

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

362B



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

**SUBMITTAL DATE:**  
April 16, 2014

**SUBJECT:** Order to Abate [Substandard Structures & Accumulated Rubbish]  
Case No.: CV12-04741 [BRANSTON]  
Subject Property: 31775 and 31777 Lakeshore Dr., Redlands; APN: 413-132-043 and 413-132-044  
District: 5/5 [\$0.00]


**RECOMMENDED MOTION:** That the Board of Supervisors:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV12-04741 be approved;
2. The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and order to Abate in Case No. CV12-04741; and
3. The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-04741.

**BACKGROUND:**


**Summary**

On March 25, 2014, 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 substandard structures (Continued)

  
PATRICIA MUNROE  
Deputy County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

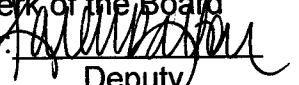
<b>SOURCE OF FUNDS:</b>	<b>Budget Adjustment:</b>
	<b>For Fiscal Year:</b>

**C.E.O. RECOMMENDATION:** APPROVE  
BY:   
Tina Grande  
County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: April 29, 2014  
xc: Co.Co.; Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

Prev. Agn. Ref.: 03/25/14; 9.4 | District: 5/5 | Agenda Number:

2-3

Departmental Concurrence

- A-30
- Positions Added
- 4/5 Vote
- Change Order

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

**FORM 11:** Order to Abate [Substandard Structures & Accumulated Rubbish]

Case No. : CV12-04741 [BRANSTON]

Subject Property: 31775 and 31777 Lakeshore Dr., Redlands; APN: 413-132-043 and  
413-132-044

District: 5/5 [\$0.00]

**DATE:** April 16, 2014

**PAGE:** 2 of 2

**BACKGROUND:**

**Summary (continued)**

(dwellings) and accumulated rubbish 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.

**Impact on Citizens and Businesses**

When property owners abate nuisances on their property, the surrounding neighborhood's safety, attractiveness and land values are potentially increased.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS**

Findings of Fact

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

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

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

5 WHEN RECORDED PLEASE MAIL TO:  
6 Michelle Cervantes, Code Enforcement Officer  
7 Regina Keyes, Senior Code Enforcement Officer  
8 CODE ENFORCEMENT DEPARTMENT  
4080 Lemon Street, Twelfth Floor (Stop #1012)  
Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

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

11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 12-04741  
12 [SUBSTANDARD STRUCTURES AND )  
13 ACCUMULATION OF RUBBISH]; ) FINDINGS OF FACT,  
14 APN 413-132-043 AND 413-132-044, 31775 AND ) CONCLUSIONS AND ORDER TO  
15 31777 LAKESHORE DR., REDLANDS, ) ABATE NUISANCE  
16 RIVERSIDE COUNTY, CALIFORNIA; )  
JONATHAN E. BRANSTON, ) R.C.O. Nos. 457, 541 and 725  
OWNER. )

17 The above-captioned matter came on regularly for hearing on March 25, 2014, 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 31775 and 31777 Lakeshore Dr., Redlands, Riverside County, Assessor's  
21 Parcel Number 413-132-043 and 413-132-044 referred to hereinafter as "THE PROPERTY."

22 Patricia Munroe, Deputy County Counsel, appeared along with Michelle Cervantes, Senior  
23 Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

24 Owner did not appear.

25 The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
26 with attached Exhibits, evidencing the substandard structures and accumulation of rubbish on THE  
27 PROPERTY as violations of Riverside County Ordinance Nos. 457 and 541, and as a public  
28 nuisance.

COPY

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the owner  
3 of THE PROPERTY as Jonathan E. Branston ("OWNER").

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

6 3. THE PROPERTY was inspected by Code Enforcement Officers on September 26,  
7 2012, December 10, 2012, January 8, 2013, June 12, 2013, August 29, 2013, January 3, 2014,  
8 February 24, 2014, and March 24, 2014.

