

Exhibit Q

Service 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

July 23, 2024

Gerald McGuire
P.O. Box 322
Fields Landing, CA 95537

RE: Service of Notice of Nuisance Abatement Assessment
240 Central Ave, Fields Landing, CA, 95503, APN: 306-033-003
Case No: 16CEU-64

Dear Gerald McGuire,

Please see attached the Notice of Nuisance Abatement Assessment for your property located at 240 Central Ave, Fields Landing, CA, 95503, APN: 306-033-003, for Code Enforcement Case Number 16CEU-64.

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.

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

Government Code §27383

NOTICE OF NUISANCE ABATEMENT ASSESSMENT

[Humboldt County Code §351-16]

Address of Affected Property: 240 Central Avenue, Fields Landing, California, 95537

Assessor's Parcel Number: 306-033-006

To: Gerald McGuire
P.O Box 322
Fields Landing, CA 95537

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 **Twelve Thousand One Hundred Thirty Seven Dollars and Thirty Three Cents (\$12,137.33)** 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.

For the Humboldt County Code Enforcement Unit:

Signature: _____



Title: Director – Humboldt County Planning and Building

Name: John Ford

Date: _____

7/22/2024

ATTACHMENT A ACTIONS REQUIRED TO ABATE NUISANCE

Violations	Nature of Corrective Actions Taken	Date
§354-1	Referral Received from DHHS	June 16, 2016
	Ordered Grant Deed	June 16, 2016
§521-4	Owner Contacted and Inspection Conducted	July 27, 2016
§311-10.1	Follow Up "Drive by" Inspection	November 14, 2017
	CEU Received Additional Complaints	April 12, 2019
	"Drive By" Inspection	April 12, 2019
	Formal Letter Mailed to owner Requesting Consent Inspection	April 12, 2019
	Inspection Warrant Obtained for Inspection	May 1, 2019
	Warrant Served/Inspection Conducted	May 7, 2019
	Investigative Report Completed	June 27, 2019
	Notice to Abate Nuisance (NTA) and Notice of Violation and Proposed Administrative Civil Penalty (NOV) Completed, dated July 1, 2019	July 1, 2019
	NTA and NOV Posted at Property	July 3, 2019
	NTA and NOV mailed to Owner First Class and Certified	July 8, 2019
	Code Enforcement Appeal Hearing and Administrative Civil Penalty Appeal Hearing Request Forms Submitted by Owner	July 18, 2019
	Notice of Code Enforcement Appeal Hearing and Notice of Administrative Civil Penalty Appeal Hearing Served	October 29, 2019
	Postponement of Code Enforcement Appeal Hearing and Administrative Civil Penalty Appeal Hearing Letter Sent to Owner	December 2, 2019
	Compliance Agreement Prepared at Owner Request	February 7, 2020
	Compliance Agreement Not Signed and Returned	October 21, 2020
	Formal Letter Mailed to Owner Regarding Compliance Agreement	October 21, 2020
	No Response Regarding Owner Executing Compliance Agreement by:	April 26, 2022
	Notice of Code Enforcement Appeal hearing and Notice of Administrative Civil Penalty Appeal Hearing Served	July 18, 2022
	"Hearing Packet" Completed for Hearings	August 9, 2022

