

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

211B



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

**SUBMITTAL DATE:**

**SUBJECT:** Order to Abate [Excessive Outside Storage & Accumulated Rubbish]  
Case No. CV11-01191 [FRANKE]  
Subject Property: 33168 Gillette Street, Lake Elsinore  
APN: 383-041-048  
District: 1/1 [\$0.00]

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

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV11-01191;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV11-01191; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV11-01191.

**BACKGROUND:**

**Summary**

On October 7, 2014, this Board received the declaration of the Code Enforcement Officer in the above referenced matter and declared the excessive 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 (Continued)

GREGORY P. PRIAMOS  
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>
	For Fiscal Year:

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

APPROVE

County Executive Office Signature

BY:   
Tina Grande

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione  
Date: November 24, 2014  
xc: Co.Co., Recorder

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

Prev. Agn. Ref.: 10/07/14; 9.1 | District: 1/1 | Agenda Number:

**2-11**

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 [Excessive Outside Storage & Accumulated Rubbish]**

Case No. CV11-01191 [FRANKE]

Subject Property: 33168 Gillette Street, Lake Elsinore

APN: 383-041-048

District: 1/1 [\$0.00]

**DATE:**

**PAGE:** 2 of 2

**BACKGROUND:**

**Summary (continued)**

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

11/26/2014

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, Senior 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 11-01191  
12 [EXCESSIVE OUTSIDE STORAGE AND )  
ACCUMULATION OF RUBBISH]; )  
13 APN 383-041-048, 33168 GILLETTE STREET, ) FINDINGS OF FACT,  
LAKE ELSINORE, RIVERSIDE COUNTY, ) CONCLUSIONS AND ORDER TO  
14 CALIFORNIA; CHRISTINE F. FRANKE, ) ABATE NUISANCE  
OWNER. )  
15 ) R.C.O. Nos. 348, 541 and 725  
16 )

17 The above-captioned matter came on regularly for hearing on October 7, 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 33168 Gillette Street, Lake Elsinore, Riverside County, Assessor's Parcel  
21 Number 383-041-048 and referred to hereinafter as "THE PROPERTY."

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

24 Owner appeared, but did not address the Board of Supervisors.

25 The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
26 with attached Exhibits, evidencing the excessive outside storage of materials and accumulation of  
27 rubbish on THE PROPERTY as violations of Riverside County Ordinance Nos. 348 and 541 and as  
28 a public 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 Christine F. Franke ("OWNER").

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

6 3. THE PROPERTY was inspected by Code Enforcement Officers on May 14, 2014,  
7 and on fourteen (14) subsequent inspections, the last being October 3, 2014.

8 4. During each inspection an accumulation of rubbish and excess outside storage was  
9 observed throughout THE PROPERTY consisting of but not limited to: refrigerators, auto parts,  
10 scrap metal, bottles, cartons, plastic, approximately 15 tires, wood, litter, household trash, and  
11 miscellaneous items, in excess of 2,700 square feet.

12 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
13 Nos. 348 and 541 by the Code Enforcement Officer.

14 6. On July 2, 2012, a Notice of Pendency of Administrative Proceedings was recorded at  
15 the Riverside County Recorder's Office as instrument number 2012-0305920.

16 7. On June 12, 2012 and May 20, 2014, a Notice of Violation was posted on THE  
17 PROPERTY. On June 14, 2012 and May 16, 2014, a Notice of Violation was mailed to OWNER by  
18 first class mail.

19 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"  
20 providing notice of the public hearing before the Board of Supervisors was mailed to OWNER and  
21 was posted on THE PROPERTY.

22 **FINDINGS AND CONCLUSIONS**

23 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
24 regular session assembled on October 7, 2014, finds and concludes that:

25 1. WHEREAS, the excessive outside storage of materials and accumulation of rubbish  
26 on the real property located at 33168 Gillette Street, Lake Elsinore, Riverside County, California,  
27 also identified as Assessor's Parcel Number 383-041-048 violates Riverside County Ordinance Nos.  
28 348 and 541 and constitutes a public nuisance.



1 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
2 collection and administrative costs, attorneys fees, and the costs associated with the removal or  
3 correction of the violation.” Reasonable abatement costs accrued by the Code Enforcement

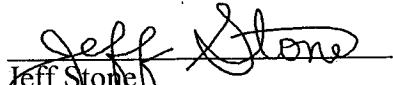
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1 Department will be recoverable from OWNER even if THE PROPERTY is brought into  
2 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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Dated: November 24, 2014

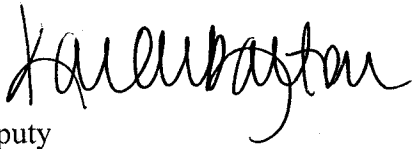
COUNTY OF RIVERSIDE

By   
Jeff Stone  
Chairman, Board of Supervisors

ATTEST:

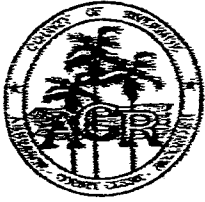
KECIA HARPER-IHEM

Clerk to the Board

By 

Deputy

(SEAL)



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

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

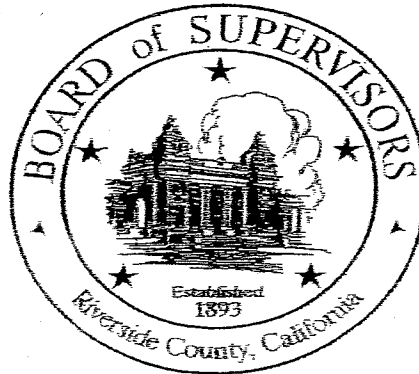
<http://riverside.assrec.com>

**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:

11-24-14

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**

December 23, 2014

RE CASE NO: CV1101191

I, Etita Fohe, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is:  
17650 Cajalco Road  
Perris, California 92570  
Mail Stop #5165.

That on 12/22/14 at 3:50 PM, I securely and conspicuously posted

FINDINGS OF FACT, CONCLUSIONS AND ORDER TO ABATE NUISANCE  
NOTICE LIST  
PROOF OF SERVICE

at the property described as:

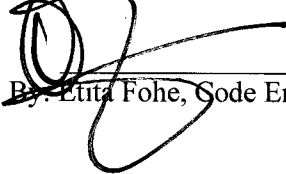
**Property Address:** 33168 GILLETTE ST, LAKE ELSINORE

**Assessor's Parcel Number:** 383-041-048

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

Executed on December 23, 2014 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

  
\_\_\_\_\_  
By: Etita Fohe, Code Enforcement Technician

**PROOF OF SERVICE**

Case No. CV11-01191

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STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Sue Jimenez, 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 December 10, 2014 I served the following document(s):

- FINDINGS OF FACT, CONCLUSIONS AND ORDER TO ABATE NUISANCE
- NOTICE LIST

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

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

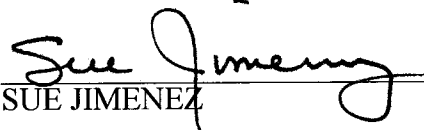
XX **BY FIRST CLASS MAIL.** I am "readily familiar" with the office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Riverside, California, in the ordinary 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 December 10, 2014, at Riverside, California.

  
SUE JIMENEZ

## NOTICE LIST

Subject Property: 33168 Gillette Street, Lake Elsinore; Case No.: CV11-01191  
APN: 383-041-048; District 1/1

**CHRISTINE F. FRANKE  
33168 GILLETTE STREET  
LAKE ELSINORE, CA 92530**