

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

402B



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

**SUBMITTAL DATE:**  
October 5, 2011

**SUBJECT:** Abatement of Public Nuisance [Grading Without a Permit]  
Case No: CV 07-10134 [FOLK]  
Subject Property: 1 parcel west of 42597 Sabina Drive, Hemet;  
APN: 569-260-038  
District: 3

**RECOMMENDED MOTION:** Move that:

1. The grading without permits on the real property located 1 parcel west of 42597 Sabina Drive, Hemet, Riverside County, California, APN: 569-260-038 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.

(Continued)

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

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

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

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

BY: *Tina Grande*  
Tina Grande

**County Executive Office Signature**

☐ Consent  
☒ Policy  
☐ Consent  
☒ Policy

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
 Nays: None  
 Absent: None  
 Date: October 18, 2011  
 xc: Co. Co., CED, Prop. Owner

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

Prev. Agn. Ref. ATTACHMENTS FILED District: 3 Agenda Number:  
 WITH THE CLERK OF THE BOARD

9.1

Abatement of Public Nuisance  
Case No. CV 07-10134[FOLK]  
1 parcel west of 42597 Sabina Drive, Hemet  
APN# 569-260-038  
District 3  
Page 2

3. Owner, Charles Folk, 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 may 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 December 17, 2007. The inspection revealed that dirt had been brought onto the property and had been graded on the property in violation of Riverside County Ordinance No. 457 (RCC Title 15). The Officer estimates that approximately one thousand five hundred (1,500) 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 October 26, 2009, November 16, 2009, January 6, 2010, July 26, 2010, February 22, 2011 and August 26, 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.

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**BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE**

IN RE ABATEMENT OF PUBLIC NUISANCE	)	CASE NO. CV 07-10134
[GRADING WITHOUT PERMITS] APN: 569-	)	
260-038, 1 PARCEL WEST OF 42597 SABINA	)	DECLARATION OF OFFICER
DRIVE, HEMET, COUNTY OF RIVERSIDE,	)	ROY RYDER
STATE OF CALIFORNIA; CHARLES FOLK,	)	
OWNER.	)	[R.C.O. Nos. 457 (RCC Title 15) and 725
	)	(RCC Title 1) and Board of Supervisors Policy
	)	F-6]
	)	

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

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

2. I am informed and believe and thereon allege that on December 17, 2007, Senior Code Enforcement Officer O'Gara and Code Enforcement Office Forrey conducted an initial inspection of the real property described as 1 parcel west of 42597 Sabina Drive, Hemet, Riverside County, California and further described as Assessor's Parcel Number 569-260-038 (hereinafter referred to as "THE PROPERTY"). A true and correct copy of a Thomas Brothers map indicating the location of THE PROPERTY is attached hereto as Exhibit "A" and incorporated herein by reference.

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

4. Based upon the Lot Book Report issued by RZ Title Service on February 8, 2011, it is determined that other Party potentially hold a legal interest in THE PROPERTY, to-wit: Indymac Venture, LLC ("INTERESTED PARTY"). A true and correct copy of the Lot Book Report is attached hereto and incorporated herein as Exhibit "C."

1           5.     I am informed and believe that on December 17, 2007, Senior Code Enforcement Officer  
2 O'Gara and Code Enforcement Office Forrey went to THE PROPERTY to conduct an inspection. THE  
3 PROPERTY was open, accessible with no signs prohibiting access. They observed that dirt have been  
4 brought onto the property and graded on THE PROPERTY.

5           6.     The total graded area measured approximately one thousand five hundred (1,500) cubic  
6 yards. I determined that THE PROPERTY constituted a public nuisance in violation of the provisions  
7 set forth in Riverside County Ordinance ("RCO") No 457, Section 4, Subdivision (J)(2), as codified in  
8 Riverside County Code ("RCC") Title 15. A Notice of Violation (RCO No. 457) was posted on THE  
9 PROPERTY.

10          7.     A search of County records revealed that a grading permit had not been obtained for the  
11 grading on THE PROPERTY.

12          8.     On December 17, 2007, a Field Notice of Violation and Administrative Citation were  
13 posted on THE PROPERTY.

14          9.     I am informed and believe and thereon allege that on December 26, 2007, Officer Forrey  
15 received a telephone call from OWNER indicating that he was having a problem of getting a certificate  
16 of compliance for THE PROPERTY as THE PROPERTY had been subdivided in 1964. OWNER  
17 indicated to me that he would keep me informed on the status.

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

26          11.    I am informed and believe and thereon allege that on April 30, 2008, Supervising Code  
27 Enforcement officer Hector Viray received a fax from Feiro Engineering indicating that they had been  
28 retained to assist OWNER.

1           12. I am informed and believe and thereon allege that on October 26, 2009, and November  
2 13, 2009, Code Enforcement Officer Pollard conducted follow-up inspections of THE PROPERTY. He  
3 observed that THE PROPERTY remained in violation of RCO No. 457.

4           13. I am informed and believe and thereon allege that on December 10, 2009, Code  
5 Enforcement Officer Pollard spoke with OWNER who advised that he thought that everything was taken  
6 care of. Officer Pollard contacted Sam Gonzales at Building and Safety who confirmed that a permit  
7 had not been applied for and that OWNER needed to submit a grading application.

8           14. I am informed and believe and thereon allege that on December 11, 2009, Officer Pollard  
9 spoke with OWNER and told him that he would still need a grading or restoration permit. He was given  
10 the information to contact Mr. Gonzales at Building and Safety.

11           15. I am informed and believe and thereon allege that on January 7, 2010, Officer Pollard  
12 conducted a follow-up inspection of THE PROPERTY. No permits had been acquired for the grading.  
13 He observed that THE PROPERTY remained in violation of RCO No. 457.

14           16. I am informed and believe and thereon allege that on January 7, 2010, Officer Pollard  
15 was notified by Sam Gonzales that OWNER had applied for a grading permit and that the permit would  
16 expire on July 3, 2010.

17           17. I am informed and believe and thereon allege that on July 9, 2010, Officer Pollard was  
18 notified that OWNER had never submitted and fees and that the grading permit is not active.

19           18. I am informed and believe and thereon allege that on July 26, 2010, Officer Pollard  
20 conducted a follow-up inspection of THE PROPERTY. He observed no change in the condition of THE  
21 PROPERTY. THE PROPERTY remained in violation of RCO No. 457.

22           17. On February 14, 2011, I researched Riverside County records and found that the grading  
23 permit OWNER had applied for had been voided.

24           18. On February 22, 2011, I conducted a follow-up inspection of THE PROPERTY. I  
25 observed that condition of THE PROPERTY remained unchanged. THE PROPERTY remained in  
26 violation of RCO No. 457.

27           19. On February 23, 2011, a Notice of Violation was mailed to OWNER and INTERESTED  
28 PARTY via certified mail, return receipt requested.

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

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

5           22.     Based upon my experience, knowledge and visual observations, it is my determination  
6 that the conditions on THE PROPERTY are dangerous to the neighboring property owners and the  
7 general public and is a public nuisance.

8           23.     Based upon my experience, knowledge and visual observations, it is my determination  
9 that the grading on THE PROPERTY is in excess of fifty (50) cubic yards and was done without a  
10 permit and is therefore in violation of Riverside County Ordinance No. 457 (RCC Title 15). Under  
11 Riverside County Ordinance No. 725 (RCC Title 1), any condition caused, maintained or permitted to  
12 exist in violation of any of the provisions of county land use ordinances, including Riverside County  
13 Ordinance No. 457, is declared unlawful and a public nuisance that may be abated consistent with the  
14 procedures provided for in Riverside County Ordinance No. 725, or in any other manner provided by  
15 law.

16           24.     A Notice of Non-Compliance was recorded in the Office of the County Recorder, County  
17 of Riverside, State of California, on November 4, 2009 as Instrument Number 2009-0572661, a true and  
18 correct copy of which is attached hereto and incorporated herein by reference as Exhibit "F".

19           25     A review of County records revealed no application for an assessment permit or grading  
20 permit on file for THE PROPERTY.

21           26.     A subsequent inspection on August 26, 2011 revealed that THE PROPERTY remained in  
22 violation of RCO Nos. 457 (RCC Title 15) due to the grading without permits.

23           26.     On August 25, 2011, the second notice – "Notice to Correct County Ordinance Violations  
24 and Abate Public Nuisance" providing notification of the Board of Supervisors' hearing scheduled for  
25 October 18, 2011, as required by Riverside County Ordinance No. 725, was mailed to OWNERS and  
26 INTERESTED PARTY by U.S. mail and on August 26, 2011 was posted on THE PROPERTY. True  
27 and correct copies of the notice, proof of service, and the affidavit of posting of notice are attached  
28 hereto as Exhibit "G" and incorporated herein by reference.

