3 process, with two letters sent to INTERESTED PARTIES concerning the balance due.

4 20. A subsequent inspection on August 24, 2010 revealed that THE PROPERTY remained in
5 violation of RCO No. 457 (RCC Title 15) due to the grading without permits.

6 21. On August 23, 2010, the second notice -- "Notice to Correct County Ordinance Violations
7 and Abate Public Nuisance" providing notification of the Board of Supervisors' hearing scheduled for
8 October 5, 2010, as required by Riverside County Ordinance No. 725, was mailed to OWNER by
9 certified mail, return receipt requested and on August 24, 2010 was posted on THE PROPERTY. True
10 and correct copies of the notice, returned receipt cards, together with the proof of service, and the
11 affidavit of posting of notices are attached hereto as Exhibit "G" and incorporated herein by reference.

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

14 23. Accordingly, the following findings and conclusions are recommended:

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

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

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

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

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

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

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

10 Executed this 24th day of AUGUST, 2010 at MURRIETA, California.

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13 _____
14 JANE TATE
15 Code Enforcement Officer
16 Code Enforcement Department
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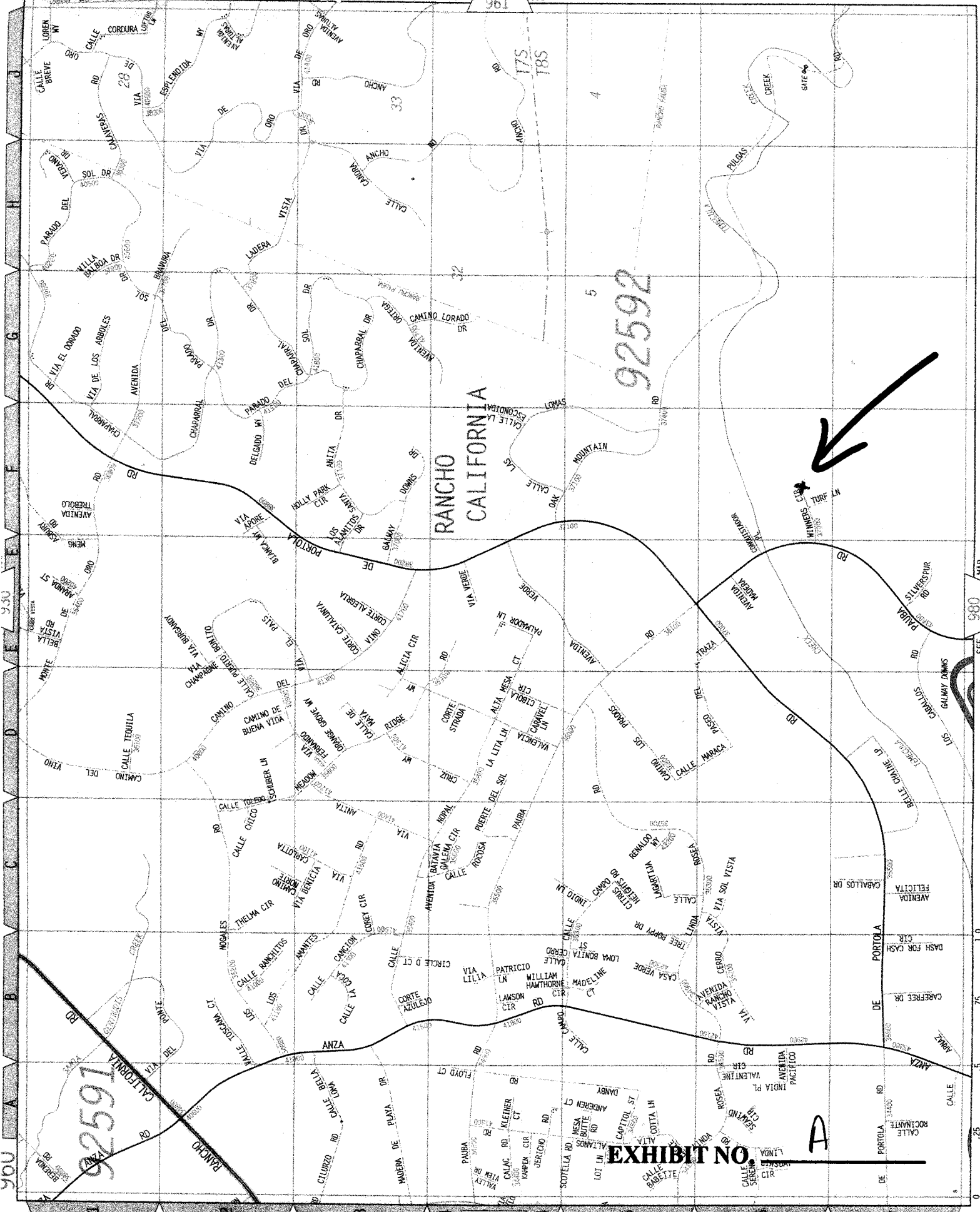


