

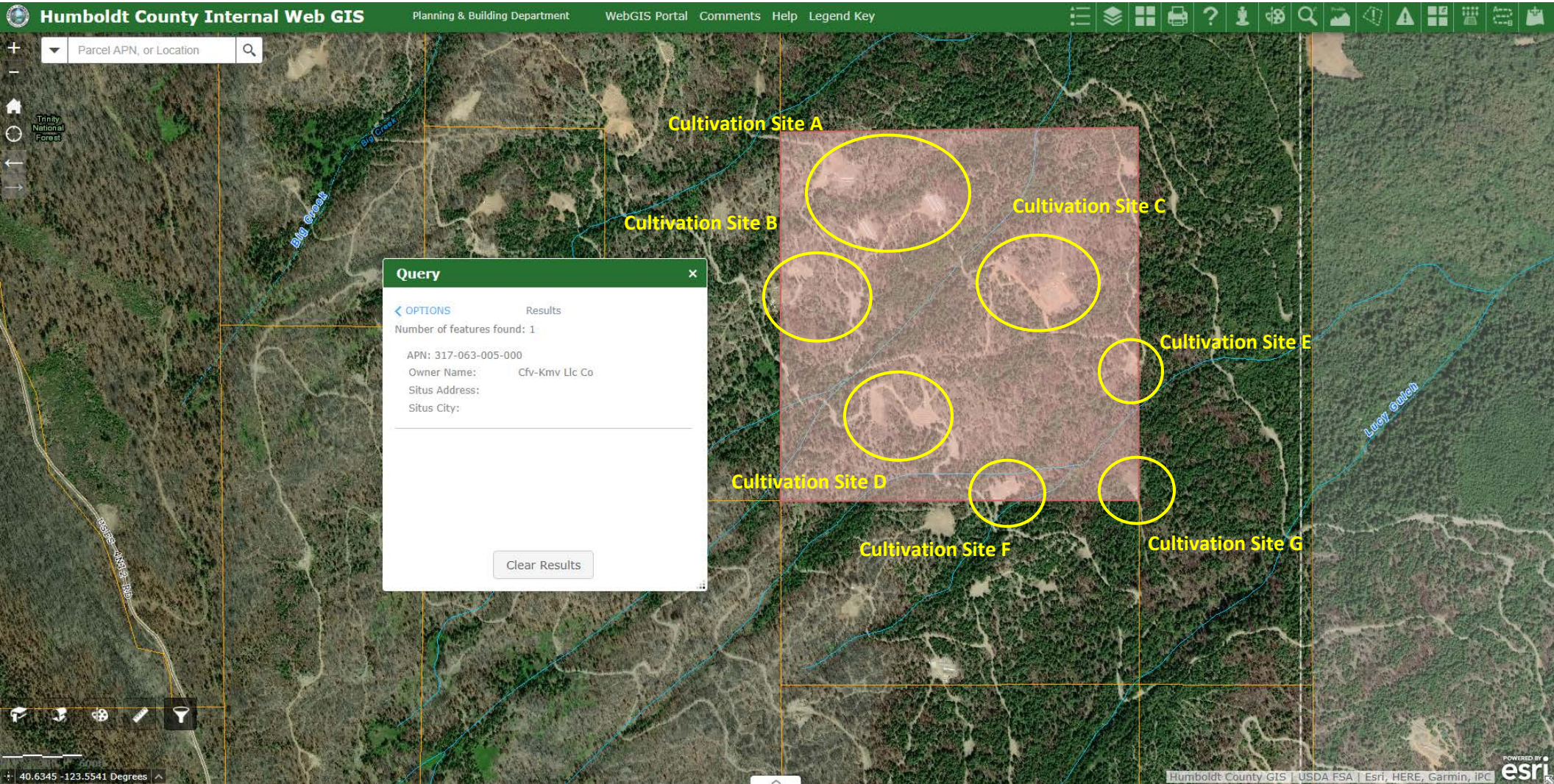
ATTACHMENT F

CFV-KMV LLC #17CEU-116

APN: 317-063-005

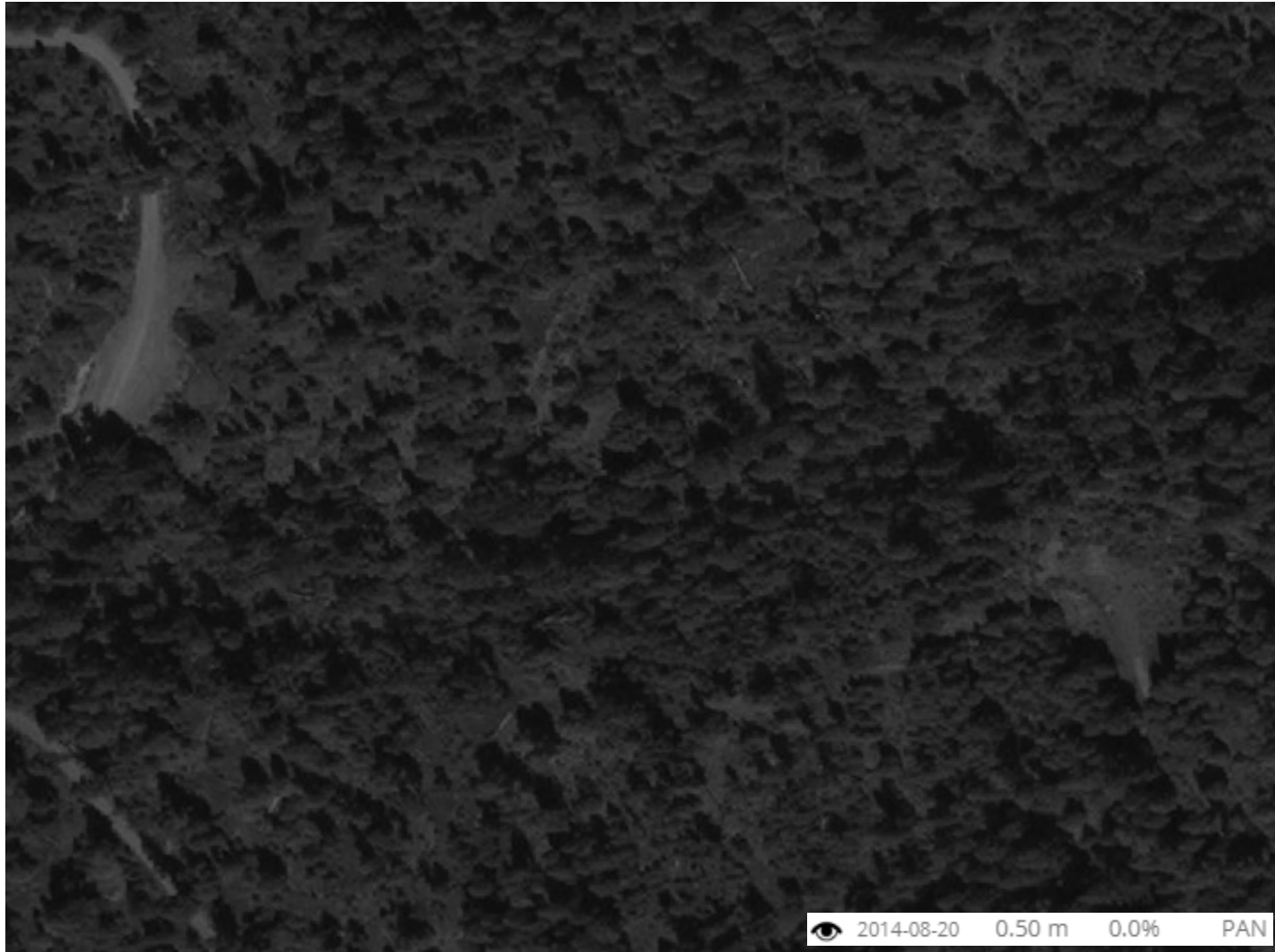
1. Recent Site History
2. Cover Letter for Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty (2019)
3. Notice of Violation and Proposed Administrative Civil Penalty (2019)
4. Notice to Abate Nuisance (2019)
5. Proof of Services for Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty (2019)
6. Abatement Review
7. Notice of Administrative Civil Penalty Assessment
8. Proof of Services Notice of Administration Civil Penalty Assessment

