

Exhibit Y
Letter of Intent to
Abate Public
Nuisance



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CODE ENFORCEMENT

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

May 3, 2023

Certified Mailing No: 9171 9690 0935 0252 8839 91

Gerald McGuire
P.O. Box 322
Fields Landing, CA 95537

RE: Letter of Intent to Abate Public Nuisance
6766 West Avenue, Fields Landing, CA, 95537, APN: 306-024-004
Case No: CE22-1865

Dear Mr. McGuire,

As you are aware, Code Enforcement has an open case on your property located at 6766 West Avenue, Fields Landing, CA, APN: 306-024-004 for violations of Humboldt County Code related to maintaining a junkyard (HCC 371-2), the improper storage and removal of solid waste (HCC 521-1, 521-4, 521-12), and the property use in violation of Zoning Codes (311-10.1).

On February 28, 2023, you were served with a Notice to Abate Nuisance and a Notice of Violation and Proposed Administrative Civil Penalty for the conditions and violations observed on your property.

You have not requested a Code Enforcement Appeal Hearing or a Compliance Agreement in the timeframe allowed in the Notice to Abate Nuisance. Additionally, as of May 2, 2023, you have not completed the corrective actions listed in the Notice to bring your property into compliance and Code Enforcement continues to receive numerous complaints regarding the condition of your property.

Consequently, the County has jurisdiction to abate the property.

Code Enforcement understands you are trying to obtain a building permit for a residence on the subject property and you were granted additional time in order to do so. However, the violations on the property continue to worsen and adequate steps have not been taken to address the condition of your property.

This letter is to inform you that the County intends to move forward with abating the public nuisance, which includes but is not limited to the removal of solid waste, junk, salvaged materials, construction materials, RV, and items being stored on the property.

Additionally, the costs of the required abatement may become a charge against your property and

may be collected at the same time and in the same manner, and shall be subject to the same penalties, interest and procedure of foreclosure and sale in the case of delinquency, as is provided for ordinary property taxes. In addition, the costs may also become a charge against your property which has the same force, effect and priority of a judgement lien governed by the provisions of California Code of Civil Procedure Sections 697.31, et seq., and may be extended as provided in California Code of Civil Procedure Section 683.110, et seq.

The Code Enforcement Unit will need to conduct an inspection of the property with a contractor to provide an estimate for the abatement.

Subsequently, the Code Enforcement Unit is requesting a consent inspection of the property with said contractor. If you would like to consent to the inspection, please contact Code Enforcement to schedule the inspection. If I do not hear from you by **May 15, 2023**, I will assume you have denied the request for a consent inspection.

If you have any questions or concerns about the abatement process or to schedule an inspection, please feel free to contact me by telephone at (707) 441-2627, or by email ssoeth@co.humboldt.ca.us.

Sincerely,



Shauna Soeth
Code Enforcement Investigator

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, Tim Nicoll, 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 County of Humboldt Planning & Building Dept.; 3015 H Street, Eureka, California; that on May 3rd, 2023, I served a true copy of **LETTER OF INTENT TO ABATE PUBLIC NUISANCE.**

XXX by placing a true copy thereof enclosed in a sealed envelope and depositing the envelope at my place of business for same-day collection and mailing with the United States mail, following our ordinary business practices with which I am readily familiar, addressed as set forth below: (First Class and Cert.)

**Gerald McGuire
PO Box 322
Fields Landing, CA 95537
CM#: 9171 9690 0935 0252 8839 91**

_____ 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 on a gate allowing access to property:

_____ 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 this 3rd day of May 2023, in the City of Eureka, County of Humboldt, State of California.

Tim Nicoll- Legal Office Assistant
Code Enforcement Unit

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, SHAUNA SOETH, 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 May 4, 2023, I served a true copy of **LETTER OF INTENT TO ABATE PUBLIC NUISANCE.**

_____ 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: (First Class & Certified Mail)

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

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

**6766 West Avenue
Fields Landing, CA 95537
APN: 306-024-004**

_____ 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 4th day of May, 2023, in the City of Eureka, County of Humboldt, State of California.



Shauna Soeth – Code Enforcement Investigator



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CODE ENFORCEMENT

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05/04/2023 13:06



DOLPHIN

NOTICE
[Illegible text]

05/04/2023 13:06