

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

102B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
September 8, 2011

SUBJECT: Abatement of Public Nuisance [Accumulated Rubbish]
Case Nos. : CV09-13023 [BRINKLEY]
Subject Property: 64050 Desert Sands Rd., Desert Hot Springs;
APN: 663-090-010
District: Five

RECOMMENDED MOTION: Move that:

1. The accumulation of rubbish on the real property located at 64050 Desert Sands Rd., Desert Hot Springs, Riverside County, California, APN: 663-090-010 be declared a public nuisance and a violation of Riverside County Ordinance No. 541 which does not permit the accumulation of rubbish on the property.
2. J.D. Brinkley, the owner of the subject real property, be directed to abate the accumulation of rubbish on the property by removing the same from the real property within ninety (90) days.

L. Alexandra Fong

(Continued)

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

Consent
 Policy
 Consent
 Policy

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Benoit and Ashley
 Nays: None
 Absent: Tavaglione and Stone
 Date: September 20, 2011
 xc: Co. Co., CED, Prop. Owner, Sheriff

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

Dept's Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: | **District: 5** | **Agenda Number:**

9.4

Abatement of Public Nuisance
Case No.: CV 09-13023 [BRINKLEY]
64050 Desert Sands Rd., Desert Hot Springs
APN# 663-090-010
District Five
Page 2

3. If the owner or whoever has possession or control of the real property does not take the above described action within ninety (90) days of the date of the Board's Order to Abate, that representatives of the Code Enforcement Department, Sheriff's Department, and/or a contractor, upon consent of the owner or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, may abate the accumulation of rubbish by removing and disposing of the same from the real property.
4. The reasonable cost 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 Riverside County Ordinance No. 725.
5. County Counsel be directed to prepare the necessary Findings of Facts and Conclusions that the accumulation of rubbish on the real property is declared to be in violation of Riverside County Ordinance No. 541, and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

BACKGROUND:

1. An initial inspection was made of the subject real property by the Code Enforcement Officers on December 22, 2009. The inspection revealed the accumulation of rubbish on the subject property in violation of Riverside County Ordinance No. 541. The rubbish consisted of, but was not limited to: old and broken furniture, clothing, auto parts, lumber, green waste, utensils, household trash, chain link fencing, cabinetry, wheel barrels, unusable chairs and other miscellaneous items.
2. Subsequent inspections of the above-described real property on March 10, 2010, April 29, 2010, June 17, 2010, August 13, 2010, October 6, 2010, December 8, 2010, January 26, 2011, March 22, 2011, April 15, 2011 and August 30, 2011, revealed the property continues to be in violation of Riverside County Ordinance No. 541.
3. Staff and the Code Enforcement Department have complied with the requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for the removal of accumulated rubbish.

**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

1
2
3 IN RE ABATEMENT OF PUBLIC NUISANCE) CASE NO. CV 09-13023
4 [ACCUMULATION OF RUBBISH] APN: 663-)
5 090-010, 64050 DESERT SANDS RD., DESERT) DECLARATION OF CODE
6 HOT SPRINGS, COUNTY OF RIVERSIDE,) ENFORCEMENT OFFICER
7 STATE OF CALIFORNIA; J.D. BRINKLEY,) THOMAS CERVANTES
8 OWNER.)
9) [R.C.O. No. 541 (RCC Title 8)]
10

11 I, Thomas Cervantes, declare that the facts set forth below are personally known to me except to
12 the extent that certain information is based on information and belief which I believe to be true, and if
13 called as a witness, I could and would competently testify thereto under oath:

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

17 2. Based on information and belief which I believe to be true, on December 22, 2009, Code
18 Enforcement Officer Alejandro Rodriguez-Barrios conducted an initial inspection of the real property
19 described as 64050 Desert Sands Rd., Desert Hot Springs, Riverside County, California and further
20 described as Assessor's Parcel Number 663-090-010 (hereinafter referred to as "THE PROPERTY"). A
21 true and correct copy of a Thomas Brothers map indicating the location of THE PROPERTY is attached
22 hereto as Exhibit "A" and incorporated herein by reference.

23 3. A review of County records and documents disclosed that THE PROPERTY was owned
24 by J.D. Brinkley (hereinafter referred to as the "OWNER"). A certified copy of the County Equalized
25 Assessment Roll for the year 2010-2011 and a copy of the County Geographic Information System
26 ("GIS") report are attached hereto as Exhibit "B" and incorporated herein by reference.

27 4. Based on the Lot Book Report from RZ Title Service on January 27, 2011, it is determined
28 that additional parties may potentially hold a legal interest in THE PROPERTY, to wit: Willie M. Batts
and Bernice M. Batts (hereinafter collectively referred to as "INTERESTED PARTIES"). True and
correct copy of the Lot Book Report is attached hereto as Exhibit "C" and incorporated herein by
reference.

1 5. Based on information and belief which I believe to be true, on December 22, 2009, Code
2 Enforcement Officer Alejandro Rodriguez-Barrios conducted an initial inspection of THE PROPERTY.
3 He met with Eva Hallmark, wife of OWNER. Officer Barrios observed accumulated rubbish at the front
4 of THE PROPERTY. Using the pacing method, the total amount of accumulated rubbish was
5 approximately three thousand (3,000) square feet which consisted of but not limited to: old and broken
6 furniture, clothing, auto parts, lumber, green waste, utensils and other miscellaneous items. Officer
7 Barrios prepared a Notice of Violation and handed Eva Hallmark a copy.

8 6. As a result of the accumulation of rubbish, THE PROPERTY constituted a public nuisance in
9 violation of the provisions set forth in Riverside County Ordinance No. 541, as codified in Riverside
10 County Code Title 8.

11 7. A site plan and photographs of THE PROPERTY are attached hereto and incorporated
12 herein by reference as Exhibit "D."

13 8. Based on information and belief which I believe to be true, on March 10, 2010, April 29,
14 2010 and June 17, 2010, Officer Alejandro Rodriguez-Barrios conducted follow-up inspections. From the
15 road right of way, he observed a full trash bin on the front yard and a considerable amount of accumulated
16 rubbish was removed from THE PROPERTY. Progress had been made by the OWNER.

17 9. On March 24, 2011, a Notice of Violation was mailed to INTERESTED PARTIES via
18 certified mail with return receipt requested.

19 10. On August 13, 2010, I conducted an inspection on THE PROPERTY. From the road right
20 of way, I observed accumulated rubbish which consisted of but not limited to: used furniture, household
21 trash, aerosol cans, fencing, scrap wood, plastic containers and kitchen appliances. On the southwest
22 corner of THE PROPERTY were approximately 20-25 tires and e-waste. Using the pace method, the
23 accumulated rubbish was approximately three thousand (3,000) square feet. I handed a copy of the Notice
24 of Violation to Eva Hallmark.

25 11. On August 18, 2010, a Notice of Violation was mailed to OWNER and Tenant/occupant
26 by regular mail.

27 12. On October 6, 2010, I conducted a follow-up inspection. From the road right of way, I
28 observed that there was a 50% improvement made with the clean-up.

1 13. On December 8, 2010, January 26, 2011, March 22, 2011 and April 15, 2011, I conducted
2 follow-up inspections on THE PROPERTY and observed little progress made with the clean-up.
3 Accumulated rubbish was scattered throughout THE PROPERTY consisting of but not limited to:
4 household trash, chain link fencing, cabinetry, wheel barrels, tires, unusable chairs and many other
5 miscellaneous items.

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

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

11 16. A Notice of Noncompliance regarding the accumulation of rubbish was recorded in the
12 Office of the Assessor, County Clerk & Recorder, County of Riverside, State of California, on March 15,
13 2011, as Instrument Number 2011-0117151. A true and correct copy of the notice is attached hereto and
14 incorporated herein by reference as Exhibit "F".

15 17. On August 24, 2011, the second notice, "Notice to Abate Public Nuisance" providing
16 notification of the Board of Supervisors' hearing scheduled for September 20, 2011, was mailed to
17 OWNER and INTERESTED PARTIES by certified mail, return receipt requested and on August 30,
18 2011, was posted on THE PROPERTY. True and correct copies of the notice and supporting
19 documentation are attached hereto as Exhibit "G" and incorporated herein by reference.

20 18. A follow-up inspection on August 30, 2011, revealed that THE PROPERTY remains in
21 violation.

22 19. Removal of the accumulation of rubbish on THE PROPERTY is required to bring THE
23 PROPERTY into compliance with Riverside County Ordinance No. 541 (RCC Title 8) and the Health and
24 Safety Code. Under RCO No. 541, no amount of rubbish is allowed to accumulate on THE PROPERTY.

