

ATTACHMENT K

Medrano, Lara & Escalante

#17CEU-99 APN 212-033-006

1. Recent Site History
2. Inspection Report
3. Notice Documents
 - a. Cover Letter for Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty
 - b. Notice of Violation and Proposed Administrative Civil Penalty
 - c. Notice to Abate Nuisance
 - d. Proof of Service for Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty
4. Abatement Review
5. Notice of Administrative Civil Penalty Assessment with Proof of Service

Parcel Boundaries and Cultivation Site Reference Map: APN 212-033-006-000; Property Served: 8/11/2017; 10 Days Expired: 8/21/2017

The screenshot displays the Humboldt County Internal Web GIS interface. At the top, a green header bar contains the text "Humboldt County Internal Web GIS" and "Planning & Building Department". To the right of the header are links for "WebGIS Portal", "Comments", "Help", and "Legend Key". A search bar on the left contains the text "Parcel APN, or Location". The main map area shows a satellite view of a rural landscape with yellow parcel boundaries and a red-shaded parcel. A "Query" window is open in the center-left, displaying the following information:

Query	
← OPTIONS Results	
Number of features found: 1	
APN:	212-033-006-000
Owner Name:	Medrano Evaristo & Lara Omar G V & Escalante Julia
Situs Address:	2120 THOMAS RD
Situs City:	MIRANDA

At the bottom of the map, there is a scale bar and coordinates: "40.2167 -123.8609 Degrees". The bottom right corner features the text "Humboldt County GIS | USDA FSA | Esri, HERE, Garmin, IPE" and the Esri logo.

Recent Site History APN: 212-033-006-000; Property Served: 8/11/2017; 10 Days Expired: 8/21/2017

Cultivation Site 2016



July 24, 2016

Recent Site History APN: 212-033-006-000; Property Served: 8/11/2017; 10 Days Expired: 8/21/2017

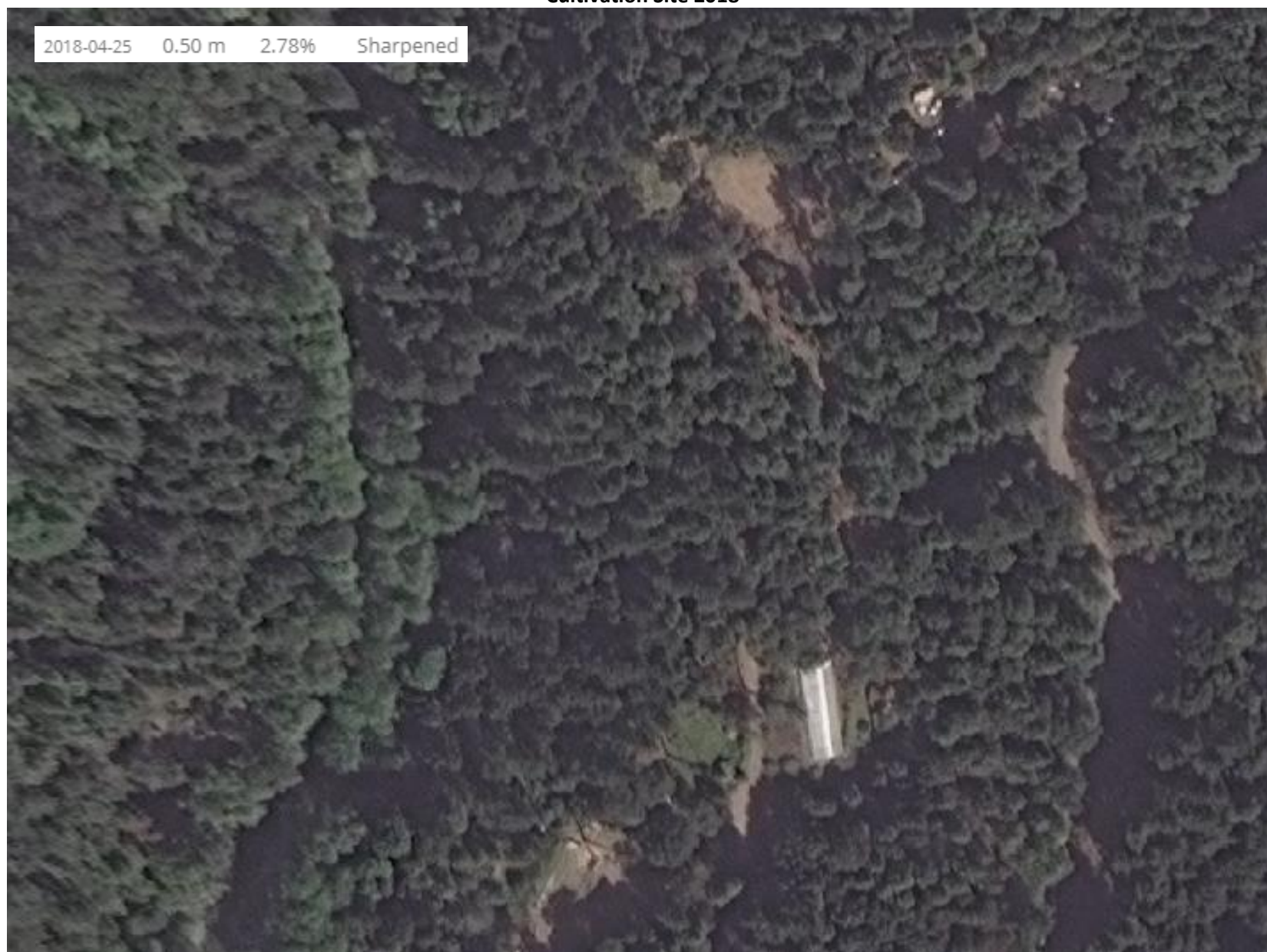
Cultivation Site 2017



December 21, 2017

Recent Site History APN: 212-033-006-000; Property Served: 8/11/2017; 10 Days Expired: 8/21/2017

