

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

116B



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

**SUBMITTAL DATE:**  
December 23, 2010

**SUBJECT:** Order to Abate [Accumulated Rubbish]  
Case No: C10-07232 (MARLAND COMPANY)  
Subject Property: 16505 Calle Lima, Perris; APN: 287-220-001  
District: 1

**RECOMMENDED MOTION:** Move that:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV10-07232 be approved;
2. The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and order to Abate in Case No. CV 10-07232; and
3. The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV 10-07232.

Departmental Concurrence

(Continued)

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

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

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

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

APPROVE  
BY: *Jennifer L. Sargent*  
Jennifer L. Sargent

**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: January 11, 2011  
xc: Co.Co.(3); Recorder

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

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

Prev. Agn. Ref.: 9.1

District: /

Agenda Number:

2.10

Abatement of Public Nuisance  
Case No. 10-07232 (MARLAND COMPANY)  
16505 Calle Lima, Perris  
Page 2

**BACKGROUND:**

On November 30, 2010, this Board received the declaration of the Code Enforcement Officer in the above-referenced matter. At the conclusion of the hearing, this Board declared the accumulated rubbish located on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare Findings of Fact, Conclusions and Order to Abate.

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



4  
5 WHEN RECORDED PLEASE MAIL TO:  
L. Alexandra Fong, Deputy County Counsel  
6 County of Riverside  
OFFICE OF COUNTY COUNSEL  
7 3960 Orange Street, Suite 500 (Stop #1350)  
Riverside, CA 92501

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[EXEMPT'6103]

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



11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 10-07232  
[ACCUMULATION OF RUBBISH]; APN 287- )  
12 220-001, 16505 CALLE LIMA, PERRIS, ) FINDINGS OF FACT,  
RIVERSIDE COUNTY, CALIFORNIA; ) CONCLUSIONS AND ORDER TO  
13 MARLAND COMPANY, OWNER. ) ABATE NUISANCE  
14 \_\_\_\_\_ ) [R.C.O. Nos. 541 (RCC Chapter 8.120)  
and 725 (RCC Title 1)]

16 The above-captioned matter came on regularly for hearing on November 30, 2010, before the  
17 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor  
18 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real  
19 property described as 16505 Calle Lima, Perris, Riverside County, and further described as  
20 Assessor's Parcel Number 287-220-001 referred to hereinafter as "THE PROPERTY."

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

23 Oliver Santos appeared on behalf of Marland Company, OWNER, and addressed the Board of  
24 Supervisors.

25 The Board of Supervisors received the Declaration of Code Enforcement Officer together  
26 with the attached exhibits, evidencing the accumulation of rubbish on THE PROPERTY as a public  
27 nuisance and violation of Riverside County Ordinance No. 541, as codified in Riverside County Code  
28 Chapter 8.120.

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder’s Office identify the OWNER  
3 of THE PROPERTY as Marland Company (“OWNER”).

4 2. Documents of title indicate that no other parties potentially hold a legal interest in  
5 THE PROPERTY.

6 3. THE PROPERTY was inspected by Code Enforcement Officers on August 25, 2010,  
7 August 26, 2010, September 15, 2010, November 17, 2010 and November 29, 2010.

8 4. During each inspection, an accumulation of rubbish was observed on THE  
9 PROPERTY. The rubbish consisted of, but was not limited to: household trash, scrap wood,  
10 mattresses, rugs, carpet padding, plastic buckets, discarded furniture, car seat, fender, plastic truck  
11 liner and asphalt.

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

14 6. A Notice of Noncompliance was recorded in the Office of the County Recorder,  
15 County of Riverside, State of California on September 17, 2010 as instrument number 2010-0447168.

16 7. On August 26, 2010 and September 15, 2010, Notices of Violation were posted on  
17 THE PROPERTY. On September 14, 2010, a Notice of Violation was mailed by certified mail,  
18 return receipt requested to OWNERS. On September 14, 2010, a Notice of Violation was mailed by  
19 certified mail return receipt requested to OWNERS and INTERESTED PARTIES.

