

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

610 B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
February 16, 2011

SUBJECT: Abatement of Public Nuisance [Grading Without a Permit]
Case No: CV 08-03169 [MOUNTZ/TAYLOR]
Subject Property: 48145 Twin Pines Rd., Banning; APN: 529-050-040; Mountz District: 3

RECOMMENDED MOTION: Move that:

1. The grading without permits on the real property located at 48145 Twin Pines Rd., Banning, Riverside County, California, APN: 529-050-040 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.

Departmental Concurrence

(Continued)

L. Alexandra 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

County Executive Office Signature

BY: *Jennifer L. Sargent*

Jennifer L. Sargent

- | | |
|----------------------------------|--|
| <input type="checkbox"/> Consent | <input checked="" type="checkbox"/> Policy |
| <input type="checkbox"/> Consent | <input checked="" type="checkbox"/> Policy |

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, 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., CED, Prop. Owner

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

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

Prev. Agn. Ref.: | **District: 3** | **Agenda Number:**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.2

Abatement of Public Nuisance
Case No.: CV 08-03169
48145 Twin Pines Rd., Banning [MOUNTZ/TAYLOR]
District: 3
Page 2

3. Owner, Jo Ann Mountz (aka Jo Ann Taylor), 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 April 17, 2008. The inspection revealed illegal grading in violation of Riverside County Ordinance No. 457 (RCC Title 15). The Officer estimates that approximately Two thousand (2,000) cubic yards of dirt has been graded. A search of Riverside County records indicates that no permit for grading has been obtained.

2. Follow-up inspections on April 25, 2008, June 3, 2008, November 4, 2009 August 30, 2010 and February 10, 2011, 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.

**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

1
2
3 IN RE ABATEMENT OF PUBLIC NUISANCE) CASE NO. CV 08-03169
4 [GRADING WITHOUT PERMITS] APN: 529-)
5 050-040, 48145 TWIN PINES RD., BANNING,) DECLARATION OF OFFICER
6 COUNTY OF RIVERSIDE, STATE OF) CAROL FORREY
7 CALIFORNIA; JO ANN MOUNTZ (AKA JO)
8 ANN TAYLOR), 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, Carol Forrey, 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. I am informed and believe and based thereon allege that on April 17, 2008, Code
15 Enforcement Officer Wayne Durant conducted an initial inspection of the real property described as
16 48145 Twin Pines Rd., Banning, Riverside County, California and further described as Assessor's
17 Parcel Number 529-050-040 (hereinafter referred to as "THE PROPERTY"). A true and correct copy of
18 a Thomas Brothers map indicating the location of THE PROPERTY is attached hereto as Exhibit "A"
19 and incorporated herein by reference.

20 3. A review of County records and documents disclosed that THE PROPERTY is owned by
21 Jo Ann Mountz (hereinafter referred to as "OWNER"). A certified copy of the County Equalized
22 Assessment Roll for the year 2010-2011 and a copy of the County Geographic Information System
23 ("GIS") report is attached hereto and incorporated herein by reference as Exhibit "B."

24 4. Based upon the Lot Book Report issued by RZ Title Service on November 5, 2009 as
25 updated on August 24, 2010, it is determined that other parties potentially hold a legal interest in THE
26 PROPERTY to wit: American Security Company and Wells Fargo Bank (INTERESTED PARTIES). A
27 true and correct copy of the Lot Book Reports are attached hereto and incorporated herein as Exhibit "C."

28 5. I am informed and believe and based thereon allege that on April 17, 2008, Code

MAR 01 2011 9.2

1 Enforcement Officer Wayne Durant conducted an initial inspection of THE PROPERTY and took
2 digital photographs. THE PROPERTY was open and accessible with no signs restricting access. From
3 the front door of the residence located on THE PROPERTY, Officer Durant observed erosion control
4 and sediment control methods in place such as bags, hail bays and a temporary fence. He observed that
5 the parcel had been graded and estimated the graded area to be approximately two thousand (2,000)
6 cubic yards using the internet dirt calculator page.

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. I am informed and believe and based thereon allege that on April 25, 2008, Officer
10 Durant conducted a follow up inspection of THE PROPERTY. The site remained unchanged from the
11 previous inspection. Officer Durant determined that THE PROPERTY constituted a public nuisance in
12 violation of the provisions set forth in Riverside County Ordinance ("RCO") No 457, Section 4,
13 Subdivision (J)(2), as codified in Riverside County Code ("RCC") Title 15. He posted a Notice of
14 Violation (RCO No. 457) to THE PROPERTY.

15 8. On May 1, 2008, a Notice of Violation for Unapproved Grading was mailed to OWNER
16 via certified mail, return receipt requested. The notice advised that OWNER was required to provide
17 complete restoration or remediation to THE PROPERTY affected by the unapproved grading. The
18 notice further advised that failure to bring THE PROPERTY into compliance would result in criminal,
19 administrative, or civil action being brought against the owner including penalties, restoration, or
20 remediation of the illegal grading by the County. In addition, the notice states RCO No. 457 allows for
21 the Department of Building & Safety to place a five year flag on the issuance of building permits and
22 land use approvals for property that has been graded without approval or permits.

23 9. I am informed and believe and based thereon allege that on June 3, 2008, Officer Sanders
24 and Officer Durant drove to the property to conduct a follow-up inspection of THE PROPERTY.
25 Officer Sanders spoke with OWNER Jo Ann Mountz (aka Jo Ann Taylor) and her husband Mr. Taylor.
26 He requested permission to inspect but was denied access. From the entrance of THE PROPERTY,
27 Officer Sanders was able to observe that THE PROPERTY remained in violation of RCO No. 457.

28 10. On July 7, 2008, a grading restoration assessment - Case #BHR080190 was issued to

1 OWNER.

2 11. I am informed and believe and based thereon allege that on November 4, 2009, Officer
3 Durant drove to THE PROPERTY to conduct a follow-up inspection of THE PROPERTY. The
4 property was gated and locked, however, from the road right of way Officer Durant observed that THE
5 PROPERTY remained in violation of RCO No. 457.

6 12. On November 10, 2009, a Notice of Violation for Unapproved Grading with an Illegal
7 Grading Notification was sent to the OWNER via certified mail, return receipt requested.

8 13. On November 16, 2009, a Notice of Violation for Unapproved Grading with an Illegal
9 Grading Notification was sent the OWNER and INTERESTED PARTIES via certified mail, return
10 receipt requested.

11 14. Based on information and belief which I believe to be true, on January 28, 2010, Code
12 Enforcement Officer Wayne Durant received an email from Sam D. Gonzalez, Principal Inspector of
13 Department of Building and Safety Environmental Compliance Division, granting an extension of the
14 restoration permit (BHR080190) until April 1, 2010.

15 15. A search of the County's Land Management System (LMS) on April 7, 2010, revealed
16 that the restoration permit (BHR080190) was extended to July 1, 2010. A search of the County's LMS
17 on July 8, 2010, revealed the restoration permit (BHR080190) was extended again to November 1, 2010.

18 16. On August 30, 2010, I conducted a follow-up inspection of THE PROPERTY. From the
19 road right of way, I was able to see THE PROPERTY remained unchanged from previous inspections.
20 It also appeared that there had been no restoration or changes from previous inspections.

21 17. On August 31, 2010, I researched the status of BHR080190 in the County's LMS. The
22 permit is considered inactive due to the OWNER'S failure to respond.

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

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

27 20. Based upon my experience, knowledge and visual observations, it is my determination
28 that the conditions on THE PROPERTY are dangerous to the neighboring property owners and the

1 general public and is a public nuisance.

2 21. Based upon my experience, knowledge and visual observations, it is my determination
3 that the un-permitted grading on THE PROPERTY is in excess of fifty (50) cubic yards and was done
4 without a permit and is therefore in violation of Riverside County Ordinance No. 457 (RCC Title 15).
5 Under Riverside County Ordinance No. 725 (RCC Chapter 1.16), any condition caused, maintained or
6 permitted to exist in violation of any of the provisions of county land use ordinances, including
7 Riverside County Ordinance No. 457, is declared unlawful and a public nuisance that may be abated
8 consistent with the procedures provided for in Riverside County Ordinance No. 725, or in any other
9 manner provided by law.

10 22. A Notice of Non-Compliance was recorded in the Office of the County Recorder, County
11 of Riverside, State of California, on January 13, 2010, as Instrument Number 2010-0015244. The notice
12 advised OWNER to immediately correct the grading violation to avoid further action by the County of
13 Riverside, which may include remediation or restoration to abate the illegal grading or other remedies
14 available to the department by a court of competent jurisdiction. The notice further advised that any
15 costs incurred by the County may become a lien on THE PROPERTY. In addition, the notice states
16 RCO No. 457 allows for the Department of Building & Safety to place a five year flag on the issuance
17 of building permits and land use approvals for property that has been graded without approval or
18 permits. A true and correct copy of the Notice of Non-Compliance is attached hereto and incorporated
19 herein by reference as Exhibit "F".

20 23. A review of County records revealed no application for an assessment permit or grading
21 permit on file for THE PROPERTY.

22 24. A subsequent inspection on February 10, 2011 revealed that THE PROPERTY remained
23 in violation of RCO Nos. 457 (RCC Title 15) due to the grading without permits.

24 25. On February 9, 2011, the second notice – "Notice to Correct County Ordinance
25 Violations and Abate Public Nuisance" providing notification of the Board of Supervisors' hearing
26 scheduled for March 1, 2011, as required by Riverside County Ordinance No. 725, was mailed to
27 OWNER by certified mail, return receipt requested and on February 10, 2011 was posted on THE
28 PROPERTY. True and correct copies of the notice, returned receipt cards, together with the proof of

1 service, and the affidavit of posting of notices are attached hereto as Exhibit "G" and incorporated
2 herein by reference.

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

5 27. Accordingly, the following findings and conclusions are recommended:

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

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

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

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

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

20 (f) that reasonable costs of abatement, after notice and opportunity for hearing, shall
21 be imposed as a lien on THE PROPERTY, which may be collected as a special assessment against THE

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1 PROPERTY pursuant to Government Code Section 25845 and Riverside County Ordinance Nos. 457
2 and 725.

