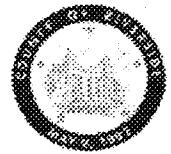


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

6088



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
February 16, 2011

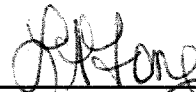
SUBJECT: Order to Abate [Accumulated Rubbish]
Case No: CV 10-01502 [MARTINEZ/BARRAZA]
Subject Property: One(1) Parcel on Read St. aka One(1) Parcel northwest of
21320 Elmer St., Perris; APN: 345-020-022
District: Five

RECOMMENDED MOTION: Move that:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV 10-01502 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 10-01502; 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 10-01502.

Departmental Concurrence

(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

County Executive Office Signature

BY: 
Jennifer L. Sargent

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, Tavaglione, Stone and Ashley
Nays: None
Absent: Benoit
Date: March 1, 2011
xc: Co.Co.(3); Recorder

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

Consent
 Policy
 Consent
 Policy

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

Abatement of Public Nuisance

Case No.: CV10-01502 [MARTINEZ/BARRAZA]

One(1) Parcel on Read St. aka One(1) Parcel northwest of
21320 Elmer St., Perris

District Five

Page 2

BACKGROUND:

On January 25, 2011, 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.

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

DOC # 2011-0102775
03/07/2011

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

[EXEMPT'6103]

9 **BOARD OF SUPERVISORS**
10 **COUNTY OF RIVERSIDE**

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 10-01502
[ACCUMULATION OF RUBBISH]; APN 345-)
12 020-022, ONE (1) PARCEL ON READ STREET) FINDINGS OF FACT,
AKA ONE (1) PARCEL NORTHWEST OF 21320) CONCLUSIONS AND ORDER TO
13 ELMER STREET, PERRIS, COUNTY OF) ABATE NUISANCE
RIVERSIDE, STATE OF CALIFORNIA;)
14 NATIVIDAD BARRAZA MARTINEZ AND) [R.C.O. Nos. 541 (RCC Chapter 8.120)
MARIA ELVA BARRAZA, OWNERS.) and 725 (RCC Title 1)]
15)
16)

17 The above-captioned matter came on regularly for hearing on January 25, 2011, before the
18 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
19 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
20 property described as One (1) Parcel on Read Street aka One (1) Parcel Northwest of 21320 Elmer
21 Street, Perris, Riverside County, and further described as Assessor's Parcel Number 345-020-022
referred to hereinafter as "THE PROPERTY."

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

24 Owner, Natividad Barraza Martinez, appeared and did not address the Board of 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

COPY

1 Chapter 8.120.

2 **SUMMARY OF EVIDENCE**

3 1. Documents of record in the Riverside County Recorder's Office identify the
4 OWNERS of THE PROPERTY as Natividad Barraza Martinez and Maria Elva Barraza
5 ("OWNERS").

6 2. Documents of title indicate that no other party potentially holds a legal interest in THE
7 PROPERTY.

8 3. THE PROPERTY was inspected by Code Enforcement Officers on May 4, 2010, June
9 28, 2010, August 4, 2010, August 25, 2010, September 30, 2010, December 28, 2010 and January
10 24, 2011.

11 4. During each inspection, an accumulation of rubbish was observed on THE
12 PROPERTY. The rubbish consisted of, but was not limited to: household rubbish items, spent
13 building materials, tires, green waste, furniture, animal waste, carcasses and miscellaneous items.

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

16 6. A Notice of Noncompliance was recorded in the Office of the County Recorder,
17 County of Riverside, State of California on August 18, 2010 as instrument number 2010-0390496.

18 7. On May 4, 2010, a Field Notice of Violation and Do Not Dump Refuse Here signage
19 were posted on THE PROPERTY. On June 24, 2010, a Notice of Violation was mailed by certified
20 mail, return receipt requested to OWNERS. On August 25, 2010, a Notice of Violation and Do Not
21 Dump Refuse Here sign were posted on THE PROPERTY.

22 8. On December 23, 2010, a second notice, "Notice to Abate Public Nuisance" providing
23 notice of the public hearing before the Board of Supervisors on January 25, 2011 was mailed by
24 certified mail, return receipt requested, to the OWNERS and posted on THE PROPERTY on
25 December 28, 2010.