20 8. On November 16, 2010, a “Notice to Correct County Ordinance Violations and Abate  
21 Public Nuisance” providing notice of the public hearing before the Board of Supervisors on  
22 November 30, 2010 was mailed by certified mail, return receipt requested, to the OWNERS and  
23 INTERESTED PARTIES and posted on THE PROPERTY on November 17, 2010.

24 **FINDINGS AND CONCLUSIONS**

25 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
26 regular session assembled on November 30, 2010, finds and concludes that:

27 1. WHEREAS, the accumulation of rubbish on the real property located at 16505 Calle  
28 Lima, Perris, Riverside County, California, also identified as Assessor's Parcel Number 287-220-001

2011-0027251  
01/19/2011 09:08A  
2 of 5





1 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement  
2 Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into  
3 compliance within ten (10) days of the date of this Order to Abate Nuisance.  
4

5 Dated: January 11, 2011

COUNTY OF RIVERSIDE

6  
7 By Bob Buster  
8 **BOB BUSTER**  
9 Chairman, Board of Supervisors

10 ATTEST:

11 **KECIA HARPER-IHEM**

12 Clerk to the Board

13 By Karen Zutter  
14 Deputy

15  
16 (SEAL)



2011-0027291  
01/13/2011 09:08A  
4 of 5

FORM APPROVED COUNTY COUNSEL  
BY: Alexandra Fong DATE 01/15/11  
L. ALEXANDRA FONG



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

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

<http://riverside.asrclrec.com>

**CERTIFICATION**

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors  
(embossed on document)



Date: 1-11-11

Signature: *Karen Barton*

Print Name: Karen Barton, Board Assistant, Riverside County Clerk of the Board



**PROOF OF SERVICE**

Case No. CV10-07232

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STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Brenda Peeler, the undersigned, declare that I am a citizen of the United States and am employed in the County of Riverside, over the age of 18 years and not a party to the within action or proceeding; that my business address is 3960 Orange Street, Suite 500, Riverside, California 92501-3674.

That on March 31, 2011, I served the following document(s):

**FINDINGS OF FACT, CONCLUSIONS AND ORDER TO ABATE NUISANCE**

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

**OWNERS OR INTERESTED PARTIES  
(SEE ATTACHED NOTICE LIST)**

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

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

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

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

EXECUTED ON March 31, 2011, at Riverside, California.

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





**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

GLENN BAUDE  
Director

**AFFIDAVIT OF POSTING OF NOTICES**

April 18, 2011

RE CASE NO: CV1007232

I, Marco Diaz, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 19450 Clark Street, Perris, California 92570 .

That on 04/18/2011 at 1:03pm, I securely and conspicuously posted a FINDINGS OF FACT, CONCLUSIONS AND ORDER TO ABATE NUISANCE at the property described as:

**Property Address:** 16505 CALLE LIMA, PERRIS

**Assessor's Parcel Number:** 287-220-001

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

Executed on April 18, 2011 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

  
By: Marco Diaz, Code Enforcement Technician

# NOTICE LIST

Subject Property: 16505 Calle Lima, Perris  
Case No.: CV 10-07232 APN: 287-220-001; District 1

MARLAND CO  
ATTN: OLIVER G SANTOS  
444 S. FLOWER ST., STE. 1200  
LOS ANGELES, CA 90071

# NOTICE LIST

Subject Property: 16505 Calle Lima, Perris  
Case No.: CV 10-07232 APN: 287-220-001; District 1

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	A. Signature <i>*Ricardo Castro</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to:  MARLAND CO ATTN OLIVER G SANTOS 444 S FLOWER ST STE 1200 LOS ANGELES CA 90071  <i>CV10-07232 (MARLAND CO) FF 1</i>	B. Received by ( <i>Printed Name</i> ) C. Date of Delivery  <i>9/5/11</i>
2. Article Number ( <i>Transfer from service label</i> )	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below: <input type="checkbox"/> No
PS Form 3811, February 2004	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.
Domestic Return Receipt	4. Restricted Delivery? ( <i>Extra Fee</i> ) <input type="checkbox"/> Yes  7010 1670 0001 7232 3385 102595-02-M-1540