

# ATTACHMENT M

Notice of Nuisance Abatement Assessment



**COUNTY OF HUMBOLDT**  
PLANNING AND BUILDING DEPARTMENT  
CODE ENFORCEMENT

---

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

May 18, 2021

Certified Mailing # 9171 9690 0935 0062 4916 38

First Church of Christ Scientist  
438 Maple Lane  
Garberville, CA 95542

**RE: Service of Notice of Nuisance Abatement Assessment**  
**531 Elm Street, Garberville, CA, 95542, APN: 032-133-002**  
**Case No: CE19-0351**

Dear First Church of Christ Scientist,

Please see attached the Notice of Nuisance Abatement Assessment for your property located at 531 Elm Street, Garberville, CA, 95542, APN: 032-133-002, for you Code Enforcement Case CE19-0351.

If you have any questions or concerns about these documents, please feel free to contact me by telephone at (707) 441-2627, or by email [ssoeth@co.humboldt.ca.us](mailto:ssoeth@co.humboldt.ca.us).

Sincerely,

Shauna Soeth  
Code Enforcement Investigator

Attachment: 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:** 531 Elm Street, Garberville, California, 95542

**Assessor's Parcel Number:** 032-133-002

**To:** First Church of Christ Scientist  
438 Maple Lane  
Garberville, CA 95542

**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 **Seventy-Eight Thousand Two Hundred Fifty-Two Dollars and Four Cents (\$78,252.04)** 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 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

APN: 032-133-002

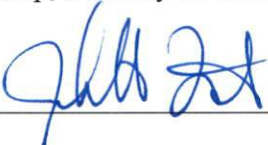
Enforcement Unit shall set the matter for hearing before the Humboldt County Board of Supervisors, and issue a Notice of Cost Recovery Hearing as set forth in Humboldt County Code Section 351-18.

**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: MAY 12, 2021 \_\_\_\_\_

# ATTACHMENT A

## ACTIONS REQUIRED TO ABATE NUISANCE

Violations	Nature of Corrective Actions Taken	Date
§521-4 & §351-3(c)	Research Complaint, Contact Owner/Responsible of Property	October 16, 2019
	Consent Inspection	October 23, 2019
	Meeting with Chief Building Official Regarding Condition of Structure	October 25, 2019
	Contacted Owner/Responsible Regarding the Securement of the Structure	October 25, 2019
	Prepared Notice to Abate Nuisance	November 7, 2019
	Posted Property with Notice to Abate Nuisance	November 8, 2019
	Mailed out Notice to Abate Nuisance	November 13, 2019
	Researched Programs/Funding for Structure with Andrew Whitney (Housing Coordinator)– Scheduled/Conducted Meeting to Discuss with Owner/Responsible	November 26, 2019
	Various Correspondence with Owner/Responsible Regarding Progress at Property	November 26, 2019 through January 8, 2020
	Coordinate Response with Resources for Occupants of Property	February – March, 2020
	Responded to Property with Owner/Responsible for Update on Conditions	March 12, 2020
	Responded to Property with Mental Health Worker to Offer Services to Occupants	September 3, 2020
	Responded to Property to Document Current Conditions	September 29, 2020
	Prepared Notice to Abate Nuisances for Occupants of Property	October 27, 2020
	Responded to Property to Personally Serve Notices to Occupants	October 28, 2020
	Drive-By of Property for Update on Conditions	December 2, 2020
	Formal Letter Prepared/Mailed by Building Division Regarding Conditions and Further Enforcement	December 2, 2020
	Procured Contractor to Conduct Abatement Work	January, 2021 through February 2021
	Prepared/Submitted Inspection Warrant and Order of Abatement to Judge	February 2, 2021
	Prepared Letter of Intent to Serve Inspection Warrant and Order of Abatement/Posted it at Property	February 3, 2021
Inspected Property in Preparation for Abatement	February 4, 2021	
Responded to Property for the Day for First Day of Abatement (Removal of Solid Waste) with Contractor	February 9, 2021	
Responded to Property for the Day for First Day of Demolition with Contractor	February 24, 2021	