26 **FINDINGS AND CONCLUSIONS**

27 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
28 regular session assembled on January 25, 2011, finds and concludes that:

1 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate
2 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,
3 collection and administrative costs, attorneys fees, and the costs associated with the removal or
4 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement
5 Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into
6 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

7
8 Dated: March 1, 2011

COUNTY OF RIVERSIDE

9
10 By Bob Buster

Chairman, Board of Supervisors
Bob Buster

11 ATTEST:

12 KECIA HARPER-IHEM

13 Clerk to the Board

14
15
16 By Kaleen Banton
17 Deputy

18
19 (SEAL)

20
21
22
23 L:\Code Enforcement\Abatements\2010\2010\CV10-01502\541 FOF.DOC



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

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

<http://riverside.asrclkrec.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:

3-1-11

Signature:

Karen Barton

Print Name:

Karen Barton, Board Assistant, Riverside County Clerk of the Board

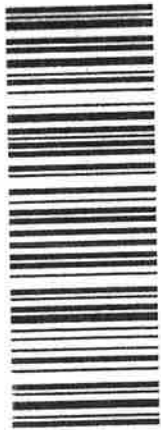
NOTICE LIST

Subject Property: PARCEL ON READ STREET, PERRIS

Case No.: CV10-01502

APN: 345-020-022; District 5

CERTIFIED MAIL™



7010 1670 0001 7232 1268

Office of County Counsel
3960 Orange Street, Suite 500
Riverside, CA 92501

MARIA BARRAZA
7545 MAGNOLIA AVENUE
RIVERSIDE CA 92504

FORWARD X 523 N7E 1 1101 00 09/17/11
TIME EXP RTN TO SEND
BARRAZA
6945 CAPISTRANO WAY
RIVERSIDE CA 92504-2215

RETURN TO SENDER

925041032250103644



UNITED STATES POSTAGE
PITNEY BOWES
\$ 005.710
02 1P
0003958246 MAR 15 2011
MAILED FROM ZIP CODE 92501

3/1/2011

2.10

NOTICE LIST

Subject Property: PARCEL ON READ STREET, PERRIS

Case No.: CV10-01502

APN: 345-020-022; District 5

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>X Natividad Barraza</i></p> <p>B. Received by (Printed Name) <i>Natividad B. Martinez</i> C. Date of Delivery <i>3/21/11</i></p>
<p>1. Article Addressed to:</p> <p>NATIVIDAD BARRAZA MARTINEZ MARIA ELVA BARRAZA 3716 CALMOOR WAY NATIONAL CITY CA 91950</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><i>Stamp: NATIONAL CITY CA MAR 21 2011</i></p> <p>3. Service Type <i>97950</i> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p><i>CV10-01502 (Martinez/BARRAZA) FF 3</i></p> <p>2. Article Number (Transfer from service label)</p>	<p>7010 1670 0001 7232 1282</p>
<p>PS Form 3811, February 2004</p>	<p>Domestic Return Receipt 102505-02-M-1540</p>

NOTICE LIST

Subject Property: One (1) Parcel on Read Street aka One (1) Parcel northwest of 21320 Elmer Street, Perris

Case No.: CV 10-01502 (Natividad B. Martinez and Maria E. Barraza); APN: 345-020-022;
District 5

NATIVIDAD BARRAZA MARTINEZ
MARIA ELVA BARRAZA
3716 CALMOOR WAY
NATIONAL CITY, CA 91950

NATIVIDAD BARRAZA MARTINEZ
1867 HONEY SPRINGS ROAD
JAMUL, CA 91935

MARIA BARRAZA
7545 MAGNOLIA AVENUE
RIVERSIDE, CA 92504

PROOF OF SERVICE

Case No. CV10-01502

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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 15, 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)**

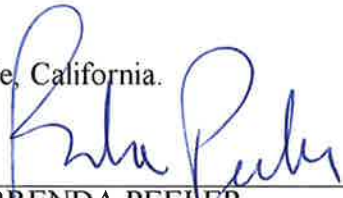
XX **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** I am "readily familiar" with the office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Riverside, California, 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 15, 2011, at Riverside, California.



BRENDA PEELER



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

Glenn Baude
Director

AFFIDAVIT OF POSTING OF NOTICES

Case No.: CV10-01502

I, David Jurden, hereby declare:

1. I am employed by the Riverside County Code Enforcement Department; that my business address is:

County of Riverside
Code Enforcement Department
24318 Hemlock Avenue, Suite C-1
Moreno Valley, CA 92557

2. That on **March 16, 2011 at 1051 AM**, I securely and conspicuously posted **Finding of Fact, Notice List and Proof of Service** at the property described as:


Property Address: Parcel on Read Street, Perris

Assessor's Parcel Number: 345-020-022

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

Executed on **March 16, 2011** at Moreno Valley, California.

CODE ENFORCEMENT DEPARTMENT

By: 
David Jurden, Code Enforcement Technician