25 20. The Board of Supervisors is requested to issue an Order to Abate the Nuisance described
26 herein. Accordingly, the following findings and conclusions are recommended:

27 (a) the accumulation of rubbish on THE PROPERTY to be deemed and declared a
28 public nuisance;

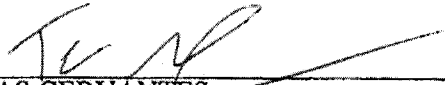
1 (b) the OWNER and person(s) in possession of THE PROPERTY be required to
2 remove all accumulated rubbish within ninety (90) days of the date of the posting and mailing of the
3 Board's Order to Abate Nuisance, in accordance with all Riverside County Ordinances, including but not
4 limited to the provisions of County Ordinance No. 541;

5 (c) in the event the rubbish is not removed and disposed of according to the above
6 referenced ninety (90) day time period in strict accordance with all Riverside County Ordinances,
7 including but not limited to Riverside County Ordinance No. 541 (RCC Title 8), the rubbish may be
8 abated by representatives of the Riverside County Code Enforcement Department, a contractor or the
9 Sheriff's Department; and

10 (d) reasonable costs of abatement, after notice and opportunity for hearing, may be
11 imposed as a lien on THE PROPERTY, which may be collected as a special assessment against THE
12 PROPERTY pursuant to Government Code Section 25845 and Riverside County Ordinance Nos. 541
13 (RCC Title 8) and 725 (RCC Title 1).

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

16 Executed this 30th day of AUGUST, 2011, at PALM DESERT California.

17
18
19 
20 THOMAS CERVANTES
Code Enforcement Officer
Code Enforcement Department

21
22 G:\Litigation\Code Enforcement\Abatements\2011\2009\CV09-13023\541 Dec.DOC

Assessment Roll For the 2010-2011 Tax Year as of January 1,2010

Assessment #663090010-3		Parcel # 663090010-3	
Assessee:	BRINKLEY J D	Land	4,522
Mail Address:	P O BOX 580193	Structure	1,834
City, State Zip:	N PALM SPRINGS CA 92258	Full Value	6,356
Real Property Use Code:	MR	Homeowners' Exemption	6,356
Base Year	1987	Total Net	0
Conveyance Number:	0021840		
Conveyance (mm/yy):	1/1989		
PUI:	M010012		
TRA:	61-207		
Taxability Code:	0-00		
ID Data:	Lot 3 RS 026/071		
Situs Address:	64050 DESERT SANDS RD DSRT HOT SPG CA 92240		

View Parcel Map

EXHIBIT NO. B

RIVERSIDE COUNTY GIS



Selected parcel(s):
663-090-010

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 WITH PERMITS REPORT

APNs

663-090-010-3

OWNER NAME / ADDRESS

J D BRINKLEY
64050 DESERT SANDS RD
DSRT HOT SPG, CA. 92240

MAILING ADDRESS

(SEE OWNER)
P O BOX 580193
N PALM SPRINGS CA. 92258

EXHIBIT NO. B²

LEGAL DESCRIPTION

RECORDED BOOK/PAGE: RS 26/71
SUBDIVISION NAME: NOT AVAILABLE
LOT/PARCEL: 3, BLOCK: NOT AVAILABLE
TRACT NUMBER: NOT AVAILABLE

LOT SIZE

RECORDED LOT SIZE IS 0.27 ACRES

PROPERTY CHARACTERISTICS

WOOD FRAME, 470 SQFT., 1 BDRM/ 0.75 BATH, 1 STORY, CONST'D 1959COMPOSITION, ROOF, CENTRAL HEATING

THOMAS BROS. MAPS PAGE/GRID

PAGE: 696 GRID: D5

CITY BOUNDARY/SPHERE

NOT WITHIN A CITY
CITY SPHERE: DESERT HOT SPRINGS
ANNEXATION DATE: FEB. 22, 2007
LAFCO CASE #: 2006-25-4&5
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)

MARION ASHLEY, DISTRICT 5

TOWNSHIP/RANGE

T2SR4E SEC 35

ELEVATION RANGE

1084/1088 FEET

PREVIOUS APN

NO DATA AVAILABLE

PLANNING

LAND USE DESIGNATIONS

Zoning not consistent with the General Plan.
MDR

AREA PLAN (RCIP)

WESTERN COACHELLA VALLEY

GENERAL PLAN POLICY OVERLAYS

NOT IN A GENERAL PLAN POLICY OVERLAY AREA

GENERAL PLAN POLICY AREAS

NONE

ZONING CLASSIFICATIONS (ORD. 348)

W-2-M

ZONING DISTRICTS AND ZONING AREAS

PASS & DESERT DISTRICT

ZONING OVERLAYS

NOT IN A ZONING OVERLAY

SPECIFIC PLANS

NOT WITHIN A SPECIFIC PLAN

AGRICULTURAL PRESERVE

NOT IN AN AGRICULTURAL PRESERVE

REDEVELOPMENT AREAS

PROJECT AREA NAME: MCPA
SUBAREA NAME: GARNET - SUB AREA
AMENDMENT NUMBER: 0
ADOPTION DATE: MAY. 13, 2010
ACREAGE: 2588 ACRES

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
NOT IN A CELL GROUP

WRMSHCP CELL NUMBER
NOT IN A CELL

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

VEGETATION (2005)
NO DATA AVAILABLE

FIRE

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

FIRE RESPONSIBILITY AREA
NOT IN A FIRE RESPONSIBILITY AREA

DEVELOPMENT FEES

CVMSHCP FEE AREA (ORD. 875)
WITHIN THE COACHELLA VALLEY MSHCP FEE AREA

WRMSHCP FEE AREA (ORD. 810)
NOT WITHIN THE WESTERN RIVERSIDE COUNTY MSHCP FEE AREA

ROAD & BRIDGE DISTRICT
NOT IN A DISTRICT

EASTERN TUMF (TRANSPORTATION UNIFORM MITIGATION FEE ORD. 673)
IN OR PARTIALLY WITHIN A TUMF FEE AREA. SEE MAP FOR MORE INFORMATION.
In EAST

WESTERN TUMF (TRANSPORTATION UNIFORM MITIGATION FEE ORD. 824)
NOT WITHIN THE WESTERN TUMF FEE AREA

DIF (DEVELOPMENT IMPACT FEE AREA ORD. 659)
WESTERN COACHELLA VALLEY

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
167B

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
 DWA

FLOOD CONTROL DISTRICT
 RIVERSIDE COUNTY FLOOD CONTROL DISTRICT

WATERSHED
 WHITEWATER

GEOLOGIC

FAULT ZONE
 NOT IN A FAULT ZONE

FAULTS
 NOT WITHIN A 1/2 MILE OF A FAULT

LIQUEFACTION POTENTIAL
 MODERATE

SUBSIDENCE
 SUSCEPTIBLE

PALEONTOLOGICAL SENSITIVITY
 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.

MISCELLANEOUS

SCHOOL DISTRICT
 PALM SPRINGS UNIFIED

COMMUNITIES
 NORTH PALM SPRINGS

COUNTY SERVICE AREA
 NOT IN A COUNTY SERVICE AREA.

LIGHTING (ORD. 655)
 ZONE B, 44.84 MILES FROM MT. PALOMAR OBSERVATORY

2000 CENSUS TRACT
 044507

FARMLAND
 URBAN-BUILT UP LAND

TAX RATE AREAS
 NOT AVAILABLE

SPECIAL NOTES
 NO SPECIAL NOTES

CODE COMPLAINTS

Case #	Description	Start Date
CV0913023	ABATEMENT	Dec. 21, 2009

Case #	Description	Status
BZ272390	M/H SITE PREP	CONTACT THE BUILDING AND SAFETY RECORDS DEPARTMENT AT 951-955-2017

ENVIRONMENTAL HEALTH PERMITS
NO ENVIRONMENTAL PERMITS

PLANNING PERMITS

Case #	Description	Status
PP02263	NOT AVAILABLE	NOTINLMS

REPORT PRINTED ON...Thu Mar 24 11:05:40 2011
Version 101221



INVOICE

Order Number: 23111

Order Date: 2/3/2011

Customer Information:

Acct No. 1044

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

Attn: Brent Steele
REF: CV09-13023 / S. Nunez/T. Cervantes
IN RE: BRINKLEY, J. D.

Product and/or Service ordered for Property known as:

**64050 Desert Sands Road
North Palm Springs, CA 92240**

DESCRIPTION:	FEE:
Lot Book Report	\$120.00
TOTAL DUE:	\$120.00

Payment due upon receipt. Please remit to:

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

EXHIBIT NO. _____

C



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

Lot Book Report

Order Number: **23111**

Customer:

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

Order Date: 2/3/2011
Dated as of: 1/27/2011
County Name: Riverside

Attn: Brent Steele
Reference: CV09-13023 / S. Nunez/T. Cervantes
IN RE: BRINKLEY, J. D.