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

28. Accordingly, the following findings and conclusions are recommended:

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

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

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

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

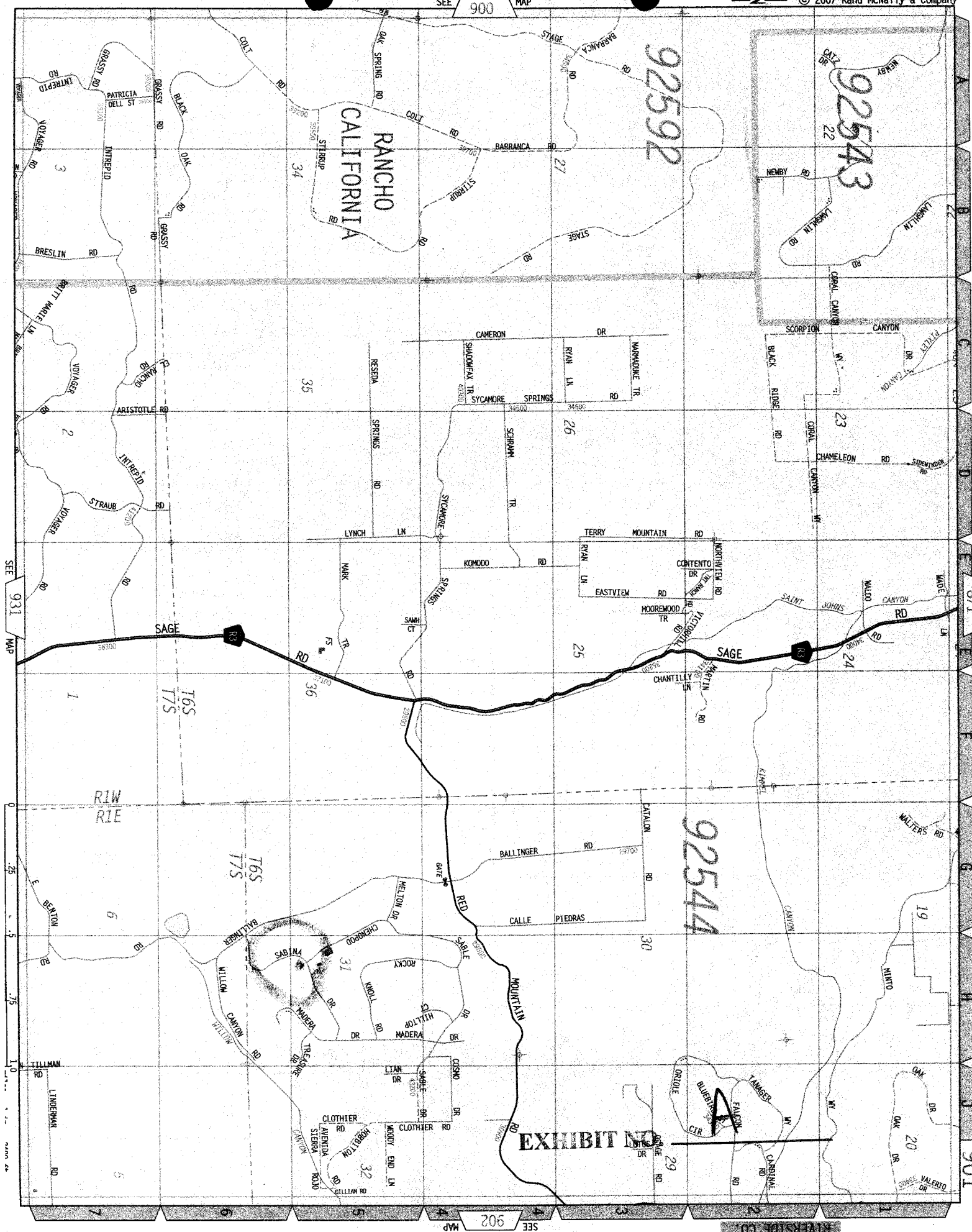
(e) that upon restoration of THE PROPERTY, so as to prevent offsite drainage and slope erosion, and payment of all abatement costs, the five year hold on the issuance of building permits and land use approvals may be released; and

(f) that reasonable costs of abatement, after notice and opportunity for hearing, may be imposed as a lien on THE PROPERTY, which may be collected as a special assessment against THE PROPERTY pursuant to Government Code Section 25845 and Riverside County Ordinance Nos. 457 and 725.

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

Executed this 14<sup>th</sup> day of September, 2011, at Murietta, California.

**ROY RYDER**  
Code Enforcement Officer  
Code Enforcement Department



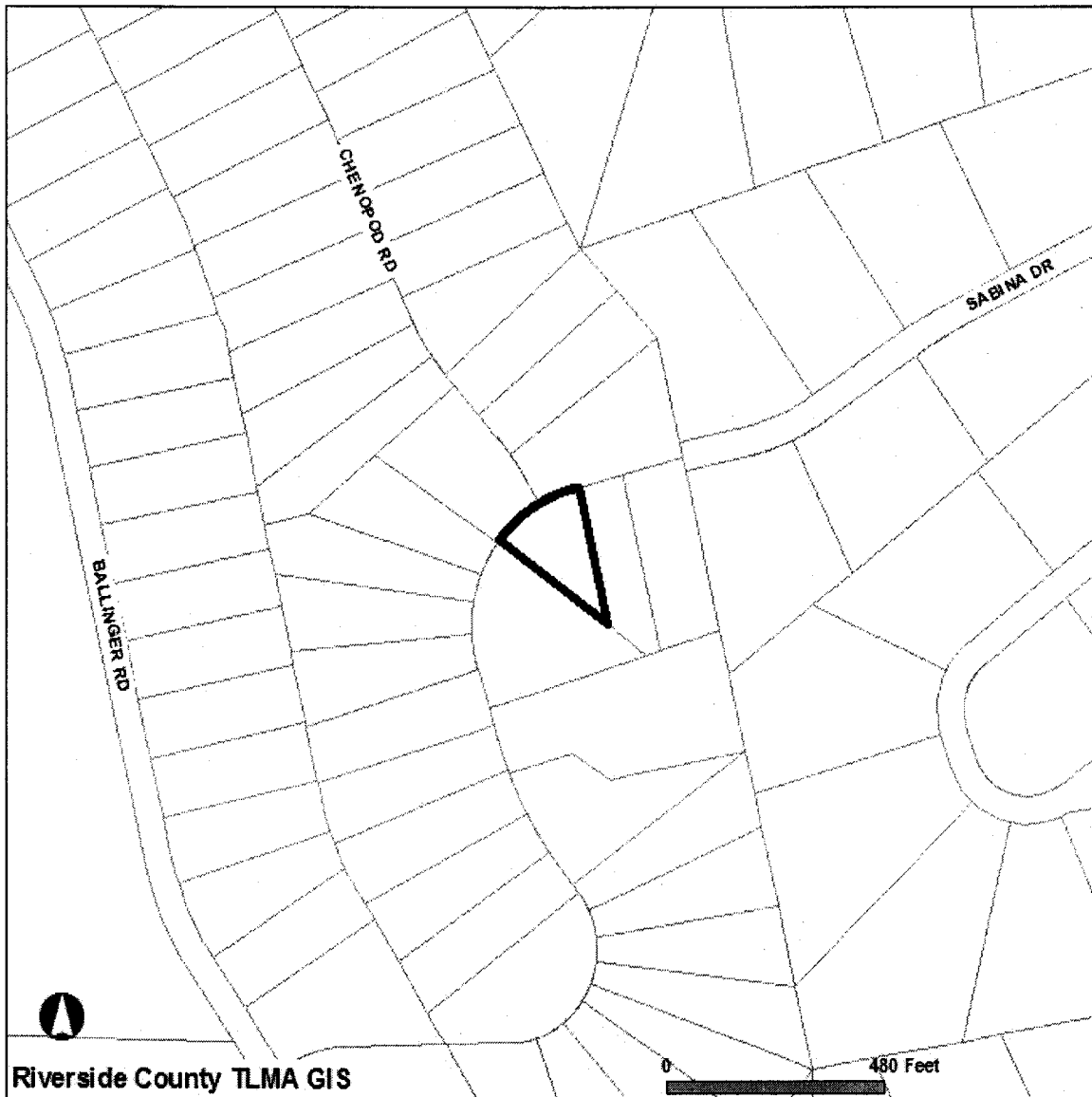


## Assessment Roll For the 2010-2011 Tax Year as of January 1, 2010

Assessment #569260038-5		Parcel # 569260038-5	
Assessee:	FOLK CHARLES	Land	63,089
Mail Address:	7592 ISLA ST	Full Value	63,089
City, State Zip:	HEMET CA 92545	Total Net	63,089
Real Property Use Code:	YY		
Base Year	2008		
Conveyance Number:	0683448	<a href="#">View Parcel Map</a>	
Conveyance (mm/yy):	11/2007		
PUI:	Y040000		
TRA:	71-109		
Taxability Code:	0-00		
ID Data:	Lot 67 RS 031/087		

EXHIBIT NO. B

## RIVERSIDE COUNTY GIS



**Selected parcel(s):**  
569-260-038

**\*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**

569-260-038-5

**OWNER NAME / ADDRESS**

CHARLES FOLK  
ADDRESS NOT AVAILABLE

**MAILING ADDRESS**

(SEE OWNER)  
7592 ISLA ST  
HEMET CA. 92545

**LEGAL DESCRIPTION**

**EXHIBIT NO.** B<sup>2</sup>

RECORDED BOOK/PAGE: RS 31/87  
SUBDIVISION NAME: NOT AVAILABLE  
LOT/PARCEL: 67, BLOCK: NOT AVAILABLE  
Por. TRACT NUMBER: NOT AVAILABLE

**LOT SIZE**

RECORDED LOT SIZE IS 0.78 ACRES

**PROPERTY CHARACTERISTICS**

NO PROPERTY DESCRIPTION AVAILABLE

**THOMAS BROS. MAPS PAGE/GRID**

PAGE: 901 GRID: H5

**CITY BOUNDARY/SPHERE**

NOT WITHIN A CITY  
NOT WITHIN A CITY SPHERE  
ANNEXATION DATE: NOT APPLICABLE  
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**

T6SR1E SEC 31

**ELEVATION RANGE**

2564/2584 FEET

**PREVIOUS APN**

NO DATA AVAILABLE

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***PLANNING***

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**LAND USE DESIGNATIONS**

Zoning not consistent with the General Plan.  
RR

**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-R

**ZONING DISTRICTS AND ZONING AREAS**

RANCHO CALIFORNIA AREA

**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

NOT IN AN AIRPORT COMPATIBILITY ZONE

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## **ENVIRONMENTAL**

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**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 REVIEWPROCESS)**  
NONE

**VEGETATION (2005)**  
CHAPARRAL  
COASTAL SAGE SCRUB

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## **FIRE**

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**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

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## **DEVELOPMENT FEES**

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**CVMSHCP FEE AREA (ORD. 875)**  
NOT WITHIN THE COACHELLA VALLEY MSHCP FEE AREA

**WRMSHCP FEE AREA (ORD. 810)**  
IN OR PARTIALLY WITHIN THE WESTERN RIVERSIDE MSHCP FEE AREA. SEE MAP FOR MORE INFORMATION.

**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

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## **TRANSPORTATION**

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**CIRCULATION ELEMENT ULTIMATE RIGHT-OF-WAY**  
NOT IN A CIRCULATION ELEMENT RIGHT-OF-WAY

**ROAD BOOK PAGE**  
123C

**TRANSPORTATION AGREEMENTS**  
NOT IN A TRANSPORTATION AGREEMENT

**CETAP (COMMUNITY AND ENVIRONMENTAL TRANSPORTATION ACCEPTABILITY PROCESS) CORRIDORS**

NOT IN A CETAP CORRIDOR.

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## **HYDROLOGY**

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### **FLOOD PLAIN REVIEW**

NOT REQUIRED.

