

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

411B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
October 6, 2015

SUBJECT: Order to Abate [Substandard Structure]
Case No. CV14-01948 [DINOSAUR PARK, LLC]
Subject Property: 50900 Seminole Drive, Cabazon; APN: 519-190-030
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. CV14-01948;
 2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV14-01948; and
 3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV14-01948.

BACKGROUND:

Summary

On September 1, 2015, 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 structure

(Continued)

[Signature]
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: *[Signature]*
Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington and Benoit
Nays: None
Absent: Ashley
Date: October 20, 2015
xc: Co.CO./TLMA-Code Enf., Recorder

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

- 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 Structure]

Case No. CV14-01948 [DINOSAUR PARK, LLC]

Subject Property: 50900 Seminole Drive, Cabazon; APN: 519-190-030

District: 5 [\$0.00]

DATE: October 6, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

(Commercial building) located on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare Findings of Fact, Conclusions and Order to Abate.

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

2015-0469632

10/26/2015 03:54 PM

*****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

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

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

[EXEMPT GC §§ 6103 and 27383]

**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

11	IN RE ABATEMENT OF PUBLIC NUISANCE:)	CASE NO. CV 14-01948
12	[SUBSTANDARD STRUCTURE];)	
13	APN 519-190-030, 50900 SEMINOLE DRIVE,)	FINDINGS OF FACT,
14	CABAZON, RIVERSIDE COUNTY,)	CONCLUSIONS AND ORDER TO
15	CALIFORNIA; DINOSAUR PARK, LLC,)	ABATE NUISANCE
	OWNER.)	
)	[R.C.O. Nos. 457 and 725]

16 The above-captioned matter came on regularly for hearing on September 1, 2015, before the
17 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
18 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
19 property described as 50900 Seminole Drive, Cabazon, Riverside County, Assessor's Parcel Number
20 519-190-030 and referred to hereinafter as "THE PROPERTY."

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

23 Owner did not appear.

24 The Board of Supervisors received the Declaration of the Code Enforcement Officer together
25 with attached Exhibits, evidencing the substandard structure on THE PROPERTY as violation of
26 Riverside County Ordinance ("RCO") No. 457 and as a public nuisance.

27 ///

28 ///

COPY

1 SUMMARY OF EVIDENCE

2 1. Documents of record in the Riverside County Recorder’s Office identify the owner of
3 THE PROPERTY as Dinosaur Park, LLC (“OWNER”).

4 2. Documents of title indicate that other parties may potentially hold a legal interest in
5 THE PROPERTY, to wit: Samuel W. Spinello and Julie A. Spinello, Co-Trustees of the Spinello
6 Family Trust dated November 2, 1992 (“INTERESTED PARTY”).

7 3. THE PROPERTY was inspected by Code Enforcement Officers on September 26,
8 2014 and on four (4) subsequent inspections, with the last occurring on August 24, 2015.

9 4. During each inspection, a substandard structure (Commercial building) was observed
10 on THE PROPERTY. The structure was observed to be dilapidated and contained numerous
11 deficiencies, including but not limited to: lack of or improper water closet, lavatory, bathtub, shower
12 or kitchen sink; lack of hot and cold running water to plumbing fixtures; hazardous plumbing; lack
13 of required electrical lighting; hazardous wiring; lack of adequate heating facilities; members of
14 ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split, or buckle due
15 to defective material or deterioration; dampness of habitable rooms; faulty weather protection;
16 general dilapidation or improper maintenance; fire hazard; public and attractive nuisance- abandoned
17 /vacant.

18 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
19 No. 457 by the Code Enforcement Officer.

20 6. On September 26, 2014, a Notice of Violation, Notice of Defects, and a “Danger Do
21 Not Enter” sign were posted on THE PROPERTY. On October 7, 2014 and January 23, 2015,
22 Notice of Violation and Notice of Defects were mailed to OWNER and INTERESTED PARTY by
23 certified mail, return receipt requested.

24 7. A Notice of Pendency of Administrative Proceedings was recorded on May 18, 2015,
25 as Instrument Number 2015-0206620 in the Office of the County Recorder, County of Riverside.

26 8. A “Notice to Correct County Ordinance Violations and Abate Public Nuisance”
27 providing notice of the public hearing before the Board of Supervisors on September 1, 2015, was
28 mailed to OWNER and INTERESTED PARTY and was posted on THE PROPERTY.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FINDINGS AND CONCLUSIONS

WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on September 1, 2015, finds and concludes that:

1. WHEREAS, the substandard structure (Commercial building) on the real property located at 50900 Seminole Drive, Cabazon, Riverside County, California, also identified as Assessor's Parcel Number 519-190-030 violates RCO No. 457 and constitutes a public nuisance.

