

ATTACHMENT I

Notice of Nuisance Abatement Assessment



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CODE ENFORCEMENT

3015 H Street • Eureka CA 95501
Phone: (707) 476-2429 • Fax: (707) 268-3792

August 25, 2022

Certified Mail No.: 9171969009350252886947

Margaret Belli
P.O. Box 96
Mad River, CA 95552

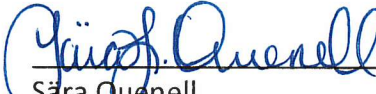
RE: Service of Notice of Nuisance Abatement Assessment
3029 Eel River Drive, Loleta, CA 95551, APN: 309-041-016
Case No: 15CEU-45

Margaret Belli,

Please see the attached Notice of Nuisance Abatement Assessment for your property located at 3029 Eel River Drive, Loleta, CA 95551, APN: 309-041-016, for your Code Enforcement Case 15CEU-45.

If you have any questions or concerns about these documents, I may be contacted by email at squenell@co.humboldt.ca.us or by telephone at (707)441-2621.

Sincerely,



Sara Quenell
Code Enforcement Investigator

Attachment: Notice of Nuisance Abatement Assessment



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CODE ENFORCEMENT

3015 H Street • Eureka CA 95501
Phone: (707) 476-2429 • Fax: (707) 268-3792

August 25, 2022

Certified Mail No.: 9171969009350252886954

Anthony DeFraga
P.O. Box 716
Loleta, CA 95551

RE: Service of Notice of Nuisance Abatement Assessment
3029 Eel River Drive, Loleta, CA 95551, APN: 309-041-016
Case No: 15CEU-45

Anthony DeFraga,

Please see the attached Notice of Nuisance Abatement Assessment for your property located at 3029 Eel River Drive, Loleta, CA 95551, APN: 309-041-016, for your Code Enforcement Case 15CEU-45.

If you have any questions or concerns about these documents, I may be contacted by email at squenell@co.humboldt.ca.us or by telephone at (707)441-2621.

Sincerely,


Sara Quenell
Code Enforcement Investigator

Attachment: Notice of Nuisance Abatement Assessment



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CODE ENFORCEMENT

3015 H Street • Eureka CA 95501
Phone: (707) 476-2429 • Fax: (707) 268-3792

August 25, 2022

Certified Mail No.: 9171969009350252886961

Jennifer Wright
P.O. Box 716
Loleta, CA 95551


RE: Service of Notice of Nuisance Abatement Assessment
3029 Eel River Drive, Loleta, CA 95551, APN: 309-041-016
Case No: 15CEU-45

Jennifer Wright,

Please see the attached Notice of Nuisance Abatement Assessment for your property located at 3029 Eel River Drive, Loleta, CA 95551, APN: 309-041-016, for your Code Enforcement Case 15CEU-45.

If you have any questions or concerns about these documents, I may be contacted by email at squenell@co.humboldt.ca.us or by telephone at (707)441-2621.

Sincerely,


Sara Quenell
Code Enforcement Investigator

Attachment: Notice of Nuisance Abatement Assessment



COUNTY OF HUMBOLDT
CODE ENFORCEMENT UNIT
3015 H Street
Eureka, California 95501
(707) 476-2429

NOTICE OF NUISANCE ABATEMENT ASSESSMENT

[Humboldt County Code §351-16]

Address of Affected Property: 3029 Eel River Drive, Loleta, CA 95551

Assessor's Parcel Number: 309-041-016

To: Owner:

Margaret Belli
P.O. Box 96
Mad River, CA 95552

Occupant:

Anthony DeFraga
P.O. Box 716
Loleta, CA 95551

Occupant:

Jennifer Wright
P.O. Box 716
Loleta, CA 95551

NOTICE IS HEREBY GIVEN that the Humboldt County Code Enforcement Unit has taken the actions described in "Attachment A – Actions Required to Abate Nuisance" to correct the condition or conditions found to constitute a nuisance on the above-referenced property situated in the County of Humboldt, State of California, as described in "Attachment B – Legal Description."

NOTICE IS FURTHER GIVEN that the Code Enforcement Unit will seek to levy a nuisance abatement assessment against the affected property in the amount of **Sixty Seven Thousand Eight Hundred Twenty One Dollars and Sixty Four Cents (\$67,821.64)** in order to recover the abatement costs, administrative costs and/or attorney's fees, as described in "Attachment C – Account of Costs Incurred and Proceeds Received," that were incurred to correct the condition or conditions found to constitute a nuisance on the affected property.

NOTICE IS FURTHER GIVEN that you may file with the Code Enforcement Unit an objection to the proposed assessment within ten (10) calendar days after service of this Notice of Nuisance Abatement Assessment.