Cultivation Site 2018



April 25, 2018

Recent Site History APN: 212-033-006-000; Property Served: 8/11/2017; 10 Days Expired: 8/21/2017

Cultivation Site 2018



October 6, 2018

Recent Site History APN: 212-033-006-000; Property Served: 8/11/2017; 10 Days Expired: 8/21/2017

Cultivation Site 2019



April 21, 2019

Recent Site History APN: 212-033-006-000; Property Served: 8/11/2017; 10 Days Expired: 8/21/2017

Cultivation Site 2019



August 11, 2019

Inspection Report
Evaristo Medrano
Thomas Road, Miranda
AP# 212-033-006

On June 22, 2017, I participated in the service of a search warrant at AP# 212-033-006 located on Thomas Road in Miranda (hereinafter referred to as the Property). The warrant was being served by the California Department of Fish and Wildlife. I waited with other non-law enforcement personnel until the Property was secure. We then entered the Property by walking down a steep, but paved driveway.

The driveway switched back towards the west. On the corner, there were numerous vehicles parked including several that appeared to be inoperable. These included a bus and a travel trailer. I was told that a woman had been contacted inside the bus by law enforcement. The trailer did not appear to be used as a residence. A trail led towards the east from this location and I walked out the trail. I found a cab-over camper that was enclosed by privacy screen and partially covered with a tarp. It appeared that this area had been used as a residence in the past, but I could not determine if it was still being used for that purpose. I continued to the northeast and came to a greenhouse containing marijuana. The greenhouse was approximately 15X50 feet in size. A small amount of grading had been done to accommodate the structure. This grading may have been done by hand as there was not a road or clear path to the greenhouse. As I walked around the greenhouse, I noticed toilet paper deposits in two locations suggesting that whoever was working in this area did not have access to proper facilities. In addition, there was solid waste scattered throughout the area, especially near the path that accessed these structures.

I returned to the main driveway and headed in a northwesterly direction. There were numerous concentrations of solid waste including tires and 55 gallon drums. Along the driveway, numerous vehicles, including recreational vehicles were parked. Most of these vehicles appeared to be inoperable and the recreational vehicles did not appear to be able to be used for their intended purpose. Slightly downslope from the driveway was a motorhome that had a tarp suspended over the right side. It appeared that this vehicle may have been used as a residence. In this same area was a small structure with a deck located off the front. The structure was a bathhouse with a toilet and shower. However, there were numerous tools and other items stored on the floor of the building and the door would not open fully suggesting that the room was not being used for the purpose it was intended for. Underneath of this structure, I could see a three inch plastic pipe that ran into a round, plastic container. This container appeared to be a septic tank, however, it was installed above ground rather than in the ground. I could not determine where any sewage may have exited this container. Below this structure, on a path headed in a northerly direction, was a small shed that only appeared to be used for storage. Further out the trail were two water tanks and several bags of solid waste.

I continued to the northwest and came across two greenhouses. Both structures contained marijuana plants. They were approximately 30X80 feet in size and contained grow lights. A trail from this location led to another small shed. This shed had numerous electrical outlets at about four feet above the ground on each wall, suggesting that at one time it had been used as a grow room. However, it appeared to be currently used as a residence with a bed and makeshift kitchen. The shed had been built on steep ground and used a post and pier foundation with a small deck around the front. I could feel the deck boards give as I walked across.

I returned to the main access road and continued to walk in a westerly direction. There was a short spur road that ran in a southwesterly road and I walked out this course. I passed a travel trailer that appeared to be junk, a piece of heavy equipment that also appeared to be junk, a yellow Humvee that looked inoperable, a water tank and an above-ground swimming pool that appeared to be used to store water for cultivation purposes. To the right was a hole in the ground that was lined with a black tarp. It appeared to be an attempt to build a pond, presumably also for cultivation purposes. At the end of this road was another greenhouse that also held marijuana plants. This greenhouse was also about 30X80 feet in size. There were considerable amounts of solid waste all along this spur road including grow waste.

I returned to the main access road and continued in a westerly direction. Just below the road was another travel trailer that did not appear to be able to be used for its intended purpose. There were additional vehicles that appeared to inoperable in this vicinity as well as a large piece of stainless steel that may have been restaurant equipment at one time, but now was being used as a visibility/dust screen. I continued westerly another 150 feet or so, passing additional junk vehicles and another hole in the ground lined with a tarp. I came to a stick-built structure with more junk vehicles parked in front and solid waste scattered around the periphery. Inside, the building was being used to grow marijuana plants, to dry marijuana plants, and one room may have been used as a residence. I continued along the road in a northwesterly direction and in about fifty feet came to a greenhouse complex. Interspersed with the three greenhouses were two inoperable motorhomes as a well as a single-wide mobile home that appeared to be used for storage.

The main road petered out after passing additional junk cars and a junk front-end loader. Near the end of the road was gondola made from a barrel cut in half the long ways. It was attached via pulleys to a rope that ran across Salmon Creek to the canyon on the far side. From my location, I could see two greenhouses in a prairie on the far side of the canyon. I followed a steep footpath down the south wall of the canyon, across the creek and up the other side. The footpath ended at the two greenhouses, both about 30X100 feet in length and containing marijuana plants. Also in this area were several water tanks, an attempt at a pond and a small above ground pool.