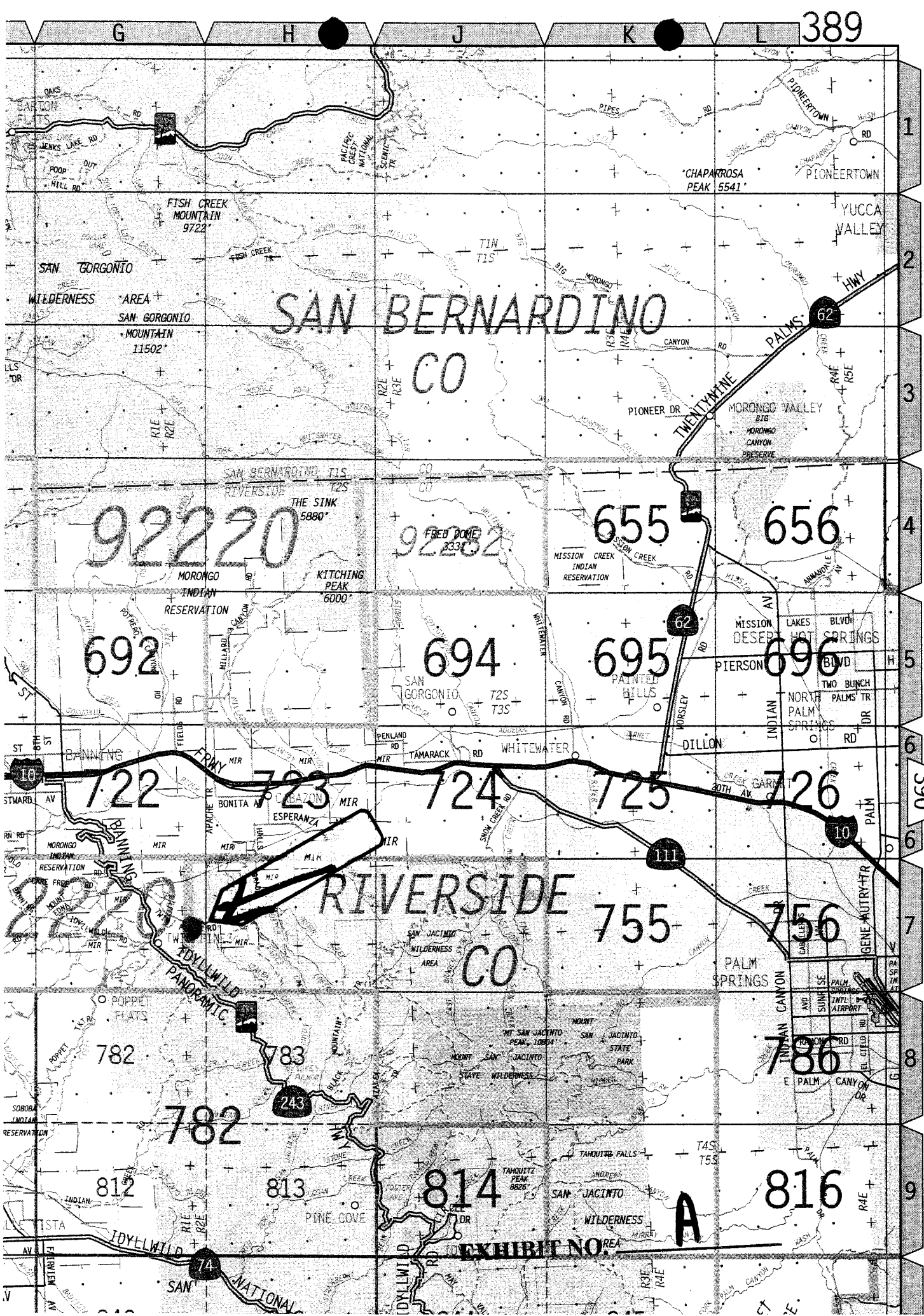
3 I declare under penalty of perjury under the laws of the State of California that the foregoing is
4 true and correct.

5 Executed this 10th day of February, 2011 at Murietta, California.

6
7 
8 CAROL FORREY
9 Code Enforcement Officer
10 Code Enforcement Department

11 L:\Code Enforcement\Abatements\2010\2008\CV08-03169\457 GWP Dec.Non-Comp Wording New.DOC

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RIVERSIDE CO.

SEE MAP 390

MAP

SAN BERNARDINO CO

RIVERSIDE CO

EXHIBIT NO. A

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92232

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A

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

Assessment #529050040-5

Parcel # 529050040-5

| | | | |
|--------------------------------|---|------------------------------|--------|
| Assessee: | MOUNTZ JO ANN | Land | 20,581 |
| Mail Address: | 48145 TWIN PINES RD BANNING CA 92220 | Structure | 63,058 |
| Real Property Use Code: | R1 | Full Value | 83,639 |
| Base Year | 1999 | Homeowners' Exemption | 7,000 |
| Conveyance Number: | 0728161 | Total Net | 76,639 |
| Conveyance (mm/yy): | 9/2005 | | |
| PUI: | R010000 | | |
| TRA: | 55-033 | | |
| Taxability Code: | 0-00 | | |
| ID Data: | Lot 3 PM 143/038 PM 20914 | | |
| Situs Address: | 48145 TWIN PINES RD BANNING CA 92220 | | |

[View Parcel Map](#)EXHIBIT NO. 3

RIVERSIDE COUNTY GIS



Selected parcel(s):
529-050-040

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

529-050-040-5

OWNER NAME / ADDRESS

JO ANN MOUNTZ
48145 TWIN PINES RD
BANNING, CA. 92220

MAILING ADDRESS

(SEE OWNER)
48145 TWIN PINES RD
BANNING CA.. 92220

EXHIBIT NO. B²

LEGAL DESCRIPTION

RECORDED BOOK/PAGE: PM 143/38
SUBDIVISION NAME: PM 20914
LOT/PARCEL: 3, BLOCK: NOT AVAILABLE
TRACT NUMBER: NOT AVAILABLE

LOT SIZE

RECORDED LOT SIZE IS 3.16 ACRES

PROPERTY CHARACTERISTICS

WOOD FRAME, 1357 SQFT., 3 BDRM/ 1.75 BATH, 1 STORY, ATTACHED GARAGE(528 SQ. FT), CONST'D 1987 COMPOSITION, ROOF, CENTRAL HEATING

THOMAS BROS. MAPS PAGE/GRID

PAGE 752

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

T3SR2E SEC 31

ELEVATION RANGE

3896/3968 FEET

PREVIOUS APN

529-050-037

PLANNING

LAND USE DESIGNATIONS

Zoning not consistent with the General Plan.
RM

AREA PLAN (RCIP)

REMAP

GENERAL PLAN POLICY OVERLAYS

NOT IN A GENERAL PLAN POLICY OVERLAY AREA

GENERAL PLAN POLICY AREAS

NONE

ZONING CLASSIFICATIONS (ORD. 348)

R-A-2 1/2

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

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
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)
IN HIGH FIRE AREA - Grading And Building Permit Applications Require Fire Dept Clearance Prior To Permit Issuance.

FIRE RESPONSIBILITY AREA
STATE 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)
NOT WITHIN THE EASTERN TUMF FEE AREA

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

DIF (DEVELOPMENT IMPACT FEE AREA ORD. 659)
REMAP

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
147

TRANSPORTATION AGREEMENTS
NOT IN A TRANSPORTATION AGREEMENT

NOT IN A CETAP CORRIDOR.

HYDROLOGY

FLOOD PLAIN REVIEW

NOT REQUIRED.

WATER DISTRICT

SGPWA

FLOOD CONTROL DISTRICT

RIVERSIDE COUNTY FLOOD CONTROL DISTRICT

WATERSHED

WHITEWATER

GEOLOGIC

FAULT ZONE

NOT IN A FAULT ZONE

FAULTS

WITHIN A 1/2 MILE OF
FAULT IN BASEMENT ROCKS
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 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

BANNING UNIFIED

COMMUNITIES

NOT IN A COMMUNITY

COUNTY SERVICE AREA

NOT IN A COUNTY SERVICE AREA.

LIGHTING (ORD. 655)

ZONE B, 35.06 MILES FROM MT. PALOMAR OBSERVATORY

2000 CENSUS TRACT

044401

FARMLAND

NOT MAPPED

TAX RATE AREAS

055-033

- BANNING UNIF SCH DIST LIB
- BANNING UNIFIED SCHOOL
- COUNTY STRUCTURE FIRE PROTECTION
- COUNTY WASTE RESOURCE MGMT DIST
- CSA 152
- EAST VALLEY RESOURCE CONS
- FLOOD CONTROL ADMINISTRATION
- FLOOD CONTROL ZONE 5
- GENERAL
- GENERAL PURPOSE
- HIGH VALLEY WATER
- MT SAN JACINTO JUNIOR COLLEGE

- RIV CO REG PARK & OPEN SPACE
- RIV. CO. OFFICE OF EDUCATION
- SAN GORGONIO PASS MEM HOSPITAL
- SAN GORGONIO PASS WTR AG DEBT SV

SPECIAL NOTES

NO SPECIAL NOTES

CODE COMPLAINTS

| Case # | Description | Start Date |
|-----------|-------------|--------------|
| CV0803169 | ABATEMENT | Apr. 7, 2008 |

BUILDING PERMITS

| Case # | Description | Status |
|-----------|---------------------------------|----------|
| BHR080190 | GRADING RESTORATION ASSESSEMENT | NORESPNS |

ENVIRONMENTAL HEALTH PERMITS

NO ENVIRONMENTAL PERMITS

PLANNING PERMITS

REPORT PRINTED ON...Wed Sep 01 09:58:12 2010
Version 100412



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

Updated Lot Book

Customer:

RIVERSIDE COUNTY TLMA-CODE ENFORCEMENT

4080 Lemon Street
 Riverside CA 92501

Attn: Brent Steele
 Reference: CV08-03169/E. Ross
 IN RE: MOUNTZ, JO ANN

Property Address: 48145 Twin Pines Road
 Banning CA 92220

Order Number: **22618**

Order Date: 8/31/2010

Dated as of: 8/24/2010

County Name: Riverside

FEE(s):
 Report: \$60.00

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. : 529-050-040-5

| | | |
|--------------|--------------------|-------------|
| Assessments: | Land Value: | \$20,631.00 |
| | Improvement Value: | \$63,208.00 |
| | Exemption Value: | \$7,000.00 |
| | Total Value: | \$76,839.00 |

| | |
|------------------------------------|------------|
| Property Taxes for the Fiscal Year | 2009-2010 |
| Total Annual Tax | \$1,458.54 |
| 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 | Jo Ann Mountz |
| Case No. | CV08-03169 |
| Recorded | 01/13/2010 |
| Document No. | 2010-0015244 |

NO OTHER EXCEPTIONS

EXHIBIT NO. C

When recorded please mail to:
Mail Stop# 5155
Code Enforcement Department
Murrieta District Office
39493 Los Alamos Road
Murrieta, CA 92563



| | | | | | | | | | | |
|--------|---|---|-----|-----|------|------|-----|------|------|--|
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| | | | | | | | | | | |
| M | A | L | 465 | 426 | PCOR | NCOR | SMF | NCHD | EXAM | |
| UOHGCC | | | | | | T: | CTY | UNI | B9 | |

