

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

901B



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

**SUBMITTAL DATE:**  
November 16, 2015

**SUBJECT:** Order to Abate [Accumulated Rubbish];  
Case No. CV12-06320 [CARDINES, CANANEA, FALK, SANDHU]  
Subject Property: 1 Parcel West of 21740 Kuder Avenue, Perris; APN: 295-280-068  
District: 1 [\$0.00]

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

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-06320;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-06320; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-06320.

**BACKGROUND:**

**Summary**

On October 6, 2015, this Board received the declaration of the Code Enforcement Officer in the above referenced matter and declared the accumulated rubbish 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

(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	\$	\$	\$	\$	

**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 Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley  
Nays: None  
Absent: None  
Date: December 8, 2015  
xc: Co.CO./TLMA-Code Enf., Recorder

Kecia Harper-Ihem

Clerk of the Board

By   
Deputy

Prev. Agn. Ref.: 10/06/15; 9.1

District: 1

Agenda Number:

2-6

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

Departmental Concurrence

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: Order to Abate [Accumulated Rubbish];**

Case No. CV12-06320 [CARDINES, CANANEA, FALK, SANDHU]

Subject Property: 1 Parcel West of 21740 Kuder Avenue, Perris; APN: 295-280-068

District: 1 [\$0.00]

DATE: November 16, 2015

PAGE: 2 of 2

**BACKGROUND:**

**Summary (continued)**

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

CV12-06320

1 Parcel West of 21740 Kuder Avenue, Perris APN: 295-280-068



Legend

- RCLIS Parcels
- TBM Page
- TBM Grid



0 353 706 Feet



REPORT PRINTED ON...6/24/2015 8:57:56 AM

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Notes

Thomas Bros Page 746  
Grid J6

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**2015-0536908**

12/10/2015 03:07 PM

\*\*\*Customer Copy Label\*\*\*

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filed/recorded document

Peter Aldana  
County Of Riverside  
Assessor-County Clerk-Recorder

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

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 12-06320  
14 [ACCUMULATION OF RUBBISH]; )  
15 APN 295-280-068, 1 PARCEL WEST OF 21740 ) FINDINGS OF FACT,  
16 KUDER AVENUE, PERRIS, RIVERSIDE ) CONCLUSIONS AND ORDER TO  
17 COUNTY, CALIFORNIA; JAMES N. CARDINES, ) ABATE NUISANCE  
18 EMELITA CANANEA, MAGDALENA FALK )  
19 AND NINA SANDHU, OWNERS. ) R.C.O. Nos. 541 and 725  
20 )  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

29 The above-captioned matter came on regularly for hearing on October 6, 2015, before the  
30 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor  
31 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real  
32 property described as 1 Parcel West of 21740 Kuder Avenue, Perris, Riverside County, California,  
33 and further described as Assessor's Parcel Number 295-280-068 referred to hereinafter as "THE  
34 PROPERTY."

35 Sophia Choi, Deputy County Counsel, appeared along with Regina Keyes, Senior Code  
36 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

37 Owners did not appear.

38 The Board of Supervisors received the Declaration of Code Enforcement Officer together  
39 with the attached exhibits, evidencing the accumulation of rubbish on THE PROPERTY as a public  
40 nuisance and violation of Riverside County Ordinance No. 541.

**COPY**

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1 regular session assembled on October 6, 2015, finds and concludes that:

2 1. WHEREAS, the accumulation of rubbish on the real property located at 1 Parcel West  
3 of 21740 Kuder Avenue, Perris, Riverside County, California, also identified as Assessor's Parcel  
4 Number 295-280-068 violates Riverside County Ordinance No. 541 and constitutes a public  
5 nuisance.

6 2. WHEREAS, the OWNERS, or any person having possession or control of the  
7 premises shall abate the condition by removing and disposing all accumulated rubbish from the  
8 subject real property in strict accordance with all Riverside County Ordinances, including but not  
9 limited to Riverside County Ordinance No. 541 within ninety (90) days.

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

15 **ORDER TO ABATE NUISANCE**

16 IT IS THEREFORE ORDERED that the accumulation of rubbish on THE PROPERTY be  
17 abated by OWNERS or anyone having possession or control of THE PROPERTY, by removing and  
18 disposing of all rubbish from the subject real property in strict accordance with all Riverside County  
19 Ordinances, including but not limited to Riverside County Ordinance No. 541 within ninety (90)  
20 days of the date of this Order to Abate Nuisance.