I then returned to the far side of the canyon via the same footpath and was directed to another foot path that again descended the south canyon wall. This path used ropes in the steeper sections to assist those making the journey. About a third of the way down the path, there was another gondola made from a barrel that ran across the canyon to two greenhouses I could see on the far bank. I transited the remainder of the trail, crossing the creek and climbing to a small bench above the creek. The two greenhouses were smaller than most of the others on the property, but contained marijuana plants. I then returned to the main access road.

I did not attempt to count the inoperable vehicles on the property, but estimate that there are between thirty and fifty inoperable motor vehicles and about another ten inoperable travel trailers. I would estimate the amount of solid waste at over 200 cubic yards. Given the steepness of the ground and the amount of material to be removed, an abatement would be expensive, but may be necessary.

J. Conner



CODE ENFORCEMENT UNIT
COUNTY OF HUMBOLDT

3015 H STREET
EUREKA, CALIFORNIA 95501
PHONE: (707) 476-2429 FAX: (707) 268-3792

October 21, 2019

Evaristo Medrano & Omar G Lara V & Julia Escalante
Po Box 2035
Redway, CA 95560

Re: Service of a Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty; Evaristo Medrano & Omar G Lara V & Julia Escalante; 2120 THOMAS RD, MIRANDA, CA 95553; APN(s): 212-033-006-000

To Evaristo Medrano & Omar G Lara V & Julia Escalante:

The Code Enforcement Unit recently inspected your above described property and observed violations of County Code. We are serving you with the attached **Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty** for the following violations:

314-55.4.3:	<i>Violation of the Commercial Cannabis Land Use Ordinance</i>
331-28; 314-55.4.3:	<i>Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes;</i> <i>Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance</i>
331-14; 314-55.4.3:	<i>Grading without Permits;</i> <i>Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance</i>
354-1:	<i>Junk and/or Inoperable Vehicles</i>
521-4:	<i>Improper Storage and Removal of Solid Waste</i>
314-81.1:	<i>Use of a Recreational Vehicle or Mobile Home as a Residence</i>

The Notices state the enforcement actions that can be taken to bring the property into compliance with Humboldt County Codes. Please also note that the attached **Notice of Violation and Proposed Administrative Civil Penalty** states that the County propose an administrative civil penalty in the amount of \$33,000 per day for a period of ninety days. The administrative civil penalty will begin to accumulate ten days after the Notice is served. The Notices list options that may be taken by you and/or the property owner in response to these Notices. If you are willing to bring the property into compliance with Humboldt County Codes but believe more than 10 days will be required to complete the work, the County of Humboldt may be willing to enter into a *Compliance Agreement* with the property owner and set an extended time frame to complete the corrective actions.

To discuss these documents and the required actions available to you If you have any questions or concerns about these documents or the code enforcement process in general, please feel free to call me at #707-476-2429 or email me at BBowes1@co.humboldt.ca.us.

Sincerely,

Brian Bowes

Investigator, Code Enforcement Unit

Enclosures:

Notice to Abate Nuisance

Notice of Violation and Proposed Administrative Civil Penalty



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

NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY

[Humboldt County Code §352-7]

Address of Affected Property:

2120 THOMAS RD, MIRANDA, CA 95553

Assessor's Parcel Number:

212-033-006-000

To Owner:

Evaristo Medrano & Omar G Lara V & Julia Escalante
Po Box 2035
Redway, CA 95560

NOTICE IS HEREBY GIVEN that conditions described in "Attachment A – Conditions Constituting a Violation" exist on property situated in the County of Humboldt, State of California, as described in "Attachment B – Legal Description," which are in violation of state law and/or the Humboldt County Code. Such conditions exist to an extent that constitutes a "violation" pursuant to Humboldt County Code Section 352-3(t).

YOU ARE HEREBY ORDERED to **CORRECT** or **OTHERWISE REMEDY** said violation within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty.

NOTICE IS FURTHER GIVEN that, if the required corrective action or actions set forth in "Attachment A – Conditions Constituting a Violation" is not commenced, prosecuted and completed within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty, a daily administrative penalty of **Thirty-Three Thousand Dollars (\$33,000)** will be imposed for a period of up to ninety (90) calendar days pursuant to Humboldt County Code Section 352-5.

NOTICE IS FURTHER GIVEN that each calendar day the violation occurs, continues or exists between the date on which the civil administrative penalty is imposed and the date on which the violation is corrected or otherwise remedied shall constitute a separate violation up to the ninetieth (90th) calendar day.

NOTICE IS FURTHER GIVEN that you may file with the Code Enforcement Unit an appeal of the determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty.

NOTICE IS FURTHER GIVEN that an appeal of the Code Enforcement Unit's determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty must be prepared using the form attached hereto as "Attachment C – Administrative Civil Penalty Appeal Hearing Request Form," and signed under penalty of perjury.

NOTICE IS FURTHER GIVEN that, upon receipt of an appeal of the determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty, the Code Enforcement Unit shall set the matter for hearing before a County appointed hearing officer and issue a Notice of Administrative Civil Penalty Appeal Hearing as set forth in Humboldt County Code Section 352-9.