### **WATER DISTRICT**

DATA NOT AVAILABLE

### **FLOOD CONTROL DISTRICT**

RIVERSIDE COUNTY FLOOD CONTROL DISTRICT

### **WATERSHED**

SANTA MARGARITA

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## **GEOLOGIC**

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### **FAULT ZONE**

NOT IN A FAULT ZONE

### **FAULTS**

NOT WITHIN A 1/2 MILE OF A FAULT

### **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.

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## **MISCELLANEOUS**

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### **SCHOOL DISTRICT**

HEMET UNIFIED

### **COMMUNITIES**

SAGE

### **COUNTY SERVICE AREA**

NOT IN A COUNTY SERVICE AREA.

### **LIGHTING (ORD. 655)**

ZONE B, 17.35 MILES FROM MT. PALOMAR OBSERVATORY

### **2000 CENSUS TRACT**

044402

### **FARMLAND**

OTHER LANDS

### **TAX RATE AREAS**

071109

- COUNTY FREE LIBRARY
- COUNTY STRUCTURE FIRE PROTECTION
- COUNTY WASTE RESOURCE MGMT DIST
- CSA 152
- FLOOD CONTROL ADMINISTRATION
- FLOOD CONTROL ZONE 4
- GENERAL
- GENERAL PURPOSE
- HEMET UNIFIED SCHOOL
- MT SAN JACINTO JUNIOR COLLEGE
- RIV CO REG PARK & OPEN SPACE
- RIV. CO. OFFICE OF EDUCATION
- SAN JACINTO BASIN RESOURCE CONS
- VALLEY HEALTH SYSTEM HOSP DIST

•VALLEY WIDE REC &amp; PARK

**SPECIAL NOTES**

NO SPECIAL NOTES

**CODE COMPLAINTS**

Case #	Description	Start Date
CV0710134	ABATEMENT	Dec. 5, 2007

**BUILDING PERMITS**

Case #	Description	Status
BGR100002	ROUGH AND PRECISE GRADING FOR SFR BHR080026	VOID
BHR080026	GRADING RESTORATION ASSESSMENT	ISSUED

**ENVIRONMENTAL HEALTH PERMITS**

Case #	Description	Status
NO ENVIRONMENTAL PERMITS	NOT APPLICABLE	NOT APPLICABLE

**PLANNING PERMITS**

Case #	Description	Status
COC06802	CERTIFY APN 569-260-038 AS A LEGAL LOT	APPROVED

REPORT PRINTED ON...Mon Jul 18 08:02:42 2011  
Version 110502



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

## Lot Book Report

Order Number: **23143**

**Customer:**

RIVERSIDE COUNTY TLMA-CODE ENFORCEMENT

4080 Lemon Street

Riverside

CA 92501

Attn: Brent Steele

Reference: CV07-10134 / E. Ross

IN RE: FOLK, CHARLES

Order Date: 2/15/2011

Dated as of: 2/8/2011

County Name: Riverside

FEE(s):

Report: \$120.00

Property Address: Vacant Land

CA

Assessor's Parcel No. : 569-260-038-5

**Assessments:**

Land Value:	\$63,089.00
Improvement Value:	\$0.00
Exemption Value:	\$0.00
Total Value:	\$63,089.00

## Tax Information

Property Taxes for the Fiscal Year	2010-2011
First Installment	\$350.70
Penalty	\$35.07
Status	PAID (PAID THRU 01/31/2011)
Second Installment	\$350.70
Penalty	\$0.00
Status	OPEN NOT-PAID (DUE DATE 04/10/2011)

EXHIBIT NO. C



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

Order Number: 23143

Reference: CV07-10134 / E.

## Property Vesting

The last recorded document transferring title of said property

Dated	08/31/2007
Recorded	11/09/2007
Document No.	2007-0683448
D.T.T.	\$68.20
Grantor	Nancy Lashly, an unmarried woman
Grantee	Charles Folk, a married man as his sole and separate property

## Deeds of Trust

Position No.	1st
A Deed of Trust Dated	10/31/2007
Recorded	11/09/2007
Document No.	2007-0683450
Amount	\$248,250.00
Trustor	Charles Folk, a married man
Trustee	Orange Coast Title Company
Beneficiary	Indymac Bank, F.S.B

Assignment Dated	06/22/2009
Recorded	07/06/2009
Document No.	2009-0344311
Assigned to	Indymac Venture LLC

Substitution of Trustee Recorded	03/30/2010
Document No.	2010-0224907
Trustee	T.D. Service Company





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

Order Number: 23143

Reference: CV07-10134 / E.

## Additional Information

Document Type	Certificate of Compliance No. 6802
Document No.	2008-0043262
Recorded	01/29/2008
Notice of Non-Compliance filed by	County of Riverside Department of Code Enforcement
In the matter of the property of	Charles Folk
Case No.	CV07-10134
Recorded	11/04/2009
Document No.	2009-0572661
A Certificate of County Tax Lien Recorded	11/12/2010
Document No	2010-0544841
Amount	\$164.79
Tax Year	2010-2011
Account No.	0391445
Debtor	Charles Folk and Gloria Folk
Creditor: Tax Collector of the County of	Riverside

## Legal Description

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

THAT PORTION OF PARCEL 67, SHOWN BY RECORD OF SURVEY ON FILE IN BOOK 31, PAGES 87 AND 88, RECORDS OF SURVEY IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, LYIN WESTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF SAID PARCEL, 106.02 FEET; SOUTH 77° 10' WEST OF THE NORTHEAST CORNER THEREOF, BEING THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 300.00 FEET; THENCE SOUTH 12° 5' EAST, PARALLEL WITH EASTERLY LINE OF SAID PARCEL 300.00 FEET MORE OF LESS TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID PARCEL.

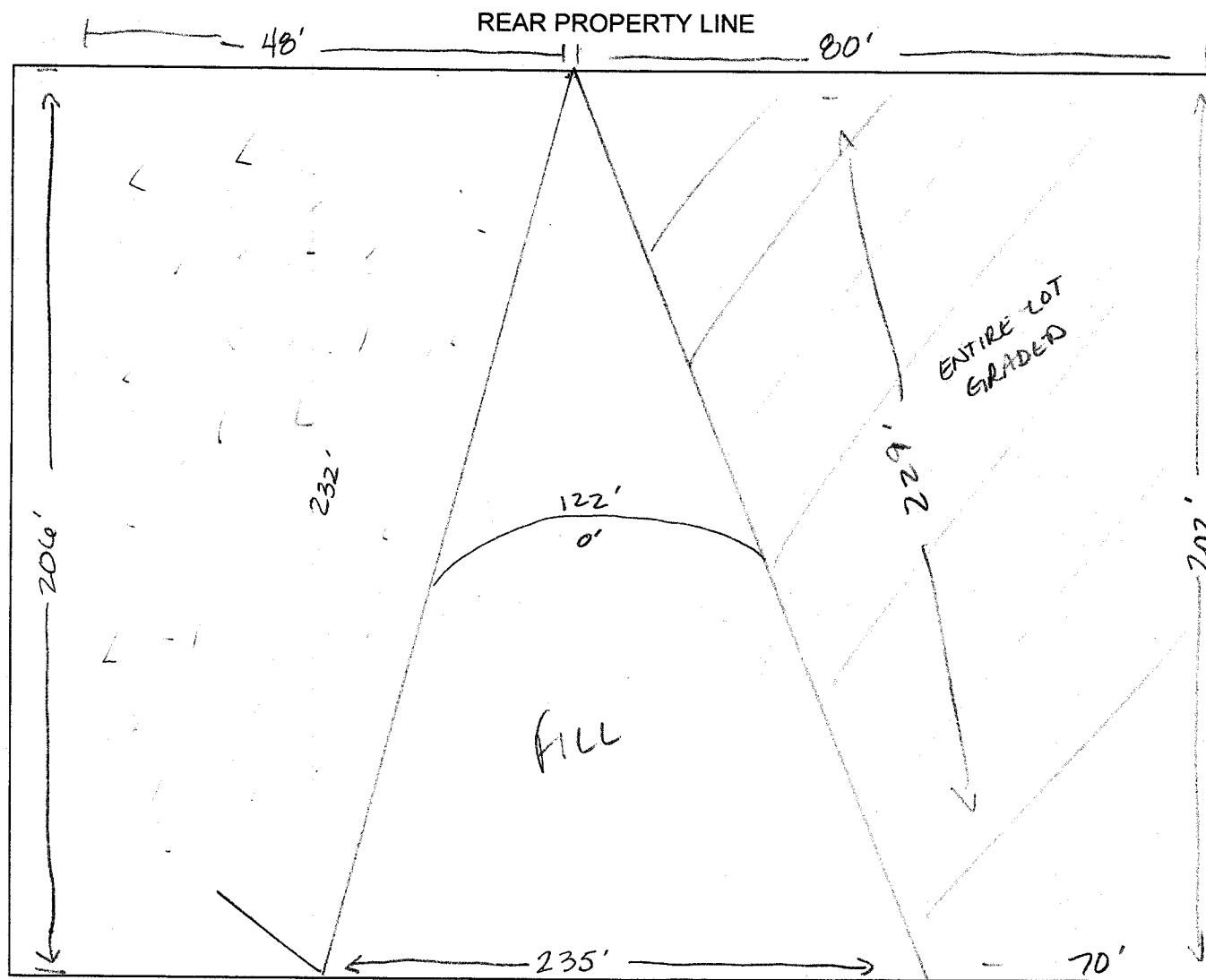
**SITE PLAN: Case # CV-0710134****OWNER(S):** CHARLES FOLK**SITE ADDRESS:** 1 parcel WEST of 42597 SABINA DR, SAGE**ASSESSOR'S PARCEL:** 569-260-038**ACREAGE:** 0.779999**NORTH ARROW:** **PREPARED BY:** Forsey**DATE:** 04/28/11**EXHIBIT NO.** D