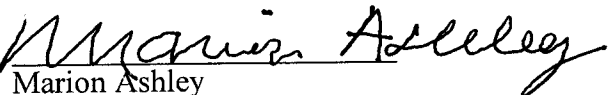
21 IT IS FURTHER ORDERED that if the rubbish is not removed and disposed of in strict  
22 accordance with all Riverside County Ordinances, including but not limited to Riverside County  
23 Ordinance No. 541, within ninety (90) days of the date of this Order to Abate Nuisance, the rubbish  
24 may be abated and disposed of by representatives of the Riverside County Code Enforcement, a  
25 contractor or the Sheriff's Department upon receipt of an owner's consent or a Court Order  
26 authorizing entry onto THE PROPERTY when necessary under applicable law.

27 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
28 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special

1 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
2 County Ordinance Nos. 541 and 725. Under Riverside County Ordinance No. 725, "abatement  
3 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate  
4 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
5 collection and administrative costs, attorneys fees, and the costs associated with the removal or  
6 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement  
7 Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into  
8 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

9  
10 Dated: December 8, 2015

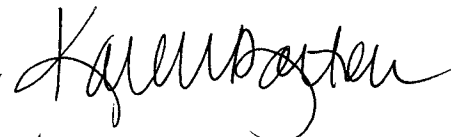
COUNTY OF RIVERSIDE

11  
12 By   
13 Marion Ashley  
Chairman, Board of Supervisors

14 ATTEST:

15 KECIA HARPER-IHEM

16 Clerk to the Board

17  
18 By   
19 Deputy  
20

21 (SEAL)  
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**PETER ALDANA  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER**

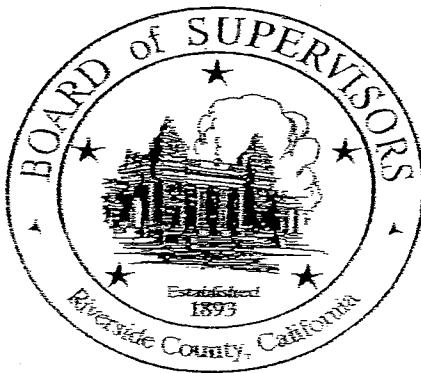
**Recorder**  
P.O. Box 751  
Riverside, CA 92502-0751  
(951) 486-7000  
[www.riversideacr.com](http://www.riversideacr.com)

**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:

12-8-15

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

January 12, 2016

RE CASE NO: CV1206320

I, Nohemi (Mimi) Johnston, 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 01-11-16 at 12:40 pm, I securely and conspicuously posted Findings of Facts Conclusions and Order to Abate Nuisance at the property described as:

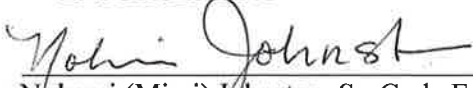
**Property Address:** 1 PAR W/O (21740 KUDER AVE.), PERRIS

**Assessor's Parcel Number:** 295-280-068

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

Executed on January 12, 2016 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

  
By: Nohemi (Mimi) Johnston, Sr. Code Enforcement Officer

**PROOF OF SERVICE**  
Case No. CV12-06320 CARDINES

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 December 22, 2015, I served the following document(s):

- **FINDING 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 22, 2015, at Riverside, California.

  
STACY BAUMGARTNER  
CODE ENFORCEMENT OFFICER III

## **NOTICE LIST**

**Subject Property: 1 Parcel West of 21740 Kuder Avenue, Perris**  
**Case No.: CV12-06320**  
**APN: 295-280-068; District 1**

**JAMES N. CARDINES  
EMELITA CANANEA  
MAGDALENA FALK  
NINA SANDHU  
250 REBECCA DRIVE  
SAN DIMAS, CA 91773**

**GITHA D. SMITH  
21680 KUDER  
PERRIS, CA 92570**

**ANITA A. BACHINI  
TRUSTEE OF THE A.A. BACHINI, U / D / T,  
TRUST DATED DECEMBER 5, 1990  
9371 DEVON STREET  
RANCHO CUCAMONGA, CA 91730**

**ZACARIAS CANANEA  
250 REBECCA DRIVE  
SAN DIMAS, CA 91773**