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


NOTICE IS FURTHER GIVEN that the imposition of the administrative civil penalty shall become final and the Code Enforcement Unit shall acquire jurisdiction to collect the full amount thereof, along with any and all administrative costs and/or attorney's fees associated therewith, as follows:

- Within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty, if an appeal of the Code Enforcement Unit's determination that a violation has occurred, and/or an appeal of the amount of the administrative civil penalty, is not filed; or
- Within twenty (20) calendar days after service of the Finding of Violation and Order Imposing Administrative Civil Penalty, if a request for judicial review of the Hearing Officer's imposition of the final administrative civil penalty is not filed with the Humboldt County Superior Court as set forth in California Government Code Section 53069.4(b)(1)-(2); or
- Within ten (10) calendar days after service of the Humboldt County Superior Court's decision regarding the hearing officer's imposition of the final administrative civil penalty, if the Court finds in favor of the Code Enforcement Unit.

NOTICE IS FURTHER GIVEN that the final administrative civil penalty, along with any and all administrative costs and/or attorney's fees associated therewith, may become a lien against the property on which the violation occurred or exists that 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.

NOTICE IS FURTHER GIVEN that an additional Notice of Violation and Proposed Administrative Civil Penalty can be served upon you, if the violation occurs, continues or exists after ninety (90) days from the date on which the initial civil administrative penalty is imposed.

For the Humboldt County Code Enforcement Unit:

Signature: 

Title: Investigator

Name: Brian Bowes

Date: October 21, 2019

APN: 212-033-006-000

ATTACHMENT A CONDITIONS CONSTITUTING A VIOLATION

Code Section(s)	Nature of Violation	Conditions Causing Nuisance	Violation Category (1-4)	Proposed Civil Administrative Penalty
314-55.4.3	Violation of the Commercial Cannabis Land Use Ordinance	Unpermitted commercial cannabis operation with approximately 4,900 square feet of cultivation.	4	\$10,000 per day
331-28; 314-55.4.3	Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes; Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Four greenhouse/hoop-house structures facilitating commercial cannabis activity and constructed contrary to the provisions of Humboldt County Code.	4	\$10,000 per day
331-14; 314-55.4.3	Grading without Permits; Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Development without permits in or around 2014 of two graded flats in excess of 50 cubic yards of cut/fill to facilitate commercial cannabis cultivation activity.	4	\$10,000 per day
354-1	Junk and/or Inoperable Vehicles	Nine Junk and/or Inoperable Vehicles.	1	\$1,000 per day
521-4	Improper Storage and Removal of Solid Waste	Six instances constituting Improper Storage and Removal of Solid Waste.	1	\$1,000 per day
314-81.1	Use of a Recreational Vehicle or Mobile Home as a Residence	One Recreational Vehicle Used as Residence.	1	\$1,000 per day

ATTACHMENT B

LEGAL DESCRIPTION

All that portion of Section 7, Township 3 South, Range 3 East, Humboldt Meridian, described as follows:

The Northwest Quarter of the Northeast Quarter, the Southwest Quarter of the Northeast Quarter and that portion of the Northwest Quarter of the Southeast quarter more particularly described as follows:

Beginning at the Northwest Corner of the Northwest Quarter of the Southeast Quarter of said Section 7;
thence along the West line of said Northwest Quarter of the Southeast Quarter, South 01 degrees 53 minutes 54 seconds East, 198.17 feet to the beginning of a non-tangent 100.00 foot radius curve concave southerly, a radial line to said point bears North 51 degrees 35 minutes 17 seconds West;
thence Northeasterly along said curve through a central angle of 121 degrees 48 minutes 14 seconds, and arc distance of 212.59 feet to the beginning of 100.00 foot radius curve concave Northerly;
thence Southeasterly along said curve through a central angle of 134 degrees 12 minutes 56 seconds an arc distance of 234.25 feet;
thence tangent to said curve North 26 degrees East, 120.00 feet;
thence North 15 degrees West, 100.00 feet to the beginning of a tangent 380.00 foot radius curve concave Southwesterly;
thence Northwesterly along said curve through a central angle of 10 degrees 33 minutes 41 seconds an arc distance of 70.05 feet to the North line of the Northwest Quarter of the southeast Quarter of said Section 7;
thence along said line, South 84 degrees 43 minutes 40 seconds West, 367.02 feet to the Point of Beginning.

Said description being the same as recorded in said Notice of Lot Line Adjustment and Certificate of Subdivision Compliance recorded June 21, 2016 as Instrument No. 2016-011353, Humboldt County Records.

ATTACHMENT C
ADMINISTRATIVE CIVIL PENALTY APPEAL HEARING
REQUEST FORM

Address of Affected Property:
2120 THOMAS RD, MIRANDA, CA 95553

Assessor's Parcel Number:
212-033-006-000

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

Pursuant to Humboldt County Code Section 352-9, I am requesting a hearing to contest the Humboldt County Code Enforcement Unit's determination of the amount of the proposed administrative civil penalty for the above-referenced property.

[Brief statement setting forth the interest that the requesting party has in the Code Enforcement Unit's determination that a violation has occurred or exists on the affected property]: _____

[Brief statement of the material facts that the requesting party claims support the contention that the amount of the proposed administrative civil penalty is inappropriate under the circumstances, if applicable]: _____

[Brief statement of the material facts that the requesting party claims support the contention that the amount of the proposed administrative civil penalty is inappropriate under the circumstances, if applicable]: _____

[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the Code Enforcement Unit's determination of the amount of the proposed administrative civil penalty for the above-referenced property.]:

Name: _____

Address: _____

City, State: _____

Telephone Number: _____

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: _____

Name: _____

Date: _____



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

NOTICE TO ABATE NUISANCE

[Humboldt County Code §351-7]

Address of Affected Property:

2120 THOMAS RD, MIRANDA, CA 95553

Assessor's Parcel Numbers:

212-033-006-000

Owners:

Evaristo Medrano & Omar G Lara V & Julia Escalante
Po Box 2035
Redway, CA 95560

NOTICE IS HEREBY GIVEN that conditions described in "Attachment A – Conditions Constituting a Nuisance" exist on property situated in the County of Humboldt, State of California, as described in "Attachment B – Legal Description," which are in violation of state law and/or the Humboldt County Code. Such conditions exist to an extent that constitutes a "nuisance" pursuant to Humboldt County Code Section 351-3.

