

ATTACHMENT B

Notice to Abate Nuisance



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

Certified Mail Receipt No. 91719690 0935 0062 4910 34

March 1, 2021

Jessica Adams
David Mahle
Sarah Burke
7218 Summit Ridge Dr.
Eureka, CA 95503

Re: Service of Notice to Abate Nuisance
Property location: 7218 Summit Ridge Dr., Eureka, CA 95503
APN: 306-291-018

Dear Jessica Adams,

The Code Enforcement Unit recently inspected your above described property and confirmed violations of County Code. As a result, we are serving you with the attached Notice to Abate Nuisance. You have the following options:

1. Correct the violations within ten (10) days of the service of the Notice. Once you contact us with this information and we are able to confirm it, the Notice will be dismissed.
2. Request a hearing before a hearing officer to contest the determination that a violation exists. You may request a hearing by completing the attached hearing request form within ten (10) days of the service of the Notice.
3. Enter into a Compliance Agreement with the County that would suspend enforcement action for a reasonable amount of time to allow you to correct the violations. If the conditions of the agreement are met, then the Notice will be dismissed.
4. You can do nothing. At the end of the ten (10) day period, the County may take further enforcement action.

Please feel free to contact me by phone at (707) 476-2358 or by email at cwerner@co.humboldt.ca.us to answer any questions or concerns you may have.

Sincerely,

A handwritten signature in blue ink that reads "Christine Werner". The signature is written in a cursive style with a blue ink color.

Christine Werner

Code Compliance Officer

Attachment: Notice to Abate Nuisance



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

C N N 35

Certified Mailing No. 9171 9690 0935 0062 4910 41

March 1, 2021

Jessica Adams
David Mahle
Sarah Burke
7218 Summit Ridge Dr.
Eureka, CA 95503

Re: Service of Notice to Abate Nuisance
Property location: 7218 Summit Ridge Dr., Eureka, CA 95503
APN: 306-291-018

Dear David Mahle,

The Code Enforcement Unit recently inspected your above described property and confirmed violations of County Code. As a result, we are serving you with the attached Notice to Abate Nuisance. You have the following options:

1. Correct the violations within ten (10) days of the service of the Notice. Once you contact us with this information and we are able to confirm it, the Notice will be dismissed.
2. Request a hearing before a hearing officer to contest the determination that a violation exists. You may request a hearing by completing the attached hearing request form within ten (10) days of the service of the Notice.
3. Enter into a Compliance Agreement with the County that would suspend enforcement action for a reasonable amount of time to allow you to correct the violations. If the conditions of the agreement are met, then the Notice will be dismissed.
4. You can do nothing. At the end of the ten (10) day period, the County may take further enforcement action.

Please feel free to contact me by phone at (707) 476-2358 or by email at cwerner@co.humboldt.ca.us to answer any questions or concerns you may have.

Sincerely,


Christine Werner

Code Compliance Officer

Attachment: Notice to Abate Nuisance



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

Certified Mail No. : 9171 9690 0935 0062 4910 58

March 1, 2021

Jessica Adams
David Mahle
Sarah Burke
7218 Summit Ridge Dr.
Eureka, CA 95503

Re: Service of Notice to Abate Nuisance
Property location: 7218 Summit Ridge Dr., Eureka, CA 95503
APN: 306-291-018

Dear Sarah Burke,

The Code Enforcement Unit recently inspected your above described property and confirmed violations of County Code. As a result, we are serving you with the attached Notice to Abate Nuisance. You have the following options:

1. Correct the violations within ten (10) days of the service of the Notice. Once you contact us with this information and we are able to confirm it, the Notice will be dismissed.
2. Request a hearing before a hearing officer to contest the determination that a violation exists. You may request a hearing by completing the attached hearing request form within ten (10) days of the service of the Notice.
3. Enter into a Compliance Agreement with the County that would suspend enforcement action for a reasonable amount of time to allow you to correct the violations. If the conditions of the agreement are met, then the Notice will be dismissed.
4. You can do nothing. At the end of the ten (10) day period, the County may take further enforcement action.

Please feel free to contact me by phone at (707) 476-2358 or by email at cwerner@co.humboldt.ca.us to answer any questions or concerns you may have.

Sincerely,

A handwritten signature in blue ink that reads "Christine Werner". The signature is written in a cursive style with a large initial "C".

Christine Werner

Code Compliance Officer

Attachment: Notice to Abate Nuisance



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:

7218 Summit Ridge Dr.
Eureka, CA 95503

Assessor's Parcel Numbers:

306-291-018

Owner:

Jessica Adams
7218 Summit Ridge Dr.
Eureka, CA 95503

Occupants:

David Mahle
Sarah Burke
7218 Summit Ridge Dr.
Eureka, CA 95503

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.