Responded to Property for Final Inspection After Abatement Work Was Completed	March 2, 2021
Updated Case with Photos/Information from Throughout the Abatement	March 4, 2021
Prepared/Submitted Inspection Warrant and Order of Abatement Return to the Superior Court	March 23, 2021
Prepared Notice of Abatement Assessment	April 28, 2021

# ATTACHMENT B LEGAL DESCRIPTION

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

That portion of Block 5 of the Town of Garberville as shown on the official map thereof recorded in Book 11, Page 10, of Surveys, in the Office of the County Recorder of said County, described as follows:

BEGINNING at a point on the north line of said Block 5 located South 88 degrees 31 minutes East 150 feet from the east line of Cedar Street; and running  
thence South 88 degrees 31 minutes East 130 feet to the west line of a 30 foot lane;  
thence South 2 degrees 09 minutes West along said lane 77 feet to the north line of a 40 foot street designated as Elm Street;  
thence North 88 degrees 31 minutes West along said street 130 feet to the southeast corner of the land conveyed to Leland S Loewen and wife by Deed recorded October 28, 1948, as Serial No 10622 in Book 70, Page 14, Official Records;  
thence North 2 degrees 09 minutes East along the east line of the land described in said Deed 77 feet to the point of beginning.

# ATTACHMENT C

## ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ABATEMENT COSTS			
Violation	Nature of Cost Incurred	Amount	
§521-4 & §351-3(c)	Disposal Fee	\$20,943.31	
	Trash Removal	\$7,769.00	
	Permits & Asbestos	\$13,686.97	
	Demolition	\$28,108.17	
	<b>Total:</b>		<b>\$70,507.45</b>
ADMINISTRATIVE COSTS			
Violation	Nature of Cost Incurred	Amount	
521-4 & §351-3(c)	<b>Staff Time:</b> Investigator 61.8 hours at \$115 an hour Legal Office Assistant .1 hour at \$83 an hour	<b>\$7,109.55</b>	
	<b>Mileage:</b> 1,176 Miles at \$0.54 a mile	<b>\$635.04</b>	
	<b>Total:</b>	<b>\$7,744.59</b>	



**ATTACHMENT C**  
**ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED**

<b>ATTORNEY'S FEES</b>		
<b>Violation</b>	<b>Nature of Cost Incurred</b>	<b>Amount</b>
§521-4 & §351-3(c)	None	\$0.00
<b>PROCEEDS RECEIVED FROM SALE OF PERSONAL PROPERTY</b>		
<b>Violation</b>	<b>Property Sold</b>	<b>Amount Received</b>
§521-4 & §351-3(c)	None	\$0.00

# ATTACHMENT D

## COST RECOVERY HEARING REQUEST FORM

**Address of Affected Property:** 531 Elm Street, Garberville, CA, 95542

**Assessor's Parcel Number:** 032-133-002

**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: \_\_\_\_\_

**PROOF OF SERVICE**

STATE OF CALIFORNIA    )  
                                          ) ss.  
COUNTY OF HUMBOLDT )

I, SHAUNA SOETH, 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 May 18, 2021, I served a true copy of **NOTICE OF NUISANCE ABATEMENT ASSESSMENT.**

\_\_\_\_\_ 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)

\_\_\_\_\_ 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 the premises located at:

**531 Elm Street  
Garberville, CA 95542  
APN: 032-133-002**

\_\_\_\_\_ 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 19<sup>th</sup> day of May, in the City of Eureka, County of Humboldt, State of California.

  
\_\_\_\_\_  
Shauna Soeth - Investigator

**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 May 19, 2021 I served a true copy

**Service 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 Cert.)

First Church of Christ Scientist  
438 Maple Lane  
Garberville, CA 95542

\_\_\_\_\_ 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 19th of May 2021, in the City of Eureka, County of Humboldt, State of California.

*Daniela Parada*  
\_\_\_\_\_  
Daniela Parada, Code Enforcement Legal Office Assistant