

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

8078



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
January 13, 2015

SUBJECT: Order to Abate [Excessive Outside Storage & Accumulated Rubbish]
Case No. CV12-02557 [MARAGNO]
Subject Property: 24246 Juniper Springs Road, Homeland
APN: 455-210-049
District: 5 [\$0.00]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-02557;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-02557; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-02557.

BACKGROUND:

Summary

On December 9, 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

Departmental Concurrence

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	\$	\$	\$	\$	

SOURCE OF FUNDS:	Budget Adjustment:
	For Fiscal Year:

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 Tavaglione and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione and Ashley
Nays: None
Absent: Benoit
Date: January 27, 2015
xc: Co.CO./TLMA-Code Enf., Recorder

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

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

2-19

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

FORM 11: Order to Abate [Excessive Outside Storage & Accumulated Rubbish]

Case No. CV12-02557 [MARAGNO]

Subject Property: 24246 Juniper Springs Road, Homeland

APN: 455-210-049

District: 5 [\$0.00]

DATE: January 13, 2015

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

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

DOC # 2015-0039382
01/30/2015

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

Peter Aldana
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
9 4080 Lemon Street, Twelfth Floor (Stop #1012)
10 Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

11 **BOARD OF SUPERVISORS**
12 **COUNTY OF RIVERSIDE**

13 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 12-02557
14 [EXCESSIVE OUTSIDE STORAGE AND)
15 ACCUMULATION OF RUBBISH];) FINDINGS OF FACT,
16 APN 455-210-049, 24246 JUNIPER SPRINGS) CONCLUSIONS AND ORDER TO
17 ROAD, HOMELAND, RIVERSIDE COUNTY,) ABATE NUISANCE
18 CALIFORNIA; WILLIAM L. MARAGNO AND)
19 DAWN L. MARAGNO, OWNERS.) R.C.O. Nos. 348, 541 and 725

20 The above-captioned matter came on regularly for hearing on December 9, 2014, before the
21 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
22 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
23 property described 24246 Juniper Springs Road, Homeland, Riverside County, Assessor's Parcel
24 Number 455-210-049 and referred to hereinafter as "THE PROPERTY."

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

27 Mr. Maragno appeared with his attorney Jeffrey Willis, but did not address the Board of
28 Supervisors.

The Board of Supervisors received the Declaration of the Code Enforcement Officer together
with attached Exhibits, evidencing the excessive outside storage of materials and accumulation of
rubbish on THE PROPERTY as violations of Riverside County Ordinance Nos. 348 and 541 and as

1 a public nuisance.

2 **SUMMARY OF EVIDENCE**

3 1. Documents of record in the Riverside County Recorder's Office identify the owners
4 of THE PROPERTY as William L. Maragno and Dawn L. Maragno ("OWNERS").

5 2. Documents of title indicate that other parties appear to potentially hold a legal interest
6 in THE PROPERTY, to wit: State of California Franchise Tax Board, State of California Board of
7 Equalization, State of California Employment Development Department and the Internal Revenue
8 Service (hereinafter referred to as "INTERESTED PARTIES").

9 3. THE PROPERTY was inspected by Code Enforcement Officers on March 11, 2014,
10 June 10, 2014, July 15, 2014, August 19, 2014 and December 2, 2014.

11 4. During each inspection an accumulation of rubbish and excess outside storage was
12 observed throughout THE PROPERTY consisting of but not limited to: broken concrete, wood,
13 scrap metal, tires, green waste, tractor tires, building materials, roofing tiles, concrete blocks, and
14 miscellaneous items in excess of 12,500 square feet.

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

17 6. On April 28, 2014, a Notice of Pendency of Administrative Proceedings was
18 recorded at the Riverside County Recorder's Office as instrument number 2014-0153556.

19 7. On March 11, 2014, a Notice of Violation was posted on THE PROPERTY. On
20 April 16, 2014, a Notice of Violation was mailed to OWNERS by certified mail with return receipt
21 requested. On May 21, 2014, a Notice of Violation was mailed to INTERESTED PARTIES by
22 certified mail with return receipt requested.

23 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"
24 providing notice of the public hearing before the Board of Supervisors was mailed to OWNERS and
25 INTERESTED PARTIES and was posted on THE PROPERTY.

26 **FINDINGS AND CONCLUSIONS**

27 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
28 regular session assembled on December 9, 2014, finds and concludes that:

1 owner's consent or a Court Order when necessary under applicable law.

2 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity
3 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special
4 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside
5 County Ordinance Nos. 348, 541, and 725. Under Riverside County Ordinance No. 725, "abatement
6 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate
7 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,
8 collection and administrative costs, attorneys fees, and the costs associated with the removal or
9 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement

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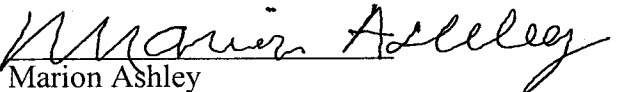
1 Department will be recoverable from OWNERS even if THE PROPERTY is brought into
2 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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4 Dated: January 27, 2015

COUNTY OF RIVERSIDE

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By 
Marion Ashley
Chairman, Board of Supervisors

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ATTEST:

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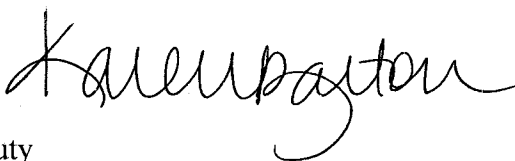
KECIA HARPER-IHEM

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Clerk to the Board

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By 

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Deputy

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(SEAL)

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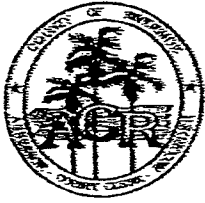
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LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

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

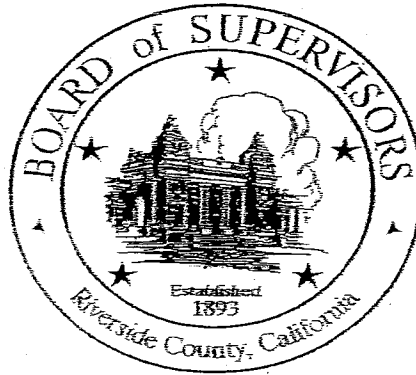
<http://riverside.astrokrec.com>

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:

1-27-15

Signature:

Karen Barton

Print Name:

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