YOU ARE HEREBY ORDERED to **ABATE** said nuisance within ten (10) calendar days after service of this Notice to Abate Nuisance.

NOTICE IS FURTHER GIVEN that, if the Humboldt County Code Enforcement Unit determines that the condition or conditions causing said nuisance is imminently dangerous to human life or limb or is detrimental to the public health or safety, the Code Enforcement Unit may order that the affected property be vacated pending the correction or abatement of the condition or conditions causing the nuisance.

NOTICE IS FURTHER GIVEN that you may not retaliate against a lessee of the affected property pursuant to Section 1942.5 of the California Civil Code.

NOTICE IS FURTHER GIVEN that you may file with the Code Enforcement Unit an appeal of the determination that a nuisance exists on the affected property within ten (10) calendar days after service of this Notice to Abate Nuisance.

APN: 212-033-006-000

NOTICE IS FURTHER GIVEN that an appeal of the Code Enforcement Unit's determination that a nuisance exists on the affected property must be prepared using the form attached hereto as "Attachment C – Code Enforcement Appeal Hearing Request Form."

NOTICE IS FURTHER GIVEN that, upon receipt of an appeal of the determination that a Nuisance exists on the affected property, the Code Enforcement Unit shall set the matter for hearing before a County appointed hearing officer and issue a Notice of Code Enforcement Appeal Hearing as set forth in Humboldt County Code Section 351-9.

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

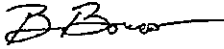
NOTICE IS FURTHER GIVEN that, if the required corrective action or actions set forth in "Attachment A – Conditions Constituting a Nuisance" is not commenced, prosecuted and completed within ten (10) calendar days after service of this Notice to Abate Nuisance, or in case of an appeal, the time limits set forth in the Finding of Nuisance and Order of Abatement, the Code Enforcement Unit may correct or abate the condition or conditions causing the nuisance on the affected property pursuant to Humboldt County Code Section 351-13.

NOTICE IS FURTHER GIVEN that the costs of the required abatement may become a charge against the affected property and made a special assessment against the property, and that said special assessment 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 costs of the required abatement 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.

NOTICE IS FURTHER GIVEN that any personal property collected by the Code Enforcement Unit during the correction or abatement of the condition or conditions causing the nuisance on the affected property may be sold in the same manner as surplus personal property of the County of Humboldt, and the proceeds from such sale shall be paid into the revolving fund created pursuant to the provisions of the Humboldt County Code.

For the Humboldt County Code Enforcement Unit:

Signature: 

Title: Investigator

Name: Brian Bowes

Date: October 21, 2019

ATTACHMENT A CONDITIONS CONSTITUTING A NUISANCE

Code Section(s)	Nature of Violation	Conditions Causing Nuisance	Corrective Action Required
314-55.4.3	Violation of the Commercial Cannabis Land Use Ordinance	Unpermitted commercial cannabis operation with approximately 4,900 square feet of cultivation.	Cease all commercial cannabis cultivation operations and remove all cannabis and infrastructure supporting commercial cannabis including water infrastructure and power sources.
331-28; 314-55.4.3	Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes; Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Four greenhouse/hoop-house structures facilitating commercial cannabis activity and constructed contrary to the provisions of Humboldt County Code.	Remove all structures with a nexus to cannabis cultivation and constructed in violation of Humboldt County Code, including applying for and obtaining a demolition permit when applicable.
331-14; 314-55.4.3	Grading without Permits; Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Development without permits in or around 2014 of two graded flats in excess of 50 cubic yards of cut/fill to facilitate commercial cannabis cultivation activity.	Submit and obtain approval for a restoration plan that provides for the remediation of the graded area(s). Obtain all permits required for approved restoration plan, complete the approved work, and pass a final inspection.
354-1	Junk and/or Inoperable Vehicles	Nine Junk and/or Inoperable Vehicles.	a) Restore vehicle(s) to operative condition, and/or b) Remove inoperable vehicles, and/or c) Store inoperable vehicles within enclosed structure.
521-4	Improper Storage and Removal of Solid Waste	Six instances constituting Improper Storage and Removal of Solid Waste.	Contain & dispose of all solid waste properly.
314-81.1	Use of a Recreational Vehicle or Mobile Home as a Residence	One Recreational Vehicle Used as Residence.	Disconnect utilities and cease use as residence.

ATTACHMENT B

LEGAL DESCRIPTION

All that portion of Section 7, Township 3 South, Range 3 East, Humboldt Meridian, described as follows:

The Northwest Quarter of the Northeast Quarter, the Southwest Quarter of the Northeast Quarter and that portion of the Northwest Quarter of the Southeast quarter more particularly described as follows:

Beginning at the Northwest Corner of the Northwest Quarter of the Southeast Quarter of said Section 7;
thence along the West line of said Northwest Quarter of the Southeast Quarter, South 01 degrees 53 minutes 54 seconds East, 198.17 feet to the beginning of a non-tangent 100.00 foot radius curve concave southerly, a radial line to said point bears North 51 degrees 35 minutes 17 seconds West;
thence Northeasterly along said curve through a central angle of 121 degrees 48 minutes 14 seconds, and arc distance of 212.59 feet to the beginning of 100.00 foot radius curve concave Northerly;
thence Southeasterly along said curve through a central angle of 134 degrees 12 minutes 56 seconds an arc distance of 234.25 feet;
thence tangent to said curve North 26 degrees East, 120.00 feet;
thence North 15 degrees West, 100.00 feet to the beginning of a tangent 380.00 foot radius curve concave Southwesterly;
thence Northwesterly along said curve through a central angle of 10 degrees 33 minutes 41 seconds an arc distance of 70.05 feet to the North line of the Northwest Quarter of the southeast Quarter of said Section 7;
thence along said line, South 84 degrees 43 minutes 40 seconds West, 367.02 feet to the Point of Beginning.