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: *Christine Werner*

Title: Code Compliance Officer

Name: Christine Werner

Date: March 1, 2021

ATTACHMENT A CONDITIONS CONSTITUTING A NUISANCE

Code Section	Description	Corrective Action
521-4	Improper Storage and Removal of Solid Waste	Contain & dispose of all solid waste in a proper and legal manner. All household garbage must be stored in water tight lidded receptacles and removed weekly.
354-1	Junk and/or Inoperable Vehicles	a) Restore vehicle(s) to operative condition, and/or b) Remove inoperable vehicle(s), and/or c) Store inoperative vehicle(s) within legal enclosed structure
331-28	Construction of Building/Structure in Violation of Building, Plumbing, Electrical Codes	<p>a) Apply for and obtain building permit for front fence, or lower height of front fence to 6', or remove fence.</p> <p>b) Apply for and obtain building permit for backyard dog run, or deconstruct and remove dog run.</p> <p>Complete all work required by any building permit and have permit finalized by a Building Inspector.</p>
311-10.3	Construction of Building/Structure in Violation of Zoning Code	<p>a) Remove treehouse in violation of zoning setbacks, from tree at the North East corner of property.</p> <p>b) Remove fence, or Reduce fence height to 6' or less, or Move fence to meet zoning setbacks and apply for and obtain any required building permits. Have permits finalized by a Building Inspector.</p>
UHC 1001.11 & H&S 17920.3	Unsanitary Conditions	Remove weeds, vegetation, vector harborage and combustible materials from the property, including blackberry brambles. Immediately remove water from all waste tires to prevent formation of Culex mosquito larvae.

ATTACHMENT B LEGAL DESCRIPTION

That real property situate in the County of Humboldt, State of California, described as follows:

Those portions of the Southwest Quarter of the Northeast Quarter of Section 20, Township 4 North, Range 1 West, Humboldt Meridian, described as follows:

PARCEL ONE:

BEGINNING at a point 2359.76 feet West and 1753.04 feet South of the Northeast corner of said Section, said point being the Northeast corner of the land conveyed to Fred J. Sepic and Shirley A. Sepic, his wife, by deed recorded November 7, 1952 under Recorder's File No. 13512, in the office of the County Recorder of Humboldt County;

thence South 4 degrees 22 minutes 20 seconds East 89 feet;

thence South 37 degrees 55 minutes 10 seconds West 33.62 feet;

thence North 89 degrees 30 minutes West 232.46 feet to a point on the West line of the land conveyed to Kristen J. Jensen and wife by deed recorded July 30, 1945 in Book 275 of Deeds page 152 in the office of the County Recorder of said county, said point being the true point of beginning;

thence along said West line South 7 degrees 00 minutes West 87.43 feet;

thence South 89 degrees 30 minutes East 153.72 feet;

thence North 3 degrees 41 minutes East 87 feet to the South line of said Sepic Land;

and thence along said South line North 89 degrees 30 minutes West 148.66 feet to the true point of beginning.

PARCEL TWO:

A non-exclusive easement for ingress and egress and public utility purposes over a strip of land, 20 feet in width, the West and South lines of which are described as follows:

BEGINNING at the Northeast corner of the parcel of land first above described;

thence South 3 degrees 41 minutes West 275 feet, more or less, to the North line of land conveyed to William F. Briody and wife by deed recorded July 20, 1950 under Recorder's Serial No. 7401 in the Office of the County Recorder of said County;

and thence South 89 degrees 30 minutes East 850 feet, more or less to the County Road.

Being the same easement as conveyed to Pearl Mangum and husband by deed recorded June 1, 1960 in Book 588 of Official Records page 643. y

ATTACHMENT C

CODE ENFORCEMENT APPEAL HEARING REQUEST FORM

Address of Affected Property: 7218 Summit Ridge Dr., Eureka, CA 95503

Assessor's Parcel Number: 306-291-018

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, Daniela Parada, 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 March 1, 2021 I served a true copy

Service of Notice to Abate Nuisance

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.)

Jessica Adams
David Mahle
Sarah Burke
7218 Summit Ridge Dr.
Eureka, CA 95503

_____ 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 day 1st of March 2021, in the City of Eureka, County of Humboldt, State of California.

Daniela Parada
Daniela Parada, Code Enforcement Legal Office Assistant

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, CHRISTINE WERNER, 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 March 1, 2021, I served a true copy of **NOTICE TO ABATE 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)

XXX by personally hand delivering a true copy thereof to the occupant, **David Mahle**, who resides at the premises located at:

**7218 Summit Ridge Dr.
Eureka, CA 95503**

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

**7218 Summit Ridge Dr.
Eureka, CA 95503**

In the names of:

Owner Jessica Adams & Occupant Sarah Burke

_____ 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 2nd day of March, 2021, in the City of Eureka, County of Humboldt, State of California.



Christine Werner – Code Compliance Officer