EXHIBIT NO. A

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

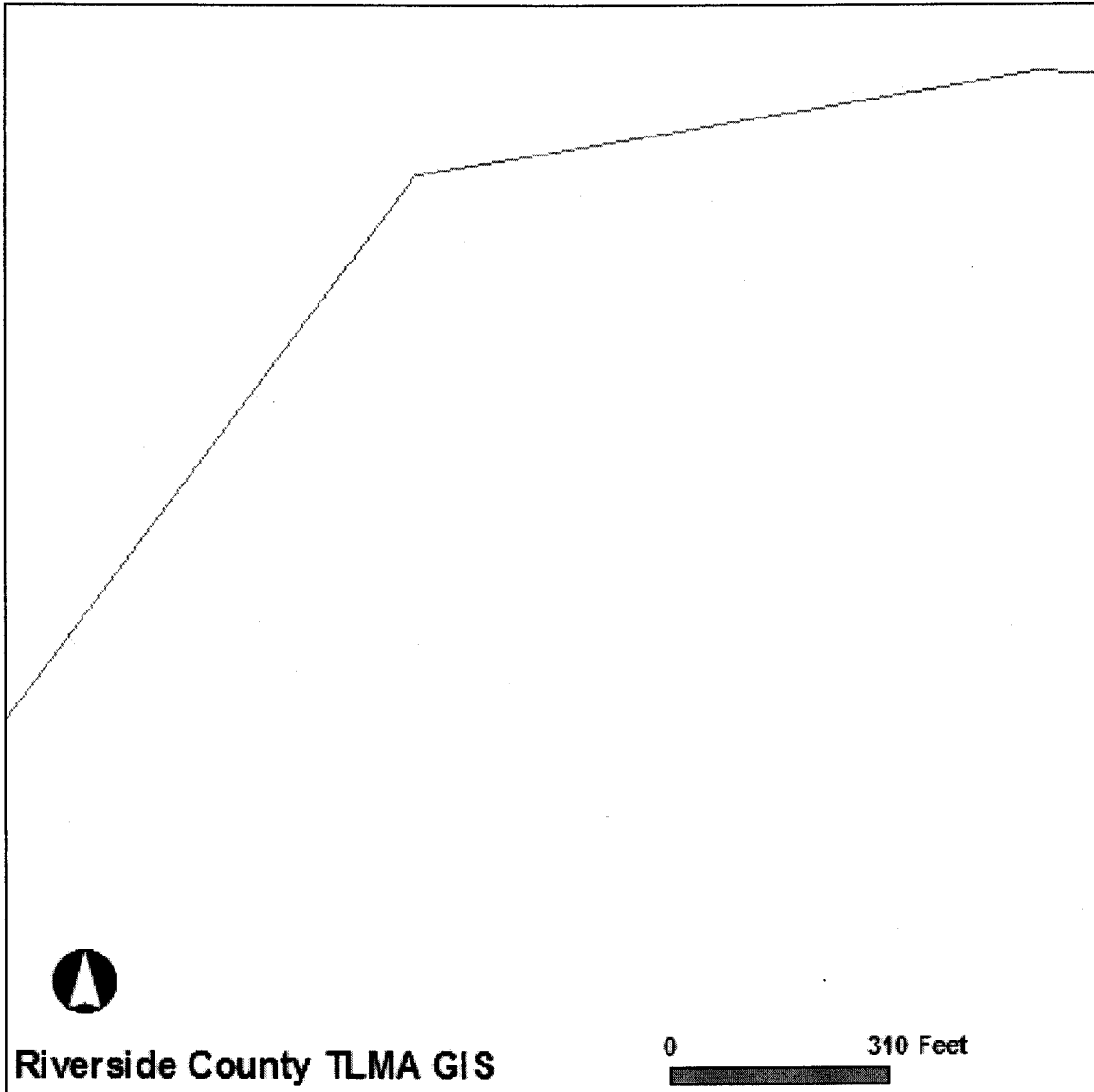
Assessment #927150032-7

Parcel # 927150032-7

Assessee:	CHACHERE TIMOTHY GERARD	Land	350,000
Assessee:	RIVET MARY RUTH	Structure	1,063,000
Mail Address:	26 SOMERSET DOVE CYN	Full Value	1,413,000
City, State Zip:	TRABUCO CANYON CA 92679	Total Net	1,413,000
Real Property Use Code:	R1	<div style="border: 1px solid black; padding: 5px; display: inline-block;">View Parcel Map</div>	
Base Year	2009		
Conveyance Number:	0261431		
Conveyance (mm/yy):	4/2005		
PUI:	R010012		
TRA:	94-033		
Taxability Code:	0-00		
ID Data:	Lot 4 PM 094/043 PM 16070		
Situs Address:	37470 WINNERS CIR TEMECULA CA 92592		

EXHIBIT NO. B

RIVERSIDE COUNTY GIS



Selected parcel(s):
927-150-032

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

STANDARD REPORT

APNs

927-150-032-7

OWNER NAME / ADDRESS

INDYMAC VENTURE
37470 WINNERS CIR
TEMECULA, CA. 92592

MAILING ADDRESS

C/O ALISA ASHIKYAN
888 E WALNUT ST 5TH FL
PASADENA CA. 91101

EXHIBIT NO. B²

LEGAL DESCRIPTION

RECORDED BOOK/PAGE: PM 94/43
SUBDIVISION NAME: PM 16070
LOT/PARCEL: 4, BLOCK: NOT AVAILABLE
TRACT NUMBER: NOT AVAILABLE

LOT SIZE

RECORDED LOT SIZE IS 10.38 ACRES

PROPERTY CHARACTERISTICS

WOOD FRAME, 6585 SQFT., 5 BDRM/ 4.5 BATH, 2 STORY, ATTACHED GARAGE(2373 SQ. FT), CONST'D 2007TILE, ROOF, CENTRAL HEATING, CENTRAL COOLING

THOMAS BROS. MAPS PAGE/GRID

PAGE: 960 GRID: F6

CITY BOUNDARY/SPHERE

NOT WITHIN A CITY
NOT WITHIN A CITY SPHERE
NO ANNEXATION DATE AVAILABLE
NO LAFCO CASE # AVAILABLE
NO PROPOSALS

MARCH JOINT POWERS AUTHORITY

NOT IN THE JURISDICTION OF THE MARCH JOINT POWERS AUTHORITY

INDIAN TRIBAL LAND

NOT IN A TRIBAL LAND

SUPERVISORIAL DISTRICT (ORD. 813)

JEFF STONE, DISTRICT 3

TOWNSHIP/RANGE

T8SR1W SEC 5
T8SR1W SEC 6
T8SR1W SEC 7
T8SR1W SEC 8

ELEVATION RANGE

1260/1412 FEET

PREVIOUS APN

927-150-005

PLANNING

LAND USE DESIGNATIONS

Zoning not consistent with the General Plan.
RR

AREA PLAN (RCIP)

SOUTHWEST AREA

GENERAL PLAN POLICY OVERLAYS

NOT IN A GENERAL PLAN POLICY OVERLAY AREA

GENERAL PLAN POLICY AREAS

VALLE DE LOS CABALLOS POLICY AREA

ZONING CLASSIFICATIONS (ORD. 348)

R-R

ZONING DISTRICTS AND ZONING AREAS

RANCHO CALIFORNIA AREA

ZONING OVERLAYS

NOT IN A ZONING OVERLAY

SPECIFIC PLANS

NOT WITHIN A SPECIFIC PLAN

AGRICULTURAL PRESERVE

NOT IN AN AGRICULTURAL PRESERVE

REDEVELOPMENT AREAS

NOT IN A REDEVELOPMENT AREA

AIRPORT INFLUENCE AREAS
NOT IN AN AIRPORT INFLUENCE AREA

AIRPORT COMPATIBILITY ZONES
NOT IN AN AIRPORT COMPATIBILITY ZONE

ENVIRONMENTAL

CVMSHCP (COACHELLA VALLEY MULTI-SPECIES HABITAT CONSERVATION PLAN) CONSERVATION AREA
NOT IN A CONSERVATION AREA

CVMSHCP FLUVIAL SAND TRANSPORT SPECIAL PROVISION AREAS
NOT IN A FLUVIAL SAND TRANSPORT SPECIAL PROVISION AREA

WRMSHCP (WESTERN RIVERSIDE COUNTY MULTI-SPECIES HABITAT CONSERVATION PLAN) CELL GROUP
C

WRMSHCP CELL NUMBER
7012
7014

HANS/ERP (HABITAT ACQUISITION AND NEGOTIATION STRATEGY/EXPEDITED REVIEW PROCESS)
NONE

VEGETATION (2005)
Chaparral
Developed/Disturbed Land
Grassland
Riversidean Alluvial Fan Sage Scrub
Woodland and Forests

FIRE

HIGH FIRE AREA (ORD. 787)
NOT IN A HIGH FIRE AREA

FIRE RESPONSIBILITY AREA
STATE RESPONSIBILITY AREA

DEVELOPMENT FEES

CVMSHCP FEE AREA (ORD. 875)
NOT WITHIN THE COACHELLA VALLEY MSHCP FEE AREA

WRMSHCP FEE AREA (ORD. 810)
IN OR PARTIALLY WITHIN THE WESTERN RIVERSIDE MSHCP FEE AREA. SEE MAP FOR MORE INFORMATION.

ROAD & BRIDGE DISTRICT
NOT IN A DISTRICT

EASTERN TUMF (TRANSPORTATION UNIFORM MITIGATION FEE ORD. 673)
NOT WITHIN THE EASTERN TUMF FEE AREA

WESTERN TUMF (TRANSPORTATION UNIFORM MITIGATION FEE ORD. 824)
IN OR PARTIALLY WITHIN A TUMF FEE AREA. SEE MAP FOR MORE INFORMATION.SOUTHWEST

DIF (DEVELOPMENT IMPACT FEE AREA ORD. 659)
SOUTHWEST AREA

SKR FEE AREA (STEPHEN'S KANGAROO RAT ORD. 663.10)
NOT WITHIN AN SKR FEE AREA.

DEVELOPMENT AGREEMENTS
NOT IN A DEVELOPMENT AGREEMENT AREA

TRANSPORTATION

CIRCULATION ELEMENT ULTIMATE RIGHT-OF-WAY
NOT IN A CIRCULATION ELEMENT RIGHT-OF-WAY

ROAD BOOK PAGE

136

TRANSPORTATION AGREEMENTS

NOT IN A TRANSPORTATION AGREEMENT

CETAP (COMMUNITY AND ENVIRONMENTAL TRANSPORTATION ACCEPTABILITY PROCESS) CORRIDORS

NOT IN A CETAP CORRIDOR.