FEE(s):
Report: \$120.00

Property Address: 64050 Desert Sands Road
North Palm Springs CA 92240

Assessor's Parcel No. : 663-090-010-3

Assessments:

Land Value:	\$4,522.00
Improvement Value:	\$1,834.00
Exemption Value:	\$6,356.00
Total Value:	\$0.00

Tax Information

Property Taxes for the Fiscal Year	2010-2011
First Installment	\$2.62
Penalty	\$0.25
Status	NOT PAID-DELINQUENT
Second Installment	\$2.62
Penalty	\$0.00
Status	OPEN NOT-PAID (DUE DATE 04/10/2011)



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

Order Number: 23111
Reference: CV09-13023 / S.

Property Vesting

The last recorded document transferring title of said property

Dated	10/20/1986
Recorded	12/10/1986
Document No.	315024
D.T.T.	\$13.75
Grantor	Willie M. Batts and Bernice M. Batts, husband and wife
Grantee	J.D. Brinkley, an unmarried man

Vesting Subject to Deed Dated	01/10/1989
Recorded	01/23/1989
Document No.	21840
Grantor	Willie M. Batts & Bernice M. Batts
Grantee	John D. Brinkley

Deeds of Trust

Position No.	1st
A Deed of Trust Dated	10/20/1986
Recorded	12/10/1986
Document No.	315025
Amount	\$9,500.00
Trustor	J. D. Brinkley, an unmarried man
Trustee	Courtesy Escrow, a California corporation
Beneficiary	Willie M. Batts and Bernice M. Batts, husband and wife as joint tenants
Substitution of Trustee Recorded	05/14/1987
Document No.	135934



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

Order Number: 23111
Reference: CV09-13023 / S.

Trustee	Sentry Reconveyance Corporation, a California Corporation
Assignment Dated	03/23/1987
Recorded	05/14/1987
Document No.	135935
Assigned to	R. C. Temme , Trustee of the R. C. Temme Corporation Defined Benefit Plan and Trust
Assignment Dated	09/28/1988
Recorded	10/18/1988
Document No.	300878
Assigned to	Willie M. Batts and Bernice M. Batts, husband and wife as joint tenants

Additional Information

NO JUDGMENTS AND/OR LIENS FOUND.

Legal Description

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

ALL THAT PORTION OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE SOUTH 00°30'00" WEST, ON THE WEST LINE OF SAID SOUTHWEST QUARTER, 1,662.54 FEET; THENCE SOUTH 89° 43' 08" EAST, 201.04 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°43'08" EAST, 72.50 FEET; THENCE SOUTH 00°30'00" WEST, 166.44 FEET; THENCE NORTH 89° 40' 45" WEST, 72.50 FEET; THENCE NORTH 00° 30' 00" WEST, 166.39 FEET TO THE TRUE POINT OF BEGINNING.

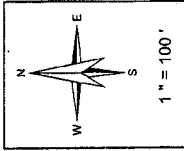
SAID PROPERTY IS ALSO SHOWN AS LOT 3, A RECORD OF SURVEY OF A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SAN BERNARDINO MERIDIAN, AS SHOWN ON MAP ON FILE IN RECORD OF SURVEY BOOK 26, PAGE 71, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

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

POR. SW 35 T.2S R.4E

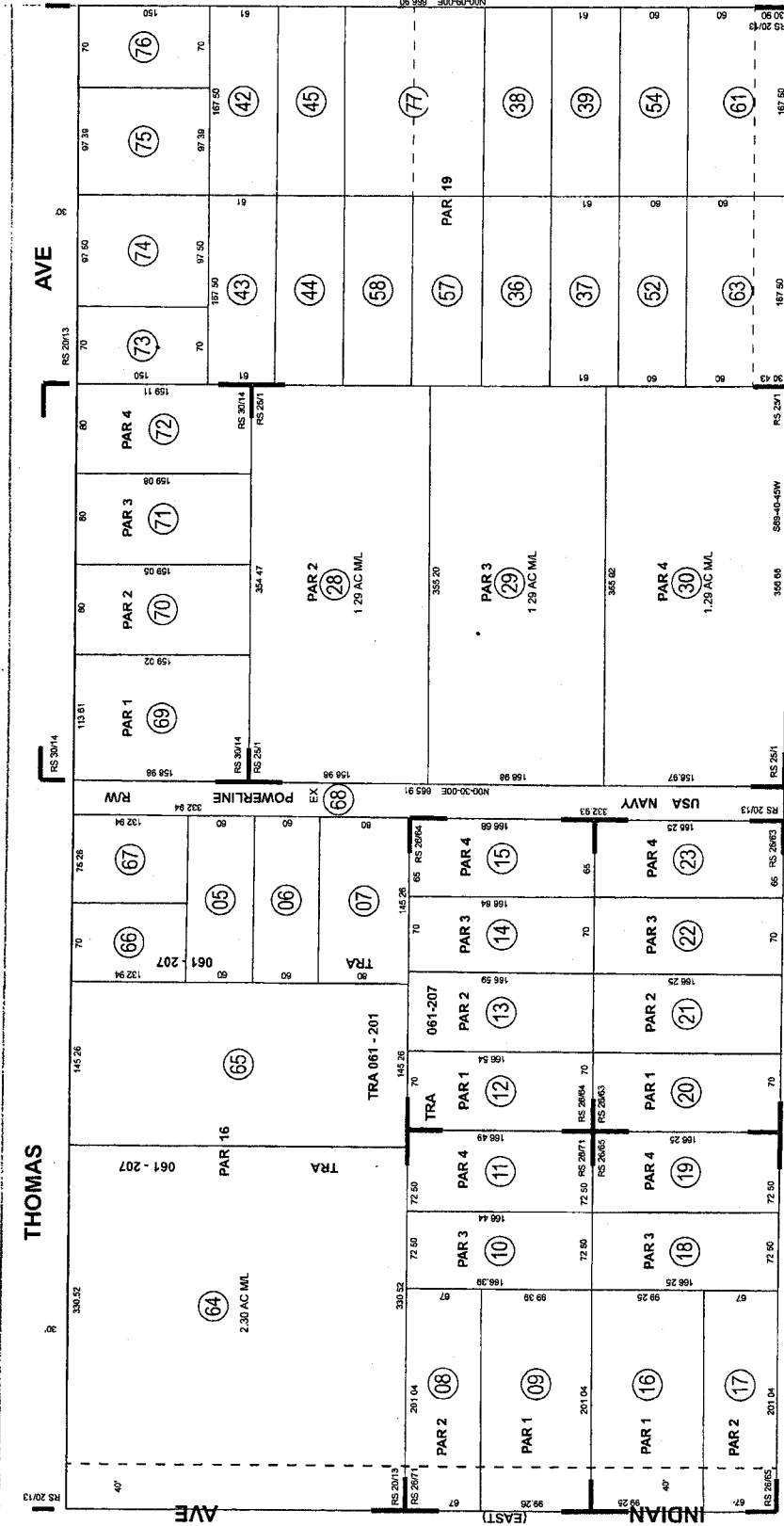
TRA 061-201
061-207

663-09
24-35-6



Legend

- Lot Lines
- - - Right-of-Way
- - - Old Lot Lines
- - - Reference R O W
- - - Other Easements
- Lease Area
- Subdivision T/c Mark



Date	Old Number	New Number
1/1/1978	31	3135
5/1/1977	32	3139
5/1/1977	33	4044
1/1/1978	34	4041
4/1/1977	35	61
5/1/1977	36	62
5/1/1978	37	63
4/1/1978	38	64
4/1/1978	39	65
4/1/1978	40	66
4/1/1978	41	67
4/1/1978	42	68
4/1/1978	43	69
4/1/1978	44	70
4/1/1978	45	71
4/1/1978	46	72
4/1/1978	47	73
4/1/1978	48	74
4/1/1978	49	75
4/1/1978	50	76
4/1/1978	51	77