NOTICE IS FURTHER GIVEN that an objection to the proposed assessment must be prepared using the form attached hereto as "Attachment D – Cost Recovery Hearing Request Form."

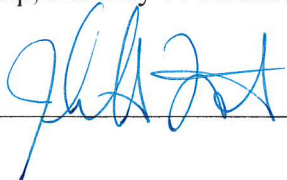
NOTICE IS FURTHER GIVEN that, upon receipt of an objection to the proposed assessment, the Code Enforcement Unit shall set the matter for hearing before the Humboldt County Board of Supervisors and issue a Notice of Cost Recovery Hearing as set forth in Humboldt County Code Section 351-18.

NOTICE IS FURTHER GIVEN that the date of the Cost Recovery Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Cost Recovery Hearing is served.

NOTICE IS FURTHER GIVEN that the proposed assessment shall be deemed final and summarily approved by the Humboldt County Board of Supervisors without holding a Cost Recovery Hearing, if an objection to the proposed assessment is not filed within ten (10) calendar days after service of this Notice of Nuisance Abatement Assessment.

NOTICE IS FURTHER GIVEN that the final nuisance abatement assessment, as approved by the Humboldt County Board of Supervisors, may become a charge against the affected property and may be collected at the same time and in the same manner, and shall be subject to the same penalties, interest and procedures of foreclosure and sale in the case of delinquency, as is provided for ordinary property taxes.

NOTICE IS FURTHER GIVEN that the final nuisance abatement assessment, as approved by the Humboldt County Board of Supervisors, may also become a charge against the affected property which has the same force, effect and priority of a judgment lien governed by the provisions of California Code of Civil Procedure Sections 697.310, et seq., and may be extended as provided in California Code of Civil Procedure Sections 683.110, et seq.

Signature:  _____

Title: Director, Planning & Building Department

Name: John Ford

Date: 8/15/2022

ATTACHMENT A ACTIONS REQUIRED TO ABATE NUISANCE

Violations	Nature of Corrective Actions Taken	Date
§331-14	Perform drive by investigation of property	March 18, 2021
&	Telephone call with complainant	March 22, 2021
§314-61.1	Telephone call with California Dept. of Fish and Wildlife staff	March 23, 2021
&	Consent to Inspect Letter prepared and mailed	March 25, 2021
	Inspection Warrant prepared	September 2, 2021
§354-1	Intent to Serve Inspection Warrant letter prepared, posted, and mailed	September 8, 2021
&	Inspection Warrant served on property	September 15, 2021
§371-2	Warrant Return prepared and submitted to Court	September 20, 2021
&	Vehicle letters prepared and mailed, obtain vehicle registration information	September 27, 2021
	Contacted Assessor's Office	October 1, 2021
§313-88.1.1.2	Notice to Abate Nuisance prepared, posted, and mailed	October 22, 2021
&	Intent to Conduct Public Nuisance Abatement prepared and mailed	November 19, 2021
§314-61.1	Contacted Assessor's Office	November 23, 2021
&	Inspection Warrant and Order of Abatement prepared	March 16, 2022
	Intent to Serve Inspection Warrant and Order of Abatement	March 18, 2022
§521-4	Served Inspection Warrant and Order of Abatement	March 22, 2022
	On-site during Inspection Warrant and Order of Abatement	March 23, 2022
	On-site during Inspection Warrant and Order of Abatement	March 25, 2022
	Vehicle Letters prepared and mailed	March 25, 2022
	Contact with abatement contractor	April 25, 2022
	On-site during Inspection Warrant and Order of Abatement	April 26, 2022
	Warrant Return prepared and submitted to the Court	April 28, 2022
	Notice of Nuisance Abatement Assessment Prepared	August 08, 2022

ATTACHMENT B LEGAL DESCRIPTION

Tract A

Parcel One

BEGINNING at the Northwest corner of Section 20 in Township 3 North, Range 1 West, Humboldt Meridian;
and running thence East along the section line, 2.95 chains;
thence South parallel with the section line, 20 chains to the subdivision line;
thence West, 2.95 chains to the section line;
and thence North along the section line, 20 chains to the place of the beginning.

ALSO BEGINNING at the Southwest corner of Section 17 in Township 3 North, Range 1 West, Humboldt Meridian;
and running thence North along the section line, 43 rods;
thence South 64 degrees East to a point 9.31 chains North from the South line of said section;
thence South, 9.31 chains to the South line of said Section 17;
and thence West along said last mentioned line, 2.95 chains to the point of beginning.

Parcel Two

That portion of the South Half of Southeast Quarter of Section 18 in Township 3 North, Range 1 West, Humboldt Meridian bounded as follows:

On the South by the South line of said Section 18;
On the East by the East line of said section;
On the North by the centerline of the county road, as conveyed to the County of Humboldt by deed from Christ Paulsen, dated March 23, 1896 and recorded April 18, 1896 in Book 57 of Deeds, page 526, Humboldt County Records; and
On the West by the East line of the Old State Highway, as the same existed on December 10, 1930.