Recent Site History
APN: 317-063-005-000
Approximately 95,828 sq. ft. of Cultivation



GIS Parcel Boundary Map & Cultivation Area ID

Recent Site History
APN: 317-063-005-000
Cultivation Site A
Prior to Grading



August 20, 2014

Recent Site History
APN: 317-063-005-000
Cultivation Site A
After Grading



June 29, 2015

Recent Site History
APN: 317-063-005-000
Cultivation Site A
After Grading



May 26, 2016

Recent Site History
APN: 317-063-005-000
Cultivation Site A



June 03, 2016

Recent Site History
APN: 317-063-005-000
Cultivation Site A



✓ 2018-07-13 0.50 m 33.92% Sharpened

July 13, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site A



November 12, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site A



June 3, 2019

Recent Site History
APN: 317-063-005-000
Cultivation Site A



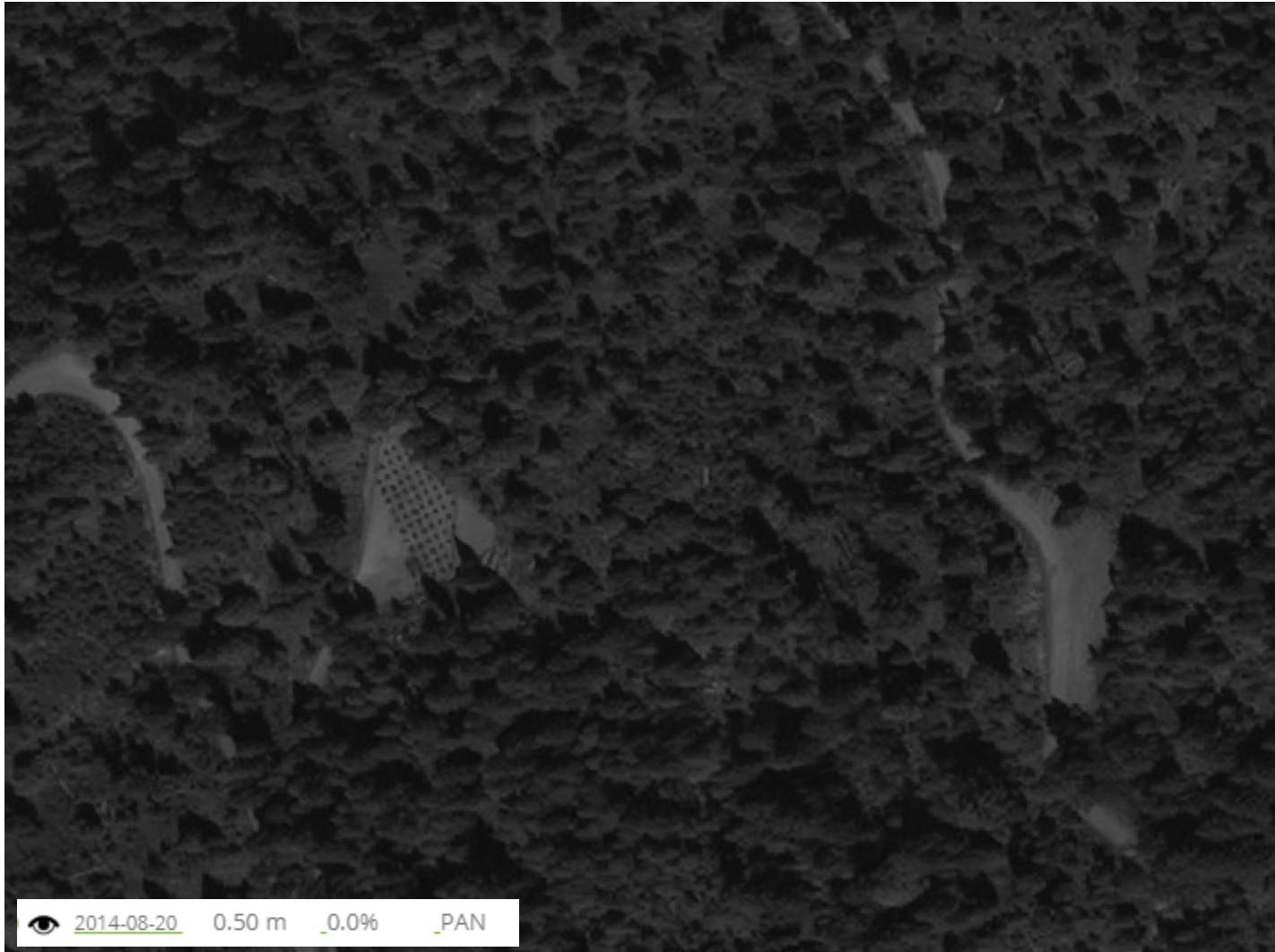
July 5, 2019

Recent Site History
APN: 317-063-005-000
Cultivation Site B
Prior to Grading



August 23, 2012

Recent Site History
APN: 317-063-005-000
Cultivation Site B
After Grading



👁️ [2014-08-20](#) 0.50 m _0.0% _PAN

August 20, 2014

Recent Site History
APN: 317-063-005-000
Cultivation Site B
Prior to Grading



May 9, 2016

Recent Site History
APN: 317-063-005-000
Cultivation Site B
After Grading



2016-05-09 0.30 m 0.6% Sharpened

May 9, 2016

Recent Site History
APN: 317-063-005-000
Cultivation Site B



June 03, 2016

Recent Site History
APN: 317-063-005-000
Cultivation Site B



July 13, 2018

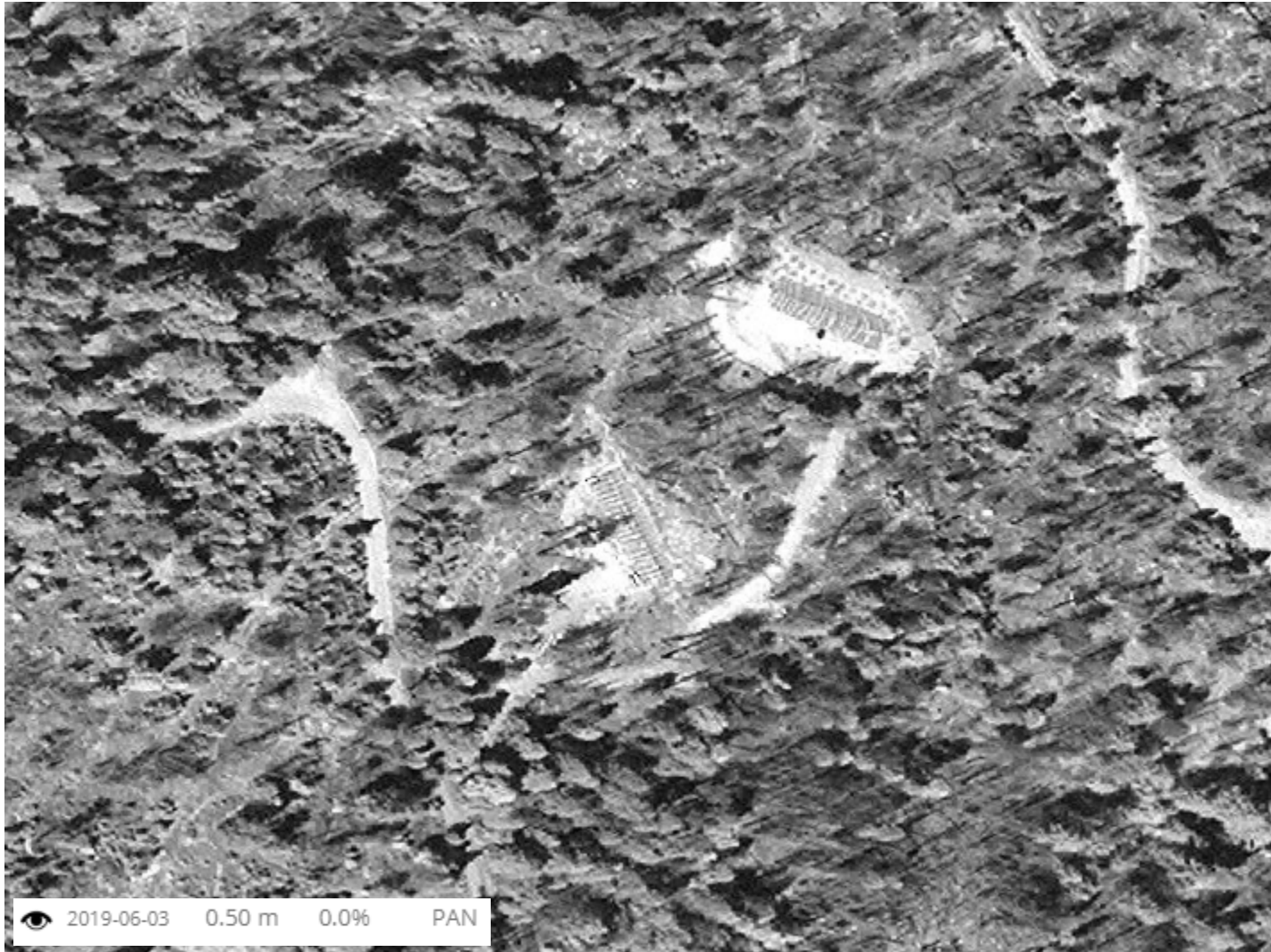
Recent Site History
APN: 317-063-005-000
Cultivation Site B