PHOTO EVIDENCE CASE NO. CV07-10134 C. FORREY

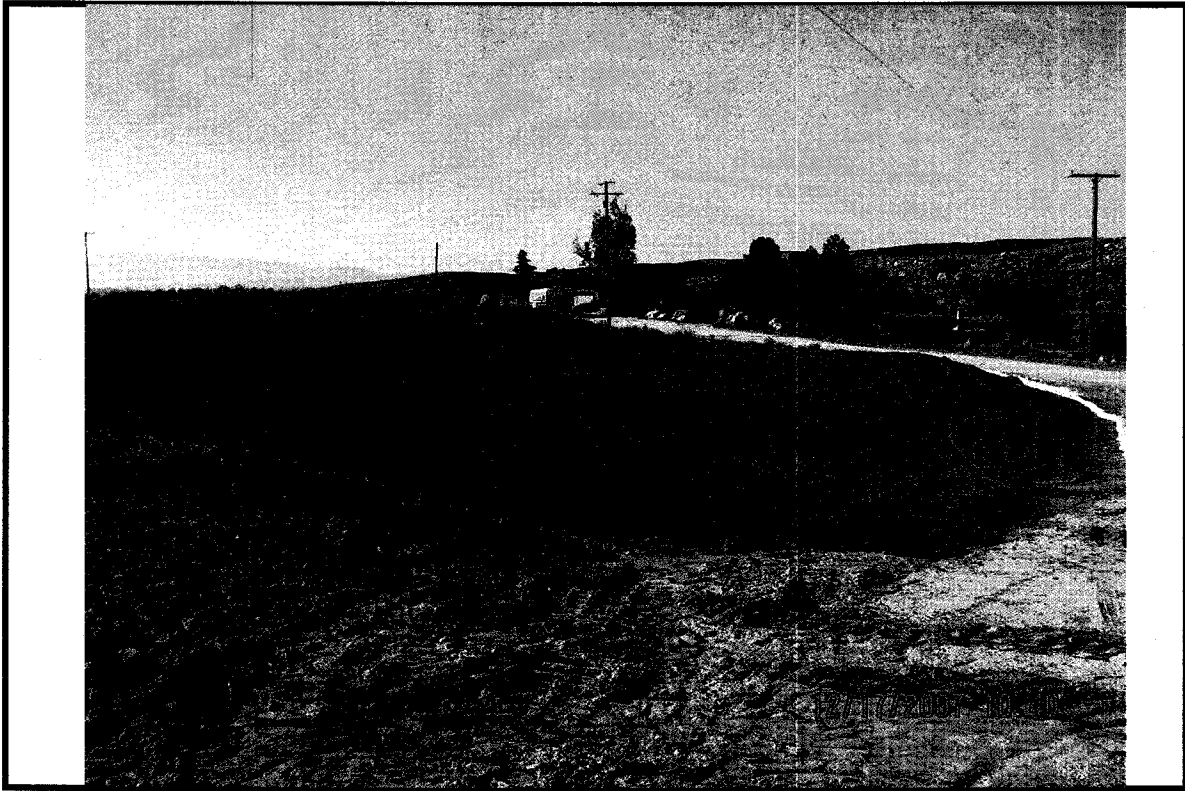


PHOTO # 1

Notes: Overview, looking west

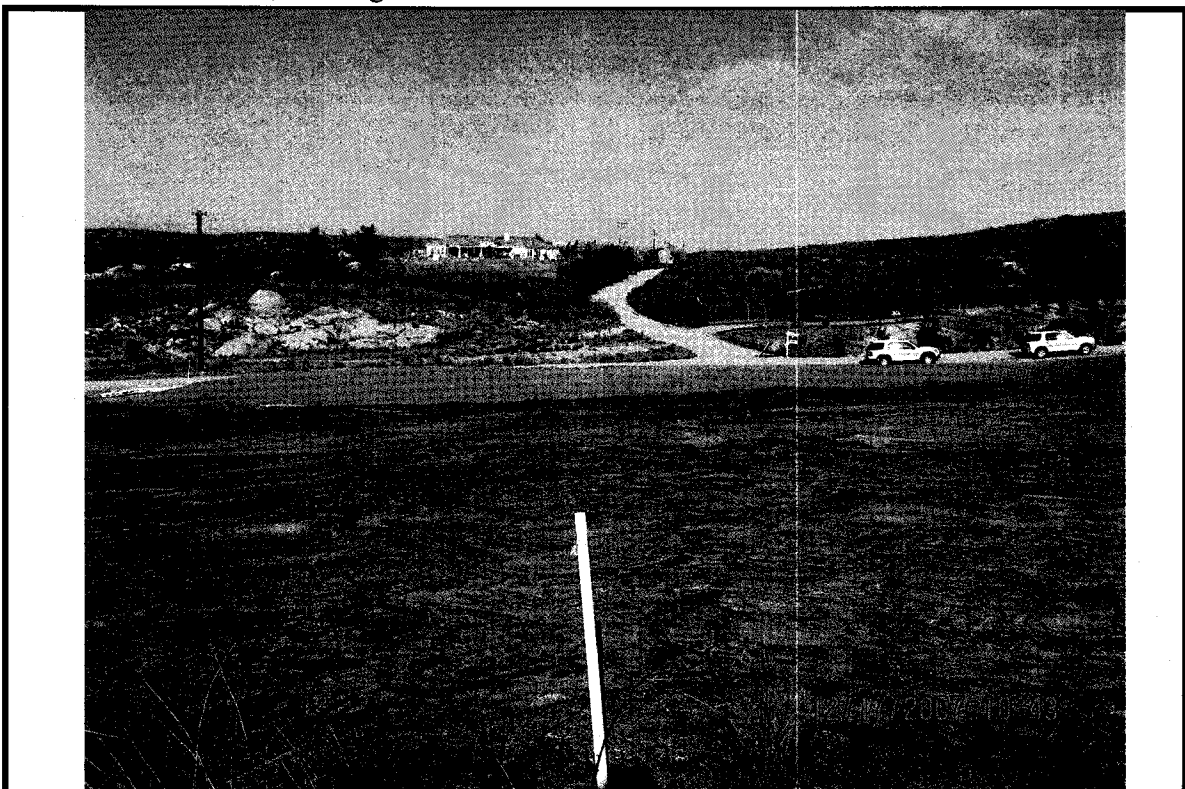


PHOTO # 2

Notes: Overview of property, looking north

EXHIBIT NO. D<sup>2</sup>

PHOTO EVIDENCE CASE NO. CV07-1-134 C. FORREY

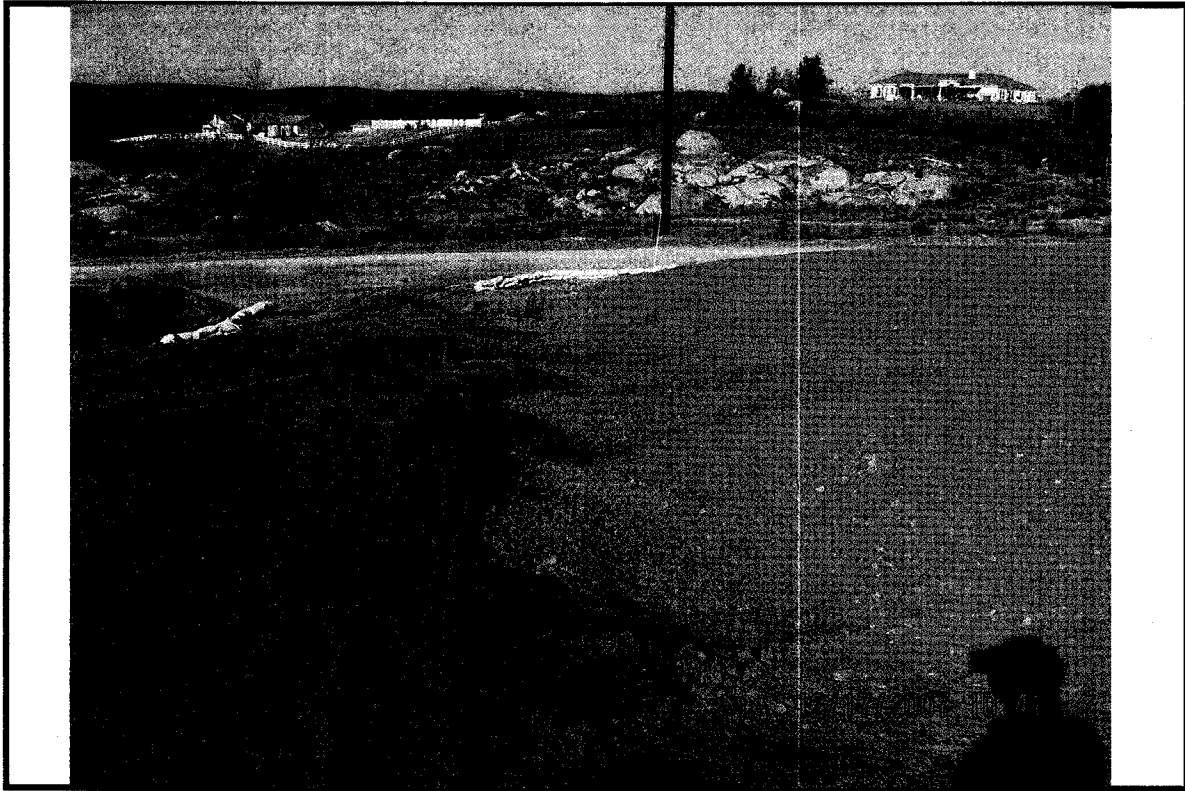


PHOTO # 3

Notes: west side of parcel

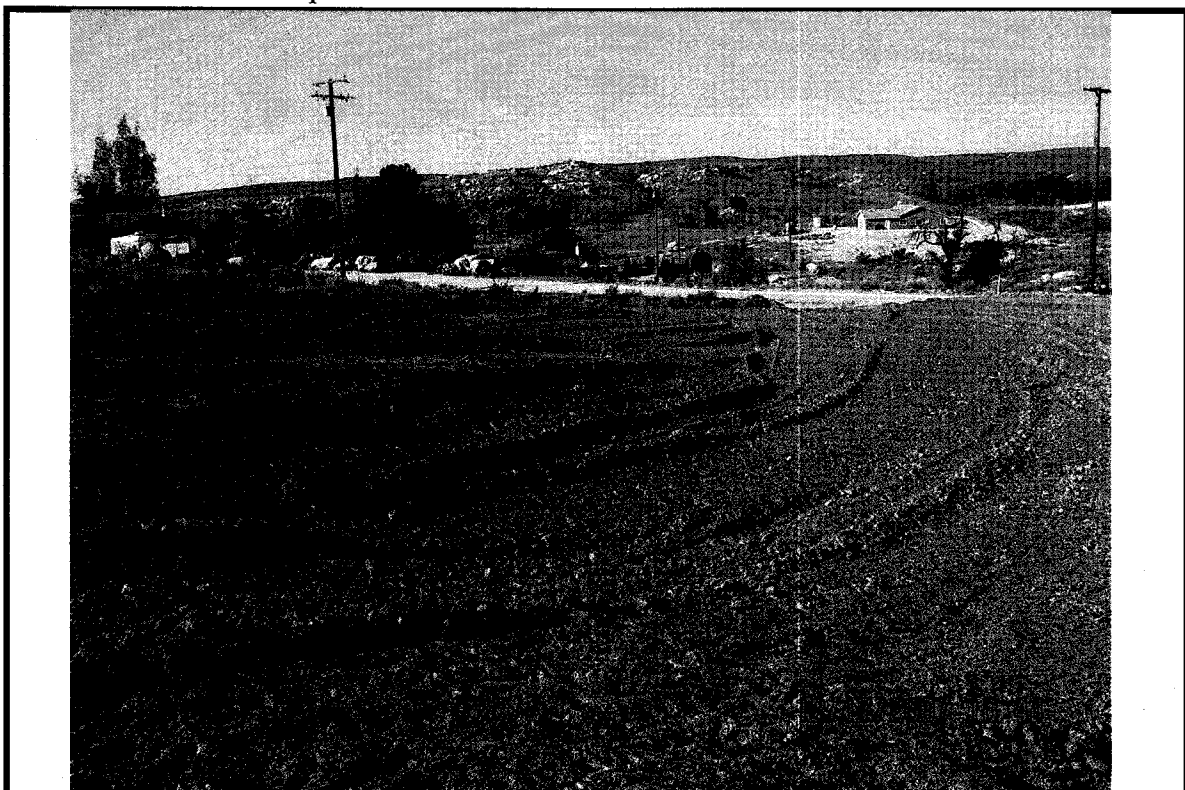


PHOTO # 4 DATE:

Notes: looking north at side of property line

EXHIBIT NO. D3

PHOTO EVIDENCE CASE NO. CV07-10134 C. FORREY

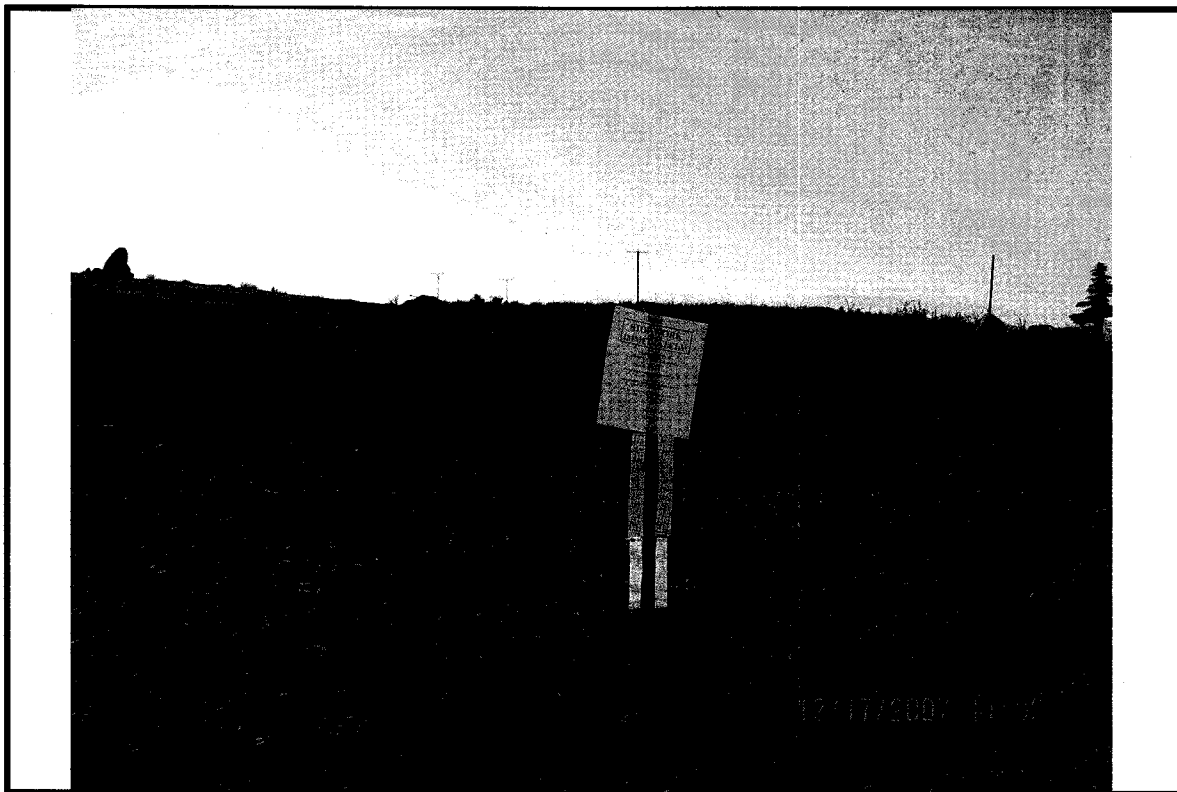


PHOTO # 5

Notes: Posted NOV, Admin cite# A21410 and Stop Work Immediately sign

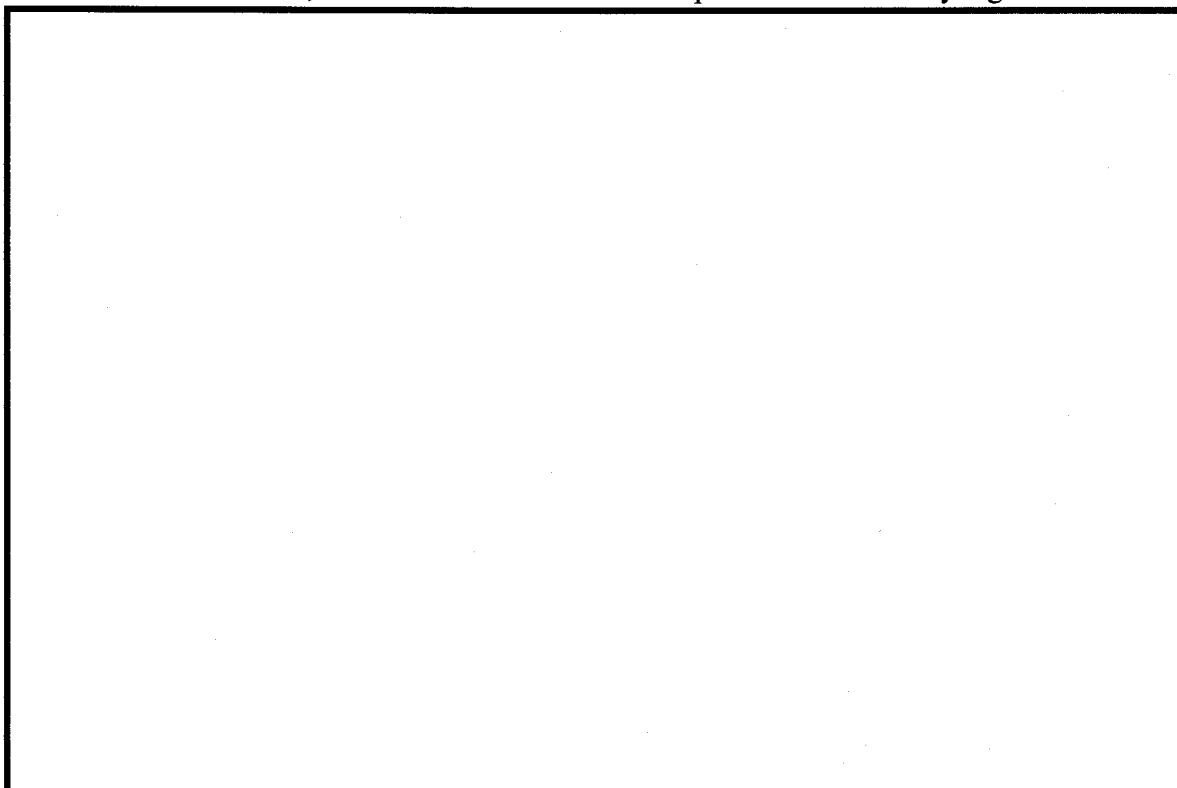
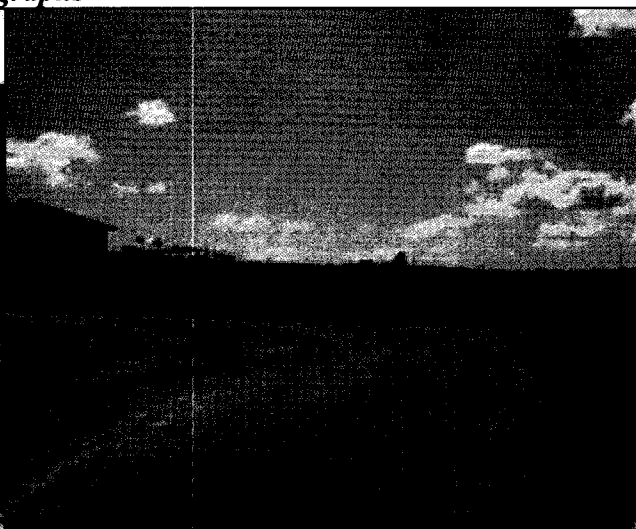