Said description being the same as recorded in said Notice of Lot Line Adjustment and Certificate of Subdivision Compliance recorded June 21, 2016 as Instrument No. 2016-011353, Humboldt County Records.

ATTACHMENT C

CODE ENFORCEMENT APPEAL HEARING REQUEST FORM

Address of Affected Property:
2120 THOMAS RD, MIRANDA, CA

Assessor's Parcel Number:
212-033-006-000

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

Pursuant to Humboldt County Code Section 351-9, I am requesting a hearing to contest the Humboldt County Code Enforcement Unit's determination that a nuisance exists on the above-referenced property.

[Brief statement setting forth the interest that the requesting party has in the Code Enforcement Unit's determination that a violation has occurred or exists on the affected property]: _____

[Brief statement of the material facts that the requesting party claims support the contention that a nuisance does not exist on the affected property]: _____

[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the Code Enforcement Unit's determination that a nuisance exists on the affected property]:

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 appeal hearing, as set forth in the Notice of Code Enforcement Appeal Hearing issued pursuant to Humboldt County Code Section 351-9, the Code Enforcement Unit's determination that a nuisance exists on the affected property will become final after ten (10) calendar days after service of the Notice to Abate Nuisance pursuant to Humboldt County Code Section 351-13.

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: _____

Name: _____

Date: _____

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, TASHEENA EVENSON, 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 October 21, 2019 I served a true copy **NOTICE TO ABATE NUISANCE AND NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY.**

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 at Eureka, California, in the ordinary course of business as set forth below: (First Class and Cert.)

Evaristo Medrano & Omar G Lara V & Julia Escalante
Po Box 2035
Redway, CA 95560

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

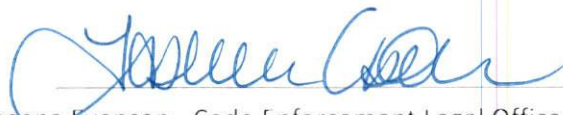
_____ by personally posting a true copy thereof on the premises located at:

_____ 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:

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

Executed on this 21 day of October, 2019, in the City of Eureka, County of Humboldt, State of California.



Tasheena Evenson - Code Enforcement Legal Office Assistant

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, Branden Howton, 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 October 21, 2019, I served a true copy of NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTIES & NOTICE TO ABATE NUISANCE.

_____ 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:

_____ 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 prominent and conspicuous place on the property or locked gate/impediment allowing access to property:

Thomas Rd, Miranda, CA 95553

APN: 212-033-006-000; 40.219366, -123.879436

_____ 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.

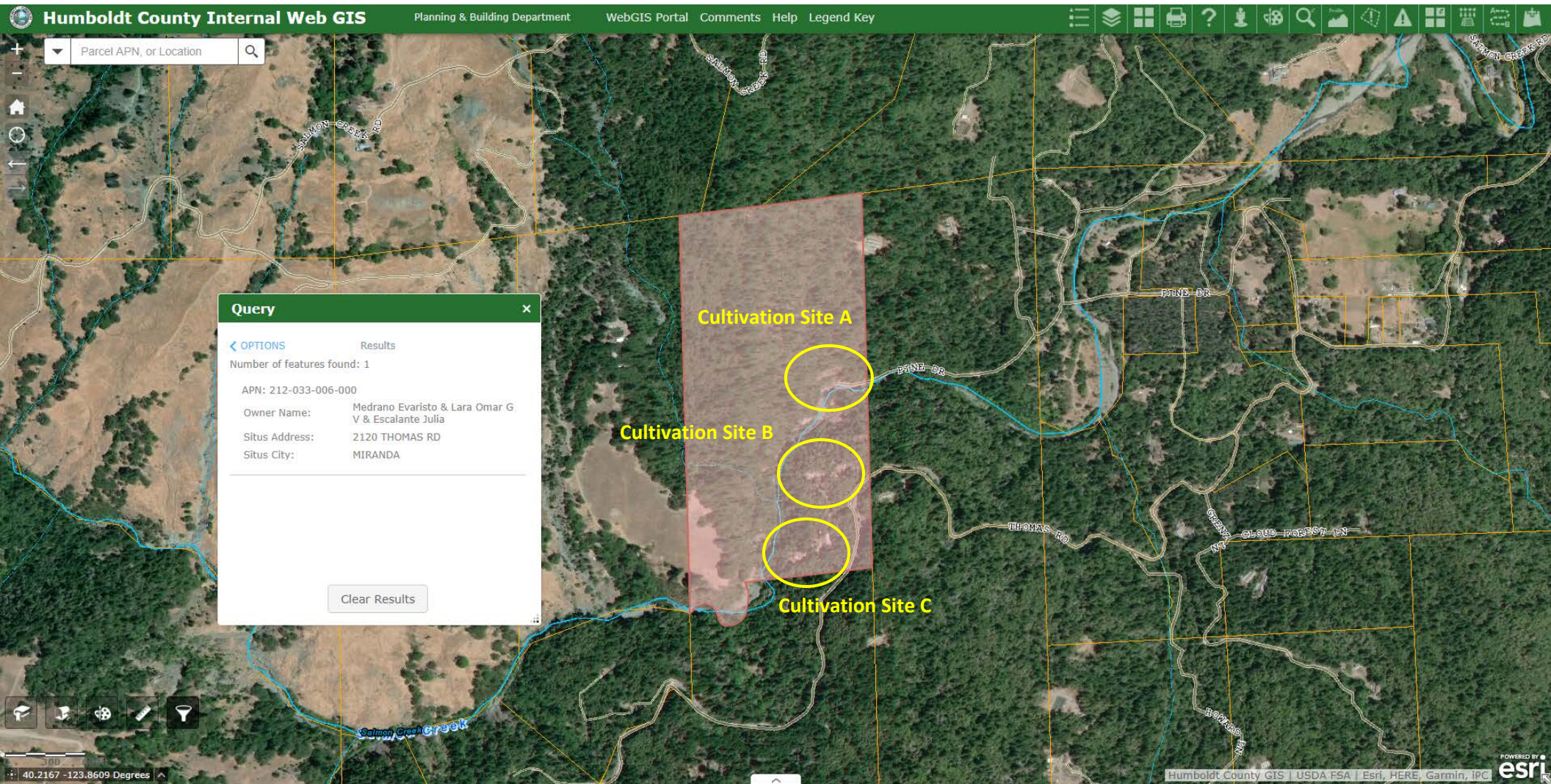
Executed on this 23 day of October, 2019, in the City of Eureka, County of Humboldt, State of California.