HYDROLOGY

FLOOD PLAIN REVIEW

FLOOD PLAIN MANAGEMENT REVIEW IS REQUIRED. CONTACT THE FLOOD PLAIN MANAGEMENT SECTION AT (951) 955-1200 FOR INFORMATION.

WATER DISTRICT

EMWD

FLOOD CONTROL DISTRICT

RIVERSIDE COUNTY FLOOD CONTROL DISTRICT

WATERSHED

SANTA MARGARITA

GEOLOGIC

FAULT ZONE

NOT IN A FAULT ZONE

FAULTSWITHIN A 1/2 MILE OF
AGUA TIBIA MOUNTAIN FAULT
COUNTY FAULTS
CONTACT THE COUNTY'S CHIEF ENGINEERING GEOLOGIST AT (951)955-6863.**LIQUEFACTION POTENTIAL**

NO POTENTIAL FOR LIQUEFACTION EXISTS

SUBSIDENCE

NOT IN A SUBSIDENCE AREA

PALEONTOLOGICAL SENSITIVITYHIGH SENSITIVITY (HIGH A).
BASED ON GEOLOGIC FORMATIONS OR MAPPABLE ROCK UNITS THAT ARE ROCKS THAT CONTAIN FOSSILIZED BODY ELEMENTS, AND
TRACE FOSSILS SUCH AS TRACKS, NESTS AND EGGS. THESE FOSSILS OCCUR ON OR BELOW THE SURFACE.**LOW POTENTIAL.**FOLLOWING A LITERATURE SEARCH, RECORDS CHECK AND A FIELD SURVEY, AREAS MAY BE DETERMINED BY A QUALIFIED
VERTEBRATE PALEONTOLOGIST AS HAVING LOW POTENTIAL FOR CONTAINING SIGNIFICANT PALEONTOLOGICAL RESOURCES SUBJECT
TO ADVERSE IMPACTS.**UNDETERMINED POTENTIAL.**AREAS UNDERLAIN BY SEDIMENTARY ROCKS FOR WHICH LITERATURE AND UNPUBLISHED STUDIES ARE NOT AVAILABLE HAVE
UNDETERMINED POTENTIAL FOR CONTAINING SIGNIFICANT PALEONTOLOGICAL RESOURCES. THESE AREAS MUST BE INSPECTED BY A
FIELD SURVEY CONDUCTED BY A QUALIFIED VERTEBRATE PALEONTOLOGIST.

MISCELLANEOUS

SCHOOL DISTRICT

TEMECULA VALLEY UNIFIED

COMMUNITIES

RANCHO CALIFORNIA

COUNTY SERVICE AREA

NOT IN A COUNTY SERVICE AREA.

LIGHTING (ORD. 655)

ZONE A, 12.99 MILES FROM MT. PALOMAR OBSERVATORY

2000 CENSUS TRACT

043203

FARMLAND

LOCAL IMPORTANCE
OTHER LANDS

TAX RATE AREAS

094-033

- COUNTY FREE LIBRARY
- COUNTY STRUCTURE FIRE PROTECTION
- COUNTY WASTE RESOURCE MGMT DIST
- CSA 152
- EASTERN MUN WATER IMP DIST B
- EASTERN MUNICIPAL WATER
- ELS MURRIETA ANZA RESOURCE CONS
- ELSINORE AREA ELEM SCHOOL FUND
- FLOOD CONTROL ADMINISTRATION
- FLOOD CONTROL ZONE 7
- GENERAL
- GENERAL PURPOSE
- METRO WATER EAST 1301999
- MT SAN JACINTO JUNIOR COLLEGE
- RANCHO CAL WTR R DIV DEBT SV
- RIV CO REG PARK & OPEN SPACE
- RIV. CO. OFFICE OF EDUCATION
- TEMECULA UNIFIED
- TEMECULA UNIFIED B & I

SPECIAL NOTES

NO SPECIAL NOTES

CODE COMPLAINTS

Case #	Description	Start Date
CV0906758	ABATEMENT	Sep. 9, 2009

REPORT PRINTED ON...Wed Jun 23 08:23:06 2010
Version 100412



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

Lot Book Report

Order Number: **21375**

Customer:

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

Order Date: 3/22/2010
 Dated as of: 3/16/2010
 County Name: Riverside

Attn: Brent Steele
 Reference: CV09-06758/ LaKesha Covington
 IN RE: INDYMAC VENTURE, LLC

FEE(s):
 Report: \$114.00

Property Address: 37470 Winners Circle
 Temecula CA 92592

Assessor's Parcel No. : 927-150-032-7

Assessments:

Land Value:	\$350,000.00
Improvement Value:	\$1,063,000.00
Exemption Value:	\$0.00
Total Value:	\$1,413,000.00

Tax Information

Property Taxes for the Fiscal Year	2009-2010
First Installment	\$7,822.52
Penalty	\$782.24
Status	PAID
Second Installment	\$7,822.52
Penalty	\$0.00
Status	OPEN NOT-PAID

Supplemental Property Tax Assessment for the
 Fiscal Year 2007
 Bill Number 052836417-6

EXHIBIT NO. C



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

Order Number: 21375

Reference: CV09-06758/ LaK

First Installment	\$5,357.58
Penalty	\$535.76
Due Date	12/10/2009
Status	PAID (PAID THRU 01/31/2010)
Second Installment	\$5,357.58
Penalty	\$0.00
Due Date	04/10/2010
Status	OPEN NOT-PAID (DUE DATE 04/10/2010)

Property Vesting

The last recorded document transferring title of said property

Dated	11/12/0209
Recorded	11/17/2009
Document No.	2009-0594015
D.T.T.	\$0.00
Grantor	T.D. Service Company, as Trustee
Grantee	Indymac Venture LLC, a Delaware Limited Liability Company

Deeds of Trust

No Deeds of Trust of Record

Additional Information

Notice of Non-Compliance filed by	County of Riverside Department of Code Enforcement
In the matter of the property of	Timothy Gerard Chachere and Mary Ruth Rivet
Case No.	CV09-06758
Recorded	10/21/2009
Document No.	2009-0543111