EXHIBIT NO. D4

*Photographs*



B Pollard 102009 059.jpg



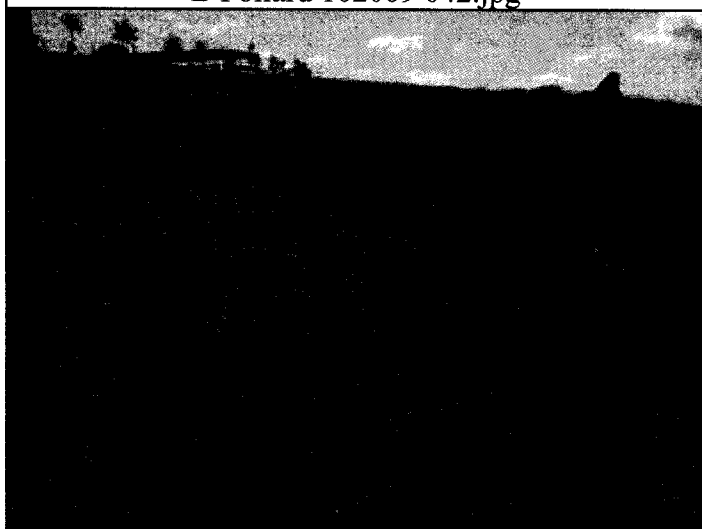
B Pollard 102009 041.jpg



B Pollard 102009 042.jpg



B Pollard 102009 043.jpg



B Pollard 102009 044.jpg



B Pollard 102009 045.jpg

EXHIBIT NO. DS



B Pollard 102009 048.jpg

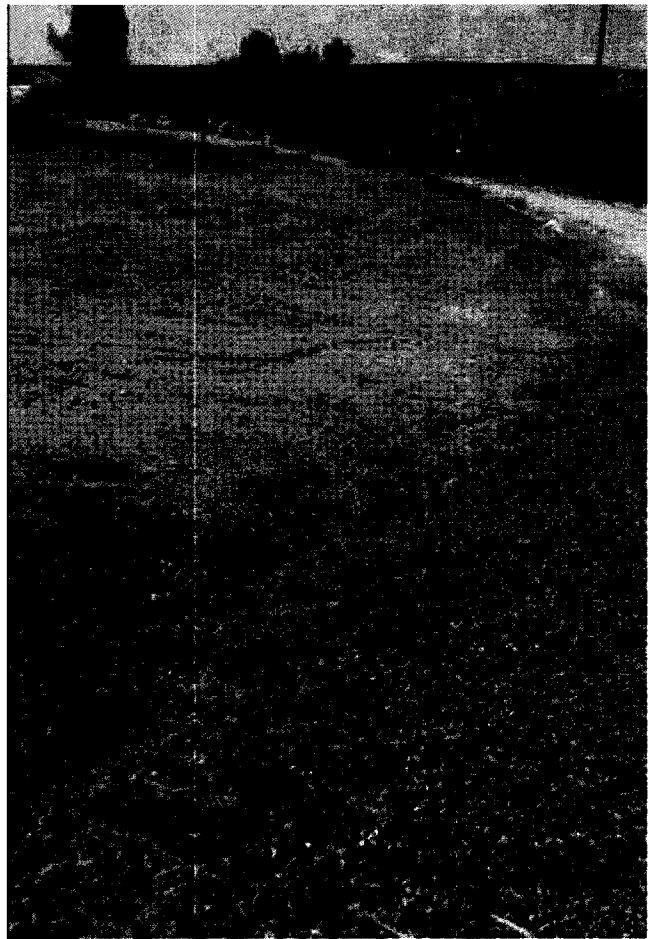
B Pollard 102009 050.jpg



B Pollard 102009 051.jpg

B Pollard 102009 055.jpg

EXHIBIT NO. Db

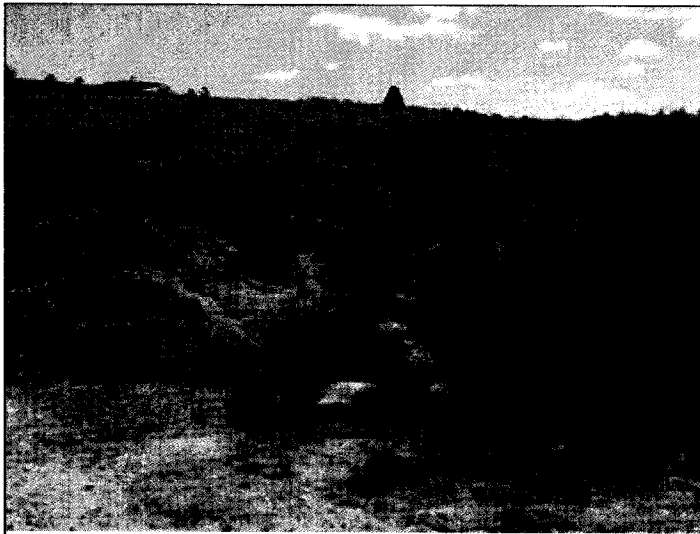


B Pollard 102009 056.jpg

B Pollard 102009 057.jpg

EXHIBIT NO. D<sup>7</sup>





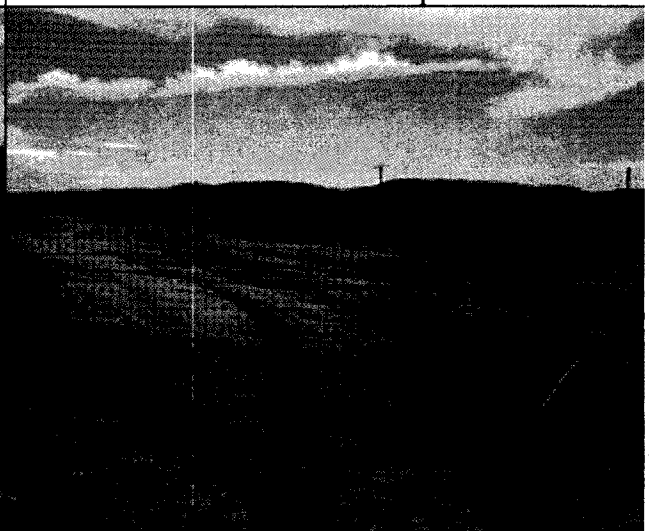
B Pollard 102009 058.jpg



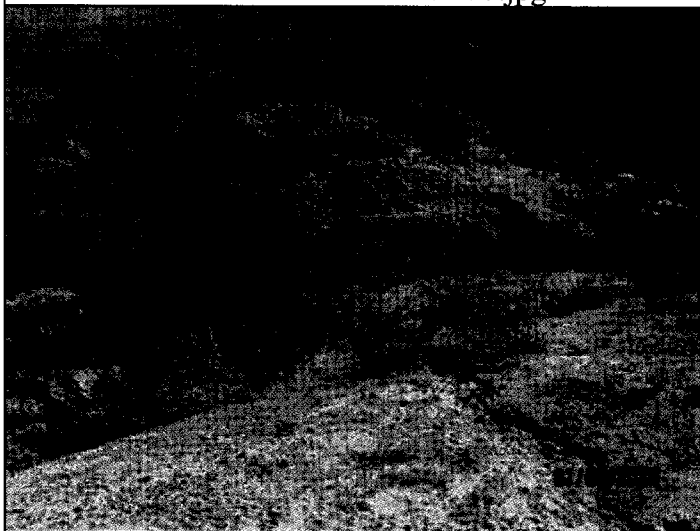
BHR080026.pdf



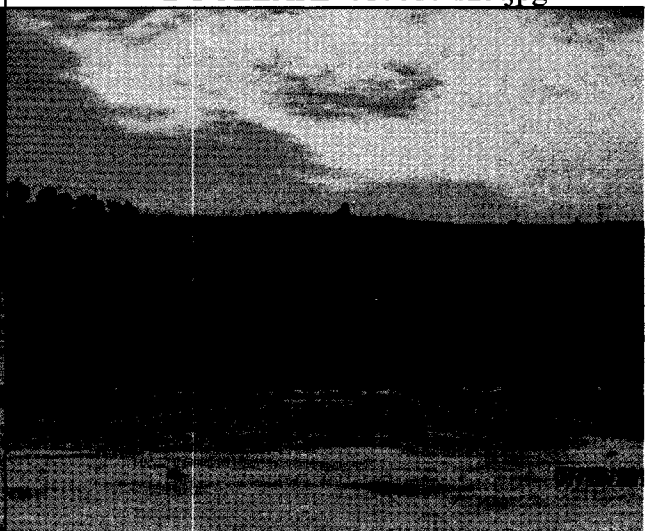
B POLLARD 010610 127.jpg



B POLLARD 010610 125.jpg

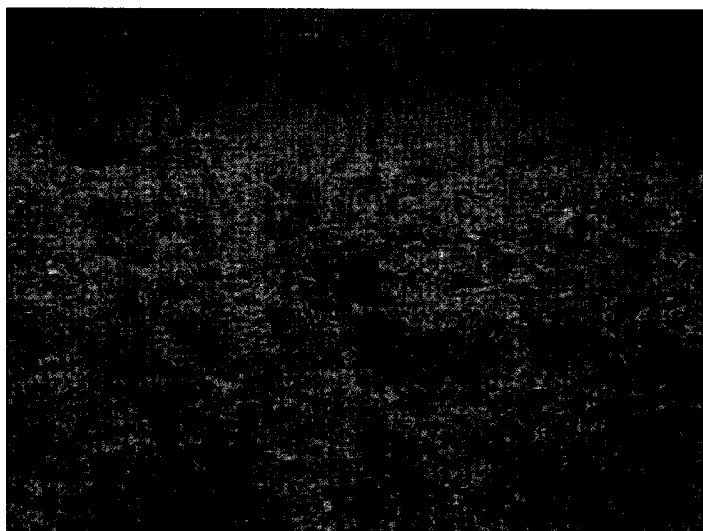


B POLLARD 010610 126.jpg

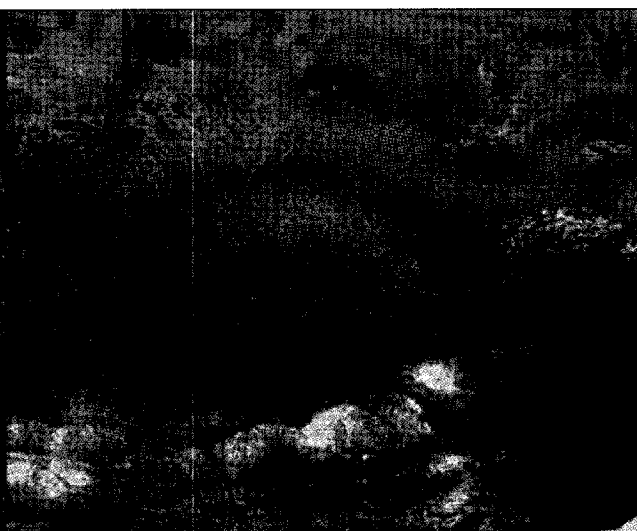


B POLLARD 072610 029.jpg

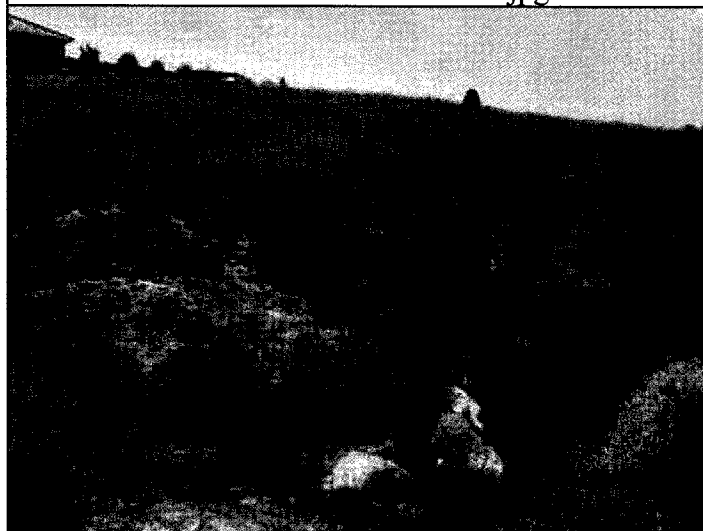
EXHIBIT NO. D<sup>8</sup>



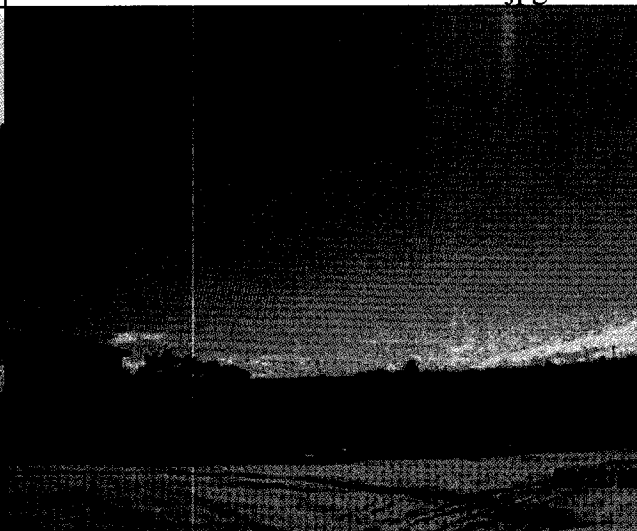
B POLLARD 072610 030.jpg



B POLLARD 072610 031.jpg



B POLLARD 072610 032.jpg



Ryder pad remians the same

EXHIBIT NO. D9

Code Enforcement Case: CV0710134

Printed on: 04/26/2011

EXHIBIT NO. D<sup>10</sup>

COUNTY OF RIVERSIDE  
CODE ENFORCEMENT DEPARTMENT

NOTICE OF VIOLATION

CVOG-  
CASE NO.: 0134 APN 569-260-038

THE PROPERTY AT 1 Parcel w/ 42597 SABINA, HENET  
WAS INSPECTED AT 9:30 am/pm ON 12-17-07  
BY C. Forrey #83

(Name of Inspector or Investigator/ Badge No.)

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

CODE RCC 15. SECTION 12.020 (J)(2)  
\* STOP WORK IMMEDIATELY \*  
GRADING WITHOUT PERMIT - CLEARING +  
GROBBING / CUT AND FILL GREATER THAN 12"

YOU ARE DIRECTED TO COMPLY WITH THIS NOTICE BY  
OBTAIN RESTORATION PLAN FROM RIVERSIDE  
DEPARTMENT OF BUILDING AND SAFETY

IMMEDIATELY. A FOLLOW-UP INVESTIGATION WILL BE CONDUCTED  
ON OR ABOUT 1-17-07. 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 \$ 109.00 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 BUILDING & SAFETY WITHIN TEN (10) DAYS OF  
SERVICE OF THE SUMMARY OF CHARGES, PURSUANT TO SECTION  
C. OF RIVERSIDE COUNTY CODE 1.16.080

  
SIGNATURE - INSPECTOR OR INVESTIGATOR

OFFICE LOCATIONS: (See Reverse Side)

RECEIVED BY:

POSTED

DATE: 12-17-07

EXHIBIT NO. E



COUNTY OF RIVERSIDE  
DEPARTMENT OF BUILDING AND SAFETY  
CODE ENFORCEMENT DIVISION

ADMINISTRATIVE CITATION NO. **A21410**

DATE <b>12-17-07</b>	TIME: <b>9:30</b>	AM PM <b>AM</b>	DAY OF THE WEEK <b>CASE# CN08-0134</b>
NAME: (FIRST, MIDDLE, LAST) <b>NANCY LASHLY</b>		DOB:	
ADDRESS <b>P.O. Box 1049</b>		CITY <b>MURRIETA</b>	STATE <b>CA</b>
ZIP <b>92569</b>		DISTRICT <b>3</b>	
LOCATION OF VIOLATION: <b>Parcel w/ 42597 SABINA, Hemet</b>			
<input type="checkbox"/> BUSINESS OWNER <input type="checkbox"/> TENANT			
<input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACTOR			
<input type="checkbox"/> OTHER			
The following conditions exist on the property listed above:			PENALTY AMOUNT
RIVERSIDE COUNTY CODE VIOLATION			1ST PENALTY \$100.00
RCC Title 17 Sec. _____	UNPERMITTED LANDUSE.		2ND PENALTY \$200.00
RCC Title 17 Sec. _____	EXCESSIVE OUTSIDE STORAGE.		3RD PENALTY \$500.00
RCC Title 17 Sec. _____	EXCESSIVE ANIMALS.		
RCC Title 15 Sec. _____	CONSTRUCTION W/O A PERMIT.		
RCC Title 15 Sec. _____	MOBILE HOME INSTALL W/O A PERMIT.		
RCC Title 15 Sec. <b>12-020</b>	GRADING W/O A PERMIT.	✓	
RCC Title _____ Sec. _____			
RCC Title _____ Sec. _____			
TOTAL PENALTY			\$ 100.00
NAME OF CITING OFFICER <b>C. Forester</b>		BADGE NO. <b>83</b>	

**PAYMENT INFORMATION:** Payment of penalty must be made within twenty (20) days by mail. Make your check or money order payable to: COUNTY OF RIVERSIDE, DEPARTMENT OF BUILDING AND SAFETY. **DO NOT SEND CASH.** Please write the citation number on your check or money order. Penalty and bank charges will be assessed for checks returned, "not honored" by your bank. Mail in the attached envelope to:

COUNTY OF RIVERSIDE  
DEPARTMENT OF BUILDING AND SAFETY  
P.O. Box 7275  
Newport Beach, CA 92658-7275

To pay this citation electronically, please go to: [www.citationinfo.com](http://www.citationinfo.com)