✓ 2018-11-12 0.30 m 0.0% Sharpened

November 12, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site B



June 3, 2019

Recent Site History
APN: 317-063-005-000
Cultivation Site B



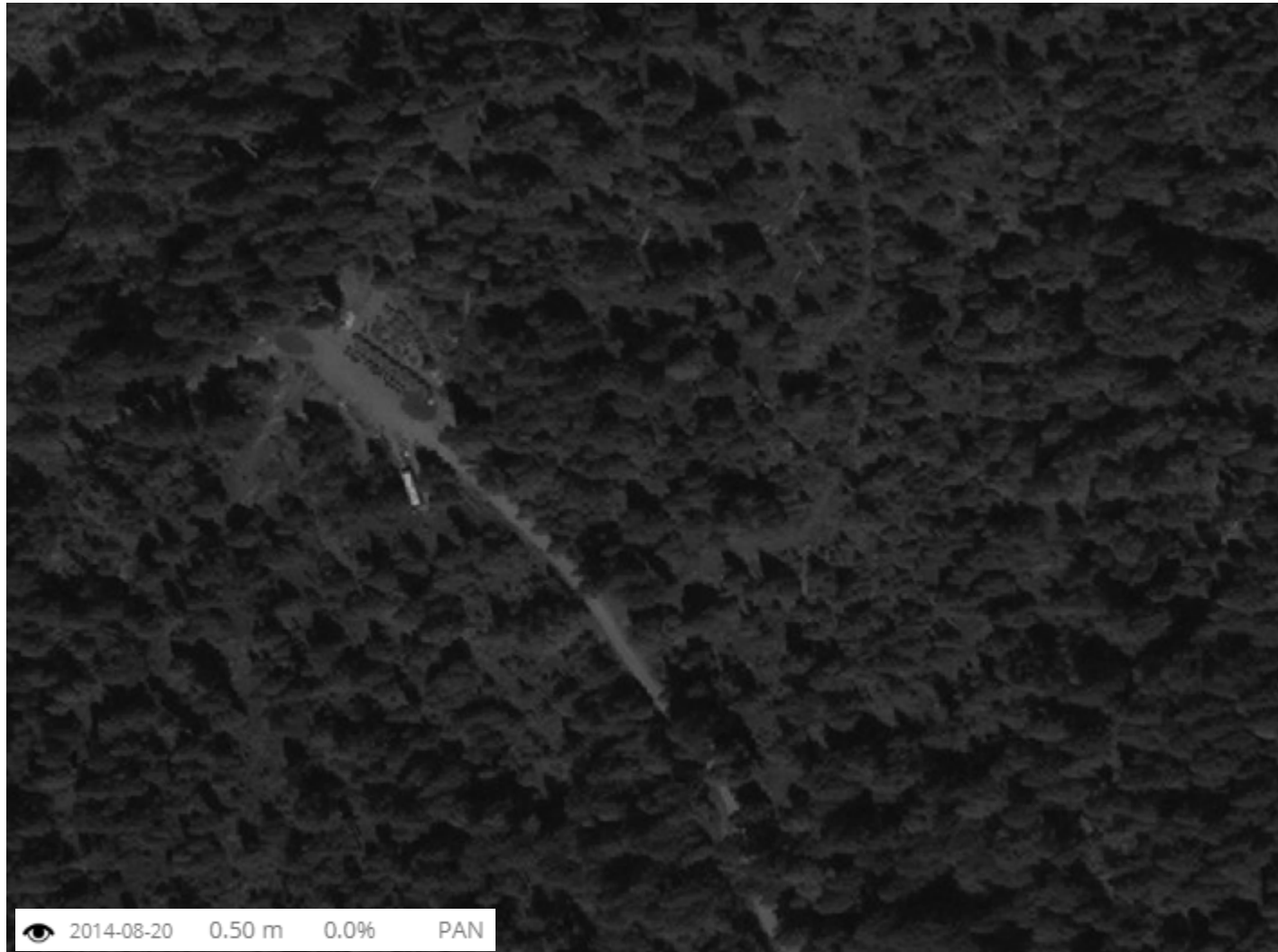
20190705_214126_ssc8_u0002

July 5, 2019

Recent Site History
APN: 317-063-005-000

Cultivation Site C

Prior to Grading



August 20, 2014

Recent Site History
APN: 317-063-005-000
Cultivation Site C
After Grading



June 29, 2015

Recent Site History
APN: 317-063-005-000
Cultivation Site C



✓ 2016-06-03 0.30 m 0.0% Sharpened

June 03, 2016

Recent Site History
APN: 317-063-005-000
Cultivation Site C



July 13, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site C