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

Order Number: 21375

Reference: CV09-06758/ LaK

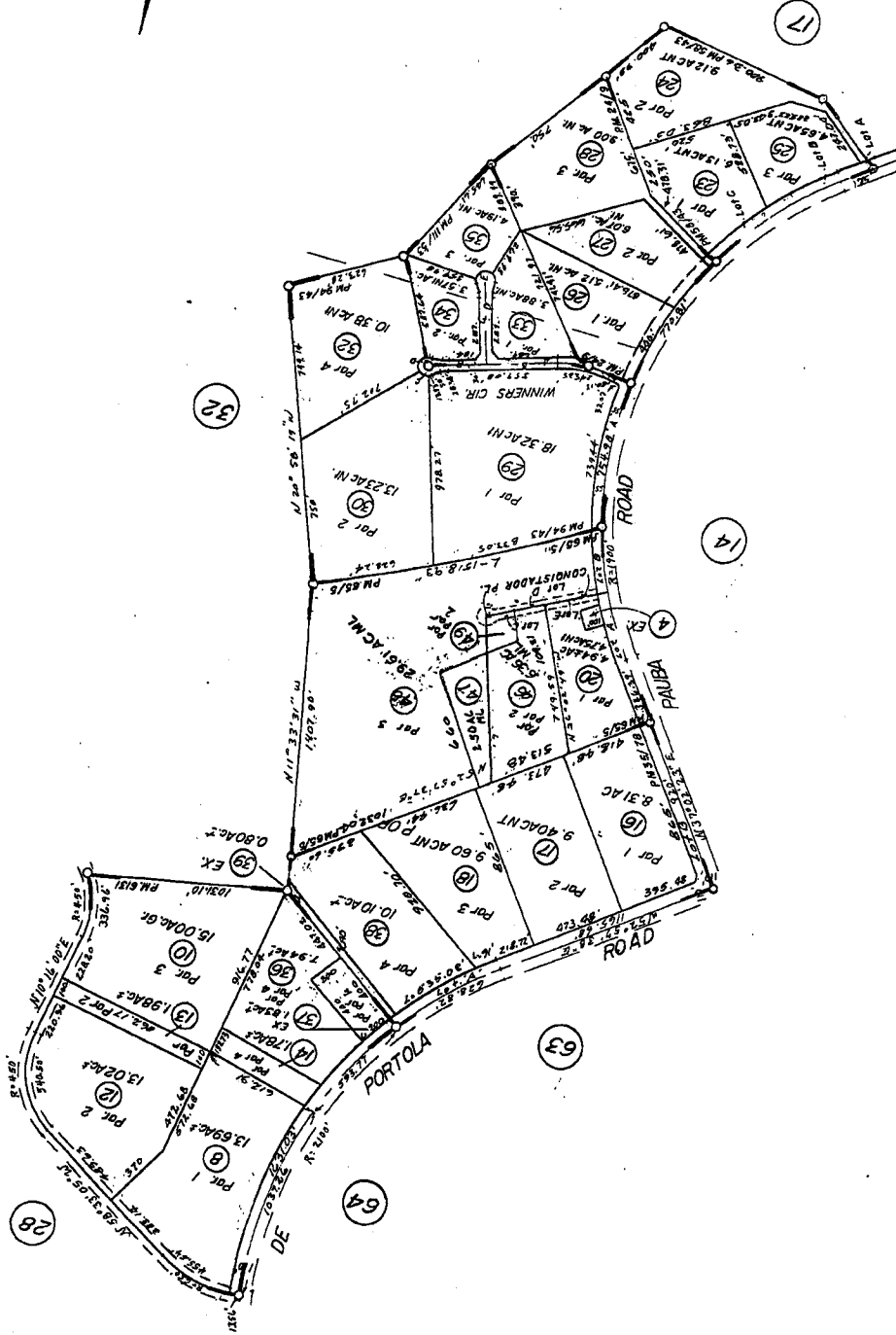
Legal Description

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

PARCEL 4 OF PARCEL MAP 16070, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 94, PAGE(S) 43 AND 44 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

POR. PAUBA RANCHO
(POR. RO. CALIF.)
(POR. SECS. 5-8 T. 8 S. R. 1 W.)
PROJECTED

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR ACCURACY OF THE DATA SHOWN. MEASUREMENTS MAY NOT CORRELATE WITH LOCAL LOT OR BUILDING CORNER DATA.



DATA: 810 PLAT
8348931-94

ASSESSOR'S MAP BK. 927 PG. 15
RIVERSIDE COUNTY, CALIF.

P.M. 94/43.44 Parcel Map 16070
PM 111/53-54 " " " 18676

P.M. 58/43 Parcel Map 12,022
MB 13/601 SD Pauba Rancho
P.M. 16/89 Parcel Map 6131
PM 35/78.79 Parcel Map 6773
PM 65/5-6 Parcel Map 9920 Amended
P.M. 24/09 " " " 6565
MAR. 1975

DATE	CLDRG	NRNG
11-03	21	40, 41
"	22	42, 43
"	40, 43	44
"	41, 42	45
3-07	48	46, 47
"	45	48, 49

DATE	CLDRG	NRNG
1/77	1	8-11
"	9	12, 13
"	11	14, 15
10/78	3	16-19
3-79	7	20-22
6/80	6	23-25
8/80	5	26-28
2/83	31	29-32
8-83	13	33-35
9/81	19	36-37
		38, 39

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Recording Requested By
ServiceLink

DOC # 2009-0594015
11/17/2009 08:00A Fee:22.00
Page 1 of 2
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

RECORDING REQUESTED BY
T.D.SERVICE COMPANY

And when recorded mail to
ATTN: ALISA ASHIKYAN
RE: Loan # 123996790/CHACHERE
888 EAST WALNUT ST.
FLOOR 5 - HOME CONSTRUCTION
PASADENA, CA 91101



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
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TRUSTEE'S DEED UPON SALE

22

The undersigned declares under penalty of perjury that the following declaration is true and correct:

- 1) The Grantee herein was the foreclosing Beneficiary.
- 2) The amount of the unpaid debt together with costs was \$1,704,522.76
- 3) The amount paid by the Grantee at the Trustee's Sale was \$219,020.53
- 4) The documentary transfer tax is \$.00
- 5) The city transfer tax is \$.00
- 6) The monument preservation tax is \$.00
- 7) Said property is in unincorporated area, County of Riverside

680
L

TRA#: 094-033

T.D. SERVICE COMPANY

Dated: 11/12/09

By Kimberly Coonrad
Kimberly Coonrad, Trustee's Sale Officer

T.S. No: B389141 CA Unit Code: B Loan No: 123996790/CHACHERE
AP #1: 927-150-032-7
Property Address: 37470 WINNERS CIRCLE, TEMECULA (VACANT LAND), CA 92592

T.D. SERVICE COMPANY
(herein called Trustee)

does hereby GRANT AND CONVEY, without any covenant or warranty, express or implied to

INDYMAC VENTURE LLC, A DELAWARE LIMITED LIABILITY COMPANY
(herein called Grantee), such interest as Trustee has in that certain property described as follows:

PARCEL 4 OF PARCEL MAP 16070, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 94, PAGES(S) 43 AND 44 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

This conveyance is made pursuant to the authority vested in said Trustee, as Trustee or as duly appointed Trustee by the Deed of Trust described as follows:

Trustor: TIMOTHY GERARD CHACHERE, MARY RUTH THERESA RIVET

THIS INSTRUMENT IS RECORDED AT THE REQUEST OF SERVICELINK AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EXECUTION OR AS TO ITS EFFECTS UPON TITLE. MAIL TAX STATEMENTS TO ADDRESS SHOWN ABOVE

Public Record

Recorded August 11, 2006 as Instr. No. 2006-0595192 in Book --- Page --- of Official Records in the office of the Recorder of RIVERSIDE County; CALIFORNIA , Whereas, the holder of the note secured by said Deed of Trust delivered to Trustee a written Declaration of Default and, pursuant thereto, a Notice of Default was recorded May 19, 2009 as Instr. No. 2009-0252192 in Book --- Page --- of Official Records in the office of the Recorder of RIVERSIDE County; CALIFORNIA .

Whereas, Trustee complied with all applicable statutory provisions of California Civil Code Sections 2924 et seq. and of the described Deed of Trust including the mailing, publication, personal delivery, and posting of the Notice of Default and Notice of Sale, as respectively appropriate.

Said Notice of Trustee's Sale stated the time and place that Trustee would sell its interest in the described property at public auction. On November 12, 2009, the date set forth in the Notice of Trustee's Sale or the properly postponed sale date, Trustee sold the described property to Grantee, the highest qualified bidder present, for the sum of \$219,020.53 Pro-tanto.

In Witness Whereof, the undersigned caused its corporate name and seal (if applicable) to be hereunto affixed.