SEE REVERSE SIDE for information concerning your rights to appeal this citation and the consequences of failing to pay the administrative penalty.

I HEREBY ACKNOWLEDGE RECEIPT OF THIS CITATION.

Signature X

**POSTED**

☒ Posted

Distribution: PROCESSING COMPANY--White; OFFICER--Green; DEFENDANT--Yellow

EXHIBIT NO. **E<sup>2</sup>**

# COUNTY OF RIVERSIDE

Code Enforcement Department

A Division of Transportation and Land Management Agency

## AFFIDAVIT OF POSTING OF NOTICES

Case No.: CV07- 10134

I, the undersigned, hereby declare:

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

County of Riverside  
Code Enforcement Department  
43590 E. Acacia Ave. Ste. A  
Hemet, Ca. 92544-5343

2. That on **12/17/07 @ 11:00 A.M.**, I securely and conspicuously posted a **NOTICE OF VIOLATION FOR RCC 15.12.020 (J)(2), GRADING WITHOUT PERMIT, ADMINISTRATIVE CITATION # A21410 AND A STOP WORK IMMEDIATELY SIGN**

**Property Address: Parcel w/o 42597 Sabina Dr. Hemet, Ca**  
**Assessor's Parcel Number: 569-260--38**

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

Executed on **12/17/07** at Hemet, California.

By: \_\_\_\_\_

**Carol Forrey, Code Enforcement Officer**

EXHIBIT NO. \_\_\_\_\_

E<sup>3</sup>



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 DIRECTOR

BRIAN BLACK  
STEVE BLOOMQUIST  
NEIL LINGLE  
JAMES P. MONROE  
DIVISION MANAGERS

**NOTICE OF VIOLATION**  
**For**  
**UNAPPROVED GRADING**

JANUARY 17, 2008

CHARLES FOLK  
7592 ISLA ST.  
HEMET, CA 92545

Re: Case No.: CV07-10134

**NOTICE IS HEREBY GIVEN** that property owned or controlled by you at PARCEL ON SABINA DR., HEMET, California, Assessor's Parcel Number 569-260-038, 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. Providing complete restoration OR remediation of the property affected by the unapproved grading.

**YOU MUST COMPLY WITH THIS NOTICE NO LATER THAN FEBRUARY 16, 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.

  
CAROL FORREY, Code Enforcement Officer

EXHIBIT NO. E4

**PROOF OF SERVICE BY MAIL**

**Case No. CV07-10134**

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 January 17, 2008, I served a copy of the papers to which this proof of service is attached, entitled:

**NOTICE OF VIOLATION FOR UNAPPROVED GRADING**

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:

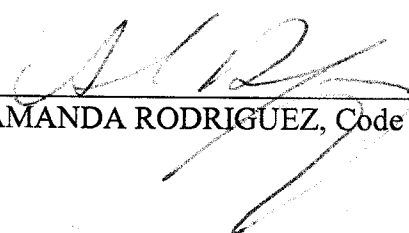
CHARLES FOLK  
7592 ISLA ST.  
HEMET, CA 92545

NANCY LASHLY  
P.O. BOX 1049  
MURRIETA, CA 92569

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 January 17, 2008 at 39493 Los Alamos Rd., Suite A, Murrieta, California 92563.

  
AMANDA RODRIGUEZ, Code Enforcement Aide

Article Number: 7006-3450-0001-5833-3338  
7006-3450-0001-5833-3345

EXHIBIT NO. ES



**SENDER: COMPLETE THIS SECTION**

1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 2. Print your name and address on the reverse so that we can return the card to you.  
 3. Attach this card to the back of the envelope, or on the front if space permits.

1. Article Addressed: **REC'D JAN 29 2006**

**CHARLES FOLK**  
**7592 ISLA ST.**  
**HEMET, CA 92545**  
**CV07-10134 / CF**

2. Article Number (Transfer from service label)  
**7006 3450 0001 5833 3338**

PS Form 3811, August 2001

Domestic Return Receipt

102598-02-00-1040

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*Charles Folk*

B. Restricted Delivery (Required if item 1)  
☐ Agent  
☐ Addressee

C. Date of Delivery  
☐ Yes  
☐ No

D. Is delivery address different from item 1?  
 If YES, enter delivery address below

E. Service Type  
☒ Certified Mail  
☐ Registered Mail  
☐ Insured Mail  
☐ Express Mail  
☐ Return Receipt for Merchandise  
☐ G.O.D.  
☐ Restricted Delivery / Extra Fee

F. 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](http://www.usps.com)

**OFFICIAL USE**

Postage \$  
 Certified Fee  
 Return Receipt Fee (Endorsement Required)  
 Restricted Delivery Fee (Endorsement Required)  
 Total Pos

Postmark Here

**CHARLES FOLK**  
**7592 ISLA ST.**  
**HEMET, CA 92545**  
**CV07-10134 / CF**

Sent To  
 Street, Apt or PO Box  
 City, State

PS Form 3800, August 2006

See Reverse for Instructions

EXHIBIT NO.