Map Reference

RS 20/13
RS 25/1
RS 26/63
RS 26/64
RS 26/65
RS 26/72
RS 30/14

Bk 663 Pg 06	Bk 663 Pg 11
Bk 664 Pg 27	Bk 663 Pg 13
Bk 663 Pg 10	Bk 663 Pg 14

ASSESSOR'S MAP BK663 PG.09
Riverside County, Calif

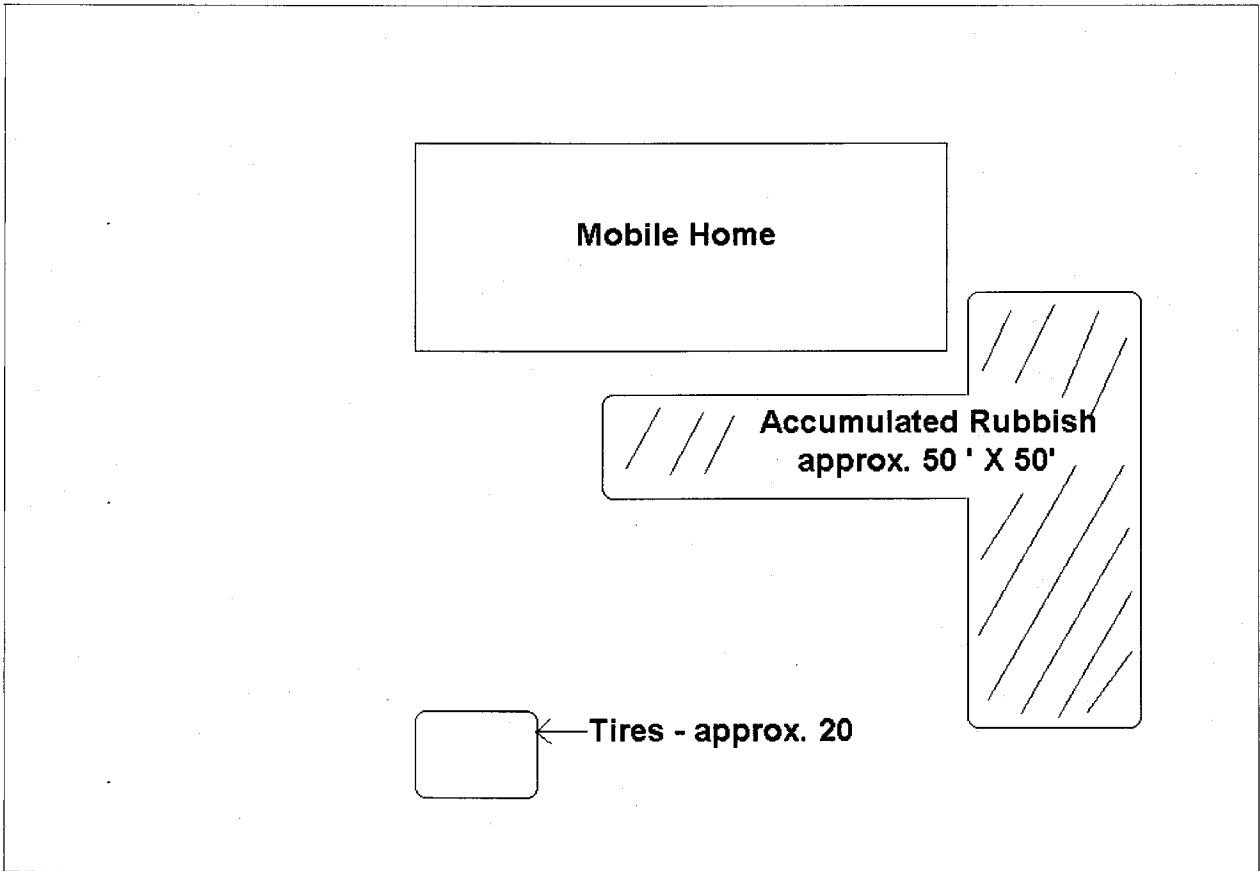


March 2010



SITE PLAN: CV0913023

OWNER(S): **JD Brinkley**
ADDRESS: **P.O. BOX 580193 – North Palm Springs**
ASSESSOR'S PARCEL: **663-090-010**
ACREAGE: **0.27**



Desert Sands

NOT TO SCALE

PREPARED BY: **T Cervantes**

DATE: **041911**

SIGNED:

EXHIBIT NO. D

PHOTOGRAPHIC EVIDENCE CASE NO. CV0913023



Photo # 1 Date: 08/13/10 Time: 10:18 AM Taken By: T Cervantes



Photo # 2 Date: 08/13/10 Time: 10:17 AM Taken By: T Cervantes

EXHIBIT NO. D2

PHOTOGRAPHIC EVIDENCE CASE NO. CV0913023



Photo # 3 Date: 08/13/10 Time: 10:18 AM Taken By: T Cervantes



Photo # 4 Date: 12/08/10 Time: 10:19 AM Taken By: T Cervantes

EXHIBIT NO. D³

PHOTOGRAPHIC EVIDENCE CASE NO. CV0913023



Photo # 5 Date: 01/26/11 Time: 10:19 AM Taken By: T Cervantes

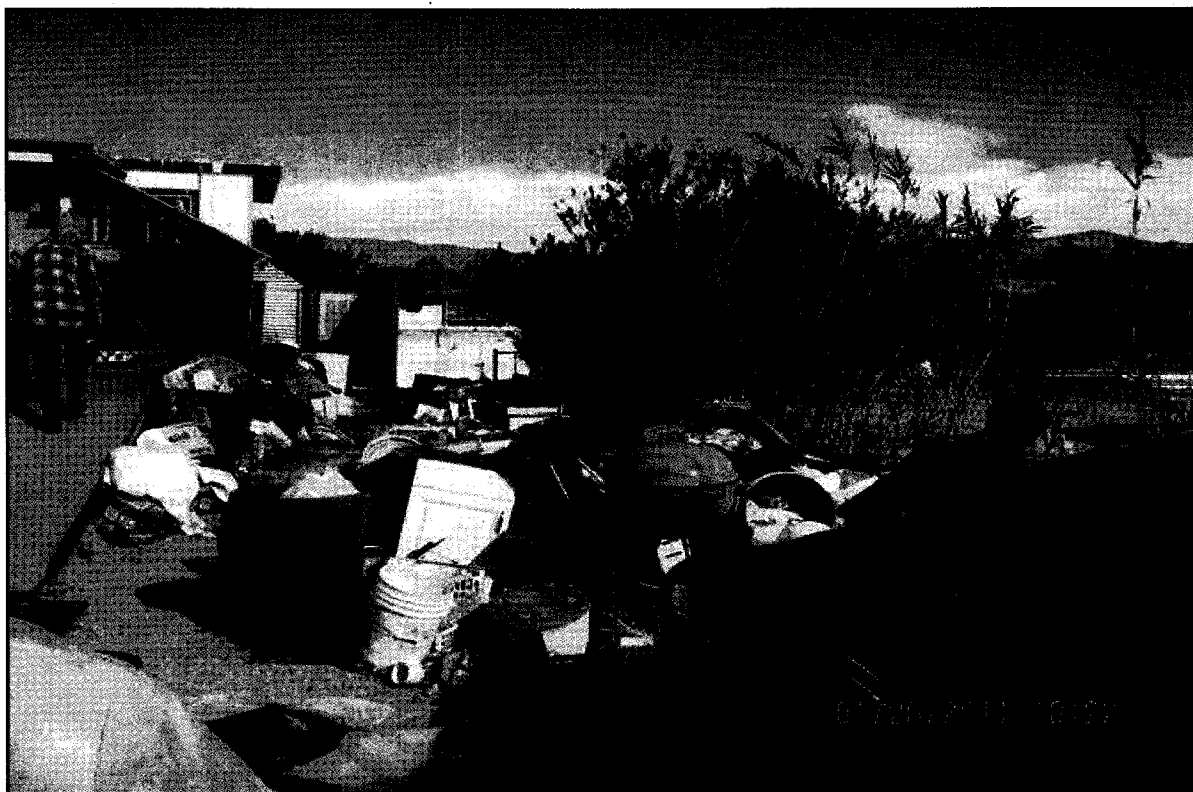


Photo # 6 Date: 01/26/11 Time: 10:22 AM Taken By: T Cervantes 4

EXHIBIT NO. D

PHOTOGRAPHIC EVIDENCE CASE NO. CV0913023



Photo # 7 Date: 03/22/11 Time: 10:39 AM Taken By: T Cervantes



Photo # 8 Date: 03/22/11 Time: 10:39 AM Taken By: T Cervantes 5

EXHIBIT NO. D

PHOTOGRAPHIC EVIDENCE CASE NO. CV0913023



Photo # 9 Date: 03/22/11 Time: 10:40 AM Taken By: T Cervantes



Photo # 10 Date: 03/22/11 Time: 10:40 AM Taken By: T Cervantes 6

EXHIBIT NO. D

PHOTOGRAPHIC EVIDENCE CASE NO. CV0913023



Photo # 11 Date: 04/15/11 Time: 10:32 AM Taken By: T Cervantes

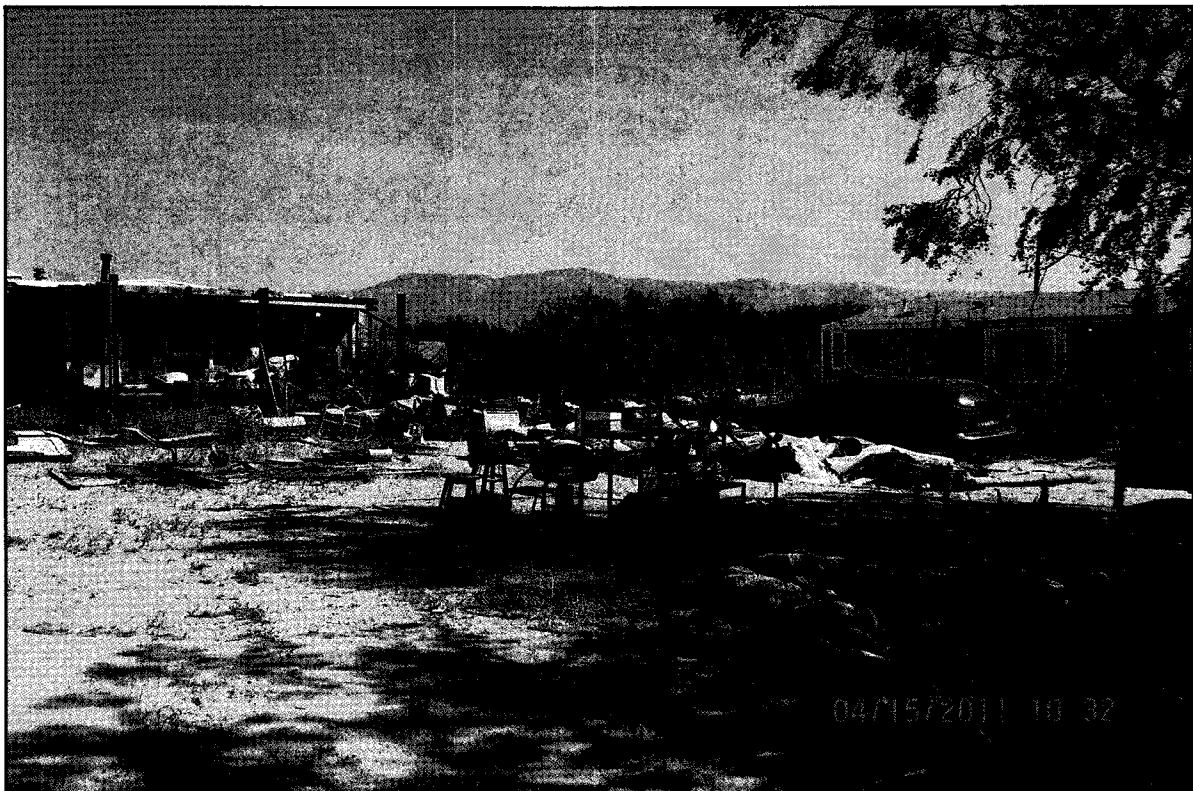


Photo # 12 Date: 04/15/11 Time: 10:32 AM Taken By: T Cervantes 7

EXHIBIT NO. D

PHOTOGRAPHIC EVIDENCE CASE NO. CV0913023

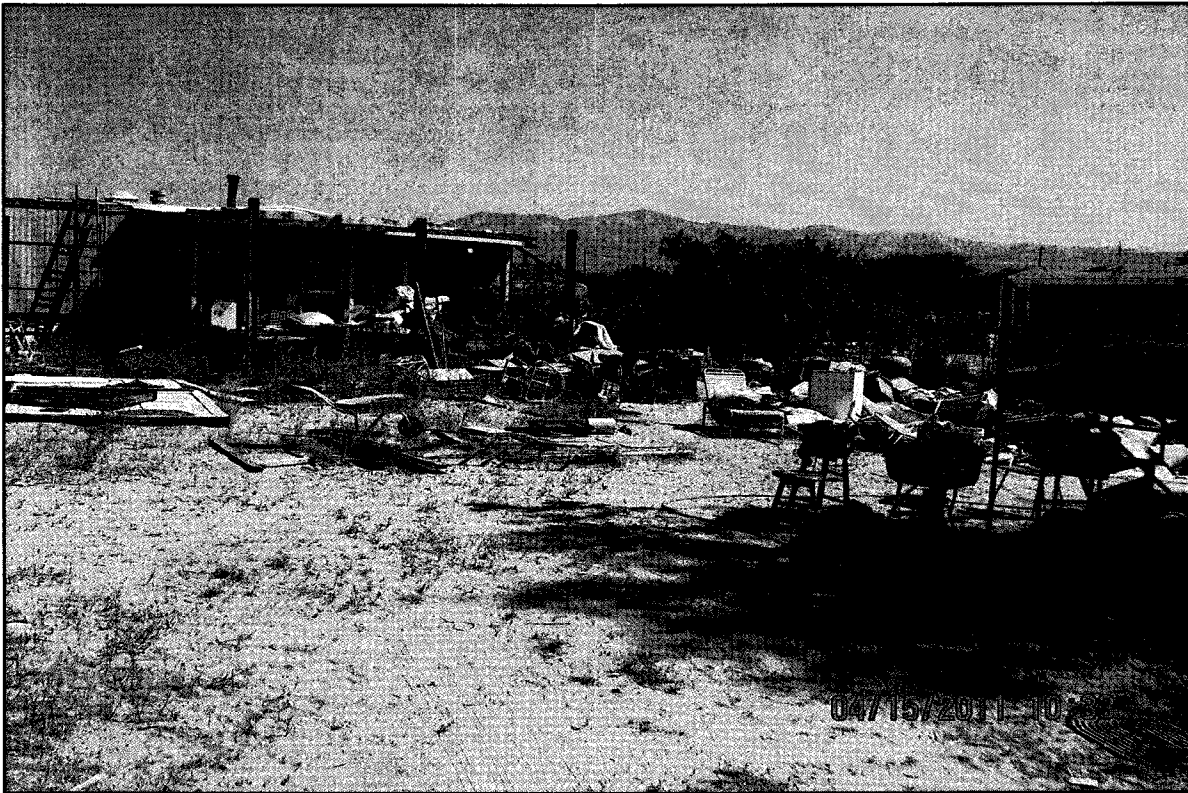


Photo # 13 Date: 04/15/11 Time: 10:33 AM Taken By: T Cervantes



Photo # 14 Date: 04/15/11 Time: 10:33 AM Taken By: T Cervantes 8

EXHIBIT NO. D

PHOTOGRAPHIC EVIDENCE CASE NO. CV0913023



Photo # 15 Date: 04/15/11 Time: 10:33 AM Taken By: T Cervantes

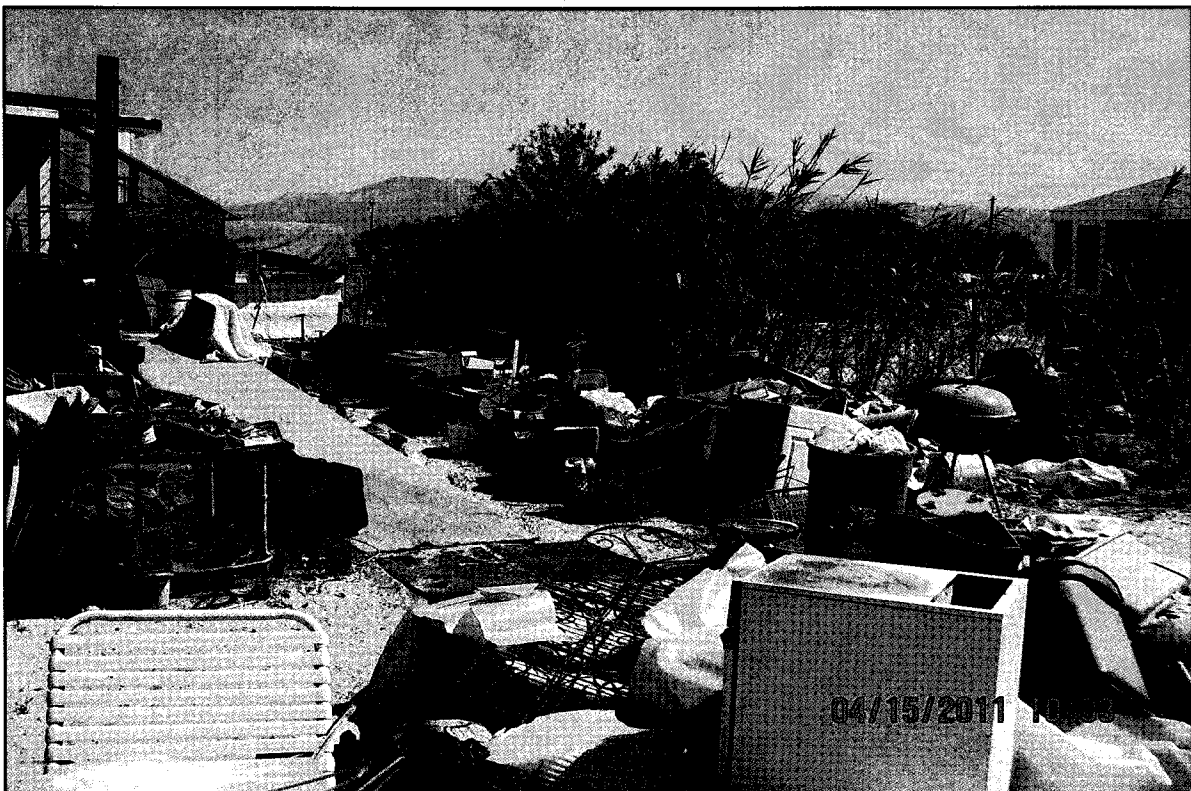


Photo # 16 Date: 04/15/11 Time: 10:33 AM Taken By: T Cervantes

EXHIBIT NO. D⁹

COUNTY OF RIVERSIDE CODE ENFORCEMENT DEPARTMENT

NOTICE OF VIOLATION

CASE No.: CV 09 13023

THE PROPERTY AT: 61050 Desert Sunset Rd, Desert Hot Springs APN#: 613-090-010

WAS INSPECTED BY OFFICER: T. CERVANTES ID#: 75 ON 08-13-10 AT 10:20 am

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

<input type="radio"/>	17.28.040 (RCO 392) Excessive Yard Sales - Cease yard sale. Limit of 3 yard sale events, not over 3 consecutive days, per year.	<input type="radio"/>	17.252.030 (RCO 348) Unpermitted Outdoor Advertising Display - Obtain a permit from the Planning Dept. or remove display.
<input type="radio"/>	17.28.130 (RCO 621) Unfenced Pool - Install or provide adequate fencing to secure the pool.	<input type="radio"/>	17.172.205 (RCO 348) Prohibited Fencing - Remove fence. Fences shall not be constructed of garage doors, tires, pallets or other materials not typically used for the construction of fences.
<input type="radio"/>	17.130.010 (RCO 341) Accumulated Rubbish - Remove all rubbish & dispose of in an approved legal landfill.	<input type="radio"/>	17. _____ (RCO 348) Excessive Outside Storage: Storage of Unpermitted Mobile Home(s) Not Allowed - Remove unpermitted mobile home(s) from the property.
<input type="radio"/>	17.08.010 (RCO 457) Unpermitted Construction - Cease construction. Obtain the appropriate permits from the Bldg. & Safety and Planning Departments or demolish the _____.	<input type="radio"/>	17. _____ (RCO 348) Occupied RV/Trailer - Cease occupancy & disconnect all utilities to RV/Trailer.
<input type="radio"/>	17.11.020(2) (RCO 457) Unapproved Grading/Clearing - Cease grading/clearing/stockpiling/importing fill. Obtain a Restoration Assessment from the Dept. of Building & Safety. Perform complete restoration and remediation of the property affected by the unapproved grading in accordance with the Restoration Assessment.	<input type="radio"/>	17. _____ (RCO 348) Excessive Animals - Remove or reduce the number of _____ to less than _____.
<input type="radio"/>	17.11.020 (RCO 457) Substandard Structure - Obtain a permit from the Bldg. & Safety Dept. to rehabilitate per Notice of Defects or demolish the structure.	<input type="radio"/>	17. _____ (RCO 348) Unpermitted Land Use : _____ Cease all business activities. Obtain Planning Dept. approval prior to resuming business operations.
<input type="radio"/>	17.48.010 (RCO 457) Unpermitted Mobile Home - Vacate mobile home. Obtain the appropriate permits from the Planning Dept. & Dept. of Bldg. & Safety prior to occupancy or remove Mobile Home.	<input checked="" type="radio"/>	17. 166.010 (RCO 348) Excessive Outside Storage - Remove or reduce all outside storage to less than _____ square feet at the rear of the property.
<input type="radio"/>	17.48.040 (RCO 457) Substandard Mobile Home/Trailer/RV - Obtain a permit from the Bldg. & Safety Dept. to rehabilitate per Notice of Defects and Title 25 or demolish the Mobile Home/Trailer/RV.	<input type="radio"/>	

COMMENTS: _____

IMPORTANT! CORRECTION(S) MUST BE COMPLETED BY: 9-13-10 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. YOU MAY BE CITED EACH DAY THAT THE VIOLATION(S) EXIST BEYOND THE CORRECTION DATE. IN ADDITION, OTHER ENFORCEMENT ACTION, PENALTIES AND THE IMPOSITION OF A LIEN ON THE PROPERTY FOR THE ABATEMENT AND ENFORCEMENT COSTS MAY RESULT IF COMPLIANCE IS NOT ACHIEVED BY THE CORRECTION DATE.