Branden Howton, Code Compliance Officer

**Abatement Review:
APN: 212-033-006-000**

Date Served: 8/21/2017



GIS Parcel Boundary Map & Cultivation Area ID

Abatement Review:
APN: 212-033-006-000
Cultivation Site A

Prior to Service



July 24, 2016

Abatement Review
APN: 212-033-006-000
Cultivation Site A

8 Months after Service



20180423_214850_ssc8_u0003

April 23, 2018

Abatement Review:
APN: 212-033-006-000
Cultivation Site B

Prior to Service



July 24, 2016

Abatement Review
APN: 212-033-006-000
Cultivation Site B

8 Months after Service



✓ 2018-04-25 0.50 m 2.78% Sharpened

April 25, 2018

Abatement Review
APN: 212-033-006-000
Cultivation Site B

14 Months after Service



October 06, 2018, 2018

Abatement Review:
APN: 212-033-006-000
Cultivation Site C

Prior to Service



July 24, 2016

Abatement Review
APN: 212-033-006-000
Cultivation Site C

8 Months after Service



✓ 2018-04-25 0.50 m 2.78% Sharpened

April 25, 2018

Abatement Review
APN: 212-033-006-000
Cultivation Site C

15 Months after Service



November 07, 2018



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

NOTICE OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT

[Humboldt County Code §352-15]

Address of Affected Property:

Thomas Rd, Miranda, CA 95553

Assessor's Parcel Number:

212-033-006-000

Owner:

Evaristo Medrano
P.O. Box 385
Miranda, CA 95553

NOTICE IS HEREBY GIVEN that a final administrative civil penalty in the amount of **Nine Hundred Thousand Dollars (\$900,000.00)** has been imposed based on the Humboldt County Code Enforcement Unit's determination that a violation, as defined by Humboldt County Code Section 352-3(t), has occurred or exists on the above-referenced property situated in the County of Humboldt, State of California, as described in "Attachment A – Legal Description."

NOTICE IS FURTHER GIVEN that the Code Enforcement Unit will seek to levy an administrative civil penalty assessment against the property on which the violation occurred or exists in the amount of **Nine Hundred One Thousand, Two Hundred Ninety Dollars and Ninety-Four Cents (\$901,290.94)** in order to collect the administrative civil penalty and recover the administrative costs and/or attorney's fees, as described in "Attachment B – Account of Costs Incurred," associated with the actions taken by the Code Enforcement Unit to impose the administrative civil penalty, as described in "Attachment C – Actions Required to Impose Administrative Civil Penalty."

NOTICE IS FURTHER GIVEN that you may file with the Code Enforcement Unit an objection to the proposed assessment that is limited to the amount of the administrative civil penalty, and/or the amount of the administrative costs and/or attorney's fees associated therewith, within ten (10) calendar days after service of this Notice of Administrative Civil Penalty Assessment.

NOTICE IS FURTHER GIVEN that an objection to the proposed assessment, must be prepared using the form attached hereto as "Attachment D – Administrative Civil Penalty Assessment Appeal Hearing Request Form," and signed under penalty of perjury.

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 Administrative Civil Penalty Assessment Appeal Hearing as set forth in Humboldt County Code Section 352-17.

NOTICE IS FURTHER GIVEN that the date of the Administrative Civil Penalty Assessment Appeal Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Administrative Civil Penalty Assessment Appeal 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 an Administrative Civil Penalty Assessment Appeal Hearing, if an objection to the proposed assessment is not filed within ten (10) calendar days after service of this Notice of Administrative Civil Penalty Assessment.

NOTICE IS FURTHER GIVEN that the final administrative civil penalty assessment, as approved by the Humboldt County Board of Supervisors, may become a lien against the property on which the violation occurred or exists that 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.

NOTICE IS FURTHER GIVEN that an additional Notice of Violation and Proposed Administrative Civil Penalty can be served upon you, if the violation occurs, continues or exists after ninety (90) days from the date on which the initial civil administrative penalty is imposed.