NOTICE OF NONCOMPLIANCE for UNAPPROVED GRADING

In the matter of the Property of)

Case No.: CV08-03169



Jo Ann Mountz)

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 48145 Twin Pines Road, Banning, CA and more particularly described as Assessment Parcel No. 529-050-040 and having a legal description of 3.16 ACRES, PM 143/38, PM 20914, LOT 3 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 92563, Attention Code Enforcement Officer W. Durant 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

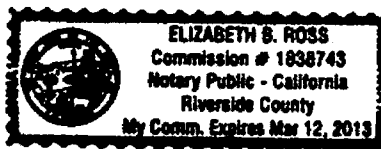
State of California)
County of Riverside)

On 01-07-10 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/hers/their authorized capacity(ies), and that by his/hers/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

Lot Book Report

Order Number: **20505**

Customer:

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

Order Date: 11/5/2009
Dated as of: 10/30/2009
County Name: Riverside

Attn: Brent Steele
Reference: CV08-03169/E. Ross
IN RE: MOUNTZ, JO ANN

FEE(s):
Report: \$114.00

Property Address: 48145 Twin Pines Road
Banning CA 92220

Assessor's Parcel No. : 529-050-040-5

Assessments:

| | |
|--------------------|-------------|
| Land Value: | \$20,631.00 |
| Improvement Value: | \$63,208.00 |
| Exemption Value: | \$7,000.00 |
| Total Value: | \$76,839.00 |

Tax Information

| | |
|------------------------------------|-------------------------------------|
| Property Taxes for the Fiscal Year | 2009-2010 |
| First Installment | \$729.27 |
| Penalty | \$0.00 |
| Status | OPEN NOT-PAID (DUE DATE 12/10/2009) |
| Second Installment | \$729.27 |
| Penalty | \$0.00 |
| Status | OPEN NOT-PAID (DUE DATE 04/10/2010) |



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

Order Number: 20505
Reference: CV08-03169/E. R

Property Vesting

The last recorded document transferring title of said property

| | |
|--------------|---|
| Dated | 08/30/2005 |
| Recorded | 09/02/2005 |
| Document No. | 2005-0728161 |
| D.T.T. | \$0.00 |
| Grantor | Jo Ann Mountz, an unmarried woman |
| Grantee | Jo Ann Mountz, an unmarried woman as her sole and separate property |

Deeds of Trust

| | |
|--------------------------------------|--|
| Position No. | 1st |
| A Line of Credit Deed of Trust Dated | 11/03/2005 |
| Recorded | 12/06/2005 |
| Document No. | 2005-1006118 |
| Amount | \$131,000.00 |
| Trustor | Jo Ann Mountz, an unmarried woman, as her sole and separate property |
| Trustee | American Securities Company |
| Beneficiary | Wells Fargo Bank, N. A. |

Additional Information

| | |
|---|---------------|
| A Certificate of County Tax Lien Recorded | 10/26/2001 |
| Document No | 2001-525673 |
| Amount | \$104.01 |
| Tax Year | 2001-2002 |
| Account No. | 0222710 |
| Debtor | Jo Ann Mountz |



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

Order Number: 20505

Reference: CV08-03169/E. R

| | |
|--|-------------------|
| Creditor: Tax Collector of the County of | Riverside |
| A Bankruptcy filed by | Joann Jean Mounts |
| Social Security Number(s) | None Shown |
| Date filed | 04/30/2004 |
| Case No. | MG.15393 |

Legal Description

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

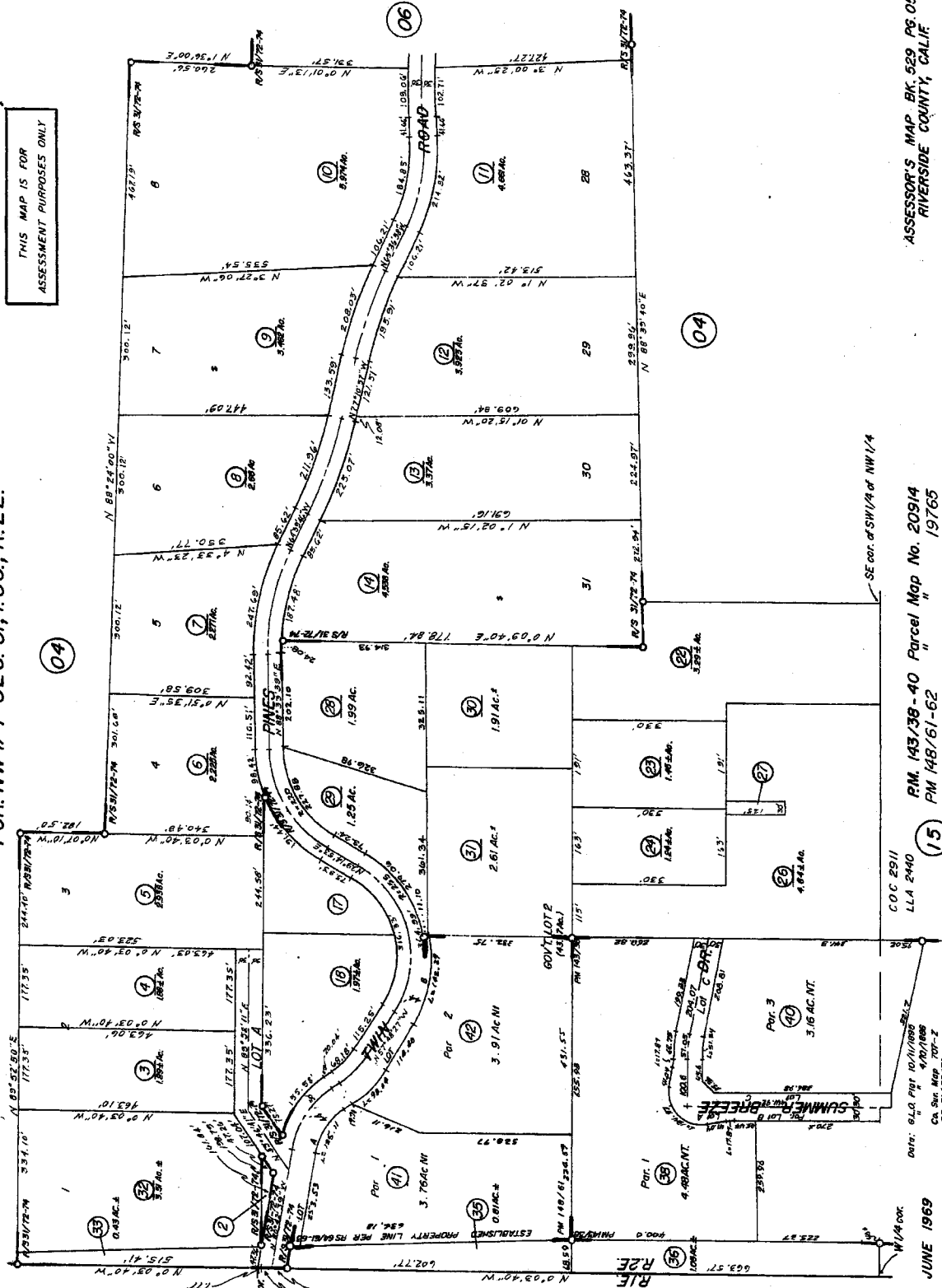
PARCEL 3 OF PARCEL MAP NO. 20914, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 143, PAGE 40 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

24-29-8

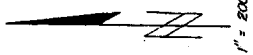
529-05

T. C. A. 5633

POR. NW 1/4 SEC. 31, T. 3S., R. 2E.



TMS MAP IS FOR ASSESSMENT PURPOSES ONLY



544 21

| DATE | OLD NO. | NEW NO. |
|--------|---------|---------|
| 1/7/61 | 15 | 28 |
| 1/7/61 | 16 | 29 |
| 1/7/61 | 17 | 30 |
| 1/7/61 | 18 | 31 |
| 1/7/61 | 19 | 32 |
| 1/7/61 | 20 | 33 |
| 1/7/61 | 21 | 34 |
| 1/7/61 | 22 | 35 |
| 1/7/61 | 23 | 36 |
| 1/7/61 | 24 | 37 |
| 1/7/61 | 25 | 38 |
| 1/7/61 | 26 | 39 |
| 1/7/61 | 27 | 40 |
| 1/7/61 | 28 | 41 |
| 1/7/61 | 29 | 42 |
| 1/7/61 | 30 | 43 |
| 1/7/61 | 31 | 44 |
| 1/7/61 | 32 | 45 |
| 1/7/61 | 33 | 46 |

SE cor. of SW 1/4 of NW 1/4

COC 2911
LLA 2440

RM. 143/38-40 Parcel Map No. 20914
PM 148/61-62

ASSESSOR'S MAP BK. 529 PG. 05
RIVERSIDE COUNTY, CALIF.

JUNE 1969

DATE: 6/10/1969
BY: [Signature]
C.S. [Signature]

DOC # 2005-0728161

09/02/2005 08:00A Fee:10.00

Page 1 of 2

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder

Recording Requested By

And when recorded mail to:

Name Jo Ann Mountz
Street Address 48145 Twin Pines Rd.
City Banning, CA 92220



Table with columns: M, S, U, PAGE, SIZE, DA, PCOR, NOCOR, SMF, MISC, A, R, L, COPY, LONG, REFUND, NCHG, EXAM

WOLCOTT'S FORMS, INC. WWW.WC

GRANT DEED

DOCUMENTARY TRANSFER TAX \$ 0
computed on full value of property conveyed, or
computed on full value less liens and encumbrances remaining at time of sale.

Autograph of Declarant or Agent Determining Tax Firm Name

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, I/We, JO ANN MOUNTZ, an unmarried woman

grant to JO ANN MOUNTZ, an unmarried woman as her sole and separate property

all that real property in the City of BANNING, County of RIVERSIDE, State of CA described as follows:

PARCEL 3 of PARCEL MAP NO. 20914, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 143, PAGE 40 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

RE: 3.16 ACRES NET IN PAR 3 PM 143/038 PM 20914.

Assessor's parcel No. 529050040-5

Executed on Aug. 30, 2005, in the City of Beaumont, State of CA

Signature of Jo Ann Mountz

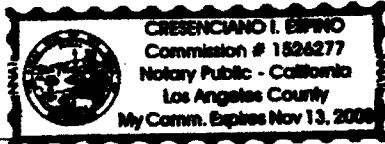
STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On Aug. 30, 2005 before me, CRESCENCIO I. ESPINO, Notary Public, personally appeared JO ANN MOUNTZ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

WITNESS my hand and official seal.