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 \$100.00 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 RIVERSIDE COUNTY ORDINANCE 725 AND RIVERSIDE COUNTY CODE 1.16.

[Signature] *[Print Name]* 08-13-10 PROPERTY OWNER TENANT
 SIGNATURE PRINT NAME DATE
 _____ _____ _____
 CDL/CID# D.O.B. TEL NO. 760-251-177 EXHIBIT NO. E POSTED



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

NOTICE OF VIOLATION

August 18, 2010

J D BRINKLEY
P O BOX 580193
N PALM SPRINGS, CA 92258

RE CASE NO: CV0913023 at 64050 DESERT SANDS RD, NORTH PALM SPRINGS, California, Assessor's Parcel Number 663-090-010

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 64050 DESERT SANDS RD, NORTH PALM SPRINGS California, Assessor's Parcel Number 663-090-010, is in violation of Section(s) RCC Section No. 8.120.010 (Ord. 541), of the Riverside County Code.

Said violation is described as:

- 1) 8.120.010 (Ord. 541) - No person or entity shall permit the accumulation of rubbish or other material, dangerous or injurious to the health and welfare of persons or the environment, on any real property in the unincorporated area of Riverside County owned by them or under their control.

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

- 1) Remove all rubbish and dispose of it in an approved, legal landfill.

COMPLIANCE MUST BE COMPLETED BY September 12, 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: Thomas Cervantes, Code Enforcement Officer

EXHIBIT NO. E²



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

NOTICE OF VIOLATION

August 18, 2010

Occupant
64050 DESERT SANDS RD
NORTH PALM SPRINGS, CA 92240

RE CASE NO: CV0913023 at 64050 DESERT SANDS RD, NORTH PALM SPRINGS, California, Assessor's Parcel Number 663-090-010

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 64050 DESERT SANDS RD, NORTH PALM SPRINGS California, Assessor's Parcel Number 663-090-010, is in violation of Section(s) RCC Section No. 8.120.010 (Ord. 541), of the Riverside County Code.

Said violation is described as:

- 1) 8.120.010 (Ord. 541) - No person or entity shall permit the accumulation of rubbish or other material, dangerous or injurious to the health and welfare of persons or the environment, on any real property in the unincorporated area of Riverside County owned by them or under their control.

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COMPLIANCE MUST BE COMPLETED BY September 12, 2010. FAILURE TO COMPLY WILL RESULT IN LEGAL ACTION BEING BROUGHT AGAINST YOU.

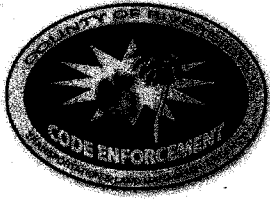
NOTICE IS HEREBY GIVEN THAT AT THE CONCLUSION OF THIS CASE YOU WILL RECEIVE A SUMMARY OF ADMINISTRATIVE COSTS ASSOCIATED WITH THE PROCESSING OF SUCH VIOLATION(S), AT AN HOURLY RATE OF \$109.00 AS DETERMINED BY THE BOARD OF SUPERVISORS.

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:  Thomas Cervantes, Code Enforcement Officer

EXHIBIT NO. E³



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

PROOF OF SERVICE

Case No. CV0913023

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Sara Nunez, 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 August 18, 2010, I served the following documents(s):

NOTICE RE: Notice of Violation RCC 8.120.010

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

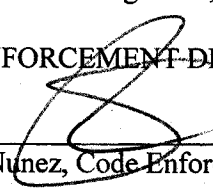
J D BRINKLEY P O BOX 580193, N PALM SPRINGS, CA 92258
OCCUPANT 64050 DESERT SANDS RD, NORTH PALM SPRINGS, CA 92240

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 August 18, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

By: 

By: Sara Nunez, Code Enforcement Aide

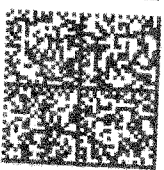
EXHIBIT NO. _____

E⁴

COUNTY OF RIVERSIDE
Code Enforcement Department
31290 Plantation Drive
Thousand Palms, CA 92276

00 09/01/10
DE 1 SENDER RECESSED
929 TO SEND REWARD
RETURN TO AS ABOVE
REWARD TO *1977-08630-01-42
RETURABLE
NOT DEONABLE
BC: #2275550490
|||

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
EAGLE
METEX BOMBS
02 1A \$ 00.382
0004635132 AUG 18 2010
MAILED FROM ZIP CODE 92504

J D Brinkley
PO Box 580193
N Palm Springs, Ca 92258
CV0913023TC(AR)

UTF

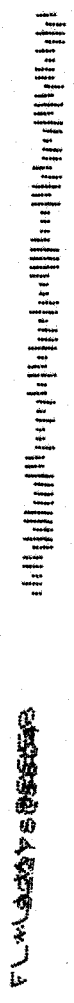


EXHIBIT NO. _____

CTJ



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

NOTICE OF VIOLATION

March 24, 2011

R.C. TEMME CORPORATION
AGENT FOR SERVICE - RICHARD C TEMME
21777 VENTURA BLVD. SUITE 201
WOODLAND HILLS, CA 91364

RE CASE NO: CV0913023 at 64050 DESERT SANDS RD, in the community of NORTH PALM SPRINGS, California, Assessor's Parcel Number 663-090-010

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 64050 DESERT SANDS RD, in the community of NORTH PALM SPRINGS California, Assessor's Parcel Number 663-090-010, is in violation of Section(s) RCC Section No. 8.120.010 (Ord. 541), of the Riverside County Code.