November 12, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site C



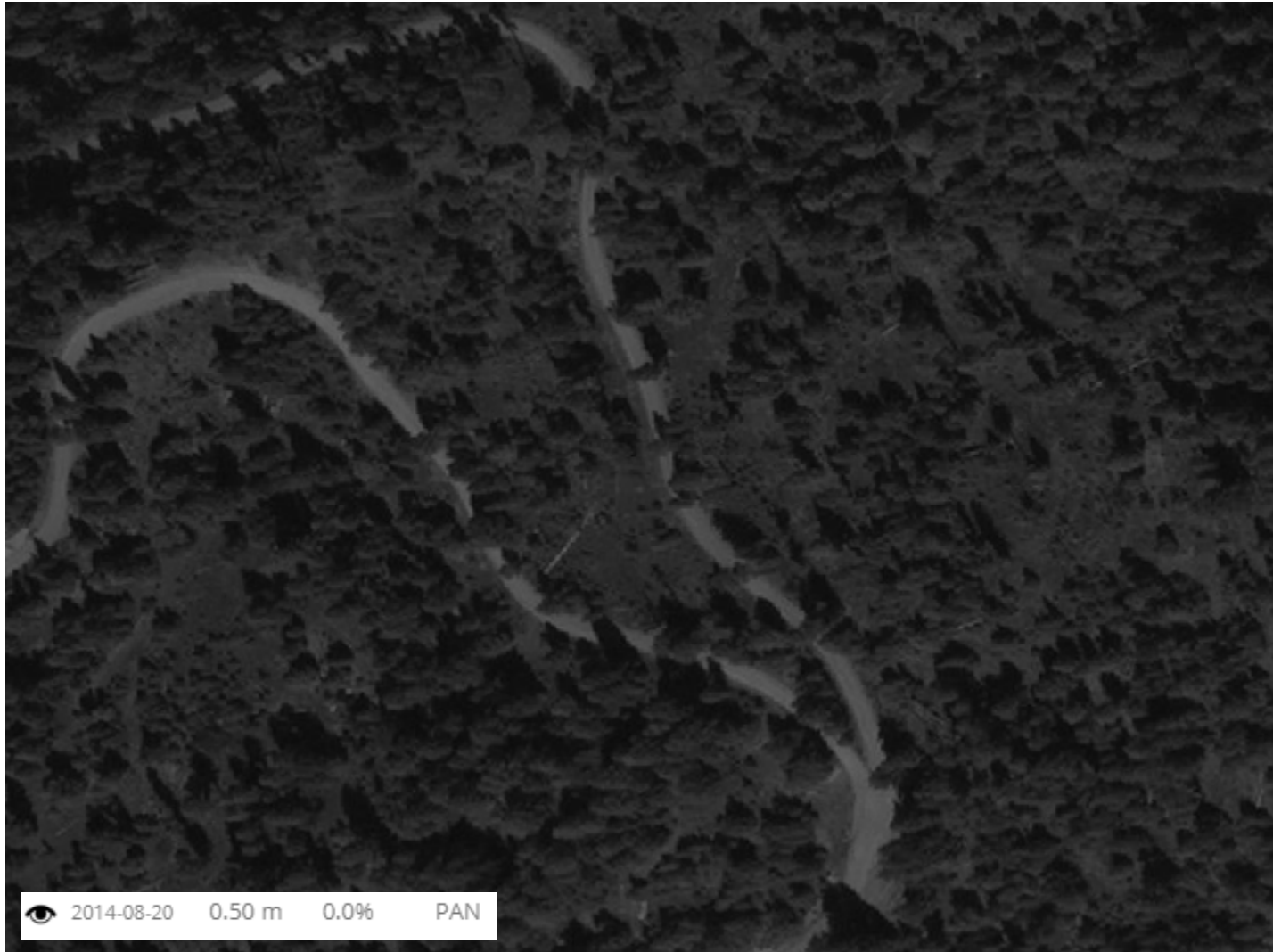
June 3, 2019

Recent Site History
APN: 317-063-005-000
Cultivation Site C



July 5, 2019

Recent Site History
APN: 317-063-005-000
Cultivation Site D
Prior to Grading



August 20, 2014

Recent Site History
APN: 317-063-005-000
Cultivation Site D

After Grading



2015-06-29 0.50 m 0.0% Sharpened

June 29, 2015

Recent Site History
APN: 317-063-005-000
Cultivation Site D



June 03, 2016

Recent Site History
APN: 317-063-005-000
Cultivation Site D

More Grading



July 28, 2016

Recent Site History
APN: 317-063-005-000
Cultivation Site D



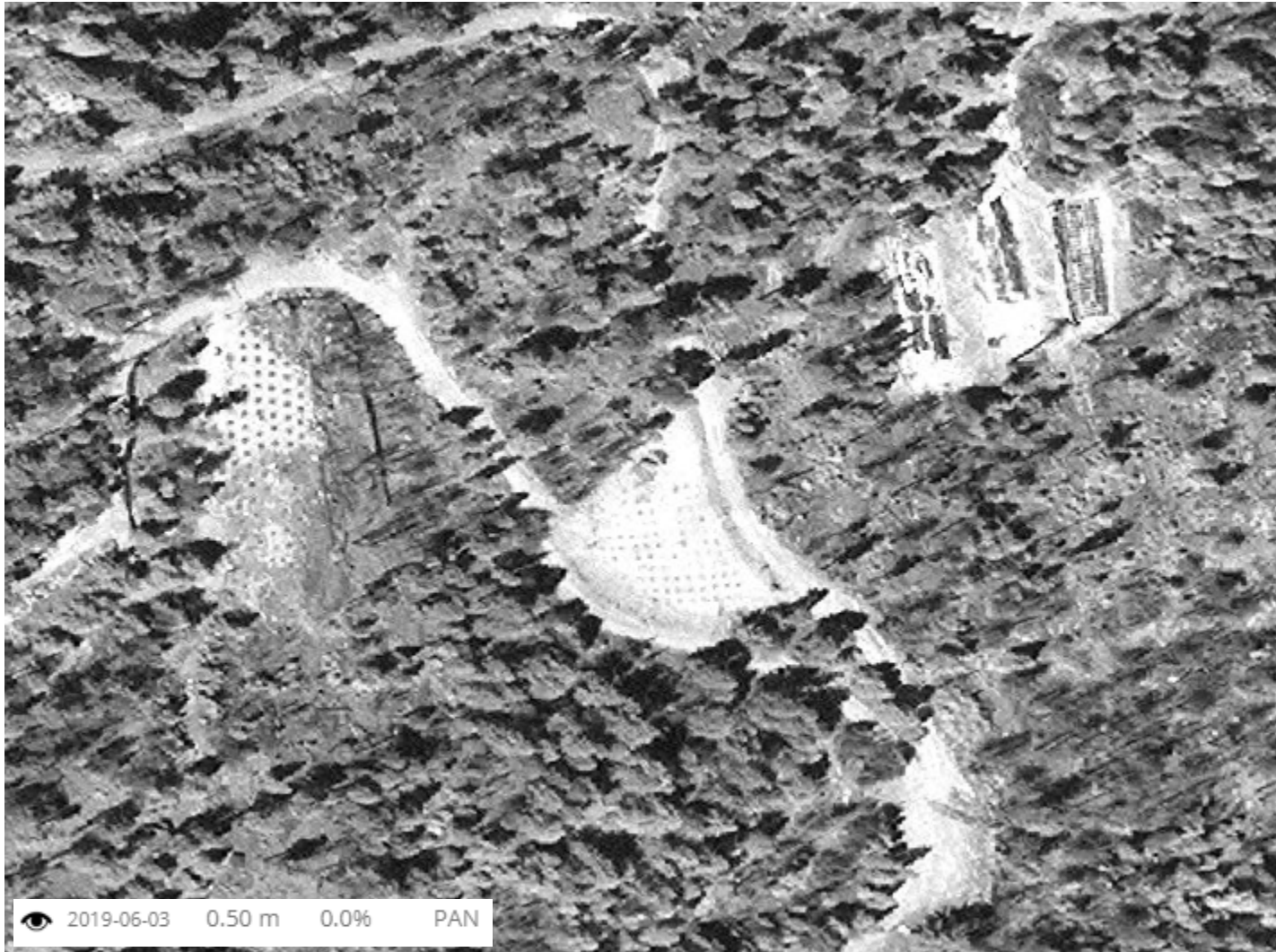
July 13, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site D