Signature of Notary (seal)



MAIL TAX Jo Ann Mountz

STATEMENTS TO: 48145 Twin Pines Rd., Banning, CA 92220

- CAPACITY CLAIMED BY SIGNER(S)
Individual(s)
Corporate
Partner(s) Limited General
Attorney in Fact
Trustee
Guardian/Conservator

RIGHT THUMBPRINT (Optional)



Wolcotts Forms, our resellers and agents make no representations or warranty, express or implied, as to the fitness of this form for any specific use or purpose. If you have any question, it is always best to consult a qualified attorney before using this or any legal document.

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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>

NOTARY CLARITY

Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

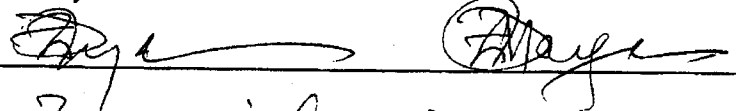
Name of Notary: CRESENCIANO I. ESCOBAR

Commission #: 1526277

Place of Execution: ~~LA~~ BEAUMONT, CA 92223

Date Commission Expires: NOV. 13, 2008

Date: SEPT. 2, 2005

Signature: 

Print Name: LAWRENCE D. MAOYEK

DOC # 2005-1006118

12/06/2005 08:00A Fee:18.00

Page 1 of 4

Recorded in Official Records
County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder

Recording requested by:

Wells Fargo Bank, N.A.

When recorded return to:

Wells Fargo Bank, N.A.
P. O. BOX 31557
BILLINGS, MT 59107



Attn: DOCUMENT MANAGEMENT

| M | S | U | PAGE | SIZE | DA | PCOR | NOCOR | SMF | MISC. | |
|---|---|---|------|------|----|------|-------|--------|-------|------|
| | 1 | | 4 | | 1 | | | | | |
| A | R | L | | | | COPY | LONG | REFUND | NCHG | EXAM |

State of California

REFERENCE #: 20052807200470

ACCOUNT #: 0650-650-0937282-1998

SHORT FORM DEED OF TRUST

(With Future Advance Clause)

OSCA



1. **DATE AND PARTIES.** The date of this Short Form Deed of Trust ("Security Instrument") is 11/03/2005 and the parties are as follows:

TRUSTOR ("Grantor"):

JO ANN MOUNTZ, AN UNMARRIED WOMAN, AS HER SOLE AND SEPARATE PROPERTY

whose address is:

17490 SUMMER BREEZE DR BANNING, CA, 92220

TRUSTEE: **AMERICAN SECURITIES COMPANY**

P. O. BOX 31557

BILLINGS, MT 59107

BENEFICIARY ("Lender"): **WELLS FARGO BANK, N.A.**

P. O. BOX 31557

BILLINGS, MT 59107

2. **CONVEYANCE.** For good and valuable consideration, the receipt and sufficiency of which is acknowledged, and to secure the Secured Debt (defined below) and Grantor's performance under this Security Instrument, Grantor irrevocably grants, conveys and sells to Trustee, in trust for the benefit of Lender, with power of sale, all of that certain real property located in the County of RIVERSIDE, State of California, described as follows:

PARCEL 3 OF PARCEL MAP NO. 20914, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 143, PAGE 40 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

3.16 ACRES NET IN PARTICULARLY 3 PM 143/038 PM 20914.

SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, CONVENANTS, OIL, GAS OR MINERAL RIGHTS OF RECORD, IF ANY.

with the address of 17490 SUMMER BREEZE DR BANNING, CA 922209649

and parcel number of 529050040-5

together with all rights, easements, appurtenances, royalties, mineral rights, oil and gas rights, all water and riparian rights, ditches, and water stock and all existing and future improvements, structures, fixtures, and replacements that may now, or at any time in the future, be part of the real estate described above.

EQ206A (09/2004)

Public Record

3. **MAXIMUM OBLIGATION LIMIT AND SECURED DEBT.** The total amount which this Security Instrument will secure shall not exceed \$ 131,000.00 together with all interest thereby accruing, as set forth in the promissory note, revolving line of credit agreement, contract, guaranty or other evidence of debt ("Secured Debt") of even date herewith, and all amendments, extensions, modifications, renewals or other documents which are incorporated by reference into this Security Instrument, now or in the future. The maturity date of the Secured Debt is 11/03/2045.
4. **FICTITIOUS DEED OF TRUST.** By the delivery and execution of this Security Instrument, Grantor agrees that all provisions and sections of the Fictitious Deed of Trust, inclusive, dated February 1, 1997 and recorded on February 6, 1997 as Instrument Number 041393 in Book N/A at Page N/A of the Official Records in the Office of the Recorder of RIVERSIDE County, State of California, are hereby incorporated into, and shall govern, this Security Instrument.
5. **RIDERS.** If checked, the following are applicable to this Security Instrument. The covenants and agreements of each of the riders checked below are incorporated into and supplement and amend the terms of this Security Instrument.

- Third Party Rider
 Leasehold Rider
 Other N/A

SIGNATURES: By signing below, Grantor agrees to perform all covenants and duties as set forth in this Security Instrument. Grantor also acknowledges receipt of a copy of this document and a copy of the provisions contained in the previously recorded Fictitious Deed of Trust (the Deed of Trust-Bank/Customer Copy). The undersigned Grantor requests that a copy of ANY NOTICE OF DEFAULT AND ANY NOTICE OF SALE hereunder be mailed to the Grantor's address given herein.


 JO ANN MOUNTZ

Grantor

11/3/05
 Date

Grantor

Date

Grantor

Date

Grantor

Date

Grantor

Date

Grantor

Date

EQ206B (09/2004)

ACKNOWLEDGMENT (All-Purpose):

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE } ss.

On NOVEMBER 03, 2005 before me, the undersigned, a Notary Public in and for said State, personally appeared

JO ANN MOUNIZ *****

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

Signature:

Maria Nizza

Name: MARTA NIZZIA

(type or printed)

My Commission expires: 12/27/2005

(Seal)



EQ206C (09/2004)

Public Record

ILLEGIBLE NOTARY SEAL DECLARATION

(GOVERNMENT CODE 27361.7)

I CERTIFY UNDER PENALTY OF PERJURY THAT THE NOTARY SEAL ON THE
DOCUMENT TO WHICH THIS STATEMENT IS ATTACHED READS AS FOLLOWS:

Name of
The Notary: Maria Nizzia

Commission
Number: 1336524

County Where
Bond is Filed: Riverside

Commission
Expires: 12/27/05

Manufacturer or Vendor Number: N/A
(Located on both sides of the notary seal border)

Date & Place of
Notary Execution: 11/3/05 Riverside County, California

Signature: [Signature] WELLS FARGO BANK, N.A.
Jeff Sharp, Operations Processor

Date & Place of
This Execution: 11/8/05 Maricopa County, Arizona

THE ABOVE INFORMATION MUST BE LEGIBLE FOR SCANNING

THIS IS TO INFORM YOU THAT A TAX LIEN HAS BEEN FILED WITH RESPECT TO UNSECURED PROPERTY

When recorded, mail to:

MOUNTZ, JO ANN
MOUNTZ, STEVEN PAUL
48145 TWIN PINES RD
BANNING CA 92220

Doc #. 2001-525673
10/26/2001 08:00A Fee: NC
Page 1 of 1
Recorded in Official Records
County of Riverside
== Gary L Orso ==
Assessor, County Clerk and Recorder
This tax lien was electronically prepared and recorded by the County of Riverside

CERTIFICATE OF LIEN

(Recorded pursuant to Revenue and Taxation Code Section 2191.3 et seq.
and without acknowledgement pursuant to Government Code Section 27282)

STATE OF CALIFORNIA | SS
COUNTY OF RIVERSIDE

No. 0222710

I, Paul McDonnell, Tax Collector of the County of Riverside, State of California, hereby certify that there are, on record in my office, unpaid taxes which were duly assessed, computed and levied for the fiscal year shown below pursuant to Section 2151 et seq. of the Revenue and Taxation Code.

The person(s) shown below is (are) liable to said County for the unpaid amounts set forth below plus any other penalties and charges which may accrue pursuant to law.

NAME AND ADDRESS

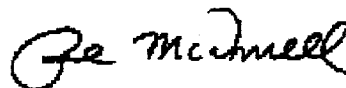
MOUNTZ JO ANN
MOUNTZ STEVEN PAUL
48145 TWIN PINES RD
BANNING CA 92220

| <u>Fiscal Year</u> | <u>Tax Rate Area</u> | <u>Assessment Number</u> | <u>Tax</u> | <u>Penalty</u> | <u>Cost</u> | <u>Recording Fee</u> |
|--------------------|----------------------|--------------------------|------------|----------------|-------------|----------------------|
| 2001-2002 | 055-033 | 001525648-5 | \$104.01 | \$10.40 | \$0.00 | \$10.00 |

Upon recordation of this certificate of lien, the total amount required to be paid constitutes a lien upon all personal property and real property now owned or subsequently acquired by the person(s) named herein before the date on which this lien expires.

This lien has the force, effect and priority of judgement lien for ten years from the recording of this instrument, unless sooner released or otherwise discharged.