Said violation is described as:

- 1) 8.120.010 (Ord. 541) - No person or entity shall permit the accumulation of rubbish or other material, dangerous or injurious to the health and welfare of persons or the environment, on any real property in the unincorporated area of Riverside County owned by them or under their control.

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

- 1) Remove all rubbish and dispose of it in an approved, legal landfill.

COMPLIANCE MUST BE COMPLETED BY April 23, 2011. 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:  Thomas Cervantes, Code Enforcement Officer

EXHIBIT NO. E⁴



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

NOTICE OF VIOLATION

March 24, 2011

COURTESY ESCROW, INC
AGENT FOR SERVICE - KEN YU
22632 GOLDEN SPRINGS DR. #180
DIAMOND BAR, CA 91765

RE CASE NO: CV0913023 at 64050 DESERT SANDS RD, in the community of NORTH PALM SPRINGS, California, Assessor's Parcel Number 663-090-010

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 64050 DESERT SANDS RD, in the community of NORTH PALM SPRINGS California, Assessor's Parcel Number 663-090-010, is in violation of Section(s) RCC Section No. 8.120.010 (Ord. 541), of the Riverside County Code.

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CODE ENFORCEMENT DEPARTMENT

By:  Code Enforcement Officer

EXHIBIT NO. E⁷



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

NOTICE OF VIOLATION

March 24, 2011

COURTESY ESCROW, INC.
AGENT FOR SERVICE - JIMMY TRI TRAN
159 EAST LIVE OAK AVE. SUITE 206
ARCADIA, CA 91006

RE CASE NO: CV0913023 at 64050 DESERT SANDS RD, in the community of NORTH PALM SPRINGS, California, Assessor's Parcel Number 663-090-010

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 64050 DESERT SANDS RD, in the community of NORTH PALM SPRINGS California, Assessor's Parcel Number 663-090-010, is in violation of Section(s) RCC Section No. 8.120.010 (Ord. 541), of the Riverside County Code.

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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: Thomas Cervantes, Code Enforcement Officer

EXHIBIT NO. ES

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. 	A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
Article Addressed to: R.C. Temme Corporation Agent for Service-Richard C Temme 21777 Ventura Blvd Suite 201 Woodland Hills, Ca 91364 CV0913023TC(AR)	B. Received by (Printed Name)	C. Date of Delivery
2. Article Number <i>(Transfer from service label)</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, February 2004	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7009 2250 0004 4830 9687		
Domestic Return Receipt		102595-02-M-1540

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	\$
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R.C. Temme Corporation
Agent for Service-Richard C Temme
21777 Ventura Blvd Suite 201
Woodland Hills, Ca 91364
CV0913023TC(AR)

Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7009 2250 0004 4830 9687

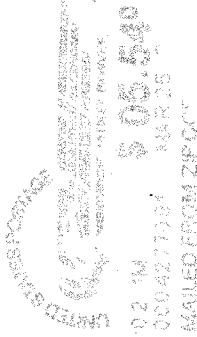
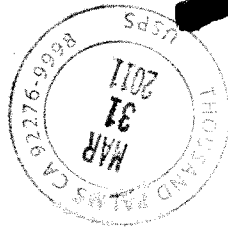
EXHIBIT NO. E9

CERTIFIED MAIL™

COUNTY OF RIVERSIDE
Code Enforcement Department
31290 Plantation Drive
Thousand Palms, CA 92276



7009 2250 0004 4830 9670



replied

Courtesy Escrow, Inc
Agent for Service-Ken Yu

NIXIE 917 DE 1 00 09/29/11
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
EC: 92276550490 *0704-08995-25-41

91765541952276504

7009 2250 0004 4830 9670

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 \$

Cert Courtesy Escrow, Inc

Return Re:
(Endorsement F

Agent for Service-Ken Yu

Restricted Del:
(Endorsement F

22632 Golden Springs Dr 180

Diamond Bar, Ca 91765

Total Postage

CV0913023TC(AR)

Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

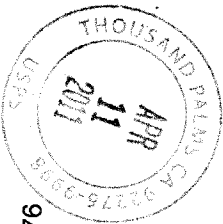
PS Form 3800, August 2006

See Reverse for Instructions

E10

EXHIBIT NO. _____

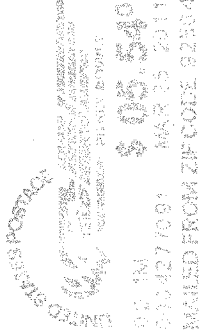
COUNTY OF RIVERSIDE
Code Enforcement Department
31290 Plantation Drive
Thousand Palms, CA 92276



CERTIFIED MAIL™



7807 2250 0004 4830 9694



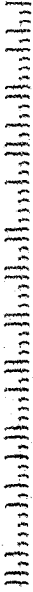
Courtesy Escrow, Inc
Agent for Service-Jimmy Tri Tran

15 NIXIE 913 DC 1 CC 04/07/11

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

EC: 922765580490 *0704-06997-25-41

910065580490



**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

Courtesy Escrow, Inc
Agent for Service-Jimmy Tri Tran
159 East Live Oak Ave Suite 206
Arcadia, Ca 91006
CV0913023TC(AR)

Total Postage & Fees \$

Sent To

Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

EXHIBIT NO. _____

EM

7009 2250 0004 4830 9694



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

PROOF OF SERVICE

Case No. CV0913023

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Sara Nunez, 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 March 24, 2011, I served the following documents(s):

NOTICE RE: Notice of Violation

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

R.C. TEMME CORPORATION AGENT FOR SERVICE - RICHARD C TEMME 21777 VENTURA BLVD. SUITE 201, WOODLAND HILLS, CA 91364

COURTESY ESCROW, INC AGENT FOR SERVICE - KEN YU 22632 GOLDEN SPRINGS DR. #180, DIAMOND BAR, CA 91765

COURTESY ESCROW, INC. AGENT FOR SERVICE - JIMMY TRI TRAN 159 EAST LIVE OAK AVE. SUITE 206, ARCADIA, CA 91006

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.

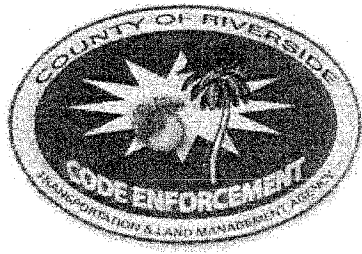
XX **STATE.** I declare under the penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED ON March 24, 2011 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