Parcel Three

All that portion of the North Half of Northeast Quarter of Section 19 in Township 3 North, Range 1 West, Humboldt Meridian, lying East of the Easterly line of the Old State Highway, as the same existed on December 10, 1930.

TRACT B:

The Northwest Quarter of the Northwest Quarter of Section 20 in Township 3 North, Range 1 West, Humboldt Meridian, and also a parcel of land in the Southwest Quarter of Southwest Quarter of Section 17, Township 3 North, Range 1 West, Humboldt Meridian, described as:

BEGINNING at a point on the South line of said Section 17, distant 2.95 chains East from the Southwest corner of said Section 17;
and running thence North, 9.31 chains;
thence South 64 degrees East, 21.21 chains, more or less, to the South line of said section;
and thence West, along the section line, 19.06, more or less, to the piece of beginning.

EXCEPTING FROM the land above described in said Section 20, the following described parcel:

BEGINNING at the Northwest corner of said Section 20;
and running thence East, along the section line, 2.95 chains;
thence South, parallel with the section line, 20 chains to the subdivision line;
thence West, 2.95 chains to the section line;
and thence North, along the section line, 20 chains to the point of beginning.

ALSO EXCEPTING FROM all the lands above in said Sections 20 and 17, those portions lying Easterly of the Westerly line of that portion thereof heretofore conveyed by Dorothea M. Elliott and Charles Elliott Shaffer to the State of California, by deed dated August 30, 1956 and recorded January 9, 1957 as Recorder's File No. 427, Humboldt County Records, and which portion conveyed to the State of California, is described as follows:

BEGINNING at a point from which the Northwest corner of said Section 17 bears North 4 degrees 42 minutes 50 seconds West, 6508.82 feet and from which point of beginning Engineer's Station "G-1" 196+5000 P.O.T. of the Department of Public Works' Survey from 0.4 mile North of Fembridge to 0.7 mile North of Hookton Road (State Highway I-Hum-1-G) bears South 69 degrees 14 minutes East, 130 feet;

- (1) thence North 19 degrees 35 minutes 52 seconds West, 262.49 feet;
- (2) thence North 44 degrees 59 minutes 40 seconds East, 438.63 feet;
- (3) thence North 20 degrees 46 minutes East, 846.05 feet to the Northeasterly line of Parcel two of said parcels of land (said Northeasterly line being the Northeasterly line of that portion of Section 17 above described);
- (4) thence South 63 degrees 30 minutes East, along said Northeasterly line, 271.35 feet to a line parallel with and 279.00 feet Easterly, measured at right angles from Course (3);
- (5) thence South 20 degrees 46 minutes West, along said parallel line, 918.94 feet to a point that bears South 9 degrees 02 minutes 41 seconds East, 6195.61 feet from said Northwest corner of Section 17 and from which point Engineer's Station "G-1" 201+50.00 P.O.T. of said Survey bears North 69 degrees 14 minutes West, 150 feet;
- (6) thence South 2 degrees 19 minutes 54 seconds West, 316.23 feet;
- (7) thence South 47 degrees 19 minutes 54 seconds West, 223.61 feet;
- (8) thence South 23 degrees 09 minutes 09 seconds West, 70.09 feet to the Southerly line of above described Parcel One (said Parcel One being that portion of said Section 20 above described);
- (9) thence South 89 degrees 56 minutes West, along said Southerly line, 291.81 feet to a point which bears South 19 degrees 20 minutes 04 seconds West from the point of beginning;
- (10) thence North 19 degrees 20 minutes 04 seconds East, 173.87 feet to the point of beginning.

Assessor's Parcel No: 309-041-06, 309-042-04, & 05, 309-051-01 & 32, 309-061-01

ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ABATEMENT COSTS		
Violation	Nature of Cost Incurred	Amount
§331-14 & §314-61.1 & §354-1 & §371-2 & §313- 88.1.1.2 & §314-61.1 & §521-4	Labor, Equipment, Materials, Disposal Fees, Permit Costs	\$61,262.40
	Total:	\$61,262.40
ADMINISTRATIVE COSTS		
Violation	Nature of Cost Incurred	Amount
§331-14 & §314-61.1 & §354-1 & §371-2 & §313- 88.1.1.2 & §314-61.1 & §521-4	Staff Time: Code Enforcement Investigator 54.40 hours at \$115 an hour Legal Office Assistant .10 hours at \$83 an hour	\$6,256.00 \$8.30
	Mileage: 231 Miles at \$0.54 a mile	\$ 124.70
	Mailing Costs Including Certified Mail:	\$170.24
	Total:	\$ 6,559.24

ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ATTORNEY'S FEES		
Violation	Nature of Cost Incurred	Amount
§331-14 & §314-61.1 & §354-1 & §371-2 & §313-88.1.1.2 & §314-61.1 & §521-4	Not Applicable	\$0.00
PROCEEDS RECEIVED FROM SALE OF PERSONAL PROPERTY		
Violation	Property Sold	Amount Received
§331-14 & §314-61.1 & §354-1 & §371-2 & §313-88.1.1.2 & §314-61.1 & §521-4	Not Applicable	\$0.00

ATTACHMENT D COST RECOVERY HEARING REQUEST FORM

Address of Affected Property: 3029 Eel River Drive, Loleta, CA 95551

Assessor's Parcel Number: 309-041-016

To: Humboldt County Code Enforcement Unit
3015 H Street
Eureka California, 95501

Pursuant to Humboldt County Code Section 351-18, I am requesting a hearing to contest the amount of the nuisance abatement assessment proposed to be levied against the affected property in order to recover the abatement costs, administrative costs and/or attorney's fees incurred by the Humboldt County Code Enforcement Unit during the performance of the actions required to correct the condition or conditions found to constitute a nuisance on the affected property.

[Brief statement of the material facts that the requesting party claims support the contention that amount of the proposed assessment is inappropriate under the circumstances of this case]: _____

[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the amount of the proposed assessment]:

Name: _____

Address: _____

City, State: _____

Telephone Number: _____

I understand, and agree, that if I fail to appear at the place and time set for the requested Cost Recovery Hearing, as set forth in the Notice of Cost Recovery Hearing issued pursuant to Humboldt County Code Section 351-18, the amount of the proposed assessment will become final, and be summarily approved by the Humboldt County Board of Supervisors, ten (10) calendar days after service of the Notice of Nuisance Abatement Assessment pursuant to Humboldt County Code Section 351-21.

I hereby declare under the penalty of perjury, under the laws of the State of California, that the foregoing is true and correct to the best of my knowledge.

Signature: _____

Date: _____

Name: _____

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, Annette M. Van Elzen, say:

I am a citizen of the United States, over 18 years of age, a resident of the County of Humboldt, State of California, and not a party to the within action; that my business address is Planning and Building Department; 3015 H St, Eureka, California 95501; that on August 25, 2022, I served a true copy of **SERVICE OF NOTICE OF NUISANCE ABATEMENT ASSESSMENT.**

XXX by placing a true copy of the aforementioned document in a sealed envelope individually addressed to each of the parties and caused each such envelope to be deposited with the U. S. Postal Service and/or picked up by an authorized representative on that same day with fees fully prepaid in Eureka, California, in the ordinary course of business as set forth below (1st Class Mail & Certified Mail):

Margaret Belli
P O Box 96
Mad River, CA 95552

Anthony DeFraga
P O Box 716
Loleta, CA 95551

Jennifer Wright
P O Box 716
Loleta, CA 95551

_____ by personally hand delivering a true copy thereof to the property owner:

_____ by personally posting a true copy thereof on the premises located at:

_____ by placing a true copy thereof in the designated place at court operations to the attorney/parties named below:

_____ by placing a true copy in the county’s mailroom designated to the attorney named below:

_____ by fax as set forth below:

_____ by electronic service as set forth below:

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 25th of August, 2022, in the City of Eureka, County of Humboldt, State of California.



Annette M. Van Elzen – Legal Office Assistant

PROOF OF SERVICE


STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, SARA QUENELL, say:

I am a citizen of the United States, over 18 years of age, a resident of the County of Humboldt, State of California, and not a party to the within action; that my business address is Planning and Building Department, 3015 H Street, Eureka, California; that on **August 25, 2022**, I served a true copy of **Notice of Nuisance Abatement Assessment**.

_____ by placing a true copy of the aforementioned document in a sealed envelope individually addressed to each of the parties and caused each such envelope to be deposited with the U.S. Postal Service and/or picked up by an authorized representative, on that same day with fees fully prepaid at Eureka, California, in the ordinary course of business as set forth below:

_____ by personally hand delivering a true copy thereof to the occupant who resides at the premises located at:

 by personally posting a true copy thereof to **Margaret Belli, Anthony Defraga, and Jennifer Wright** on the premises located at:


**3029 Eel River Drive
Loleta, CA 95551
APN: 309-041-016**

_____ by placing a true copy thereof in the designated place at Court Operations to the attorney/parties named below:

_____ by placing a true copy in the County's Mailroom designated to the attorney named below:

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

Executed on this **25th** day of **August, 2022**, in the City of Eureka, County of Humboldt, State of California.


Sara Quenell, Code Enforcement Investigator