Executed on 10/15/2001



Paul McDonnell, Tax Collector

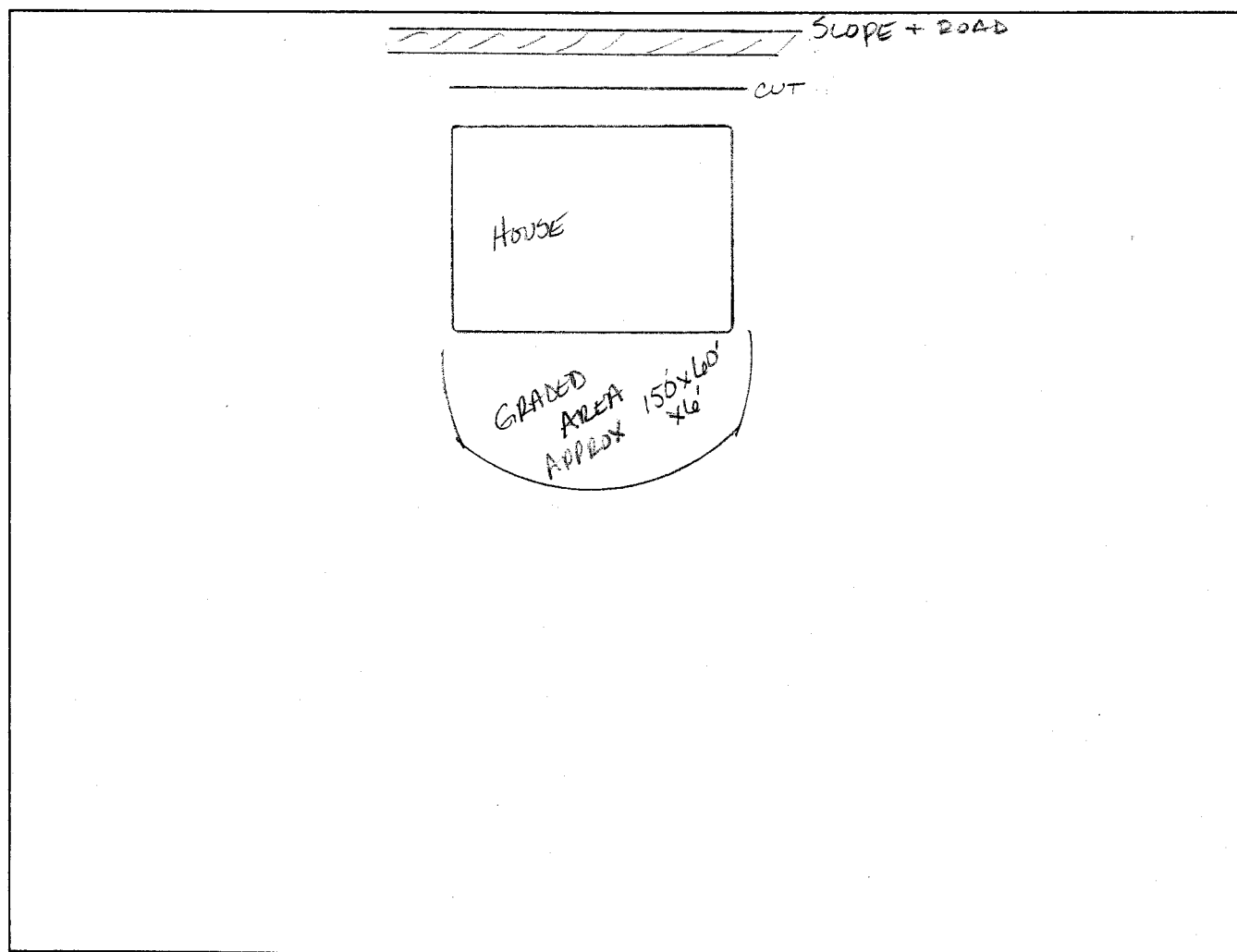
Public Record

SITE PLAN: Case # CV-0803169

OWNER(S): JO ANN MOUNTZ
SITE ADDRESS: 48145 TWIN PINES RD, BANNING
ASSESSOR'S PARCEL: 529-050-040
ACREAGE: 3.160000

NORTH ARROW: ↓

REAR PROPERTY LINE



FRONT PROPERTY LINE: 48145 TWIN PINES RD, BANNING

PREPARED BY: C. Forey DATE: 08-31-10

EXHIBIT NO. D

CV0803169 – Grading Complaint
Photo taken by W. Durant on 04/17/08 (photo and date on photo incorrect)
Photo 1

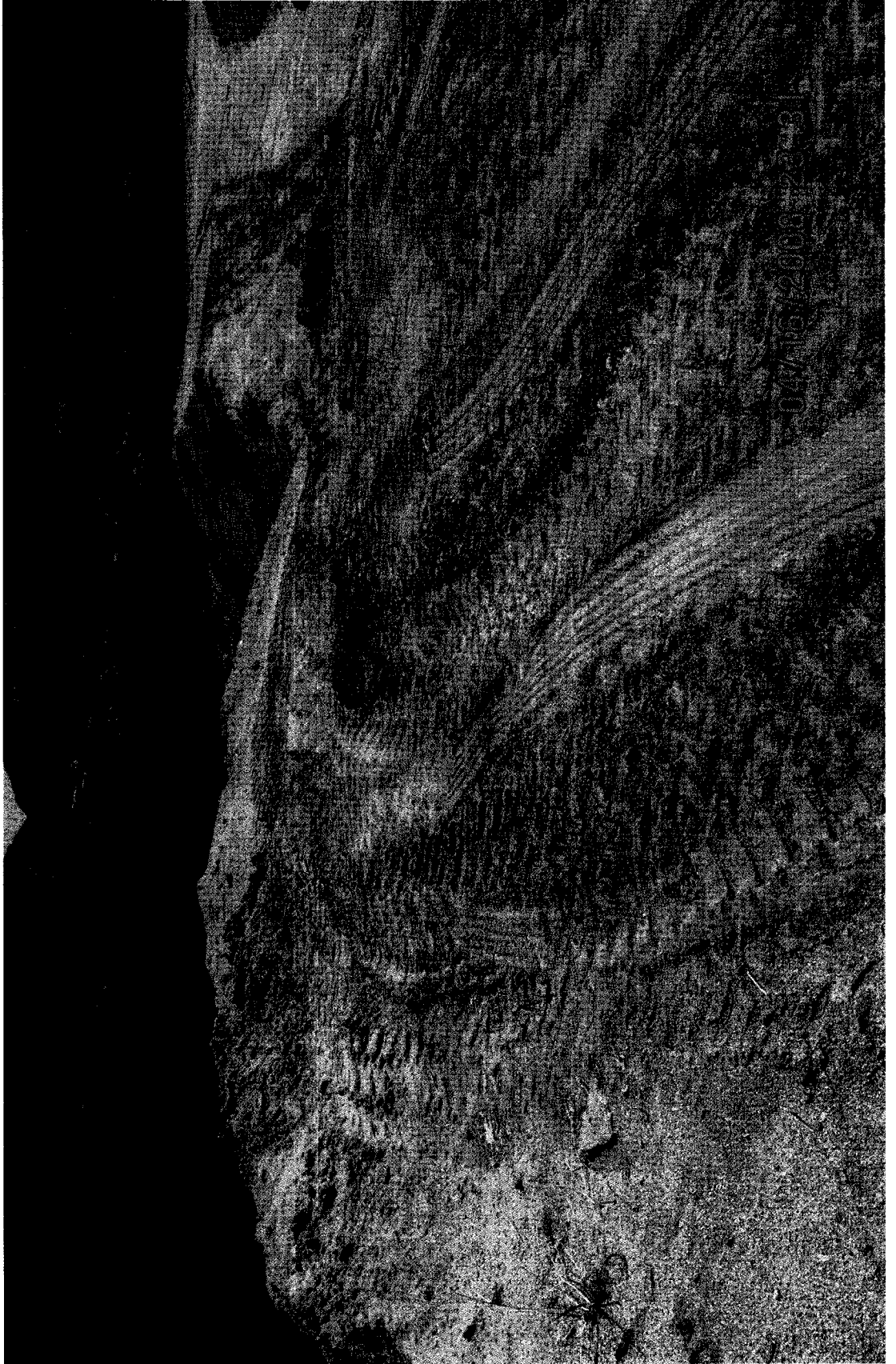


EXHIBIT NO. D²

CV0803169 – Grading Complaint
Photo taken by W. Durant on 04/17/08 (photo and date on photo incorrect)
Photo 2