By: Sara Nunez, Code Enforcement Aide

EXHIBIT NO. E 12



COUNTY OF RIVERSIDE CODE ENFORCEMENT DEPARTMENT

NOTICE OF VIOLATION

CASE No.: CV 19-15073

THE PROPERTY AT: 64050 Baker Street, Riverside, CA 92504 APN#: 613-090-010

WAS INSPECTED BY OFFICER: T. Capriles ID#: 75 ON 08-13-19 AT 10:30 am/pm

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

<input type="radio"/>	5.28.040 (RCO 593)	Excessive Yard Sales - Cease yard sale. Limit of 3 yard sale events, not over 3 consecutive days, per year.	<input type="radio"/>	17.252.030 (RCO 348)	Unpermitted Outdoor Advertising Display - Obtain a permit from the Planning Dept. or remove display.
<input type="radio"/>	8.28.030 (RCO 821)	Unfenced Pool - Install or provide adequate fencing to secure the pool.	<input type="radio"/>	17.172.205 (RCO 348)	Prohibited Fencing - Remove fence. Fences shall not be constructed of garage doors, tires, pallets or other materials not typically used for the construction of fences.
<input checked="" type="radio"/>	8.120.010 (RCO 541)	Accumulated Rubbish - Remove all rubbish & dispose of in an approved legal landfill.	<input type="radio"/>	17. (RCO 348)	Excessive Outside Storage: Storage of Unpermitted Mobile Homes(s) Not Allowed - Remove unpermitted mobile home(s) from the property.
<input type="radio"/>	15.08.010 (RCO 457)	Unpermitted Construction - Cease construction. Obtain the appropriate permits from the Bldg. & Safety and Planning Departments or demolish the	<input type="radio"/>	17. (RCO 348)	Occupied RV/Trailer - Cease occupancy & disconnect all utilities to RV/Trailer.
<input type="radio"/>	15.12.020(J)(2) (RCO 457)	Unapproved Grading/Clearing - Cease grading/clearing/stockpiling/importing fill. Obtain a Restoration Assessment from the Dept. of Building & Safety. Perform complete restoration and remediation of the property affected by the unapproved grading in accordance with the Restoration Assessment.	<input type="radio"/>	17. (RCO 348)	Excessive Animals - Remove or reduce the number of _____ to less than _____.
<input type="radio"/>	15.16.020 (RCO 457)	Substandard Structure - Obtain a permit from the Bldg. & Safety Dept. to rehabilitate per Notice of Defects or demolish the structure.	<input type="radio"/>	17. (RCO 348)	Unpermitted Land Use: _____ Cease all business activities. Obtain Planning Dept. approval prior to resuming business operations.
<input type="radio"/>	15.48.010 (RCO 457)	Unpermitted Mobile Home —Vacate mobile home. Obtain the appropriate permits from the Planning Dept. & Dept. of Bldg. & Safety prior to occupancy or remove Mobile Home.	<input checked="" type="radio"/>	17. 156.015 (RCO 348)	Excessive Outside Storage - Remove or reduce all outside storage to less than _____ square feet at the rear of the property.
<input type="radio"/>	15.48.040 (RCO 457)	Substandard Mobile Home/Trailer/RV - Obtain a permit from the Bldg. & Safety Dept. to rehabilitate per Notice of Defects and Title 25 or demolish the Mobile Home/Trailer/RV.	<input type="radio"/>		

COMMENTS:

IMPORTANT! CORRECTION(S) MUST BE COMPLETED BY: 9-12-19. 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. YOU MAY BE CITED EACH DAY THAT THE VIOLATION(S) EXIST BEYOND THE CORRECTION DATE. IN ADDITION, OTHER ENFORCEMENT ACTION, PENALTIES AND THE IMPOSITION OF A LIEN ON THE PROPERTY FOR THE ABATEMENT AND ENFORCEMENT COSTS MAY RESULT IF COMPLIANCE IS NOT ACHIEVED BY THE CORRECTION DATE.

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 \$ 100.00 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 RIVERSIDE COUNTY ORDINANCE 725 AND RIVERSIDE COUNTY CODE I.16.

Eva Hernandez SIGNATURE Eva Hernandez PRINT NAME 08-13-19 DATE PROPERTY OWNER TENANT

CDL/GID# _____ D.O.B. _____ EXHIBIT NO. E13 POSTED



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

AFFIDAVIT OF POSTING OF NOTICES

April 19, 2011

RE CASE NO: CV0913023

I, Thomas Cervantes, hereby declare:

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

That on 04/15/2011 at 10:32 AM, I securely and conspicuously posted Notice of Violation -- RCC 8.120.010 - Accumulated Rubbish and 'Do Not Dump Refuse' sign at the property described as:

Property Address: 64050 DESERT SANDS RD, NORTH PALM SPRINGS

Assessor's Parcel Number: 663-090-010

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

Executed on April 19, 2011 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

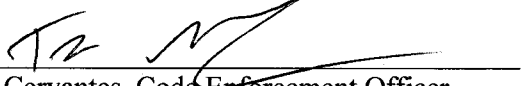

By: Thomas Cervantes, Code Enforcement Officer

EXHIBIT NO.

E14

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

DOC # 2011-0117151
03/15/2011

Customer Copy Label
The paper to which this label is
affixed has not been compared
with the recorded document
Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

NOTICE OF NONCOMPLIANCE

In the matter of the Property of
J D Brinkley)

Case No.: CV09-13023

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. 541, (RCC Title 8.120) described as Accumulated Rubbish. Such Proceedings are based upon the noncompliance of such real property, located at 64050 Desert Sands Rd, Desert Hot Springs, CA, and more particularly described as Assessor's Parcel Number 663-090-010 and having a legal description of .27 ACRES M/L IN PAR 3 RS 026/071 of Section 35 T2SR4E, Records of Riverside County, with the requirements of Ordinance No. 541 (RCC Title 8.120).

The owner has been advised to immediately correct the above-referenced violation to avoid further action by the County of Riverside, which may include remediation or restoration to abate the public nuisance or other remedies available to the department by a court of competent jurisdiction. Any costs incurred by the County, including, but not limited to investigative, administrative and abatement costs and attorneys' fees, may become a lien on the property. Further details regarding this notice may be obtained by addressing an inquiry to the Code Enforcement Department, 31290 Plantation Dr., Thousand Palms, CA 92276, Attention Code Enforcement Officer Thomas Cervantes (760) 343-4150.

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

COUNTY OF RIVERSIDE
DEPARTMENT OF CODE ENFORCEMENT
By: [Signature]
Dave Lawless
Code Enforcement Division

ACKNOWLEDGEMENT

State of California)
County of Riverside)

On 3/14/11 before me, Marlena Hernandez, Notary Public, personally appeared Dave Lawless who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.
[Signature]
Commission # 1866835 Comm. Expires Oct 24, 2013

COPY



4

EXHIBIT NO.



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

Glenn Baude
Director

August 24, 2011

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

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

Case No.: CV09-13023
APN: 663-090-010; BRINKLEY
Property: 64050 Desert sands Road, Desert Hot Springs

NOTICE IS HEREBY GIVEN that a hearing will be held before the Riverside County Board of Supervisors pursuant to Riverside County Ordinance Nos. 541 (RCC Title 8) and 725 (RCC Title 1) to consider the abatement of the accumulated rubbish located on the SUBJECT PROPERTY described as **64050 Desert sands Road, Desert Hot Springs, California**, and more particularly described as Assessor's Parcel Number 663-090-010.

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 removing the accumulated rubbish from the real property.

SAID HEARING will be held on **Tuesday, September 20, 2011, 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, David Lawless at (760) 393-3344 or Supervising Code Enforcement Officer, Brian Black at (951) 955-2004 prior to the hearing. Please meet Brian Black at 8:30 a.m. on the day of the hearing in Conference Room 2A located on the 1st floor in front of the Human Resources Office to discuss the case.

GLENN BAUDE
DIRECTOR

WARD KOMERS
Administrative Manager

EXHIBIT NO. 6

NOTICE LIST

Subject Property: 64050 Desert Sands Rd., Desert Hot Springs

Case No.: CV09-13023;

APN: 663-090-010; District Five

J.D. BRINKLEY
64050 DESERT SANDS RD
DESERT HOT SPRINGS CA 92240

J.D. BRINKLEY
PO BOX 580193
N PALM SPRINGS CA 92258

WILLIE M BATTIS
BERNICE M BATTIS
64015 HARVEST MOON ROAD
DESERT HOT SPRINGS CA 92240

G:\Litigation\Code Enforcement\Abatements\2011\2009\CV09-13023\Notice List.DOC

EXHIBIT NO. 62

1 **PROOF OF SERVICE**

2 Case No. CV09-13023

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, Suite 500, Riverside, California 92501.

7 That on August 24, 2011, 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)**

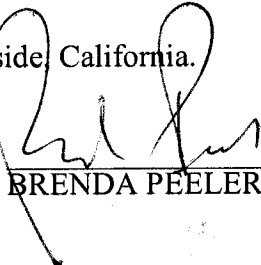
13 XX **BY FIRST CLASS MAIL.** I am "readily familiar" with the office's practice of collection
14 and processing correspondence for mailing. Under that practice it would be deposited with
15 the U.S. Postal Service on that same day with postage thereon fully prepaid at Riverside,
16 California, in the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

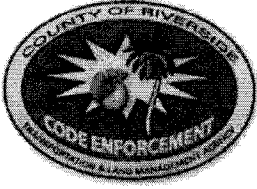
19 XX **STATE - I declare under penalty of perjury under the laws of the State of California that the
20 above is true and correct.**

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 24, 2011, at Riverside, California.

24 
25 _____
26 BRENDA PEELER

27 EXHIBIT NO. 6³
28



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

AFFIDAVIT OF POSTING OF NOTICES

August 30, 2011

RE CASE NO: CV0913023

I, Thomas Cervantes, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 38686 El Cerrito Road, Suite 200, Palm Desert, California 92211 .

That on 08/30/2011 at 11:06 AM, I securely and conspicuously posted Notice to Abate Public Nuisance at the property described as:

Property Address: 64050 DESERT SANDS RD, NORTH PALM SPRINGS

Assessor's Parcel Number: 663-090-010

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

Executed on August 30, 2011 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

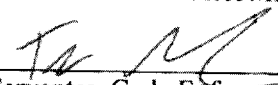

By: Thomas Cervantes, Code Enforcement Officer

EXHIBIT NO.

G4