9 4. During each inspection, two substandard structures (dwellings) were observed on  
10 THE PROPERTY. The structures were observed to be abandoned, dilapidated and vacant. The  
11 structures contained numerous deficiencies, including but not limited to: lack of or improper water  
12 closet, lavatory, bathtub, shower or kitchen sink; lack of hot and cold running water to plumbing  
13 fixtures; lack of connection to required sewage system; lack of required lighting; lack of adequate  
14 heating facilities; deteriorated or inadequate foundation; defective or deteriorated flooring or floor  
15 supports; members of walls, partitions, or other vertical supports that split, lean, lit, or buckle;  
16 members of ceilings, roofs, ceiling and roof supports or other horizontal members which sap, split, or  
17 buckle due to defective material or deterioration; or dampness of habitable rooms; faulty weather  
18 protection; general dilapidation or improper maintenance; fire hazard; public and attractive nuisance-  
19 abandoned/vacant.

20 5. During each inspection an accumulation of rubbish was observed throughout THE  
21 PROPERTY consisting of but not limited to: shrubs, tree limbs, trimmings, twigs, leaves, scrap  
22 lumber, vegetative waste and demolition debris.

23 6. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
24 Nos. 457 and 541 by the Code Enforcement Officer.

25 7. A Notice of Pendency of Administrative Proceedings was recorded on October 19,  
26 2012, as Document Number 2012-0500962 in the Office of the County Recorder, County of  
27 Riverside.

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1 abated by the OWNER or anyone having possession or control of THE PROPERTY, by removing  
2 and disposing of all rubbish from THE PROPERTY in strict accordance with all Riverside County  
3 Ordinances, including but not limited to Riverside County Ordinance No. 541 within ninety (90)  
4 days of the date of this Order to Abate Nuisance.

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

11 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
12 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
13 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
14 County Ordinance Nos. 457, 541, and 725. Under Riverside County Ordinance No. 725, "abatement  
15 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate  
16 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
17 collection and administrative costs, attorneys fees, and the costs associated with the removal or  
18 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement

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1 Department will be recoverable from the OWNER even if THE PROPERTY is brought into  
2 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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4 Dated: April 29, 2014

COUNTY OF RIVERSIDE

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By Jeff Stone  
Jeff Stone  
Chairman, Board of Supervisors

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ATTEST:

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KECIA HARPER-IHEM

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Clerk to the Board

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By Aqueduct

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Deputy

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(SEAL)

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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

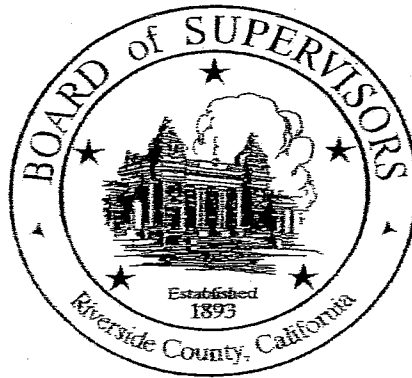
<http://riverside.asrcfrec.com>

**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:

4-29-14

Signature:

*Karen Barton*

Print Name:

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



# CODE ENFORCEMENT DEPARTMENT COUNTY OF RIVERSIDE

## AFFIDAVIT OF POSTING OF NOTICES

May 15, 2014

RE CASE NO: CV1204741

I, Jim Palmer, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is:  
581 South Grand Avenue  
San Jacinto, California, 92582  
Mail Stop #5002.

That on 05/13/14 at 12:20 pm, I securely and conspicuously posted Findings of Fact, Conclusions and Order to Abate at the property described as:

**Property Address:** 31775/31777 LAKESHORE DR, REDLANDS

**Assessor's Parcel Number:** 413-132-043, 413-132-044

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

Executed on May 15, 2014 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

  
By: Jim Palmer, Sr. Code Enforcement Officer

*Bunton*

**PROOF OF SERVICE**

Case No. CV12-04741 Branston

Originals filed with the Clerk of the Board: Agenda No. 2.3 of 4/29/14 : on the Consent calendar.

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STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Stacy Baumgartner, 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 4080 Lemon Street, 12<sup>th</sup> Floor, Riverside, California 92501.

That on May 6, 2014, 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 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 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 May 6, 2014, at Riverside, California.

  
STACY BAUMGARTNER  
CODE ENFORCEMENT OFFICER III

## NOTICE LIST

Subject Property: 31775 Lakeshore Dr., Redlands and 31777 Lakeshore Dr., Redlands;  
Case No.: CV12-04741 BRANSTON  
APN: 413-132-043 & 413-132-044; District 5/5

**JONATHAN E. BRANSTON**  
**SUITE 8 178**  
**32295 MISSION TRAIL**  
**LAKE ELSINORE, CA 92530**