November 12, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site D



June 3, 2019

Recent Site History
APN: 317-063-005-000
Cultivation Site D



20190705_214126_ssc8_u0002

July 5, 2019

Recent Site History
APN: 317-063-005-000

Cultivation Site E

Prior to Grading



August 23, 2012

Recent Site History
APN: 317-063-005-000
Cultivation Site E

After Grading



May 24, 2014

Recent Site History
APN: 317-063-005-000
Cultivation Site E



June 03, 2016

Recent Site History
APN: 317-063-005-000
Cultivation Site E



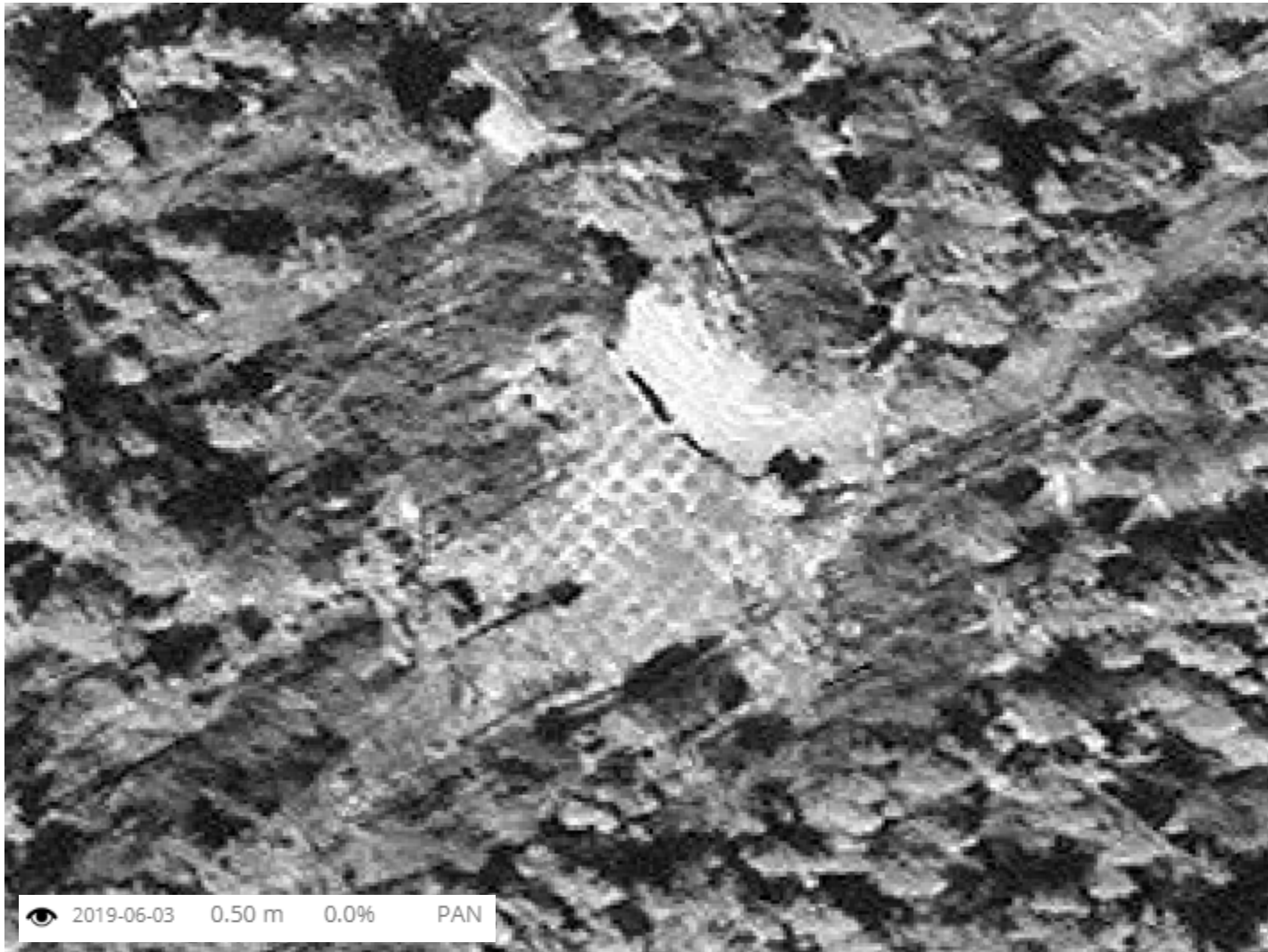
July 13, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site E



November 12, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site E



June 3, 2019

Recent Site History
APN: 317-063-005-000
Cultivation Site E



20190705_214126_ssc8_u0002

July 5, 2019

Recent Site History
APN: 317-063-005-000
Cultivation Site F
Prior to Grading



August 23, 2012

Recent Site History
APN: 317-063-005-000
Cultivation Site F
After Grading



May 28, 2014

Recent Site History
APN: 317-063-005-000
Cultivation Site F



June 03, 2016

Recent Site History
APN: 317-063-005-000
Cultivation Site F



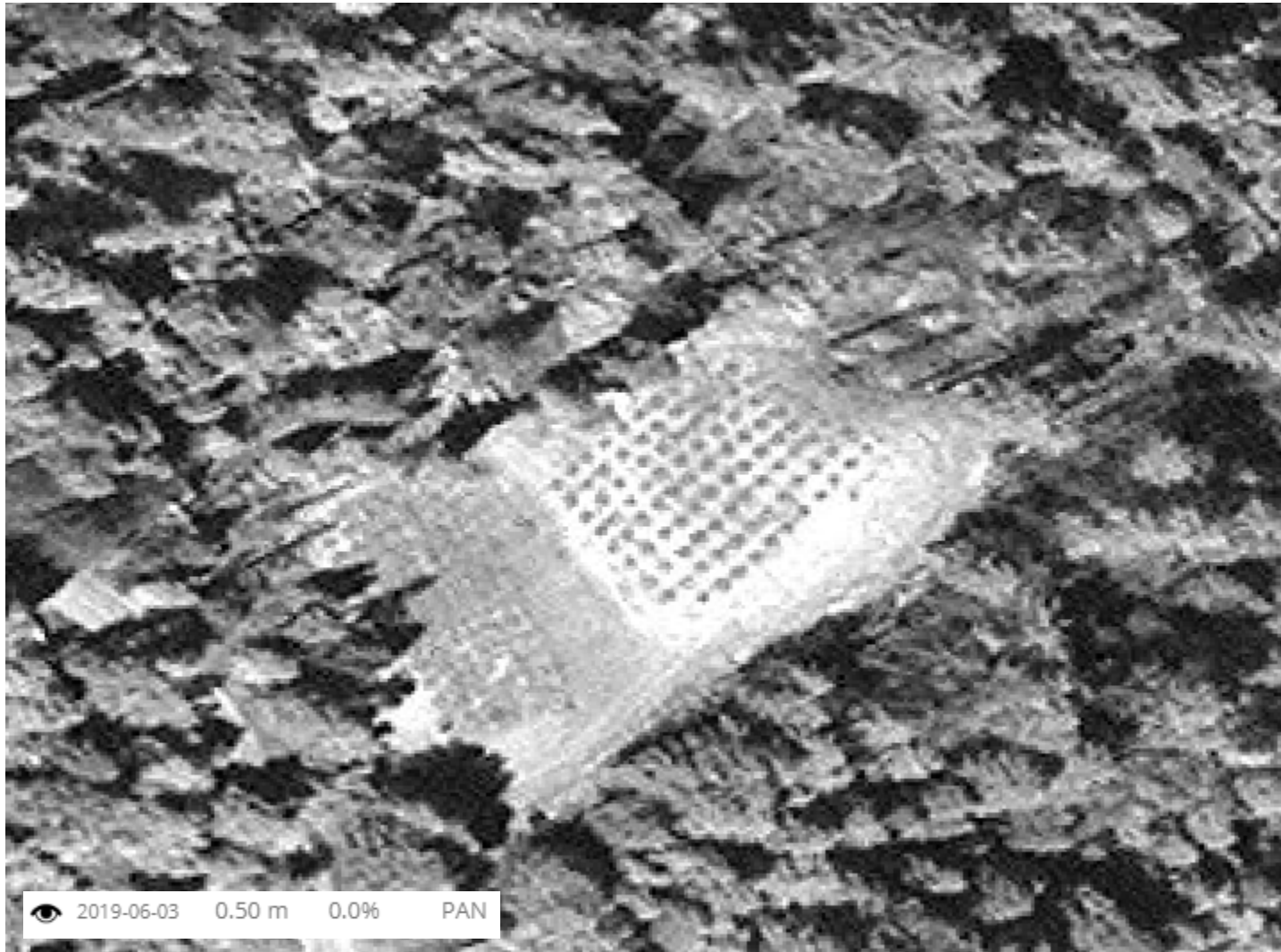
July 13, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site F