Signature: 
Name: John Ford

Title: Director
Date: 10/17/2019

ATTACHMENT A LEGAL DESCRIPTION

All that portion of Section 7, Township 3 South, Range 3 East, Humboldt Meridian, described as follows:

The Northwest Quarter of the Northeast Quarter, the Southwest Quarter of the Northeast Quarter and that portion of the Northwest Quarter of the Southeast quarter more particularly described as follows:

Beginning at the Northwest Corner of the Northwest Quarter of the Southeast Quarter of said Section 7;
thence along the West line of said Northwest Quarter of the Southeast Quarter, South 01 degrees 53 minutes 54 seconds East, 198.17 feet to the beginning of a non-tangent 100.00 foot radius curve concave southerly, a radial line to said point bears North 51 degrees 35 minutes 17 seconds West;
thence Northeasterly along said curve through a central angle of 121 degrees 48 minutes 14 seconds, and arc distance of 212.59 feet to the beginning of 100.00 foot radius curve concave Northerly;
thence Southeasterly along said curve through a central angle of 134 degrees 12 minutes 56 seconds an arc distance of 234.25 feet;
thence tangent to said curve North 26 degrees East, 120.00 feet;
thence North 15 degrees West, 100.00 feet to the beginning of a tangent 380.00 foot radius curve concave Southwesterly;
thence Northwesterly along said curve through a central angle of 10 degrees 33 minutes 41 seconds an arc distance of 70.05 feet to the North line of the Northwest Quarter of the southeast Quarter of said Section 7;
thence along said line, South 84 degrees 43 minutes 40 seconds West, 367.02 feet to the Point of Beginning.

Said description being the same as recorded in said Notice of Lot Line Adjustment and Certificate of Subdivision Compliance recorded June 21, 2016 as Instrument No. 2016-011353, Humboldt County Records.

ATTACHMENT B ACCOUNT OF COSTS INCURRED

ADMINISTRATIVE COSTS		
Violation(s)	Nature of Cost Incurred	Amount
§331-14	Agency Assistance on Law Enforcement Search Warrant	
§331-28	3.5 Staff Hours Driving Mileage Cost	\$ 427.81
§314-55.4	Preparation and Service of Notice to Abate Nuisance & Notice of Violation by Posting, by Mail, and Legal Advertisement	
§354-1	1.55 Staff Hours Grant Deed Cost	
§371-2	Certified Mailing Cost Driving Mileage Cost	
§521-4	Legal Advertisement Cost	\$ 411.14
§611-3	Agency Assistance on Law Enforcement Search Warrant	
	3.5 Staff Hours Driving Mileage Cost	\$ 403.40
	Preparation and Service of Notice of Withdrawal of Proposed Compliance Agreement Served by Mail	
	0.5 Staff Hours Certified Mailing Cost	\$ 48.59
		Total Cost \$ 1,290.94

**ATTACHMENT C
ACTIONS REQUIRED TO IMPOSE
ADMINISTRATIVE CIVIL PENALTY**

Violation(s)	Nature of Actions Taken To Impose Administrative Civil Penalty	Date
§331-14	Agency Assistance on Law Enforcement Search Warrant	June 22, 2017
§331-28		
§314-55.4	Preparation and Service of Notice to Abate Nuisance & Notice of Violation by Posting, by Mail, and Legal Advertisement	August 11, 2017
§354-1		
§371-2		September 03, 2019
§521-4	Agency Assistance on Law Enforcement Search Warrant	
§611-3	Preparation and Service of Notice of Administrative Civil Penalty Assessment	February 28, 2019

ATTACHMENT D
ADMINISTRATIVE CIVIL PENALTY ASSESSMENT APPEAL
HEARING REQUEST FORM

Address of Affected Property: Thomas Rd, Miranda, CA 95553

Assessor's Parcel Number: 212-033-006-000

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

Pursuant to Humboldt County Code Section 352-17, I am requesting a hearing to contest the amount of the administrative civil penalty assessment proposed to be levied against the property on which the violation occurred or exists in order to collect the final administrative civil penalty and recover the administrative costs and/or attorney's fees associated with the actions taken by the Humboldt County Code Enforcement Unit to impose the administrative civil penalty.

[Brief statement of the material facts that the requesting party claims support the contention that the amount of the administrative penalty, and/or the administrative costs and/or attorney's fees associated therewith, are 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 Code Enforcement Unit's determination that a violation has occurred or exists on the affected property and/or the amount of the proposed administrative civil penalty assessment]:

Name: _____

Address: _____

City, State: _____

Telephone Number: _____

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, TASHEENA EVENSON, 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 October 21st 2019 I served a true copy **NOTICE OF ADMINISTRATIVE CIVIL PENALTY 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 at Eureka, California, in the ordinary course of business as set forth below: (First Class & Cert.)

Evaristo Medrano
P.O. Box 385
Miranda, CA 95553

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

_____ 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:

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

Executed on this 23 day of October 2019, in the City of Eureka, County of Humboldt, State of California.



Tasheena Evenson - Code Enforcement Legal Office Assistant II

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, Branden Howton, 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 October 21, 2019, I served a true copy of NOTICE OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT.

_____ 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:

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

X _____ by personally posting a true copy thereof on a gate allowing access to property:
Thomas Rd, Miranda, CA 95553
APN: 212-033-006-000; 40.219366, -123.879436

_____ 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 23 day of October, 2019, in the City of Eureka, County of Humboldt, State of California.

Branden Howton, Code Compliance Officer