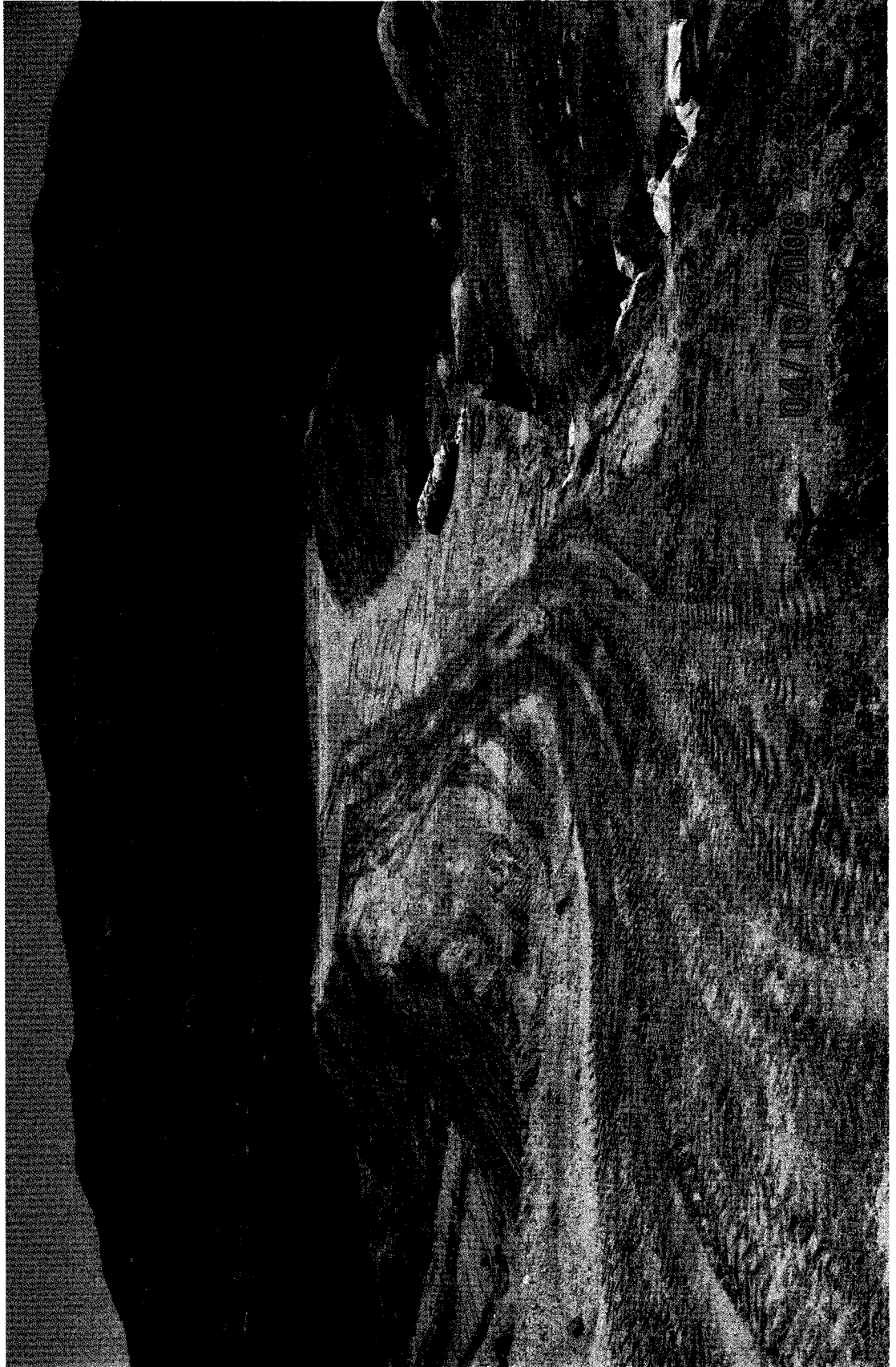


EXHIBIT NO. D³

CV0803169 – Grading Complaint

Photo taken by W. Durant on 04/17/08 (photo and date on photo incorrect)
Photo 3

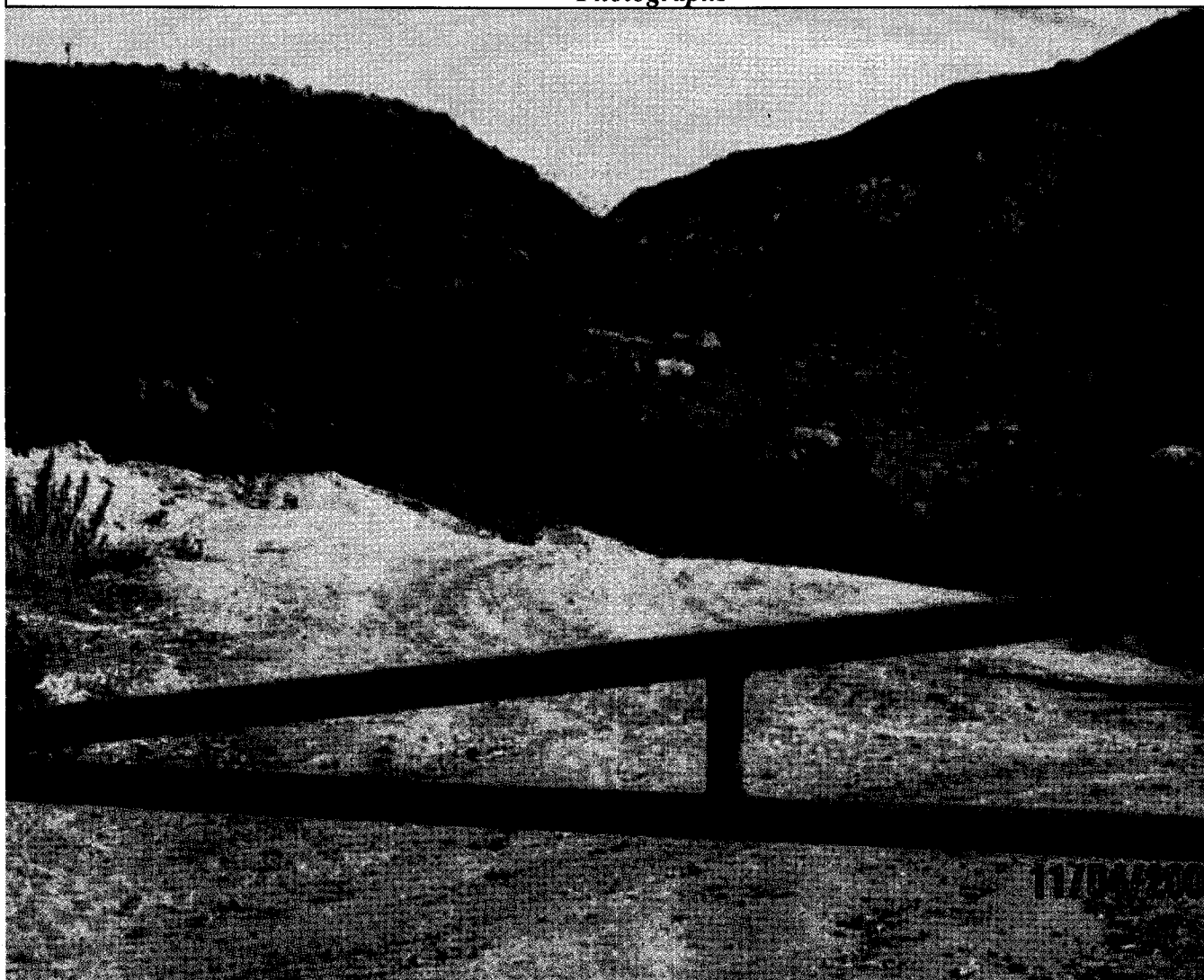


EXHIBIT NO. D4

Code Enforcement Case: CV0803169

Printed on: 08/31/2010

Photographs



wdurant/gate closed and secured - 11/04/2009

EXHIBIT NO. D⁵



wdurant/view of graded area from road right of way - 11/04/2009

EXHIBIT NO. D⁶



wdurant/view of graded area from road right of way - 11/04/2009

EXHIBIT NO. D7



CForrey / Closer view of cut at rear of house - 08/30/2010

EXHIBIT NO. D8



CForrey /Area previously noted in case in front of house - 08/30/2010

EXHIBIT NO. D9

COUNTY OF RIVERSIDE
CODE ENFORCEMENT DEPARTMENT

NOTICE OF VIOLATION

CVD803169
CASE NO.: _____ APN 529-050-040

THE PROPERTY AT PARCEL OFF TWIN PINES ROAD
WAS INSPECTED AT 7:15 am ON 4-25-08
BY WAYNE DURANT

(Name of Inspector or Investigator/ Badge No.)
AND FOUND TO BE IN VIOLATION OF RIVERSIDE COUNTY CODE
AS FOLLOWS:
CODE RCC SECTION 15.12

"GRADING w/o PERMIT"

YOU ARE DIRECTED TO COMPLY WITH THIS NOTICE BY
OBTAIN A RESTORATION ASSESSMENT
FROM THE DEPARTMENT OF BUILDING &
SAFETY AND COMPLY WITH THE
PROCESS AND CONDITIONS.

IMMEDIATELY. A FOLLOW-UP INVESTIGATION WILL BE CONDUCTED
ON OR ABOUT 5/25/08. FAILURE TO COMPLY BY THIS DATE
COULD RESULT IN THE ISSUANCE OF AN ADMINISTRATIVE
CITATION, AND THE IMPOSITION OF A LIEN ON THE PROPERTY FOR
THE ABATEMENT AND ENFORCEMENT COSTS.

PENALTY FOR FAILURE TO COMPLY

- A FINE MAY BE ASSESSED AT THE RATE OF:
- \$100 FOR EACH VIOLATION ON THE FIRST OFFENSE
 - \$200 FOR EACH VIOLATION ON THE SECOND OFFENSE
 - \$500 FOR EACH VIOLATION ON THE THIRD OFFENSE

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 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 BUILDING & SAFETY WITHIN TEN (10) DAYS OF
SERVICE OF THE SUMMARY OF CHARGES, PURSUANT TO SECTION
C. OF RIVERSIDE COUNTY CODE 1.16.080

Wayne Durant 446

SIGNATURE - INSPECTOR OR INVESTIGATOR

OFFICE LOCATIONS: (See Reverse Side)

RECEIVED BY: Posner DATE: 4/29/08

EXHIBIT NO. E

COUNTY OF RIVERSIDE

Code Enforcement Department
A Division of Transportation and Land Management Agency

AFFIDAVIT OF POSTING OF NOTICES

Case No.: CV0803169

I, **Wayne Durant**, the undersigned, hereby declare:

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

County of Riverside
Building & Safety Department
Code Enforcement Division
39493 Los Alamos Road
Murrieta, CA 92563

2. That on **04-25-08** at **9:15 AM.**, I securely and conspicuously posted a **Notice of Violation for R.C.C. 15.12.020 "Grading W/O Permits"** at the property described as:

Property Address: Parcel S. of 48165 Twin Pines Road

Assessor's Parcel Number: 529-050-040

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

Executed on **04-25-08** at Hemet, California.

CODE ENFORCEMENT DEPARTMENT

By: 
Wayne Durant, Code Enforcement Officer II

EXHIBIT NO. _____

E²



JAY E. ORR
DIRECTOR

CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE

39493 LOS ALAMOS RD., SUITE A
MURRIETA, CALIFORNIA 92563
(951) 600-6140 • FAX (951) 600-6190

JOHN BOYD
MICHAEL DAUBER
DEPUTY DIRECTORS

STEVE BLOOMQUIST
NEIL LINGLE
JAMES P. MONROE
TRACEY TOWNER
DIVISION MANAGERS

NOTICE OF VIOLATION
For
UNAPPROVED GRADING

MAY 1, 2008

JO ANN MOUNTZ
48145 TWIN PINES RD.
BANNING, CA 92220

Re: Case No.: CV08-03169

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 48145 TWIN PINES RD., BANNING, California, Assessor's Parcel Number 529-050-040, is in violation of Riverside County Ordinance 457 (RCC Title 15), relating to grading without approval by the Department of Building and Safety.

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

1. "Obtain a Restoration Assessment from the Dept. of Building & Safety and comply with the process and conditions".

YOU MUST COMPLY WITH THIS NOTICE NO LATER THAN MAY 31, 2008. FAILURE TO COMPLY WILL RESULT IN CRIMINAL, ADMINISTRATIVE, OR CIVIL ACTION BEING BROUGHT AGAINST YOU INCLUDING PENALTIES, RESTORATION, OR REMEDIATION OF THE ILLEGAL GRADING BY THE COUNTY AND ALL COSTS INCURRED BY THE COUNTY MAY BE IMPOSED AS A SPECIAL ASSESSMENT AND/ OR LIEN AGAINST THE PROPERTY.

NOTICE IS HEREBY GIVEN that Ordinance 457.96 Section 4, 3306.03 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. Any property owner aggrieved by this decision will have the right to appeal to the County of Riverside Board of Supervisors.

FURTHER NOTICE IS HEREBY GIVEN that a Notice of Non-Compliance will be recorded against the affected property.

FURTHER NOTICE IS HEREBY GIVEN that at the conclusion of this case you will receive a summary of administrative costs associated with the processing of this violation at an hourly rate of \$109.00 per hour as determined by the County of Riverside Board of Supervisors. You will have the right to object to these charges by filing a request for hearing with the Department of Building and Safety within 10 days of the service of the summary of charges pursuant to Section 1.16.080 of Riverside County Code.

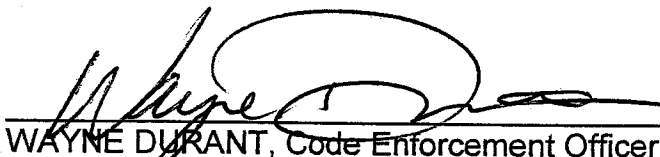

WAYNE DURANT, Code Enforcement Officer

EXHIBIT NO.

E³



COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY



Tony Carstens
Agency Director

Katherine Gifford
Director,
Administrative
Services Dept.

Ron Goldman
Director,
Planning
Department

George Johnson
Director,
Transportation
Department

Jim Miller
Director,
Building & Safety
Department

Jay E. Orr
Director,
Code Enforcement
Department

Carolyn Syms Luna
Director,
Environmental
Programs Dept.

Illegal Grading Notification Rev 12/04/07

On September 13, 2005 the Board of Supervisors adopted an amendment to Ordinance 457, which allows the Department of Building and Safety to place a five year hold on the issuance of building permits and land use approvals if that property is graded without permits. Any property owner aggrieved by this decision has the right to appeal to the Board of Supervisors.

