

Attachment DD



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:

2225 Walker Avenue, McKinleyville, CA 95519

Assessor's Parcel Number:

510-281-002-000

Owner: Glenda Rasella

2225 Walker Avenue

McKinleyville, CA 95519

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 **One Hundred Eighty Thousand Seven Hundred Fifty Six Dollars and Ninety Cents (\$180,756.90)** 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."

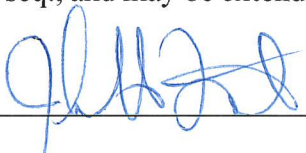
NOTICE IS FURTHER GIVEN that, upon receipt of an objection to the proposed assessment, the Code Enforcement Unit shall set the matter for hearing before the Humboldt County Board of Supervisors, and issue a Notice of Cost Recovery Hearing as set forth in Humboldt County Code Section 351-18.

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 of Planning and Building

Name: John Ford

Date: 9/13/2024

ATTACHMENT A

ACTIONS REQUIRED TO ABATE NUISANCE

Violations	Nature of Corrective Actions Taken	Date
§521-1, 521-4, 521-12	Contact with complainant	February 17, 2021
	Mail complaint/request consent to inspect to property owner	April 6, 2021
	Contact with property owner at the counter	April 16, 2021
	Contact with complainant	April 19, 2021
& §354-1	Contact with property owner	May 5, 2021
	Prepare Inspection Warrant	February 1, 2022
& §331-28	Mail Intent to Serve Inspection Warrant at property	February 3, 2022
	Post Intent to Serve Inspection Warrant at property	March 18, 2022
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Case meeting	June 10, 2022
	Prepare and mail Intent to Conduct Public Nuisance Abatement letter to property owner	June 10, 2022
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Contact with property owner	June 22, 2022
	Contact with contractor	June 22, 2022
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Case meeting	August 16, 2022
	Contact with property owner	August 30, 2022
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Contact with property owner	September 19, 2022
	Prepare NTA and NOV notices	September 22, 2022
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Mail NTA and NOV notices	September 23, 2022
	Post NTA and NOV notices to property	September 23, 2022
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Contact with property owner	October 17, 2022
	Prepare hearing packet	April 24, 2023
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Prepare hearing packet	April 25, 2023
	Prepare hearing packet	April 26, 2023
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Contact with prospective buyer of auction sale	May 19, 2023
	Contact with prospective buyer of auction sale	June 2, 2023
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Contact with prospective buyer of auction sale	June 8, 2023
	Prepare hearing packet	October 12, 2023
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Prepare appeal hearing notices	October 18, 2023
	Mail, and post appeal hearing notices to property	October 18, 2023
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Contact with property owner	November 22, 2023
	Prepare for appeal hearings	December 7, 2023
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Attend appeal hearings	December 8, 2023
	Prepare letter with findings of appeal hearings	January 29, 2024
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Posted service of findings of appeal hearings to property	January 30, 2024
	Contact with legal office assistant regarding PRA request from property owner	February 28, 2024
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Contact with property owner	April 30, 2024
	Document current property conditions	May 1, 2024
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Prepare Inspection Warrant and Order of Abatement	May 6, 2024
	Update warrant, send to the Court, prepare mailings and postings	June 6, 2024
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Post Intent to Serve Warrant at the property	June 7, 2024
	Serve Inspection Warrant and Order of Abatement on property	June 10, 2024
& §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Serve Warrant	June 11, 2024
	Review of case, contact with law enforcement, County Counsel, and Director of	June 11, 2024

Planning and Building	
Contact with County Counsel, director, and property owner	June 12, 2024
Contact with property owner	June 12, 2024
Serve Warrant	June 12, 2024
Update case file	June 12, 2024
Contact with property owner	June 13, 2024
Serve Warrant	June 14, 2024
Serve Warrant	June 17, 2024
Serve Warrant	June 18, 2024
Serve Warrant	June 20, 2024
Serve Warrant	June 21, 2024
Update case file	June 21, 2024
Communication with CEU manager, construction company, Department of Environmental Health, and County Counsel	June 24, 2024
Serve Warrant	June 24, 2024
Serve Warrant	June 25, 2024
Update case file	June 25, 2024
Serve Warrant	June 26, 2024
Serve Warrant	June 27, 2024
Serve Warrant	June 28, 2024
Serve Warrant	July 1, 2024
Serve Warrant	July 2, 2024
Update case file	July 2, 2024
Serve Warrant	July 8, 2024
Update case file	July 8, 2024
Serve Warrant	July 9, 2024
Update case file	July 9, 2024
Serve Warrant	July 12, 2024
Update case file	July 12, 2024
Prepare for meeting, review case	July 15, 2024
Contact with property owner	July 15, 2024
Serve Warrant	July 16, 2024
Case Meeting with CEU manager and Director of Planning and Building	July 16, 2024
Update case file	July 18, 2024
Contact with property owner and construction company	July 18, 2024
Abatement verification inspection	July 19, 2024
Update case file, communication with CEU manager	July 19, 2024
Prepare and submit warrant return to the Court	July 26, 2024
Prepare Notice of Nuisance Abatement Assessment	September 10, 2024