November 12, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site F



June 3, 2019

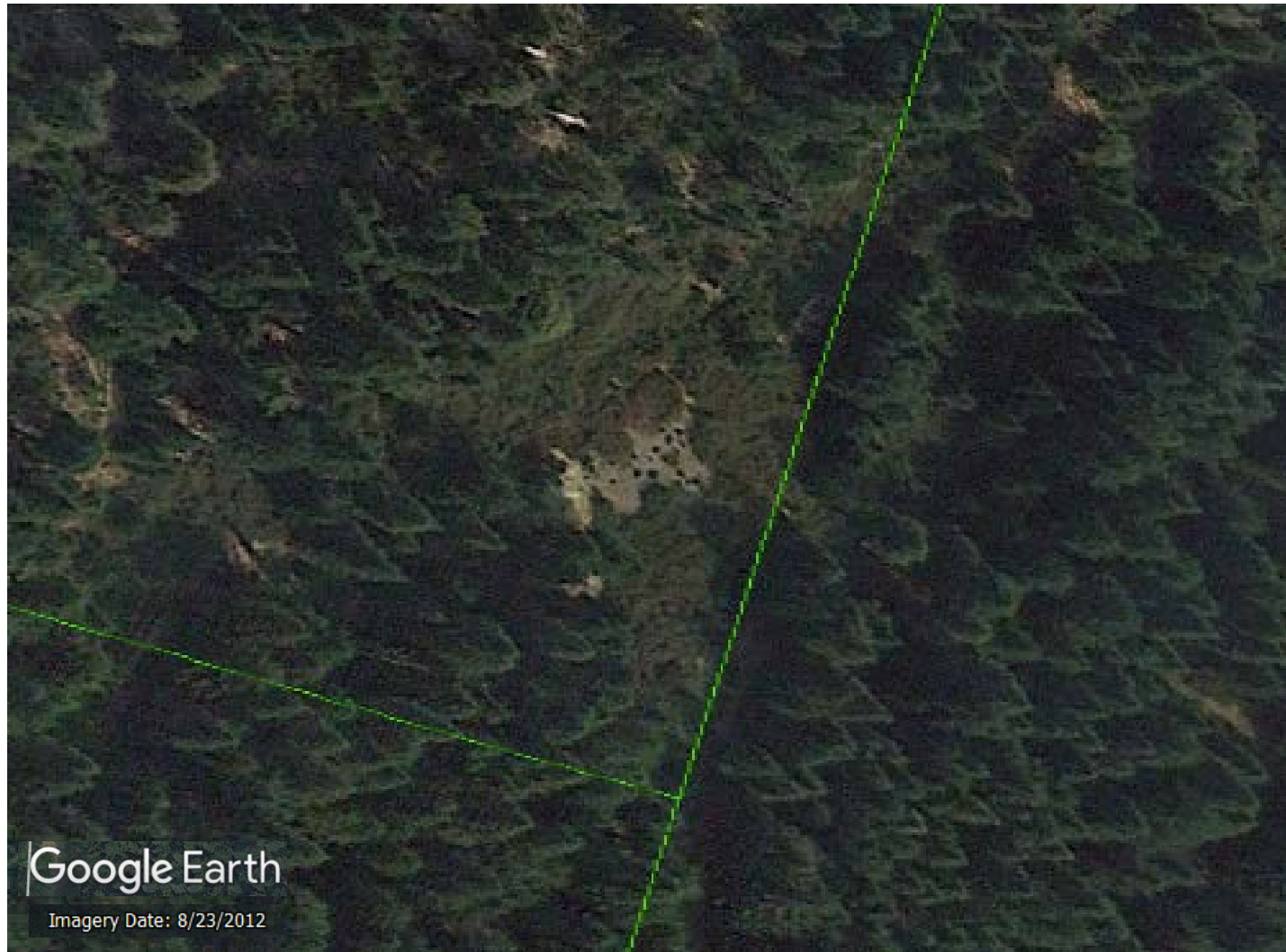
Recent Site History
APN: 317-063-005-000
Cultivation Site F



July 5, 2019

Recent Site History
APN: 317-063-005-000

Cultivation Site G
Before Grading



August 23, 2012

Recent Site History
APN: 317-063-005-000
Cultivation Site G
After Grading



May 28, 2014

Recent Site History
APN: 317-063-005-000
Cultivation Site G



June 03, 2016

Recent Site History
APN: 317-063-005-000
Cultivation Site G



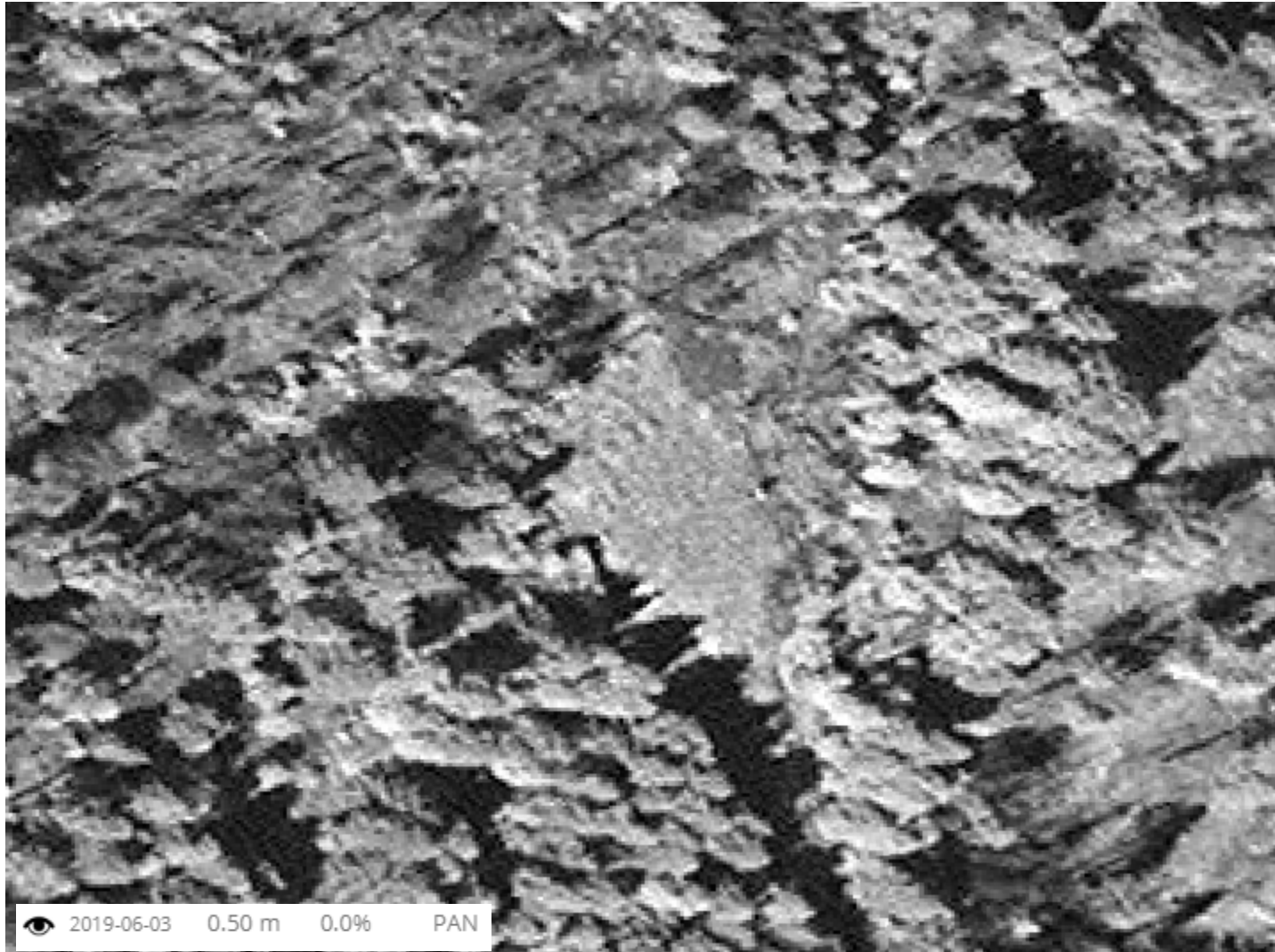
July 13, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site G