You have been cited for grading without a permit, you are required to complete an "application to construct" and file for an hourly restoration assessment number. This can be done in any one of the three permit assistance centers listed at the bottom of this page. Once the number has been generated and payment made (**estimated cost \$3000 to \$7000**), you will be contacted by the Environmental Programs Department (EPD) or the Department of Building and Safety to set up your site assessment inspection. Once the site assessment has been completed you will be provided plan requirements in writing. You may be required to provide a Biological Restoration Plan and or Earthwork Restoration Plan. A brief description of each of these is provided below:

Biological Restoration Plan:

A biological restoration plan may be required which is prepared by a qualified biologist and is submitted to the County for review and approval. A biological restoration plan determines how to restore the site to its original state prior to disturbance. This plan may include a re-vegetation plan, an irrigation plan, a mitigation and monitoring plan, schedules and cost estimates for restoration. The level of detail that will be required will be determined through a site assessment conducted by the Environmental Programs Department.

Earthwork Restoration Plan:

The need for an Earthwork restoration Plan is based on the estimated volume of earthwork required to be moved on the site in order to effectively restore the site per the intent of County Ordinance 457.

If an Earthwork Plan is required, the plan shall be prepared by a registered civil engineer. All Riverside County Department of Building and Safety grading plan requirements are necessary to be incorporated into the Earthwork Plan. Plan requirements shall include the details necessary for earthwork movement, cut and fill slopes, property lines, water courses, the location of surface streets and all associated related information. The Earthwork Plan shall also contain standard notes for the accomplishment of the approved restoration effort. A civil engineer letter of certification of earthwork and a formal compaction report for fills of more than one foot may be required prior to final of the Earthwork Plan.

PROOF OF SERVICE BY MAIL

Case No. CV08-03169

I, the undersigned, say 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 39493 Los Alamos Rd., Suite A, Murrieta, CA 92563.

I am readily familiar with our department's practice for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence is deposited with the United States Postal Service on the same day in the ordinary course of business.

That on May 1, 2008, I served a copy of the papers to which this proof of service is attached, entitled:

NOTICE OF VIOLATION FOR UNAPPROVED GRADING
ILLEGAL GRADING NOTIFICATION

by depositing a copy thereof in an envelope for deposit in the United States Postal Service via Certified Mail, return receipt requested, and addressed as follows:

JO ANN MOUNTZ
48145 TWIN PINES RD.
BANNING, CA 92220

The envelope was sealed and placed for collection and mailing at MURRIETA, CALIFORNIA, on the same date following the ordinary business practices.

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

Executed this May 1, 2008 at 39493 Los Alamos Rd., Suite A, Murrieta, California 92563.


AMANDA RODRIGUEZ, Code Enforcement Aide

Article Number: 7007-1490-0003-4277-7576

EXHIBIT NO. E⁵

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

JO ANN MOUNTZ
 48145 TWIN PINES RD.
 BANNING, CA 92220
 CV08-03169 / WD

2. Article Number
 (Transfer from service label)

7007 1490 0003 4277 7576

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature *J. Mountz* Agent Addressee
 B. Received by (Printed Name) *J. Mountz* C. Date of Delivery *3/6/08*
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

RECD MAY 06 2008

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

**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

7007 1490 0003 4277 7576

| | |
|---|----|
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement) | |

Postmark Here

Total Postage

JO ANN MOUNTZ
 48145 TWIN PINES RD.
 BANNING, CA 92220
 CV08-03169 / WD

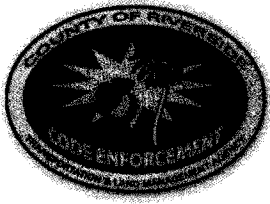
Sent To
 Street, Apt. N
 or PO Box N
 City, State, Zi

PS Form 3800, August 2006

See Reverse for Instructions

EXHIBIT NO. _____

E6



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

NOTICE OF VIOLATION

November 10, 2009

JO ANN MOUNTZ
48145 TWIN PINES RD
BANNING, CA. 92220

RE CASE NO: CV0803169

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 48145 TWIN PINES RD, BANNING California, Assessor's Parcel Number 529-050-040, 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 December 10, 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.

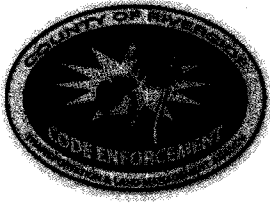
YOU WILL HAVE THE RIGHT TO OBJECT TO THESE CHARGES BY FILING A REQUEST FOR HEARING WITH THE DEPARTMENT OF CODE ENFORCEMENT WITHIN TEN (10) DAYS OF SERVICE OF THE SUMMARY OF CHARGES, PURSUANT TO SECTION 1.16.080 OF RIVERSIDE COUNTY CODE.

CODE ENFORCEMENT DEPARTMENT

By: Wayne Durant, Code Enforcement Officer III

EXHIBIT NO. _____

E⁷



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

NOTICE OF VIOLATION

November 10, 2009

Occupant
48145 TWIN PINES RD
BANNING, CA 92220

RE CASE NO: CV0803169

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 48145 TWIN PINES RD, BANNING California, Assessor's Parcel Number 529-050-040, 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 December 10, 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: Wayne Durant, Code Enforcement Officer III

EXHIBIT NO. _____

E⁸



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

PROOF OF SERVICE

Case No. CV0803169

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Elizabeth Ross, 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 November 16, 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:

JO ANN MOUNTZ 48145 TWIN PINES RD, BANNING, CA. 92220
OCCUPANT 48145 TWIN PINES RD, BANNING, CA 92220
Joann & Steven Paul Mountz 48145 Twin Pines Road, Banning, Ca 92220

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 at 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 November 16, 2009 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

Elizabeth Ross
By: Elizabeth Ross, Code Enforcement Aide

EXHIBIT NO. E⁹

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) | | |

JO ANN MOUNTZ
48145 TWIN PINES RD
BANNING, CA. 92220
CV08-03169 APN: 529

PS Form 3800, August 2006

See Reverse for Instructions

965E 6450 0000 0922 9002

7006 2760 0000 0579 3602

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) | | |

Occupant
48145 TWIN PINES RD
BANNING, CA 92220
CV08-03169 APN: 529

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

JO ANN MOUNTZ
48145 TWIN PINES RD
BANNING, CA. 92220
CV08-03169 APN: 529

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
- B. Received by (Printed Name) Date of Delivery 11/18/09
- C. Is delivery address different from item 1? Yes No
- D. Is delivery address different from item 1? If YES, enter delivery address below: Yes No

RECD NOV 19 2009

- 2. Article Number (Tr from service label) 7006 2760 0000 0579 3596
- 3. Restricted Delivery? (Extra Fee) Yes No
- 4. Restricted Delivery? (Extra Fee) Yes No

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

EXHIBIT NO.

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

Occupant
48145 TWIN PINES RD
BANNING, CA 92220
CV08-03169 APN: 529

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
- B. Received by (Printed Name) Date of Delivery 11/18/09
- C. Is delivery address different from item 1? Yes No
- D. Is delivery address different from item 1? If YES, enter delivery address below: Yes No

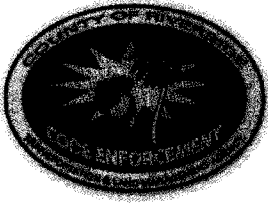
RECD NOV 19 2009

- 2. Article Number (Tr from service label) 7006 2760 0000 0579 3602
- 3. Restricted Delivery? (Extra Fee) Yes No
- 4. Restricted Delivery? (Extra Fee) Yes No

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

NOTICE OF VIOLATION

November 16, 2009

Joann & Steven Paul Mountz
48145 Twin Pines Road
Banning, Ca 92220

RE CASE NO: CV0803169

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 48145 TWIN PINES RD, BANNING California, Assessor's Parcel Number 529-050-040, 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 December 16, 2009. FAILURE TO COMPLY WILL RESULT IN LEGAL ACTION BEING BROUGHT AGAINST YOU.

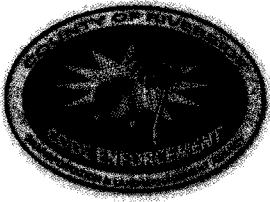
NOTICE IS HEREBY GIVEN THAT AT THE CONCLUSION OF THIS CASE YOU WILL RECEIVE A SUMMARY OF ADMINISTRATIVE COSTS ASSOCIATED WITH THE PROCESSING OF SUCH VIOLATION(S), AT AN HOURLY RATE OF \$109.00 AS DETERMINED BY THE BOARD OF SUPERVISORS.

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: Wayne Durant, Code Enforcement Officer III

EXHIBIT NO. E¹¹



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

NOTICE OF VIOLATION

November 16, 2009

Wells Fargo Bank, N.A.
P.O. Box 31557
Billings, Mt 59107

RE CASE NO: CV0803169

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 48145 TWIN PINES RD, BANNING California, Assessor's Parcel Number 529-050-040, 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 December 16, 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: Wayne Durant, Code Enforcement Officer III

EXHIBIT NO. _____

E-12



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

NOTICE OF VIOLATION

November 16, 2009

Joann Mountz
17490 Summer Breeze Drive
Banning, Ca 92220

RE CASE NO: CV0803169

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 48145 TWIN PINES RD, BANNING California, Assessor's Parcel Number 529-050-040, 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 December 16, 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: Wayne Durant, Code Enforcement Officer III

EXHIBIT NO. _____

E¹³



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

NOTICE OF VIOLATION

November 16, 2009

American Securities Company
P.O. Box 31557
Billings, Mt 59107

RE CASE NO: CV0803169

NOTICE IS HEREBY GIVEN that property owned or controlled by you at 48145 TWIN PINES RD, BANNING California, Assessor's Parcel Number 529-050-040, 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 December 16, 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: Wayne Durant, Code Enforcement Officer III

EXHIBIT NO. _____

E14



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

JOHN BOYD
Director

PROOF OF SERVICE

Case No. CV0803169

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Elizabeth Ross, 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 November 16, 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:

Joann & Steven Paul Mountz 48145 Twin Pines Road, Banning, Ca 92220
Wells Fargo Bank, N.A. P.O. Box 31557, Billings, Mt 59107
Joann Mountz 17490 Summer Breeze Drive, Banning, Ca 92220
American Securities Company P.O. Box 31557, Billings, Mt 59107

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 at 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 November 16, 2009 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

By: Elizabeth Ross, Code Enforcement Aide

EXHIBIT NO. E¹⁵

929E 6450 0000 0922 9002

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 | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |

Postmark Here

Joann & Steven Paul Mountz
48145 Twin Pines Road
Banning, Ca 92220
CV0803169 APN: 529

PS Form 3800, August 2006 See Reverse for Instructions

929E 6450 0000 0922 9002

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 | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |

Postmark Here

Joann Mountz
17490 Summer Breeze Drive
Banning, Ca 92220
CV08-03169 APN: 529

PS Form 3800, August 2006 See Reverse for Instructions

2. Article Number (from service label)
PS Form 3811, August 2001

7006 2760 0000 0579 3626

Domestic Return Receipt

Joann & Steven Paul Mountz
48145 Twin Pines Road
Banning, Ca 92220
CV0803169 APN: 529

SENDER COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]*
B. Received by (Printed Name) *[Signature]*
C. Date of Delivery *11/18/09*
D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

RECD NOV 19 2009

4. Restricted Delivery? (Extra Fee) Yes No
Return Receipt for Merchandise Yes No

102595-02-M-1540

2. Article Number (from service label)
PS Form 3811, August 2001

7006 2760 0000 0579 3626

Domestic Return Receipt

Joann Mountz
17490 Summer Breeze Drive
Banning, Ca 92220
CV08-03169 APN: 529

SENDER COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]*
B. Received by (Printed Name) *[Signature]*
C. Date of Delivery *11/18/09*
D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

RECD NOV 19 2009

4. Restricted Delivery? (Extra Fee) Yes No
Return Receipt for Merchandise Yes No

102595-02-M-1540

EXHIBIT NO.