Dated November 13, 2009

T.D. SERVICE COMPANY

BY *Kimberly Coonradt*
Kimberly Coonradt, Assistant Secretary

BY *Nancy Young*
Nancy Young, Assistant Secretary

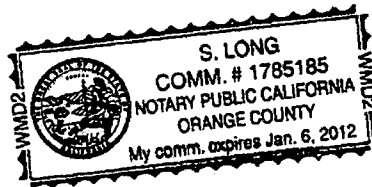
STATE OF CALIFORNIA)
COUNTY OF ORANGE)SS

On 11/13/09 before me, S. LONG, a Notary Public, personally appeared KIMBERLY COONRADT and NANCY YOUNG, 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 *S. Long* (Seal)



When recorded please mail to:
Mail Stop# 5155
Riverside County
Code Enforcement Department
39493 Los Alamos Rd.
Murrieta, CA 92563

DOC # 2009-0543111
10/21/2009 08:00A Fee:NC
Page 1 of 1
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



NOTICE OF NONCOMPLIANCE for UNAPPROVED GRADING

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006

In the matter of the Property of

Case No.: CV09-06758

Timothy Gerard Chachere
Mary Ruth Rivet

NOTICE IS HEREBY GIVEN to all persons, pursuant to Section 10 of Ordinance Number 725 of the County of Riverside, State of California, that proceedings have been commenced with respect to violations of Riverside County Ordinance No. 457 (RCC Title 15.12) described as grading without approval from the Department of Building and Safety. Such proceedings are based upon the noncompliance of such real property, located at 37470 WINNERS CIRCLE, TEMECULA, CA and more particularly described as Assessment Parcel No. 927-150-032 and having a legal description of 10.38 ACRES NET IN PAR 4 PM 094/043 PM 16070 with the requirements of Ordinance No.457, (RCC Title 15.12.020(J)(2)).

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

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

NOTICE IS FURTHER GIVEN that pursuant to Riverside County Ordinance 457.96 Section 4, Subdivision 3306.03, and upon order of the Board of Supervisors, any grading or clearing done in violation of this Ordinance shall be grounds for denying for five years all applications for building permits, use permits, subdivisions, changes of zones, specific plans, specific plan amendments, general plan amendments, and any other land development application proposed for the property in which the violation occurred.



COUNTY OF RIVERSIDE
DEPARTMENT OF CODE ENFORCEMENT

By: Hector Viray
Hector Viray
Code Enforcement Department

ACKNOWLEDGEMENT

State of California)
County of Riverside)

On 10/13/09 before me, Elizabeth B. Ross, Notary Public, personally appeared Hector Viray, 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.

Elizabeth B. Ross
Commission # 1838743 Comm. Expires March 12, 2013



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

Updated Lot Book

Customer:

RIVERSIDE COUNTY TLMA-CODE INFORCEMENT

4080 Lemon Street
 Riverside CA 92501

Attn: Brent Steele
 Reference: CV09-06758 / Brenda Peeler
 IN RE: INDYMAC VENTURE, LLC

Property Address: 37470 Winners Circle
 Temecula CA 92592

Order Number: **21616**

Order Date: 6/23/2010

Dated as of: 6/18/2010

County Name: Riverside

FEE(s):
 Report: \$57.00

RZ Title Reporting Service hereby reports, as disclosed by the Official Records of the Recorder of said County as of the date shown above, that subsequent to the date of the original report that (i) No document in the chain of title to said land has been recorded purporting to convey the fee title to said land, and (ii) No encumbrances affecting said land have been recorded nor has a homestead been executed on said land, and (iii) No encumbrances affecting said land on the date of the original report have been released or reconveyed.

All exceptions are as follows:

Assessor's Parcel No. : 927-150-032-7

Assessments:	Land Value:	\$350,000.00
	Improvement Value:	\$1,063,000.00
	Exemption Value:	\$0.00
	Total Value:	\$1,413,000.00

Property Taxes for the Fiscal Year	2009-2010
Total Annual Tax	\$15,645.04
Status: Paid through	06/30/2010

Notice of Non-Compliance filed by	County of Riverside Department of Code Enforcement
In the matter of the property of	Indymac Venture, LLC
Case No.	CV09-06758
Recorded	05/07/2010
Document No.	2010-0211086

NO OTHER EXCEPTIONS



When recorded please mail to:
Riverside County Code Enforcement
Department
(District 3 Office)
39493 Los Alamos Road
Murrieta, CA 92563
Mail Stop No. 5155

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NOTICE OF NONCOMPLIANCE for UNAPPROVED GRADING

In the matter of the Property of)
INDYMAC VENTURE, LLC)

Case No.: CV09-06758



NOTICE IS HEREBY GIVEN to all persons, pursuant to Section 10 of Ordinance Number 725 of the County of Riverside, State of California, that proceedings have been commenced with respect to violations of Riverside County Ordinance No. 457, Section 4, (RCC Title 15.12) described as grading without approval from the Department of Building and Safety. Such proceedings are based upon the noncompliance of such real property, located at 37470 Winners Circle, Temecula, CA, and more particularly described as Assessment Parcel No. 927-150-032 and having a legal description of 10.38 ACRES NET IN PAR 4 PM 094/043 PM 16070 with the requirements of Ordinance No.457, Section 4, (RCC Title 15.12).

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

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

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

COUNTY OF RIVERSIDE
DEPARTMENT OF CODE ENFORCEMENT

By: Hector Viray
Hector Viray
Code Enforcement Department

ACKNOWLEDGMENT

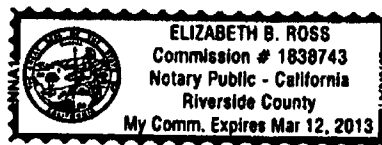
State of California)
County of Riverside)

On 04/28/10 before me, Elizabeth B. Ross, Notary Public, personally appeared Hector Viray, 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.

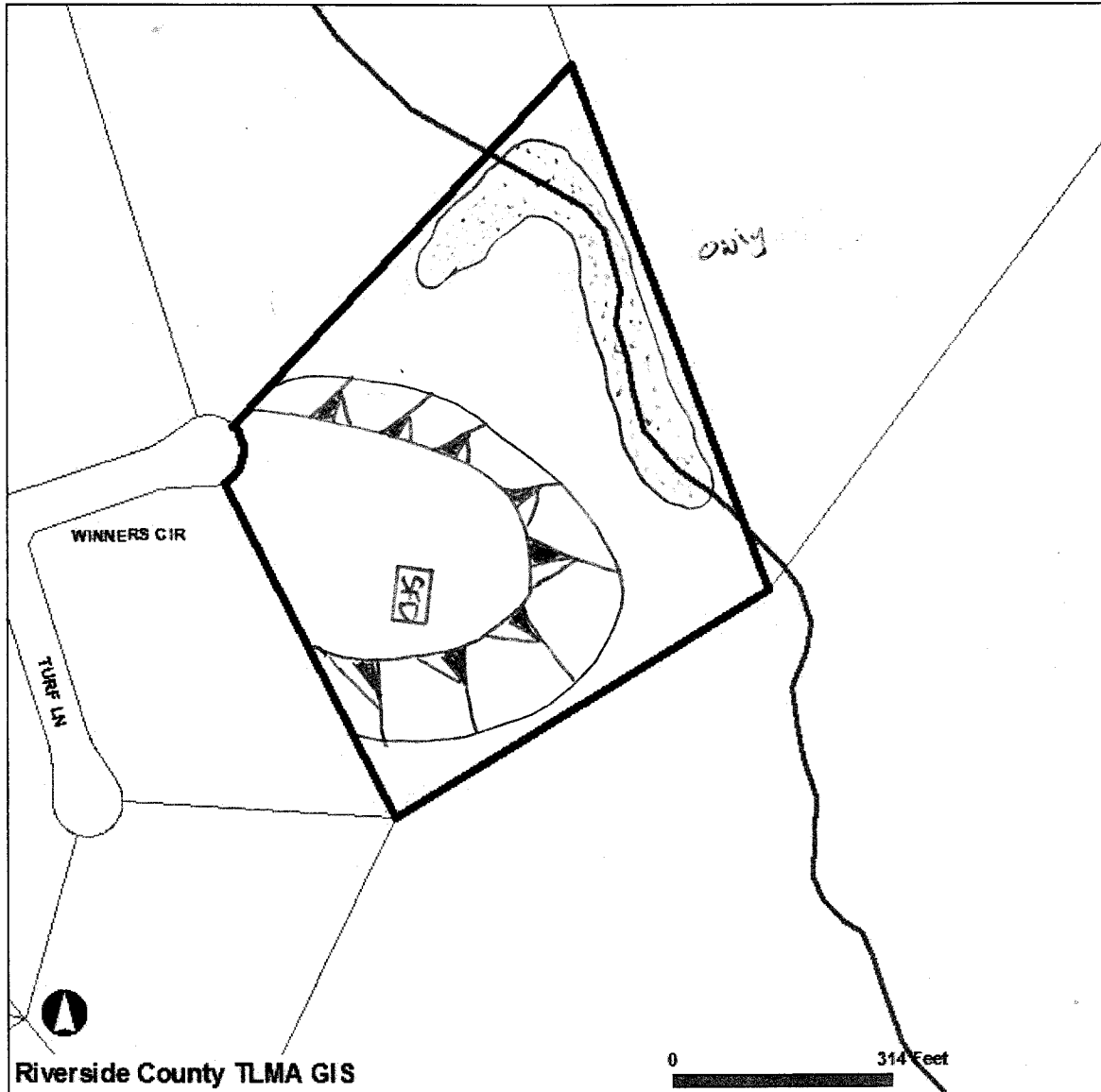
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Elizabeth B. Ross
Commission # 1838743 Comm. Expires March 12, 2013



