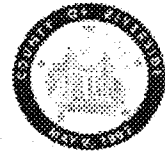


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

108B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
March 3, 2011

SUBJECT: Order to Abate [Excess Outside Storage & Accumulated Rubbish]
Case Nos: CV 08-00025 and CV08-00026 [DORN]
Subject Property: 32235 Morris Ranch Rd., Hemet; APN: 568-110-029
District: Three

RECOMMENDED MOTION: Move that:

1. The Findings of Fact, Conclusions and Order to Abate in Case Nos. CV 08-00025 and CV08-00026 be approved;
2. The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and order to Abate in Case Nos. CV 08-00025 and CV08-00026; and
3. The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case Nos. CV 08-00025 and CV08-00026.

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

BY: *Tina Grande*
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: March 15, 2011
xc: Co.Co.(3); Recorder

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

- Consent
- Policy
- Consent
- Policy

Dept Recomm.:
Per Exec. Ofc.:

Order to Abate
Case Nos. CV08-00025 and CV08-00026 [DORN]
32235 Morris Ranch Rd., Hemet
District Three
Page 2

BACKGROUND:

On February 8, 2011, this Board received the declaration of the Code Enforcement Officer in the above-referenced matter. At the conclusion of the hearing, this Board declared the excess outside storage and accumulated rubbish located on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare Findings of Fact, Conclusions and Order to Abate.

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

DOC # 2011-0120120
03/17/2011

Customer Copy Label
The paper to which this label is
affixed has not been compared
with the recorded document

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

5 WHEN RECORDED PLEASE MAIL TO:
6 L. Alexandra Fong, Deputy County Counsel
7 County of Riverside
8 OFFICE OF COUNTY COUNSEL
9 3960 Orange Street, Suite 500 (Stop #1350)
10 Riverside, CA 92501

[EXEMPT'6103]

**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

11	IN RE ABATEMENT OF PUBLIC NUISANCE:)	CASE NOS.: CV 08-00025 and
12	[EXCESSIVE OUTSIDE STORAGE AND)	CV 08-00026
13	ACCUMULATION OF RUBBISH];)	
14	APN 568-110-029, 32235 MORRIS RANCH RD.,)	FINDINGS OF FACT,
15	HEMET, COUNTY OF RIVERSIDE, STATE OF)	CONCLUSIONS AND ORDER TO
16	CALIFORNIA; CLIFFORD G. DORN, OWNER.)	ABATE NUISANCE
17)	
18)	[R.C.O. Nos. 348 (RCC Chapter 17),
19)	541 (RCC Chapter 8.120)]

17 The above-captioned matter came on regularly for hearing on February 8, 2011, before the
18 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
19 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
20 property described as 32235 Morris Ranch Rd., Hemet, Riverside County, California and further
21 described as Assessor's Parcel Number 568-110-029 and referred to hereinafter as "THE
22 PROPERTY."

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

25 No one appeared on behalf of Owner.

26 The Board of Supervisors received the Declaration of the Code Enforcement Officer together
27 with attached Exhibits, evidencing the excessive outside storage of materials and accumulation of
28

COPY

1 rubbish on THE PROPERTY as violations of Riverside County Ordinance Nos. 348 (Riverside
2 County Code Chapter 17.152) and 541 (Riverside County Code Chapter 8.120) and as a public
3 nuisance.

4 **SUMMARY OF EVIDENCE**

5 1. Documents of record in the Riverside County Recorder's Office identify the owner of
6 THE PROPERTY as Clifford G. Dorn ("OWNER").

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

9 3. THE PROPERTY was inspected by Code Enforcement Officers on January 7, 2008,
10 May 20, 2009, May 20, 2010, July 1, 2010, August 10, 2010, September 30, 2010, January 20, 2011
11 and February 5, 2011.

12 4. During each inspection, the outside storage of materials and accumulation of rubbish
13 were observed on THE PROPERTY. The materials and rubbish were intermingled and included but
14 were not limited to: broken tile, old wiring, scrap lumber, piping, car parts, tires, buckets, tools,
15 equipment and other miscellaneous items.

16 The officer visually estimated the amount of accumulated rubbish and excess outside storage
17 of materials was approximately four thousand two hundred ninety (4,290) square feet. Given the size
18 of the unimproved parcel (20 acres) and the zoning classification (N-A-40, Natural Assets-40 acres),
19 amount of outside storage or rubbish allowed to be two hundred (200) square feet on THE
20 PROPERTY.

21 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
22 Nos. 348 (RCC Chapter 17.152) and 541 (RCC Chapter 8.120) by the Code Enforcement Officer.

23 6. Notices of Noncompliance were recorded on June 1, 2010, as Document Numbers
24 2010-0251764 and 2010-0251765 in the Office of the County Recorder, County of Riverside.

25 7. On June 9, 2009, Notices of Violation for violation of Riverside County Ordinance
26 Nos. 348 and 541 were mailed to OWNER via certified mail with return receipt requested.