049E 645D 0000 0942 9002

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

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OFFICIAL USE

| | |
|--|----|
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |

Postmark Here

wells Fargo Bank, N.A.
Po Box 31557
Billings, MT 59107
CV08-03169 APN: 529

PS Form 3800, August 2006

See Reverse for Instructions

EE9E 645D 0000 0942 9002

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| Postage | \$ |
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| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |

Postmark Here

American Securities Company
Po Box 31557
Billings, MT 59107
CV0803169 APN: 529

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
wells Fargo Bank, N.A.
Po Box 31557
Billings, MT 59107
CV08-03169 APN: 529

2. Article Number (from service label)
7006 2760 0000 0579 3640

PS Form 3811 August 2001

Domestic Return Receipt

102595-02-14-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
[Signature] Addressee

B. Received by *[Signature]* (Name) C. Date of Delivery *11-19*

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

REC'D NOV 23 2009

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
American Securities Company
Po Box 31557
Billings, MT 59107
CV0803169 APN: 529

2. Article Number (from service label)
7006 2760 0000 0579 3633

PS Form 3811 August 2001

Domestic Return Receipt

102595-02-14-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
[Signature] Addressee

B. Received by *[Signature]* (Name) C. Date of Delivery *11-19*

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

REC'D NOV 23 2009

4. Restricted Delivery? (Extra Fee) Yes

EXHIBIT NO. 113

When recorded please mail to:
Mail Stop# 5155
Code Enforcement Department
Murrieta District Office
39493 Los Alamos Road
Murrieta, CA 92563



| | | | | | | | | | |
|--------|---|---|-----|-----|------|------|-----|------|------|
| S | R | U | | | | | | | |
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| M | A | L | 465 | 426 | PCOR | NCOR | SMF | NCHC | EXAM |
| WCHGCC | | | | | T: | CTY | UNI | 039 | |

NOTICE OF NONCOMPLIANCE for UNAPPROVED GRADING

0

In the matter of the Property of)

Jo Ann Mountz)

Case No.: CV08-03169

M
039

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 48145 Twin Pines Road, Banning, CA and more particularly described as Assessment Parcel No. 529-050-040 and having a legal description of 3.16 ACRES, PM 143/38, PM 20914, LOT 3 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 92563, Attention Code Enforcement Officer W. Durant 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 01-07-10 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

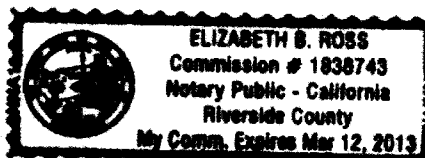


EXHIBIT NO. _____

F

PAMELA J. WALLS
County Counsel

OFFICE OF COUNTY COUNSEL
COUNTY OF RIVERSIDE



KATHERINE A. LIND
Assistant County Counsel

3960 ORANGE STREET, SUITE 500
RIVERSIDE, CA 92501-3674
TELEPHONE: 951/955-6300
FAX: 951/955-6322 & 951/955-6363

February 9, 2011

**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.: CV08-03169
APN: 529-050-040; MOUNTZ / TAYLOR
Property: 48145 Twin Pines Road, Banning

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 48145 Twin Pines Road, Banning, **Riverside County, California**, and more particularly described as Assessor's Parcel Number 529-050-040.

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, March 1, 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 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 7:30 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.

PAMALA J. WALLS
Riverside County Counsel

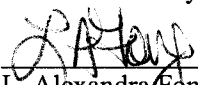

L. Alexandra Fong
Deputy County Counsel

EXHIBIT NO. 6

NOTICE LIST

Subject Property: 48145 Twin Pines Road, Banning
Case No.: CV 08-03169 APN: 529-050-040; District 3

JO ANN MOUNTZ
48145 TWIN PINES RD.
BANNING, CA 92220

WELLS FARGO BANK
PO BOX 31557
BILLINGS, MT 59107

AMERICAN SECURITIES COMPANY
PO BOX 31557
BILLINGS, MT 59107

EXHIBIT NO. G²



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Track & Confirm

Search Results

Label/Receipt Number: **7010 1670 0001 7232 8045**
Service(s): **Certified Mail™**
Status: **Delivered**

Your item was delivered at 7:02 am on February 14, 2011 in BILLINGS, MT 59107.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- **Delivered, February 14, 2011, 7:02 am, BILLINGS, MT 59107**
- **Arrival at Unit, February 14, 2011, 4:51 am, BILLINGS, MT 59101**

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

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| <i>(Domestic Mail Only; No Insurance Coverage Provided)</i> | | |
| For delivery information visit our website at www.usps.com ® | | |
| OFFICIAL USE | | |
| Postage | \$.44 | Mailed 2/14/11 Postmark Here |
| Certified Fee | 2.80 | |
| Return Receipt Fee (Endorsement Required) | 2.30 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 5.54 | |
| Sent To | | |
| Street or PO | AMERICAN SECURITIES COMPANY | |
| City, S | PO BOX 31557 | |
| | BILLINGS MT 59107 | |
| PS Form 3800, August 2006 | | See Reverse for Instructions |

7010 1670 0001 7232 8045

EXHIBIT NO. 6³



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[Track & Confirm](#)

[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: **7010 1670 0001 7232 8052**
 Service(s): **Certified Mail™**
 Status: **Delivered**

Your item was delivered at 7:02 am on February 14, 2011 in BILLINGS, MT 59107.

Detailed Results:

- **Delivered, February 14, 2011, 7:02 am, BILLINGS, MT 59107**
- **Arrival at Unit, February 14, 2011, 4:51 am, BILLINGS, MT 59101**

Notification Options

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|---|----------------|--------|---------------|------|--|------|---|--|---------------------------------|----------------|---|
| 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 | | | | | | | | | | | |
| <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Postage</td> <td style="width: 50%; text-align: right;">\$.44</td> </tr> <tr> <td>Certified Fee</td> <td style="text-align: right;">2.80</td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td style="text-align: right;">2.30</td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Total Postage & Fees</td> <td style="text-align: right;">\$ 5.54</td> </tr> </table> | Postage | \$.44 | Certified Fee | 2.80 | Return Receipt Fee (Endorsement Required) | 2.30 | Restricted Delivery Fee (Endorsement Required) | | Total Postage & Fees | \$ 5.54 | <p style="font-size: 1.5em; font-weight: bold;">MAILED 2/14/11</p> <p>Postmark Here</p> |
| Postage | \$.44 | | | | | | | | | | |
| Certified Fee | 2.80 | | | | | | | | | | |
| Return Receipt Fee (Endorsement Required) | 2.30 | | | | | | | | | | |
| Restricted Delivery Fee (Endorsement Required) | | | | | | | | | | | |
| Total Postage & Fees | \$ 5.54 | | | | | | | | | | |
| Sent To: Street or PO: WELLS FARGO BANK City, State: PO BOX 31557 BILLINGS MT 59107 | | | | | | | | | | | |
| PS Form 3800, August 2006 See Reverse for Instructions | | | | | | | | | | | |

7010 1670 0001 7232 8052

EXHIBIT NO. G4



Home | Help | Sign In

Track & Confirm [FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 7010 1670 0001 7232 8069
Service(s): **Certified Mail™**
Status: **Notice Left**

We attempted to deliver your item at 11:14 am on February 11, 2011 in BANNING, CA 92220 and a notice was left. You may arrange redelivery by visiting www.usps.com/redelivery or calling 800-ASK-USPS, or may pick up the item at the Post Office indicated on the notice. If this item is unclaimed after 15 days then it will be returned to the sender. Information, if available, is updated periodically throughout the day. Please check again later.

Track & Confirm

Enter Label/Receipt Number.

Go >

Notification Options

Track & Confirm by email

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OFFICIAL USE

| | | |
|--|---------|-------------------------------------|
| Postage | \$.44 | Mailed 2/11/11 Postmark Here |
| Certified Fee | 2.80 | |
| Return Receipt Fee (Endorsement Required) | 2.30 | |
| Restricted Delivery Fee (Endorsement Required) | | |
| Total Postage & Fees | \$ 5.54 | |

Sent To

Street, Apt. No. or PO Box No. JO ANN MOUNTZ
48145 TWIN PINES RD
City, State, ZIP BANNING, CA 92220

PS Form 3800, August 2006 See Reverse for Instructions

EXHIBIT NO. 65

1 **PROOF OF SERVICE**

2 Case No. CV08-03169

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 Feb. 9, 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 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 Feb. 9, 2011, at Riverside, California.

24 
25 _____
26 BRENDA PEELER
27
28

EXHIBIT NO. 66



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

AFFIDAVIT OF POSTING OF NOTICES

February 10, 2011

RE CASE NO: CV0803169

I, Carol Forrey, 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 02/10/11 at 11:12AM, I securely and conspicuously posted NOTICE TO CORRECT COUNTY ORDINANCE VIOLATIONS AND ABATE PUBLIC NUISANCE at the property described as:

Property Address: 48145 TWIN PINES RD, BANNING

Assessor's Parcel Number: 529-050-040

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

Executed on February 10, 2011 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

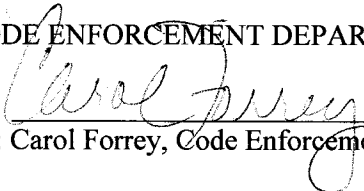

By: Carol Forrey, Code Enforcement Officer

EXHIBIT NO. 67