

Exhibit E

Inspection Warrant
and Order of
Abatement

ELECTRONICALLY

FILED

Superior Court of California,
County of Humboldt

11/20/2023 at 09:41:54 AM
MEARA C. HATTAN, CLERK

By: Michelle B., Deputy Clerk

1 County of Humboldt
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9 Attorney for Applicant
10 COUNTY OF HUMBOLDT

11 SUPERIOR COURT OF CALIFORNIA

12 COUNTY OF HUMBOLDT

13 IN THE MATTER OF THE
14 APPLICATION OF THE
15 COUNTY OF HUMBOLDT FOR
16 AN INSPECTION WARRANT
17 AND ORDER OF ABATEMENT
18 RE PREMISES AT:

19 4181 WEILER ROAD
20 EUREKA, CA 95503
21 APN: 019-161-021

Warrant No: **SW2300808**

22 **INSPECTION WARRANT AND**

23 **ORDER OF ABATEMENT**

24 The People of the State of California to:

25 **CHRISTINE WERNER, CODE ENFORCEMENT INVESTIGATOR**

26 Proof, by declaration, made this day before me that there is cause for believing that there
27 are conditions of nonconformity in and upon the premises located at 4181 Weiler Road, Eureka,
28 California, which Humboldt County Treasurer-Tax Collector records indicate belongs to Russell
H. Papstein, which constitute violations of the *Uniform Housing Code* ("UHC") and *Health &
Safety Code* ("H&SC") pertaining to Substandard Housing (UHC § 1001 and H&SC § 17290.3);
Inadequate Sanitation (UHC § 1001.2); Structural Hazards (UHC § 1001.3); Nuisance (UHC §
1001.4); Faulty Material of Construction (UHC § 1001.10); Hazardous or Insanitary Premises
(UHC § 1001.11); Improper Occupancy (UHC § 1001.4); *International Property Maintenance*

1 Code (“IPMC”) pertaining to Exterior Property and Areas (IPMC § 302); Exterior Structure
2 (IPMC § 304); Rubbish and Garbage (IPMC § 308); Pest Elimination (IPMC § 309); Means of
3 Egress (IPMC § 702); as well as *Humboldt County Code* (“HCC”) pertaining to Building
4 Conditions Endanger Life, Health, Safety, or Welfare of the Public (HCC § 351-3 (c));
5 Improper Storage and Removal of Solid Waste (HCC § 521-1,521-4 & 521-12); Junk and/or
6 Inoperable Vehicles (HCC § 354-1); Maintaining a Junkyard (HCC § 371-2); and Failure to
7 Comply with Chief Building Official’s Order (HCC § 352-3(t)(3)).

8 **YOU ARE HEREBY COMMANDED** to enter and inspect the premises described
9 below and to take evidence, as authorized and required by the Code of Civil Procedure §
10 1822.50, for the purpose of determining whether violations of the *Uniform Housing Code*
11 (“UHC”) and *Health & Safety Code (H&SC)*” pertaining to Substandard Housing (UHC § 1001
12 and H&SC § 17290.3); Inadequate Sanitation (UHC § 1001.2); Structural Hazards (UHC §
13 1001.3); Nuisance (UHC § 1001.4); Faulty Material of Construction (UHC § 1001.10);
14 Hazardous or Insanitary Premises (UHC § 1001.11); Improper Occupancy (UHC § 1001.4);
15 *International Property Maintenance Code* (“IPMC”) pertaining to Exterior Property and Areas
16 (IPMC § 302); Exterior Structure (IPMC § 304); Rubbish and Garbage (IPMC § 308); Pest
17 Elimination (IPMC § 309); Means of Egress (IPMC § 702); as well as *Humboldt County Code*
18 (“HCC”) pertaining to Building Conditions Endanger Life, Health, Safety, or Welfare of the
19 Public (HCC § 351-3 (c)); Improper Storage and Removal of Solid Waste (HCC § 521-1,521-4
20 & 521-12); Junk and/or Inoperable Vehicles (HCC § 354-1); Maintaining a Junkyard (HCC §
21 371-2); and Failure to Comply with Chief Building Official’s Order (HCC § 352-3(t)(3)), still
22 exists at the subject premises and to conduct an abatement of the solid waste, without limitation;
23 and the removal and disposal of all junk/inoperable vehicles. Additionally, you are hereby
24 commanded to demolish and remove the unsafe, substandard structures. The premises are
25 located in the unincorporated area of Humboldt County described as:

26 **4181 Weiler Road**
27 **Eureka, CA 95503**
28 **APN: 019-161-021**

1 This warrant authorizes entry by you, employees with Mercer Fraser Company and its
2 subcontractors, law enforcement for security purposes, additional personnel from CEU, Planning
3 & Building Department staff, and such other persons as you deem necessary to assist you in
4 conducting the inspection and abatement upon the above-described property, including, but not
5 limited to, removal and disposal of any solid waste located inside and outside of the structures;
6 removal and disposal of the junk/inoperable vehicles; demolition and removal of unsafe,
7 substandard structures; and taking photographs and/or video of the Property and the conditions
8 found upon it without limitation; and any other reasonable steps necessary to accomplish the
9 abatement. Additionally, this warrant authorizes Mercer Fraser Company to store any
10 equipment or materials deemed necessary on the property for the entirety of the abatement.

11 You may force entry onto the property, including without limitation the cutting of chains
12 or locks on gates or doors and removal of any and all vehicles blocking access into the subject
13 premises if the owner/occupant(s) are not present to provide entry. You may force entry into the
14 structures and any outbuildings pursuant to this warrant located on the property to confirm
15 conditions cited. You may perform any and all other acts reasonably necessary to determine the
16 current conditions on the specified property and conduct the abatement allowed by HCC section
17 351-13(a).

18 This warrant is effective from the date hereof for a period not to exceed ten (10) weeks.
19 Said inspection shall not be made between 5:00 p.m. and 7:00 a.m. of the succeeding day and
20 may be made in the absence of the owner/occupant(s). This warrant shall be returned to the
21 Clerk of the Humboldt County Superior Court after it has been served.

22 You shall advise the owner/occupant(s) that a willful refusal to permit the inspection
23 authorized by this warrant is a misdemeanor pursuant to Section 1822.57 of the Code of Civil
24 Procedure and willful refusal to permit the abatement is a violation of this order.

25

26 Date: November 20, 2023 @ 9:13am

27
28



Kelly L. Neel

SUPERIOR COURT JUDGE