27 8. On January 19, 2011, the "Notice to Correct County Ordinance Violations and Abate
28 Public Nuisance" providing notice of the public hearing before the Board of Supervisors scheduled

1 for February 8, 2011, was mailed by certified mail, return receipt requested, to OWNER and was
2 posted on THE PROPERTY on January 19, 2011.

3 **FINDINGS AND CONCLUSIONS**

4 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
5 regular session assembled on February 8, 2011, finds and concludes that:

6 1. WHEREAS, the excess outside storage of materials and accumulation of rubbish on
7 the real property located at 32235 Morris Ranch Rd., Hemet, Riverside County, California, also
8 identified as Assessor's Parcel Number 568-110-029 violates Riverside County Ordinance Nos. 348
9 (RCC Chapter 17.152) and 541 (RCC Chapter 8.120) and constitutes a public nuisance. Under
10 Riverside County Ordinance No. 348, this twenty acre (20) unimproved parcel, the zone classification
11 allows two hundred (200) square feet to be stored on THE PROPERTY. Under Riverside County
12 Ordinance No. 541, no amount of rubbish is allowed to be accumulated on THE PROPERTY.

13 2. WHEREAS, the OWNER, occupants or any person having possession or control of
14 the premises shall abate the condition by removal of all outside storage of materials and removing and
15 disposing of all accumulated rubbish from the subject real property in strict accordance with all
16 Riverside County Ordinances, including but not limited to Riverside County Ordinance Nos. 348
17 (RCC Chapter 17.152) and 541 (RCC Chapter 8.120) within ninety (90) days.

18 3. WHEREAS, the OWNER IS HEREBY FURTHER NOTICED that the time within
19 which judicial review of the administrative determinations made herein must be sought is ninety (90)
20 days from the posting and mailing of the Findings of Fact, Conclusions and Order To Abate Nuisance,
21 and is governed by California Code of Civil Procedure Section 1094.6.

22 **ORDER TO ABATE NUISANCE**

23 IT IS THEREFORE ORDERED that the excess outside storage of materials and
24 accumulation of rubbish on THE PROPERTY be abated by the OWNER, specifically Clifford G.
25 Dorn, or anyone having possession or control of THE PROPERTY, by removing all of the outside
26 storage of materials and removing and disposing of all accumulated rubbish from the subject real
27 property in strict accordance with all Riverside County Ordinances, including but not limited to
28 Riverside County Ordinance Nos. 348 (RCC Chapter 17.152) and 541 (RCC Chapter 8.120) within

1 ninety (90) days of the date of this Order to Abate Nuisance.

2 IT IS FURTHER ORDERED that if the materials and rubbish are not removed and disposed
3 of in strict accordance with all Riverside County Ordinances, including but not limited to Riverside
4 County Ordinance Nos. 348 (RCC Chapter 17.152) and 541 (RCC Chapter 8.120) within ninety (90)
5 days of the date of this Order to Abate Nuisance, the excess outside storage of materials and
6 accumulation of rubbish may be abated and disposed of by representatives of the Riverside County
7 Code Enforcement Department, a contractor or the Sheriff's Department upon receipt of an owner's
8 consent or a Court Order when necessary under applicable law.

9 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity
10 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special
11 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside
12 County Ordinance Nos. 348 (RCC Title 17), 541 (RCC Title 8), and 725 (RCC Chapter 1.16).
13 Under Riverside County Ordinance No. 725, "abatement costs" means "any costs or expenses
14 reasonably related to the abatement of conditions which violate County Land Use Ordinances, and
15 shall include, but not be limited to, enforcement, investigation, collection and administrative costs,
16 attorneys fees, and the costs associated with the removal or correction of the violation." Reasonable
17 abatement costs accrued by the Code Enforcement Department will be recoverable from the property

18 ///
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FORM APPROVED COUNTY COUNSEL
BY: 04 FONG 3/3/11 /DATE
L. ALEXANDRA FONG

1 owner(s) even if THE PROPERTY is brought into compliance within ninety (90) days of the date of
2 this Order to Abate Nuisance.
3

4 Dated: March 15, 2011

COUNTY OF RIVERSIDE

5
6 By Bob Buster
7 Bob Buster
8 Chairman, Board of Supervisors

9 ATTEST:

10 KECIA HARPER-IHEM

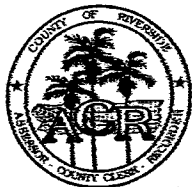
11 Clerk to the Board

12 By Karenington

13 Deputy

14 (SEAL)

15
16
17
18
19
20 L:\Code Enforcement\Abatements\2010\2008\CV08-00025 and CV08-00026\348 541 FOF.DOC



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

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

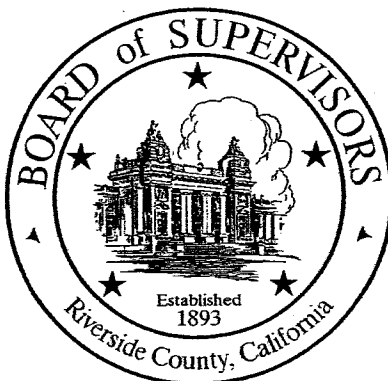
<http://riverside.asrclkrec.com>

CERTIFICATION

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

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

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



Date:

3-15-11

Signature:

Karen Barton

Print Name:

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



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

AFFIDAVIT OF POSTING OF NOTICES

April 6, 2011

RE CASE NO: CV0800025

I, Ariana Meza, 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 04/06/2011 at 10:23am, I securely and conspicuously posted Findings of Fact, Conclusions and Order To Abate Nuisance, Proof of Service and Notice List at the property described as:


Property Address: 32235 MORRIS RANCH RD, HEMET

Assessor's Parcel Number: 568-110-029

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

Executed on April 6, 2011 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT


By: Ariana Meza, Code Enforcement Technician



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

AFFIDAVIT OF POSTING OF NOTICES

April 6, 2011

RE CASE NO: CV0800026

I, Ariana Meza, 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 04/06/2011 at 10:23am, I securely and conspicuously posted Findings of Fact, Conclusions and Order To Abate Nuisance, Proof of Service and Notice List at the property described as:

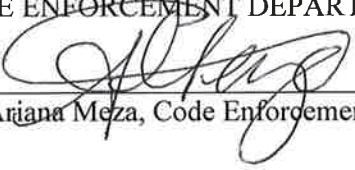
Property Address: 32235 MORRIS RANCH RD, HEMET

Assessor's Parcel Number: 568-110-029

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

Executed on April 6, 2011 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT


By: Ariana Meza, Code Enforcement Technician

PROOF OF SERVICE
Case No. CV08-00025 & CV08-00026

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

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

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

FINDINGS OF FACT, CONCLUSIONS AND ORDER TO ABATE NUISANCE

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

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

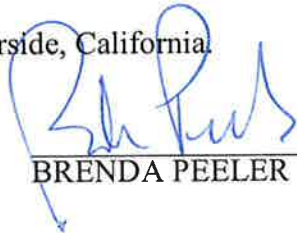
XX **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** I am "readily familiar" with the office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Riverside, California,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

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

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

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

EXECUTED ON March 31, 2011, at Riverside, California



BRENDA PEELER

NOTICE LIST

Subject Property: 32235 Morris Ranch Rd., Hemet
Case No.: CV 08-00025 and CV08-00026; APN: 568-110-029; District 3

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

CERTIFIED MAIL™



7010 1670 0001 7232 3590

CLIFFORD G. DORN
9395 CORBIE CT
CALIMESA CA 92320

UNK



02 1P
0003958246 MAR 31 2011
MAILED FROM ZIP CODE 92501

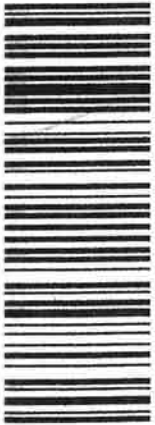
NIXIE 923 DE 1 00 04/05/11

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 92501364425 *0704-05079-01-45

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

CERTIFIED MAIL™



7010 1670 0001 7232 3576

ALBERT J GUANCHE
32235 MORRIS RANCH RD
HEMET CA 92543

AL 7/8-1



02 1P
0003958246 MAR 31 2011
MAILED FROM ZIP CODE 92501

NIXIE 923 DE 1 00 04/05/11

RETURN TO SENDER
NO SUCH STREET
UNABLE TO FORWARD

BC: 92501364425 *1004-01450-01-97

9254365835
9250103544

NOTICE LIST

Subject Property: 32235 Morris Ranch Rd., Hemet
Case No.: CV 08-00025 and CV08-00026; APN: 568-110-029; District 3

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

CERTIFIED MAIL



7010 1570 0001 7232 3506

NSN

CLIFFORD G DORN
25 TRAILS END
MOUNTAIN CENTER CA 92561

1/A



UNITED STATES POSTAGE
PITNEY BOWES
\$ 005.710
02 1P
0003958246 MAR 31 2011
MAILED FROM ZIP CODE 92501

NIXIE 923 DE 1 00 04/04/11

RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD

BC: 92501364425 *1004-00057-01-42

925013644



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Track & Confirm

You entered: 70101670000172323583

Status: Delivered

Your item was delivered at 12:53 pm on April 04, 2011 in RIVERSIDE, CA 92501. Additional information for this item is stored in files offline.

Additional information for this item is stored in files offline. You may request that the additional information be retrieved from the archives, and that we send you an e-mail when this retrieval is complete. Requests to retrieve additional information are generally processed within four hours. This information will remain online for 30 days.

I would like to receive notification on this request



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Return Receipt Fee (Endorsement Required)	2.30							
Restricted Delivery Fee (Endorsement Required)								
Total Postage & Fees	\$ 5.71							
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<i>Sent To</i>	CLIFFORD G DORN							
<i>Street, Apt or PO Box</i>	32235 MORRIS RANCH RD							
<i>City, State</i>	HEMET CA 92543							
PS Form 3800, August 2006		See Reverse for Instructions						