November 12, 2018

Recent Site History
APN: 317-063-005-000
Cultivation Site G



June 3, 2019

Recent Site History
APN: 317-063-005-000
Cultivation Site G



20190705_214126_ssc8_u0002

July 5, 2019



CODE ENFORCEMENT UNIT
COUNTY OF HUMBOLDT

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

July 30, 2019

CFV-KMV LLC
4694 Excelsior Rd
Eureka, CA 95503

Re: Service of a Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty; CFV-KMV LLC; US Forest Service Route 1, Blue Lake, CA 95525; APN(s): 317-063-005-000

To CFV-KMV LLC:

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>

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 \$30,000 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

CC: Dean Holter, 315 P. Street, Eureka, CA 95501



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:

US Forest Service Route 1, Blue Lake, CA 95525

Assessor's Parcel Number:

317-063-005-000

To Owner:

CFV-KMV LLC
4694 Excelsior Rd
Eureka, CA 95503

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 Thousand Dollars (\$30,000)** 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.

APN: 317-063-005-000

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: July 30, 2019

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 95,828 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	Fourteen 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 2012, 2014, 2015 and 2016 of one graded flat and two graded flats and six graded flats, one graded road and two graded flats, one graded road, respectively, in excess of 50 cubic yards of cut/fill to facilitate commercial cannabis cultivation activity.	4	\$10,000 per day

ATTACHMENT B

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

TRACT A

The North Half of the Southeast Quarter and the South Half of the Northeast Quarter of Section 13, Township 3 North, Range 5 East, Humboldt Meridian.

Being the same lands described in Patent issued by the United States of America and recorded in Book 19 of Patents, page 182, Humboldt County Records.

RESERVING THEREFROM, for the benefit of lands of the grantor in the west half of said Section 13 and in Sections 11, 12 and 14, a non-exclusive easement for ingress and egress for all legal purposes over and across the existing road the approximate location of which is shown on Exhibit B - Page 1 of the KERLIN CREEK RANCH LANDOWNERS ASSOCIATION DECLARATION OF RESTRICTIONS AND ROAD MAINTENANCE AGREEMENT recorded May 14, 2014 as Instrument No. 2014-8504-16, Humboldt County Official Records.

TRACT B

Easement rights as contained in the Perpetual Right-of-Way Agreement between Spalding and Son, Inc., et al and University Hill Foundation recorded January 5, 1973 in Book 1172, page 305, Humboldt County Official Records.

Easement rights as contained in the Perpetual Right-of-Way Agreement between Spalding and Son, Inc., et al recorded February 13, 1973 in Book 1177, page 258, Humboldt County Official Records.

Easement rights as contained in the Reciprocal Right-of-Way Agreement between United States Plywood Corporation and Trinity Alps Lumber Company recorded June 19, 1972 in Book 1142, page 221, Humboldt County Official Records.

TRACT C

A non-exclusive easement for ingress and egress for all legal purposes over and across the existing road in the Southeast Quarter of Section 13 and the Northeast Quarter of Section 24 Township 3 North, Range 5 East, Humboldt Meridian, the approximate location of which is shown on Exhibit B - Page 1 of the KERLIN CREEK RANCH LANDOWNERS ASSOCIATION DECLARATION OF RESTRICTIONS AND ROAD MAINTENANCE AGREEMENT recorded May 14, 2014 as Instrument No. 2014-8504-16, Humboldt County Official Records

ATTACHMENT C
ADMINISTRATIVE CIVIL PENALTY APPEAL HEARING
REQUEST FORM

Address of Affected Property:

US Forest Service Route 1, Blue Lake, CA 95525

Assessor's Parcel Number:

317-063-005-000

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:

US Forest Service Route 1, Blue Lake, CA 95525

Assessor's Parcel Numbers:

317-063-005-000

Owners:

CFV-KMV LLC
4694 Excelsior Rd
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.

APN: 317-063-005-000

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: July 30, 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 95,828 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	Fourteen 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 2012, 2014, 2015 and 2016 of one graded flat and two graded flats and six graded flats, one graded road and two graded flats, one graded road, respectively, 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.

ATTACHMENT B

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

TRACT A

The North Half of the Southeast Quarter and the South Half of the Northeast Quarter of Section 13, Township 3 North, Range 5 East, Humboldt Meridian.

Being the same lands described in Patent issued by the United States of America and recorded in Book 19 of Patents, page 182, Humboldt County Records.

RESERVING THEREFROM, for the benefit of lands of the grantor in the west half of said Section 13 and in Sections 11, 12 and 14, a non-exclusive easement for ingress and egress for all legal purposes over and across the existing road the approximate location of which is shown on Exhibit B - Page 1 of the KERLIN CREEK RANCH LANDOWNERS ASSOCIATION DECLARATION OF RESTRICTIONS AND ROAD MAINTENANCE AGREEMENT recorded May 14, 2014 as Instrument No. 2014-8504-16, Humboldt County Official Records.

TRACT B

Easement rights as contained in the Perpetual Right-of-Way Agreement between Spalding and Son, Inc., et al and University Hill Foundation recorded January 5, 1973 in Book 1172, page 305, Humboldt County Official Records.

Easement rights as contained in the Perpetual Right-of-Way Agreement between Spalding and Son, Inc., et al recorded February 13, 1973 in Book 1177, page 258, Humboldt County Official Records.

Easement rights as contained in the Reciprocal Right-of-Way Agreement between United States Plywood Corporation and Trinity Alps Lumber Company recorded June 19, 1972 in Book 1142, page 221, Humboldt County Official Records.

TRACT C

A non-exclusive easement for ingress and egress for all legal purposes over and across the existing road in the Southeast Quarter of Section 13 and the Northeast Quarter of Section 24 Township 3 North, Range 5 East, Humboldt Meridian, the approximate location of which is shown on Exhibit B - Page 1 of the KERLIN CREEK RANCH LANDOWNERS ASSOCIATION DECLARATION OF RESTRICTIONS AND ROAD MAINTENANCE AGREEMENT recorded May 14, 2014 as Instrument No. 2014-8504-16, Humboldt County Official Records

ATTACHMENT C

CODE ENFORCEMENT APPEAL HEARING REQUEST FORM

Address of Affected Property:

US Forest Service Route 1, Blue Lake, CA

Assessor's Parcel Number:

317-063-005-000

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 July 30, 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.)

CFV-KMV LLC
4694 Excelsior Rd
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 30 day of July, 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, 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 July 30, 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)

**Dean Holter
315 P. Street
Eureka, CA 95501**

_____ 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 30 day of July, 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 July 30, 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:

X _____ by personally posting a true copy thereof on a gate allowing access to property:
US Forest Service Route 1, Blue Lake, CA 95525
APN: 317-063-005-000; GPS 40.62887, -123.57153

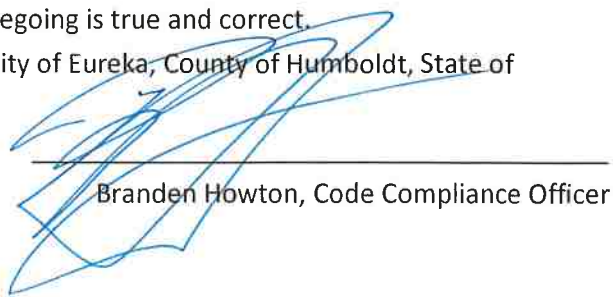
_____ by placing a true copy thereof in the designated place at Court Operations to the attorney/parties named below:

_____ 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 30 day of July, 2019, in the City of Eureka, County of Humboldt, State of California.