**SENDER: COMPLETE THIS SECTION**

1. 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.  
 Article number: **7006 3450 0001 5833 3345**

**NANCY LASHLY**  
**P.O. BOX 1049**  
**MURRIETA, CA 92569**  
**CV07-10134 / CF**

2. Article Number (Transfer from service label)  
 PS Form 3831, August 2001 Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent  
*Nancy Lashly*

B. Received by (Printed Name) ☒ Addressee  
*Nancy Lashly*

C. Date of Delivery  
*1-26-02*

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

3. Service type:  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ G.O.D.  
☐ Restricted Delivery (Extra Fee) ☐ Yes ☒ No

4. Postmark Here

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

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

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

Postmark Here

**NANCY LASHLY**  
**P.O. BOX 1049**  
**MURRIETA, CA 92569**  
**CV07-10134 / CF**

Sent To  
 Street, Apt. No. or PO Box No.  
 City, State, Zip

PS Form 3800, August 2006 See Reverse for Instructions

EXHIBIT NO. E7



**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

GLENN BAUDE  
Director

**NOTICE OF VIOLATION**

February 23, 2011

CHARLES FOLK  
7592 ISLA ST  
HEMET, CA 92545

RE CASE NO: CV0710134 at 1 parcel WEST of 42597 SABINA DR, in the community of SAGE, California, Assessor's Parcel Number 569-260-038

**NOTICE IS HEREBY GIVEN** that property owned or controlled by you at 1 parcel WEST of 42597 SABINA DR, in the community of SAGE California, Assessor's Parcel Number 569-260-038, 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 457.

**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 March 24, 2011. FAILURE TO COMPLY WILL RESULT IN LEGAL ACTION BEING BROUGHT AGAINST YOU.

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

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

CODE ENFORCEMENT DEPARTMENT

By: R Ryder, Code Enforcement Officer

EXHIBIT NO. E8



**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

GLENN BAUDE  
Director

**PROOF OF SERVICE**

Case No. CV0710134

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 February 23, 2011, I served the following documents(s):

**NOTICE RE: Notice of Violation**

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

CHARLES FOLK 7592 ISLA ST, HEMET, CA 92545  
Indymac Bank, F.S.B 3465 East foothill Blvd., Pasadena, CA 91107

XX **By First Class Mail.** I am readily familiar with the office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service with postage thereon fully prepaid in the County of Riverside, California, in the ordinary course of business.

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

EXECUTED ON February 23, 2011 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

*Elizabeth Ross*  
By: Elizabeth Ross, Code Enforcement Aide

EXHIBIT NO. E9



**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

GLENN BAUDE  
Director

**NOTICE OF VIOLATION**

February 23, 2011

Indymac Bank, F.S.B  
3465 East foothill Blvd.  
Pasadena, CA 91107

RE CASE NO: CV0710134 at 1 parcel WEST of 42597 SABINA DR, in the community of SAGE, California, Assessor's Parcel Number 569-260-038

**NOTICE IS HEREBY GIVEN** that property owned or controlled by you at 1 parcel WEST of 42597 SABINA DR, in the community of SAGE California, Assessor's Parcel Number 569-260-038, 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 457.

**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 March 24, 2011. FAILURE TO COMPLY WILL RESULT IN LEGAL ACTION BEING BROUGHT AGAINST YOU.

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

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

CODE ENFORCEMENT DEPARTMENT

By: R Ryder, Code Enforcement Officer

EXHIBIT NO. E<sup>10</sup>

7009 2250 0001 9041 5407

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

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

Postmark  
Here

Indymac Bank, F.S.B.  
 3465 East foothill Blvd.  
 Pasadena, CA 91107  
 CV07-10134 APN: 569

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:

REC'D FEB 28 2011

Indymac Bank, F.S.B.  
 3465 East foothill Blvd.  
 Pasadena, CA 91107  
 CV07-10134 APN: 569

2. Article Number  
*(Transfer from service label)*

7009 2250 0001 9041 5407

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

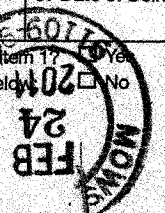
☐ Agent

☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

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



Mail ☐ Express Mail

ad ☐ Return Receipt for Merchandise

Mail ☐ C.O.D.

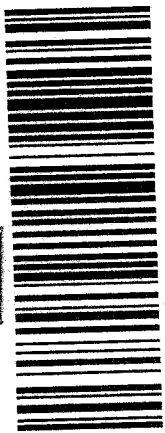
4. Restricted Delivery? *(Extra Fee)*

☐ Yes

EXHIBIT NO. E11

COUNTY OF RIVERSIDE  
CODE ENFORCEMENT DEPARTMENT  
39493 LOS ALAMOS RD, SUITE A  
MURRIETA, CA 92563

CERTIFIED MAIL™



7009 2250 0001 9041 5391

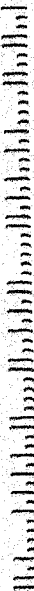
CHARLES FOLK  
7592 ISLA ST  
HEMET, CA 9254

925453915039

REC'D FEB 28 2011

X 923 N7E 1 A091 00 02/25/11  
FORWARD TIME EXP RTN TO SEND  
FOLK CHARLES  
34600 AVENIDA CARRANZA  
LA QUINTA CA 92253

RETURN TO SENDER



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

For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

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

Postmark  
Here

CHARLES FOLK  
7592 ISLA ST  
HEMET, CA 92545  
CV07-10134 APN: 569

7009 2250 0001 9041 5391

EXHIBIT NO.

E12

When recorded please mail to:  
Mail Stop# 5155  
Riverside County  
Code Enforcement Department  
39493 Los Alamos Rd.  
Murrieta, CA 92563

DOC # 2009-0572661

11/04/2009 08:00A Fee:NC

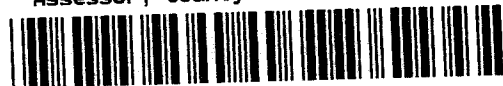
Page 1 of 1

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



## NOTICE OF NONCOMPLIANCE for UNAPPROVED GRADING



In the matter of the Property of

CHARLES FOLK

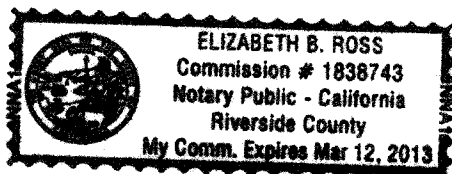
Case No.: CV07-10134

**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 ONE PARCEL WEST OF 42597 SABINA DRIVE, HEMET, CA and more particularly described as Assessment Parcel No. 569-260-038 and having a legal description of .78 ACRES M/L IN POR PAR 67 RS 031/087 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.; Attention Code Enforcement Officer Brett Pollard (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  
Code Enforcement Department

### ACKNOWLEDGEMENT

State of California )  
County of Riverside )

On 10/29/09 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.

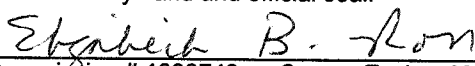
  
Commission # 1838743 Comm. Expires March 12, 2013

EXHIBIT NO. F





**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

Glenn Baude  
Director

August 25, 2011

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

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

Case No.: CV07-10134  
APN: 569-260-038; FOLK  
Property: 1 Parcel W/O 42597 Sabina Dr., Hemet

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 **1 Parcel W/O 42597 Sabina Dr., Hemet, Riverside County, California**, and more particularly described as Assessor's Parcel Number 569-260-038.

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, October 18, 2011**, at **9:30 a.m.** in the Board of Supervisors Room, County Administrative Center, 4080 Lemon Street, 1<sup>st</sup> 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 Supervising Code Enforcement Officer, Brian Black at (951) 955-2004 prior to the hearing. Please meet Brian Black at 8:30 a.m. on the day of the hearing in Conference Room 2A located on the 1<sup>st</sup> floor in front of the Human Resources Office to discuss the case.

GLENN BAUDE  
DIRECTOR

WARD KOMERS  
Administrative Manager

EXHIBIT NO. 6

## NOTICE LIST

Subject Property: 1 Parcel West of 42597 Sabina, Hemet Case No.: CV07-10134;  
APN: 569-260-038; District 3

CHARLES FOLK  
7592 ISLA ST  
HEMET CA 92545

INDYMAC VENTURE LLC  
C/O INDYMAC MORTGAGE SVCS  
CONSUMER LENDING DIVISION  
888 E WALNUT STREET  
PASADENA CA 91101

G:\Litigation\CodeEnforcement\Abatements\2011\2007\CV071013  
4\Notice List.DOC

EXHIBIT NO. 62

1 **PROOF OF SERVICE**

2 Case No. CV07-10134

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  
business address is 3960 Orange Street, Suite 500, Riverside, California 92501.

6 That on August 25, 2011, I served the following document(s):

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

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

10 **Owners or Interested Parties**  
11 **(see attached notice list)**

12 XX **BY FIRST CLASS MAIL.** I am "readily familiar" with the office's practice of collection  
13 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.

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

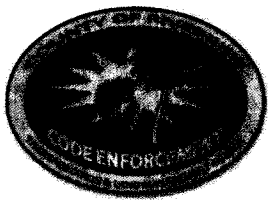
15 XX **STATE - I declare under penalty of perjury under the laws of the State of California that the**  
16 **above is true and correct.**

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

19 EXECUTED ON August 25, 2011, at Riverside, California.

20   
21 BRENDA PEELER  
22  
23  
24  
25  
26  
27  
28

EXHIBIT NO. 6<sup>3</sup>



**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

GLENN BAUDE  
Director

**AFFIDAVIT OF POSTING OF NOTICES**

August 26, 2011

RE CASE NO: CV0710134

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 08/26/2011 at 12:30pm, I securely and conspicuously posted Notice To Correct County Ordinance Violations and Abate Public Nuisance, Proof of Service & Notice List at the property described as:

**Property Address:** 1 parcel WEST of 42597 SABINA DR, SAGE

**Assessor's Parcel Number:** 569-260-038

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

Executed on August 26, 2011 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

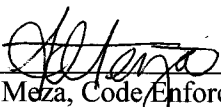
  
By: Ariana Meza, Code Enforcement Technician

EXHIBIT NO. 64