RIVERSIDE COUNTY GIS



Selected parcel(s):
927-150-032

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Mon Apr 26 14:26:31 2010

LEGEND





-  = PERMITTED SINGLE FAMILY DWELLING
-  = SLOPE
-  = DIRT PILES
-  = RECORDED BLUE LINE STREAM

EXHIBIT NO. D

Code Enforcement Case: CV0906758

Printed on: 04/29/2010

Photographs



STOCK PILES LOCATED AT THE NORTH EAST SIDE OF THE PARCEL - 09/09/2009

EXHIBIT NO. D²



STOCK PILES LOCATED AT THE NORTH EAST SIDE OF THE PARCEL - 09/09/2009

EXHIBIT NO. D³



STOCK PILES LOCATED AT THE NORTH EAST SIDE OF THE PARCEL - 09/09/2009

EXHIBIT NO. D⁴



STOCK PILES LOCATED AT THE NORTH EAST SIDE OF THE PARCEL - 09/09/2009

EXHIBIT NO. D^S



STOCK PILES LOCATED AT THE NORTH EAST SIDE OF THE PARCEL - 09/09/2009

EXHIBIT NO. D⁶



STOCK PILES LOCATED AT THE NORTH EAST SIDE OF THE PARCEL - 09/09/2009

EXHIBIT NO. D⁷



CONCRETE MIXED INTO THE STOCK PILES - 09/09/2009

EXHIBIT NO. D⁸



STOCK PILES LOCATED AT THE NORTH EAST SIDE OF THE PARCEL - 09/09/2009

EXHIBIT NO. D⁹



STOCK PILES MEASURED APPX. 5' HIGH PILES - 09/09/2009

EXHIBIT NO. D¹⁰



J.TATE/DIRT/DEBRIS PILES WITH VEGETATION - 04/29/2010

EXHIBIT NO. D¹¹



J.TATE/DIRT/DEBRIS PILES WITH VEGETATION - 04/29/2010

EXHIBIT NO. DR



COUNTY OF RIVERSIDE
CODE ENFORCEMENT DEPARTMENT

NOTICE OF VIOLATION

CASE No.: CV 09-06758

THE PROPERTY AT: 37470 WINNERS CIRCLE, TEM. APN#: 927-150-03Z

WAS INSPECTED BY OFFICER: J. TATE ID#: 74 ON 9/9/09 AT 110 am/pm

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

Table with 2 columns listing violations such as 'Excessive Yard Sales', 'Unfenced Pool', 'Accumulated Rubbish', 'Unpermitted Construction', 'Unapproved Grading/Clearing', 'Substandard Structure', 'Unpermitted Mobile Home', 'Substandard Mobile Home/Trailer/RV', 'Unpermitted Outdoor Advertising Display', 'Prohibited Fencing', 'Excessive Outside Storage: Storage of Unpermitted Mobile Home(s) Not Allowed', 'Occupied RV/Trailer', and 'Excessive Animals'.

COMMENTS:

IMPORTANT! CORRECTION(S) MUST BE COMPLETED BY: 10/9/09. FAILURE TO COMPLY BY THIS DATE, MAY RESULT IN THE ISSUANCE OF AN ADMINISTRATIVE CITATION WITH FINES UP TO \$500.00 PER DAY, FOR EACH VIOLATION.

NOTICE IS HEREBY GIVEN THAT AT THE CONCLUSION OF THIS CASE YOU WILL RECEIVE A SUMMARY OF ADMINISTRATIVE COSTS ASSOCIATED WITH THE PROCESSING OF SUCH VIOLATION(S), AT AN HOURLY RATE OF \$ 109.00 AS DETERMINED BY THE BOARD OF SUPERVISORS.

SIGNATURE PRINT NAME DATE PROPERTY OWNER TENANT

CDL/CID# D.O.B. EXHIBIT NO. E POSTED



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

AFFIDAVIT OF POSTING OF NOTICES

September 18, 2009

RE CASE NO: CV-0906758

I, Jane Tate, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 39493 Los Alamos Road, Suite #1, Murrieta, California 92563 .

That on 9/9/09 at 1100, I securely and conspicuously posted NOTICE OF VIOLATION, GRADING NOTIFICATION LETTER, STOP WORK ORDER at the property described as:

Property Address: 37470 WINNERS, TEMECULA

Assessor's Parcel Number: 927-150-032

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

Executed on September 18, 2009 at Riverside, California.

CODE ENFORCEMENT DEPARTMENT

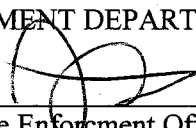

By: Jane Tate, Code Enforcement Officer III

EXHIBIT NO. E²



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

NOTICE OF VIOLATION

September 18, 2009

TIMOTHY GERARD CHACHERE / MARY RUTH RIVET
26 SOMERSET DOVE CYN
TRABUCO CANYON, CA 92679

RE CASE NO: CV-0906758

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 37470 WINNERS, TEMECULA California, Assessor's Parcel Number 927-150-032, is in violation of Section(s) RCC Section No. 15.12.020.J.2 (Ord 457) , of the Riverside County Code.

Said violation is described as:

- 1) 15.12.020.J.2 (Ord 457) - No person shall conduct any grading or clearing of any kind without first obtaining a grading permit from the building official, except in accordance with the specific exemptions listed in Ord 348.

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

- 1) Obtain a Restoration Assessment from the Department of Building & Safety and comply with the process and conditions.

COMPLIANCE MUST BE COMPLETED BY November 1, 2009. FAILURE TO COMPLY WILL RESULT IN LEGAL ACTION BEING BROUGHT AGAINST YOU.

NOTICE IS HEREBY GIVEN THAT AT THE CONCLUSION OF THIS CASE YOU WILL RECEIVE A SUMMARY OF ADMINISTRATIVE COSTS ASSOCIATED WITH THE PROCESSING OF SUCH VIOLATION(S), AT AN HOURLY RATE OF \$109.00 AS DETERMINED BY THE BOARD OF SUPERVISORS.