Branden Howton, Code Compliance Officer

NOTICE OF VIOLATION
PROPOSED ADMINISTRATIVE
CIVIL PENALTY

[Humboldt County Code §

Address of Affected Property:

US Forest Service Route 1, Blue Lake, CA 95525

Assessor's Parcel Number:

317-063-005-000

To Owner:

CFV-KMV LLC
4694 Excelsior Rd
Eureka, CA 95503

NOTICE IS HEREBY GIVEN that conditions described in
"Violation" exist on property situated in the County of Humboldt
"Attachment B – Legal Description," which constitute a violation of s
Such conditions exist to an extent that constitutes a "violation" p
352-3(t).

7.30.2019 08:12

COUNTY OF HUMOLDT
 NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY

Warren Black
 Code Compliance Officer

303 S. Bear
 Lake, CA 95523
 Phone: (707) 463-0000
 Fax: (707) 463-0000
 www.co.humboldt.ca.us

NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY
 (Humboldt County Code 4352-7)

Address of Affected Property:
 US Forest Service Route 1, Blue Lake, CA 95523

Assessor's Parcel Number:
 317-063-005-000

To Owner:
 CEV-KMV LLC
 4004 Executive Rd
 Sausalito, CA 94965

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 constitute a "violation" pursuant to Humboldt County Code Section 4352-30.

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 **THREE THOUSAND DOLLARS (\$3,000.00)** will be imposed for a period of up to ninety (90) calendar days pursuant to Humboldt County Code Section 4352-31.

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.

APH-317-063-005-000

COUNTY OF HUMOLDT
 NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY

Warren Black
 Code Compliance Officer

303 S. Bear
 Lake, CA 95523
 Phone: (707) 463-0000
 Fax: (707) 463-0000
 www.co.humboldt.ca.us

NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY
 (Humboldt County Code 4352-7)

Address of Affected Property:
 US Forest Service Route 1, Blue Lake, CA 95523

Assessor's Parcel Number:
 317-064-009-000

To Owner:
 Lassen Springs Llc
 4831 N Grand St
 Yuba, CA 95974

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 constitute a "violation" pursuant to Humboldt County Code Section 4352-30.

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 **THREE THOUSAND DOLLARS (\$3,000.00)** will be imposed for a period of up to ninety (90) calendar days pursuant to Humboldt County Code Section 4352-31.

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.

APH-317-064-009-000

COUNTY OF HUMOLDT
 NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY

Warren Black
 Code Compliance Officer

303 S. Bear
 Lake, CA 95523
 Phone: (707) 463-0000
 Fax: (707) 463-0000
 www.co.humboldt.ca.us

NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY
 (Humboldt County Code 4352-7)

Address of Affected Property:
 US Forest Service Route 1, Blue Lake, CA 95523

Assessor's Parcel Number:
 317-064-002-000

To Owner:
 Ranch & Land Resources Company Llc
 PO Box 682
 Astoria, CA 95521

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 constitute a "violation" pursuant to Humboldt County Code Section 4352-30.

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 **THREE THOUSAND DOLLARS (\$3,000.00)** will be imposed for a period of up to ninety (90) calendar days pursuant to Humboldt County Code Section 4352-31.

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.

APH-317-064-002-000

7.30.2019 08:17



7.30.2019 08:17



7.30.2019 08:17



7.30.2019 08:17



7.30.2019 08:17

Abatement Review
APN: 317-063-005-000
NTA and NOV Served: 7/30/2019; 10 Day Period to Abate Ends: 8/10/2019

Humboldt County Internal Web GIS (beta) Planning & Building Department WebGIS Portal Comments Help Legend Key

Parcel APN, or Location

Query

Tasks	Results
Parcels (by APN) _Query result	...
Displayed features: 1/1	
APN: 317-063-005-000	
	Owner Name Cfv-Kmv Llc Co
	Situs Address
	Situs City

0 300 600ft
-123.5681 40.6451 Degrees

Planet Team (2019) | Hur

Abatement Review
APN: 317-063-005-000
7 Days After 10-Day Period to Abate Ends



August 17, 2019

Abatement Review
APN: 317-063-005-000
1+ Year After 10-Day Period to Abate Ends



August 19, 2020



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:

US Forest Service Route 1, Blue Lake, CA 95525

Assessor's Parcel Number:

317-063-005-000

Owner:

CFV-KMV LLC
4694 Excelsior Rd
Eureka, CA 95503

NOTICE IS HEREBY GIVEN that a final administrative civil penalty in the amount of **Two Million, Seven Hundred Thousand Dollars (\$2,700,000.00)** 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 **Two Million, Seven Hundred Thousand, Seven Hundred, Seventy-Seven Dollars and Seventy-Nine Cents (\$2,700,777.79)** 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.

APN: 317-063-005-000

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.

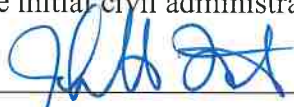
NOTICE IS FURTHER GIVEN that, upon receipt of an objection to the proposed assessment, the Code Enforcement Unit shall set the matter for hearing before the Humboldt County Board of Supervisors and issue a Notice of Administrative Civil Penalty Assessment Appeal Hearing as set forth in Humboldt County 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: 3/15/2020

ATTACHMENT A LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

TRACT A

The North Half of the Southeast Quarter and the South Half of the Northeast Quarter of Section 13, Township 3 North, Range 5 East, Humboldt Meridian.

Being the same lands described in Patent issued by the United States of America and recorded in Book 19 of Patents, page 182, Humboldt County Records.

RESERVING THEREFROM, for the benefit of lands of the grantor in the west half of said Section 13 and in Sections 11, 12 and 14, a non-exclusive easement for ingress and egress for all legal purposes over and across the existing road the approximate location of which is shown on Exhibit B - Page 1 of the KERLIN CREEK RANCH LANDOWNERS ASSOCIATION DECLARATION OF RESTRICTIONS AND ROAD MAINTENANCE AGREEMENT recorded May 14, 2014 as Instrument No. 2014-8504-16, Humboldt County Official Records.

TRACT B

Easement rights as contained in the Perpetual Right-of-Way Agreement between Spalding and Son, Inc., et al and University Hill Foundation recorded January 5, 1973 in Book 1172, page 305, Humboldt County Official Records.

Easement rights as contained in the Perpetual Right-of-Way Agreement between Spalding and Son, Inc., et al recorded February 13, 1973 in Book 1177, page 258, Humboldt County Official Records.

Easement rights as contained in the Reciprocal Right-of-Way Agreement between United States Plywood Corporation and Trinity Alps Lumber Company recorded June 19, 1972 in Book 1142, page 221, Humboldt County Official Records.

TRACT C

A non-exclusive easement for ingress and egress for all legal purposes over and across the existing road in the Southeast Quarter of Section 13 and the Northeast Quarter of Section 24 Township 3 North, Range 5 East, Humboldt Meridian, the approximate location of which is shown on Exhibit B - Page 1 of the KERLIN CREEK RANCH LANDOWNERS ASSOCIATION DECLARATION OF RESTRICTIONS AND ROAD MAINTENANCE AGREEMENT recorded May 14, 2014 as Instrument No. 2014-8504-16, Humboldt County Official Records

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

Violation(s)	Nature of Actions Taken To Impose Administrative Civil Penalty	Date
§331-14	Satellite Inspection of Property	July 22-26, 2019
§331-28		
§314-55.4	Preparation and Service of Notice to Abate Nuisance & Notice of Violation by Posting, by Mail, and Legal Advertisement	July 30, 2019

ATTACHMENT D
ADMINISTRATIVE CIVIL PENALTY ASSESSMENT APPEAL
HEARING REQUEST FORM

Address of Affected Property: US Forest Service Route 1, Blue Lake, CA 95525

Assessor's Parcel Number: 317-063-005-000

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 Marth 17th, 2020 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.)

**CFV-KMV LLC
4694 Excelsior Rd.
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 17 day of March 2020, in the City of Eureka, County of Humboldt, State of California.



Tasheena Evenson - Code Enforcement Legal Office Assistant II