ATTACHMENT B

LEGAL DESCRIPTION

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

PARCEL ONE:

BEGINNING at the quarter section corner on the South line of said Section 31;
thence North 1 degree 29 minutes East along the quarter section line, 1670.9 feet;
thence North 89 degrees West 926.1 feet to the Northwest corner of land conveyed to Hershel W. White and wife by deed recorded April 9, 1952, in Book 204, Page 220 Official Records, in the office of the County Recorder of said County, said point being the true point of beginning of land to be here conveyed;
thence South 1 degree 29 minutes West along the West line of said land, 280 feet;
thence South 89 degrees East parallel with the North line of said land conveyed to White, 155 feet;
thence North 1 degree 29 minutes East, 280 feet to said North line;
and thence North 89 degrees West along said last-mentioned line 155 feet to the true point of beginning.

PARCEL TWO:

A non-exclusive easement for road purposes over a strip of land, 16 feet wide, the West line of which is described as follows:

BEGINNING at the Southwest corner of Parcel One above described;
thence South 1 degree 29 minutes West 816.2 feet, more or less, to the South line of a strip of land conveyed to Humboldt Northern Railway Co., being the same as conveyed to Clarence A. Eden and wife, by Deed recorded March 1, 1956, in Book 381 of Official Records, Page 249, Humboldt County Records.

PARCEL THREE:

A non-exclusive easement for road purposes over a strip of land, 50 feet wide, the South line of which is described as follows:

BEGINNING at the Southwest corner of Parcel Two above described;
Thence North 70 degrees 25 minutes East along the South line of said railway strip 984-6 feet, more or less, to the quarter of section line, running North and South through the center of said Section 31, being the same as conveyed to Clarence A. Eden and wife, by deed recorded march 1, 1956, in Book 381 of Official Records, Page 249, Humboldt County Records.

ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ABATEMENT COSTS		
Violation	Nature of Cost Incurred	Amount
§521-1, 521-4, 521-12	Abatement Services Include: Personnel and labor, asbestos survey, equipment, materials, solid waste removal, junk/inoperable vehicle removal, disposal fees, permit costs	\$145,644.52
&	Total:	\$145,644.52
§354-1		
&		
§331-28		
&		
§311-10.1, 314- 43.1.1, 312-2.5, 314-43.3		
ADMINISTRATIVE COSTS		
Violation	Nature of Cost Incurred	Amount
§521-1, 521-4, 521-12	Staff Time: Administrative Support – .10 hours at \$83/hour Code Investigator – 29.05 hours at \$115/hour 110.95 hours at \$179/hour	\$ 8.30 \$ 3,340.75 \$19,860.05
&	Code Compliance Officer – 3.08 hours at \$106/hour 17 hours at \$107/hour	\$ 326.48 \$ 1,819.00
§354-1	Code Manager – 11 hours at \$212/hour	\$ 2,332.00
&	*Investigator burden rate changed January 2024 to \$179 per hour from \$115 per hour, and the Code Officer burden rate changed to \$107 per hour from \$106 per hour.	
§331-28	Mileage: 727.5 Miles at \$0.54/mile	\$ 392.85
&	Mailing Costs Including Certified Mail:	\$ 8.45
	Code Enforcement Appeal Hearing, held December 8, 2023	\$4,192.50
§311-10.1, 314- 43.1.1, 312-2.5, 314-43.3	Total \$8,385.00, divided by 2 (both a Notice to Abate Nuisance and a Notice of Violation and Proposed Administrative Civil Penalty was issued against property) =	
	Total:	\$32,280.38

ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ATTORNEY'S FEES		
Violation	Nature of Cost Incurred	Amount
§521-1, 521-4, 521-12 & §354-1 & §331-28 & §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	Humboldt County Counsel – 16 hours at \$177/hour	\$2,832.00
PROCEEDS RECEIVED FROM SALE OF PERSONAL PROPERTY		
Violation	Property Sold	Amount Received
§521-1, 521-4, 521-12 & §354-1 & §331-28 & §311-10.1, 314-43.1.1, 312-2.5, 314-43.3	None	\$0.00

ATTACHMENT D

COST RECOVERY HEARING REQUEST FORM

Address of Affected Property: 2225 Walker Avenue, McKinleyville, CA 95519

Assessor's Parcel Number: 510-281-002-000

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: _____