2. WHEREAS, the OWNER, occupants, and any person having possession or control of THE PROPERTY shall abate the substandard structure by razing, removing and disposing of the substandard structure, including the removal and disposal of all structural debris and materials, and contents therein or by reconstruction and rehabilitation of said structure provided that said reconstruction or demolition can be accomplished in strict accordance with all Riverside County Ordinances, including but not limited to RCO No. 457 within ninety (90) days.

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

ORDER TO ABATE NUISANCE

IT IS THEREFORE ORDERED that the substandard structure (Commercial building) on THE PROPERTY be abated by the OWNER, or anyone having possession or control of THE PROPERTY, by razing and removing the substandard structure including the removal and disposal of all structural debris and materials, as well as the contents therein, or by reconstruction and rehabilitation of said structure provided such reconstruction and rehabilitation can be accomplished in strict accordance with all Riverside County Ordinances, including but not limited to RCO No. 457 within ninety (90) days of the posting and mailing of this Order to Abate Nuisance.

IT IS FURTHER ORDERED that if the substandard structure is not razed, removed and disposed of, or reconstructed and rehabilitated in strict accordance with all Riverside County Ordinances, including but not limited to RCO No. 457, within ninety (90) days of the posting and mailing of this Order to Abate Nuisance, the substandard structure, contents therein, and structural

1 debris and materials, may be abated by representatives of the Riverside County Code Enforcement
2 Department, a contractor, or the Sheriff's Department upon receipt of the owner's consent or a Court
3 Order, where necessary, under applicable law authorizing entry onto THE PROPERTY.

4 FURTHERMORE, the OWNER is ordered to ascertain the existence or non-existence of
5 asbestos containing materials in said structure by survey and materials sample testing by a duly
6 licensed and certified asbestos consultant; and, prior to the abatement ordered hereinabove, to secure
7 the removal of all asbestos containing materials discovered through such survey and testing by
8 contract with a duly certified and licensed contractor for the handling of such materials to avoid
9 citations and/or fines by South Coast Air Quality Management District (SCAQMD).

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

18 ///
19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///
28 ///

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.

3
4 Dated: October 20, 2015

COUNTY OF RIVERSIDE

5
6 By Marion Ashley
7 Marion Ashley
8 Chairman, Board of Supervisors

9 ATTEST:

10 KECIA HARPER-IHEM

11 Clerk to the Board

12 By Karen Baston

13 Deputy

14 (SEAL)



**PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER**

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

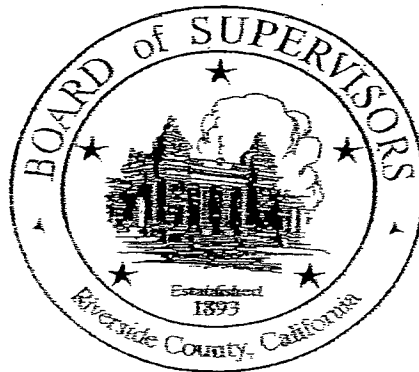
www.riversideacr.com

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:

10-20-15

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

November 4, 2015

RE CASE NO: CV1401948

I, Edward Torres, 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 11/04/2015 at 1150 hours, I securely and conspicuously posted Findings of Fact at the property described as:

Property Address: 50900 SEMINOLE DR, CABAZON

Assessor's Parcel Number: 519-190-030

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

Executed on November 4, 2015 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT


By: Edward Torres, Code Enforcement Officer

PROOF OF SERVICE
Case No. CV14-01948 Dino Park

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Stacy Baumgartner, 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, 12th Floor, Riverside, California 92501.

That on November 3, 2015, I served the following document(s):

- **FINDING OF FACT CONCLUSIONS & ORDER TO ABATE NUISANCE**
- **RESPONSIBLE OR INTERESTED PARTIES LIST**

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

OWNERS OR INTERESTED PARTIES
(SEE ATTACHED RESPONSIBLE OR INTERESTED PARTIES 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 November 3, 2015, at Riverside, California.


STACY BAUMGARTNER
CODE ENFORCEMENT OFFICER III

NOTICE LIST

Subject Property: 50900 Seminole Drive, Cabazon
Case No.: CV14-01948
APN: 519-190-030; District 5

DINOSAUR PARK, LLC
27 LA PLAZA
PALM SPRINGS, CA 92262

JAE AND SON, INVESTMENTS
7101 PLAYA VISTA #316
LOS ANGELES, CA 90094

DINOSAUR PARK, LLC
68936 ADELINA ROAD
CATHEDRAL CITY, CA 92234

SAMUEL E. SPINELLO
JULIE A. SPINELLO
CO-TRUSTEES OF THE
SPINELLO FAMILY TRUST DATED
NOVEMBER 2, 1992
44958 DESERT HORIZON DRIVE
INDIAN WELLS, CA 92210

HANMI BANK LOAN
OPERATIONS CENTER
3660 WILSHIRE BLVD., 104
LOS ANGELES, CA 90010

GREGORY OLESON, AGENT
78-075 MAIN STREET, STE 203
LA QUINTA, CA 92253