YOU WILL HAVE THE RIGHT TO OBJECT TO THESE CHARGES BY FILING A REQUEST FOR HEARING WITH THE DEPARTMENT OF CODE ENFORCEMENT WITHIN TEN (10) DAYS OF SERVICE OF THE SUMMARY OF CHARGES, PURSUANT TO SECTION 1.16.080 OF RIVERSIDE COUNTY CODE.

CODE ENFORCEMENT DEPARTMENT

By: Jane Tate, Code Enforcement Officer III

EXHIBIT NO. E³



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

NOTICE OF VIOLATION

September 18, 2009

Occupant
37470 WINNERS
TEMECULA, CA 92592

RE CASE NO: CV-0906758

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 37470 WINNERS, TEMECULA California, Assessor's Parcel Number 927-150-032, is in violation of Section(s) RCC Section No. 15.12.020.J.2 (Ord 457) , of the Riverside County Code.

Said violation is described as:

- 1) 15.12.020.J.2 (Ord 457) - No person shall conduct any grading or clearing of any kind without first obtaining a grading permit from the building official, except in accordance with the specific exemptions listed in Ord 348.

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

- 1) Obtain a Restoration Assessment from the Department of Building & Safety and comply with the process and conditions.

COMPLIANCE MUST BE COMPLETED BY November 1, 2009. FAILURE TO COMPLY WILL RESULT IN LEGAL ACTION BEING BROUGHT AGAINST YOU.

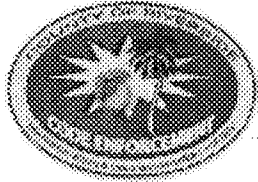
NOTICE IS HEREBY GIVEN THAT AT THE CONCLUSION OF THIS CASE YOU WILL RECEIVE A SUMMARY OF ADMINISTRATIVE COSTS ASSOCIATED WITH THE PROCESSING OF SUCH VIOLATION(S), AT AN HOURLY RATE OF \$109.00 AS DETERMINED BY THE BOARD OF SUPERVISORS.

YOU WILL HAVE THE RIGHT TO OBJECT TO THESE CHARGES BY FILING A REQUEST FOR HEARING WITH THE DEPARTMENT OF CODE ENFORCEMENT WITHIN TEN (10) DAYS OF SERVICE OF THE SUMMARY OF CHARGES, PURSUANT TO SECTION 1.16.080 OF RIVERSIDE COUNTY CODE.

CODE ENFORCEMENT DEPARTMENT

By: Jane Tate, Code Enforcement Officer III

EXHIBIT NO. EA



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

PROOF OF SERVICE

Case No. CV-0906758

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Anna Vasquez, declare that I am a citizen of the United States and am employed in the County of Riverside, over the age of 18 years and not a party to the within action or proceeding; that my business address is at the footer of this notice.

That on September 18, 2009, I served the following document(s):

NOTICE RE: Notice of Violation

by placing a true copy thereof enclosed in a sealed envelope(s) **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED** address as follows:

TIMOTHY GERARD CHACHERE / MARY RUTH RIVET 26 SOMERSET DOVE CYN TRABUCO CANYON CA,
92679
OCCUPANT 37470 WINNERS TEMECULA CA, 92592

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

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

EXECUTED ON September 18, 2009 at Riverside, California

CODE ENFORCEMENT DEPARTMENT

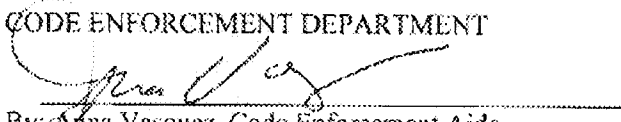

By: Anna Vasquez, Code Enforcement Aide

EXHIBIT NO. E⁵

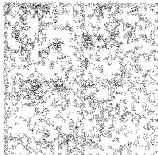
County of Riverside
Code Enforcement Department
39493 Los Alamos Road
Murrieta, CA 92563

REC'D OCT 02 02 009

Occupant
37470 Winners
Temecula, CA 92592



7006 2740 0000 0578 3955



02 1M
000423418
MAILED FROM ZIP CODE 92564

MC 9/24

LE

CERTIFIED MAIL™

554E 9250 0000 0922 9002

925630393

BC: 9256350393 *0904-04691-21-40

NIXIE 923 SE 1 08 09/22/02

RETURN TO SENDER
NO MAIL
UNABLE TO FORWARD

EXHIBIT NO. _____

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

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

OFFICIAL USE

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

Total F
Sent To
Street /
or PO B
City, Sta

Occupant
37470 Winners
Temecula, CA 92592
CV09-06758 / 927-1



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

NOTICE OF VIOLATION

April 26, 2010

INDYMAC VENTURE C/O ALISA ASHIKYAN
888 E. WALNUT ST. 5TH FLOOR
PASADENA, CA 91101

RE CASE NO: CV0906758 at 37470 WINNERS # CIRCLE, TEMECULA, California, Assessor's Parcel Number 927-150-032

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 37470 WINNERS # CIRCLE, TEMECULA California, Assessor's Parcel Number 927-150-032, is in violation of Section(s) RCC Section No. 15.12.020.J.2 (Ord. 457), of the Riverside County Code.

Said violation is described as:

- 1) 15.12.020.J.2 (Ord. 457) - No person shall conduct any grading or clearing of any kind without first obtaining a grading permit from the building official, except in accordance with the specific exemptions listed in Ord 457.

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

- 1) Obtain a Restoration Assessment from the Department of Building & Safety and comply with the process and conditions.

COMPLIANCE MUST BE COMPLETED BY May 21, 2010. FAILURE TO COMPLY WILL RESULT IN LEGAL ACTION BEING BROUGHT AGAINST YOU.

NOTICE IS HEREBY GIVEN THAT AT THE CONCLUSION OF THIS CASE YOU WILL RECEIVE A SUMMARY OF ADMINISTRATIVE COSTS ASSOCIATED WITH THE PROCESSING OF SUCH VIOLATION(S), AT AN HOURLY RATE OF \$109.00 AS DETERMINED BY THE BOARD OF SUPERVISORS.

YOU WILL HAVE THE RIGHT TO OBJECT TO THESE CHARGES BY FILING A REQUEST FOR HEARING WITH THE DEPARTMENT OF CODE ENFORCEMENT WITHIN TEN (10) DAYS OF SERVICE OF THE SUMMARY OF CHARGES, PURSUANT TO SECTION 1.16.080 OF RIVERSIDE COUNTY CODE.

CODE ENFORCEMENT DEPARTMENT

By: Jane Tate, Code Enforcement Officer

EXHIBIT NO. E8



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

PROOF OF SERVICE

Case No. CV0906758

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, LaKeshia Covington, declare that I am a citizen of the United States and am employed in the County of Riverside, over the age of 18 years and not a party to the within action or proceeding; that my business address is at the footer of this notice.

— That on April 26, 2010, I served the following documents(s):

NOTICE RE: Notice of Violation

by placing a true copy thereof enclosed in a sealed envelope(s) by **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED** addressed as follows:

INDYMAC VENTURE C/O ALISA ASHIKYAN 888 E. WALNUT ST. 5TH FLOOR, PASADENA, CA 91101

XX **By First Class Mail.** I am readily familiar with the office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service with postage thereon fully prepaid in the County of Riverside, California, in the ordinary course of business.

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

EXECUTED ON April 26, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

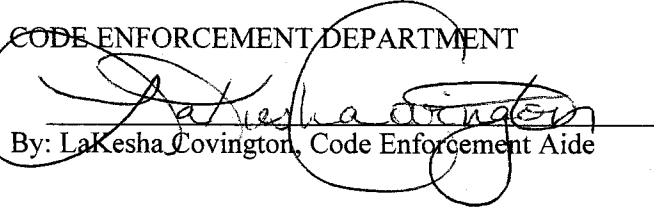

By: LaKeshia Covington, Code Enforcement Aide

EXHIBIT NO. E⁹



[Track & Confirm](#)

[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: **7007 1490 0003 4245 2589**
 Service(s): **Certified Mail™**
 Status: **Delivered**

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Your item was delivered at 10:35 AM on April 28, 2010 in PASADENA, CA 91101.

