

Attachment J

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: 7695 State Highway 36, Carlotta, CA 95528

Assessor's Parcel Number: 206-291-016-000

To: Owner:
Bonnie Mulder
3101 County Road 7160
West Plains, MO 65775

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 **Two Hundred and Seventeen Thousand Eight Hundred Thirty Four Dollars and Eighty Six Cents (\$217,834.86)** 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

Attachment D

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.

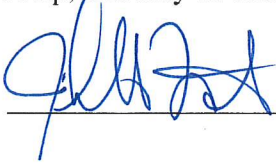
NOTICE IS FURTHER GIVEN that the date of the Cost Recovery Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Cost Recovery Hearing is served.

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

Name: John Ford

Date: 8/23/2023

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ATTACHMENT A ACTIONS REQUIRED TO ABATE NUISANCE

Violations	Nature of Corrective Actions Taken	Date
§521-4 & §351-3(c) & §352(t)(3) & IPMC 108.1.5(4)	Contact complainant	December 2, 2021
	Research complaint	December 3, 2021
	Contact property owner, in violation letter sent	December 3, 2021
	Building Inspector follow up	August 11, 2022
	Building Inspection	August 17, 2022
	Building Inspector follow up	August 18, 2022
	Prepare notices	September 12, 2022
	Post notices to property	September 12, 2022
	Mail notices	September 12, 2022
	Intent to conduct public nuisance abatement letter prepared	October 6, 2022
	Contact with property owner	October 20, 2022
	Contact with property owner	November 2, 2022
	Contact with property owner	November 7, 2022
	Prepare inspection warrant and order of abatement	March 13, 2023
	Post and mail intent to serve abatement warrant notice	March 22, 2023
	On-site at property for start of abatement	March 27, 2023
	Contact with property owner	March 27, 2023
	Site visit to property during abatement	April 5, 2023
	Prepare request for extension of inspection warrant and order of abatement	April 21, 2023
	Post and mail intent to serve inspection warrant and order of abatement extension	April 21, 2023
	Final abatement inspection	May 11, 2023
	Prepare and submit warrant return	May 15, 2023
	Prepare Notice of Nuisance Abatement Assessment	August 21, 2023

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ATTACHMENT B
LEGAL DESCRIPTION

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

PARCEL ONE

BEGINNING on the Section line at a point distant thereon 1320.00 feet Northerly from the Southeast corner of said Section;

thence Southerly along said Section line, 12 feet to a point on the Southerly line of a lane 12 feet wide;

thence along the Southerly line of said lane, North 89 degrees 31 minutes West, 405 feet to an iron pipe monument, which monument is the TRUE POINT OF BEGINNING of the parcel to be here described:

thence from said true point of beginning continuing along said Southerly line of the County Road;

thence Southeasterly along said Easterly line, 146.94 feet to the most Southerly corner of the parcel of land conveyed to Lewis Murrish and wife, by Deed dated July 31, 1954, and recorded in Book 302 of Official Records, Page 31, Humboldt County Records;

thence North 53 degrees 28 minutes East, 62 feet;

thence North 02 degrees 14 minutes East, 25 feet 6 inches to the South-easterly line of the land conveyed to Murrish and wife, by Deed date February 17, 1950, and recorded in Book 122 of Official Records, Page 269, Humboldt County Records;

thence North 53 degrees 28 minutes East to a point which bears South 02 degrees 14 minutes West from the true point of beginning;

thence North 02 degrees 14 minutes East, 35.38 feet to the true point of beginning.

PARCEL TWO

An easement to drill and excavate for water resources, to erect and maintain a water well and pumps, and to install and maintain a water pipeline, all as conveyed by Carroll Brownfield and wife, to Rodney T. Church and others, by Deed dated February 14, 1980, and recorded March 7, 1980, in Book 1605 of Official Records, Page 1285, as Recorder's Serial No. 4693, Humboldt County Records.

Attachment D ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ABATEMENT COSTS		
Violation	Nature of Cost Incurred	Amount
	Obtain required permits, personnel and labor, equipment, asbestos removal, disposal fees, stabilization and securing of site	\$211,236.56
	Asbestos survey	\$ 3,493.00
	Total:	\$214,729.56
ADMINISTRATIVE COSTS		
Violation	Nature of Cost Incurred	Amount
§521-4 & §351-3(c) & §352(t)(3) & IPMC 108.1.5(4)	Staff Time: Code Investigator – 23.45 hours at \$115/hour = \$2,696.75 Building Inspector – 1.75 hours at \$106/hour = \$185.50 Administrative Support - .50 hours at \$83/hour = \$41.50	\$2,923.75
	Mileage: 295 Miles at \$0.54/mile	\$159.30
	Mailing Costs Including Certified Mail:	\$ 22.25
	Total:	\$3,105.30

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ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ATTORNEY'S FEES		
Violation	Nature of Cost Incurred	Amount
§521-4 & §351-3(c) & §352(t)(3) & IPMC 108.1.5(4)	Not Applicable	\$0.00
PROCEEDS RECEIVED FROM SALE OF PERSONAL PROPERTY		
Violation	Property Sold	Amount Received
§521-4 & §351-3(c) & §352(t)(3) & IPMC 108.1.5(4)	Not Applicable	\$0.00

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COST RECOVERY HEARING REQUEST FORM

Address of Affected Property: 7695 State Highway 36, Carlotta, California, 95528

Assessor's Parcel Number: 206-291-016-000

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: _____



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COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CODE ENFORCEMENT

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

August 29, 2023

Certified Mail No.: 9171969009350306824192

Bonnie Mulder
3101 County Road 7160
West Plains, MO 65775

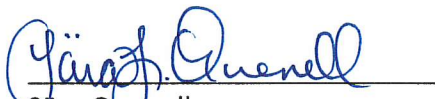
RE: Service of Notice of Nuisance Abatement Assessment
7695 State Highway 36, Carlotta, CA 95528, APN: 206-291-016-000
Case No.: CE21-1380

Bonnie Mulder,

Please see the attached Notice of Nuisance Assessment for your property located at 7695 State Highway 36, Carlotta, CA, 95528, APN: 206-291-016-000, for your Code Enforcement Case CE21-1380.

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

For the Code Enforcement Unit,


Sara Quenell
Code Enforcement Investigator

Attachment: Notice of Nuisance Abatement Assessment

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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 29, 2023**, I served a true copy 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 at Eureka, California, in the ordinary course of business as set forth below: **First Class and Certified Mail**

9171969009350306824192

Bonnie Mulder

3101 County Road 7160

West Plains, MO 65775

_____ 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:

7695 State Highway 36

Carlotta, CA 95528


APN: 206-291-016-000

_____ 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 **29th** day of **August, 2023**, in the City of Eureka, County of Humboldt, State of California.


Sara Quenell, Code Enforcement Investigator