Detailed Results:

- Delivered, April 28, 2010, 10:35 am, PASADENA, CA 91101
- Arrival at Unit, April 28, 2010, 6:29 am, PASADENA, CA 91105

Notification Options

Track & Confirm by email

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

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OFFICIAL USE

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Restricted Delivery Fee (Endorsement Required)	

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INDYMAC VENTURE
 C/O ALISA ASHIKYAN
 888 EAST WALNUT STREET, 5TH FLOOR
 PASADENA, CA 91101
 CV09-06758/927

EXHIBIT NO. _____

E¹⁰



When recorded please mail to:
Riverside County Code Enforcement
Department
(District 3 Office)
39493 Los Alamos Road
Murrieta, CA 92563
Mail Stop No. 5155

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NOTICE OF NONCOMPLIANCE for UNAPPROVED GRADING

In the matter of the Property of)
INDYMAC VENTURE, LLC)

Case No.: CV09-06758



NOTICE IS HEREBY GIVEN to all persons, pursuant to Section 10 of Ordinance Number 725 of the County of Riverside, State of California, that proceedings have been commenced with respect to violations of Riverside County Ordinance No. 457, Section 4, (RCC Title 15.12) described as grading without approval from the Department of Building and Safety. Such proceedings are based upon the noncompliance of such real property, located at 37470 Winners Circle, Temecula, CA, and more particularly described as Assessment Parcel No. 927-150-032 and having a legal description of 10.38 ACRES NET IN PAR 4 PM 094/043 PM 16070 with the requirements of Ordinance No.457, Section 4, (RCC Title 15.12).

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

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

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

COUNTY OF RIVERSIDE
DEPARTMENT OF CODE ENFORCEMENT

By: Hector Viray
Hector Viray
Code Enforcement Department

ACKNOWLEDGMENT

State of California)
County of Riverside)

On 04/28/10 before me, Elizabeth B. Ross, Notary Public, personally appeared Hector Viray, 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.

Elizabeth B. Ross
Commission # 1838743 Comm. Expires March 12, 2013

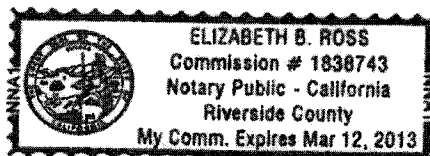


EXHIBIT NO. F

PAMELA J. WALLS
County Counsel

OFFICE OF COUNTY COUNSEL
COUNTY OF RIVERSIDE



KATHERINE A. LIND
Assistant County Counsel

3960 ORANGE STREET, FIFTH FLOOR
RIVERSIDE, CA 92501-3674
TELEPHONE: 951/955-6300
FAX: 951/955-6322 & 951/955-6363

August 23, 2010

**NOTICE TO CORRECT COUNTY ORDINANCE VIOLATIONS AND
ABATE PUBLIC NUISANCE**

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

Case No.: CV 09-06758
APN: 927-150-032; INDYMAC VENTURE LLC
Property: 37470 Winners Circle, Temecula

NOTICE IS HEREBY GIVEN that a hearing will be held before the Riverside County Board of Supervisors pursuant to Riverside County Ordinance Nos. 457 (RCC Title 15) and 725 (RCC Title 1) to consider the abatement of the grading without permits located on the SUBJECT PROPERTY described as 37470 Winners Circle, Temecula, **Riverside County, California**, and more particularly described as Assessor's Parcel Number 927-150-032.


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

SAID HEARING will be held on **Tuesday, October 5, 2010, at 9:30 a.m.** in the Board of Supervisors Room, County Administrative Center, 4080 Lemon Street, 1st Floor Annex, Riverside, California at which time and place pertinent evidence will be received and/or testimony from all concerned parties will be heard. Failure to appear on your behalf will result in the exclusion of your testimony, and facts as known to the Code Enforcement Department ("Department") will be presented to the Board of Supervisors for consideration and deliberation in this matter.

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

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

PAMALA J. WALLS
Riverside County Counsel



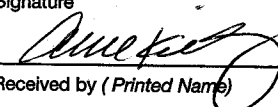
L. Alexandra Fong
Deputy County Counsel

EXHIBIT NO. 6

NOTICE LIST

Subject Property: 37470 Winners Circle, Temecula
Case No.: CV 09-06758 APN: 927-150-032; District 3

INDYMAC VENTURE, LLC
C/O ALISA ASHIKYAN
888 E. WALNUT ST., 5TH FLOOR
PASADENA, CA 91101

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.Print your name and address on the reverse so that we can return the card to you.Attach this card to the back of the mailpiece, or on the front if space permits.	<p>A. Signature X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (<i>Printed Name</i>) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>INDYMAC VENTURE LLC C/O ALISA ASHIKYAN 888 E WALNUT ST 5TH FLOOR PASADENA CA 91101</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>4/10 10:20:10</p>
<p>2. Article Number (<i>Transfer from service label</i>)</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>PS Form 3811, February 2004</p>	<p>4. Restricted Delivery? (<i>Extra Fee</i>) <input type="checkbox"/> Yes</p> <p>7009 3410 0000 1317 8011</p> <p>Domestic Return Receipt 102595-02-M-1540</p>

CV09-06758 (INDYMAC) ART 1

EXHIBIT NO. 6²

1 **PROOF OF SERVICE**

2 Case No. CV 09-06758

3 STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

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

7 That on August 23, 2010, I served the following document(s):

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

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

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

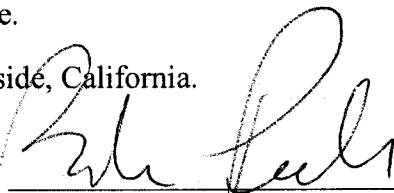
13 XX **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** I am "readily familiar"
14 with the office's practice of collection and processing correspondence for mailing. Under
15 that practice it would be deposited with the U.S. Postal Service on that same day with
16 postage thereon fully prepaid at Riverside,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

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

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

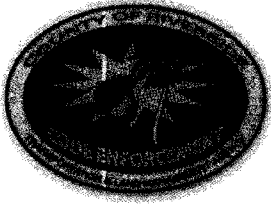
21 **FEDERAL - I declare that I am employed in the office of a member of the bar of this court at
22 whose direction the service was made.**

23 EXECUTED ON August 23, 2010, at Riverside, California.

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25 _____
26 BRENDA PEELER

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EXHIBIT NO. 63



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

AFFIDAVIT OF POSTING OF NOTICES

August 24, 2010

RE CASE NO: CV0906758

I, Jane Tate, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 39493 Los Alamos Road, Suite #A, Murrieta, California 92563 .

That on 8/24/10 at 0816, I securely and conspicuously posted Notice to Correct County Ordinance Violations and Abate public Nuisance at the property described as:

Property Address: 37470 WINNERS # CIRCLE, TEMECULA

Assessor's Parcel Number: 927-150-032

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

Executed on August 24, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

By: 
Jane Tate, Code Enforcement Officer

EXHIBIT NO. 6⁴

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

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

SPEAKER'S NAME: Robert MABEE

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

City: Riverside **Zip:** 92506

Phone #: 788-4858

Date: 10-5-10 **Agenda #** 9-1

PLEASE STATE YOUR POSITION BELOW:

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

Support Oppose Neutral

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

Support Oppose Neutral

I give my 3 minutes to: _____