§354-1	Owner Personally Serve with "Hearing Packet"	August 11, 2022
	"Hearing Packet" Provided to California Hearing Officers LLC	August 15, 2022
§521-4	Pre-Hearing Site Inspection to be Conducted. Owner Requested to Re-schedule to August 29, 2022	August 22, 2022
§311-10.1	Responded to property for Site Inspection, Owner Wouldn't Sign Consent To Inspection Form, Visual Inspection From Sidewalk Conducted	August 29, 2022
	Final Report Completed for "Hearing Packet" along with Supplemental Exhibits	September 1, 2022
	Supplemental Exhibits for "Hearing Packet" Personally Served to Owner And Sent to California Hearing Officers LLC	September 1, 2022
	"Drive by" Inspection Conducted Prior to Administrative Hearings	September 8, 2022
	Code Enforcement Appeal Hearing and Administrative Civil Penalty Appeal Hearing Held	September 9, 2022
	Received Finding of Nuisance and Order of Abatement and Finding of Violation and Order Imposing Administrative Civil Penalty	November 9, 2022
	Finding and Orders Mailed Posted at the Property	November 10, 2022
	Finding and Orders Mailed First Class and Certified to Owner	November 14, 2022
	Follow Up Inspection Conducted	November 17, 2022
	Formal Letter Requesting Consent Inspection to Check Compliance with The Finding and Orders Mailed	December 29, 2022
	Inspection Warrant Obtained	January 26, 2023
	Letter of Intent to Serve Inspection Warrant Personally Served to Owner	January 30, 2023
	Inspection Warrant Served and Inspection Conducted (determined not in Compliance with the Finding and Orders)	February 2, 2023
	Administrative Civil Penalty and Lien Process Continued	March – August 2023
	Additional Complaints Received Regarding Property Conditions	April of 2023
	Letter of Intent to Abate Public Nuisance Mailed, Including Request for A Consent Inspection with a Hired Contractor	May 3, 2023
	Posted Letter of Intent to Abate Public Nuisance Including Request for a Consent Inspection with a Hired Contractor	May 4, 2023
	Owner Came Into Planning and Building Department to Discuss Letter Consented to Inspection for June 15, 2023	May 10, 2023
	Follow Up Inspection, Nuisance Conditions Remained	June 5, 2023
	Additional Letter of Intent to Abate Public Nuisance Mailed to Owner	November 21, 2023
	Inspection Warrant and Order of Abatement Obtained	December 13, 2023
	Letter of Intent to Serve Inspection Warrant and Order of Abatement Posted at the Property and Mailed to Owner	December 14, 2023

§354-1	Inspection Warrant and Order of Abatement Served, Abatement Commenced	December 19, 2023
§521-4	Abatement Completed	December 20, 2023
§311-10.1	Notice of Nuisance Abatement Assessment Drafted	July 11, 2024

ATTACHMENT B LEGAL DESCRIPTION

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

BEGINNING on the Southerly line of Central Avenue at a point which is distant 200 feet Westerly along said Southerly line from the Westerly line of West Avenue, In Second Addition to the Town of Fields Landing, according to the map thereof, filed in Book 7 of Maps, Page 11, Humboldt County Records; and running
thence Southerly parallel with West Avenue 100 feet;
thence at right angles Westerly 38.57 feet to the East line of the lands of the Northwestern Pacific Railroad Company;
thence along same North 8 degrees 23 minutes East to Central Avenue; and
thence Easterly along Central Avenue 57 feet to the point of beginning.

ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ABATEMENT COSTS		
Violation	Nature of Cost Incurred	Amount
§354-1	Labor	\$1,460.00
	Equipment	\$435.79
§521-4	Materials (including disposal costs, removal/disposal of junk vehicles)	\$636.37
§311-10.1	Overhead Expenses (8%)	\$202.57
	Contractor Fee	\$273.47
	Total:	\$3,008.20
ADMINISTRATIVE COSTS		
Violation	Nature of Cost Incurred	Amount
§354-1 §521-4 §311-10.1	Staff Time Investigator: 44.45 hours x \$115 per hour = \$5,111.75 Investigator: 8 hours x \$179 per hour = \$1,432.00 Administrative Support: 1.0 hours x \$83 per hour = \$83 Code Compliance Officer .125 hours x \$106 per hour = \$13.25 *Investigator burden rate changed January 2024 to \$179 per hour from \$115 per hour*	\$6,640
	Mileage 72 miles x \$0.54 per mile = \$38.88	\$38.88
	Code Enforcement Appeal Hearing, held September 9, 2022 Combined Code Enforcement Appeal Hearing and Administrative Civil Penalty Appeal Hearing totaled = \$3,812.5 (split in half) for just Code Enforcement Appeal Hearing = \$1,906.25	\$1,906.25
	Total:	\$8,585.13

ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ATTORNEY'S FEES		
Violation	Nature of Cost Incurred	Amount
§354-1 §521-4 §311-10.1	Deputy County Counsel: 4 hours x \$136 = \$544.00	\$544.00
PROCEEDS RECEIVED FROM SALE OF PERSONAL PROPERTY		
Violation	Property Sold	Amount Received
§354-1 §521-4 §311-10.1	None	\$0.00

ATTACHMENT D

COST RECOVERY HEARING REQUEST FORM

Address of Affected Property: 240 Central Avenue, Fields Landing, CA, 95537

Assessor's Parcel Number: 306-033-003

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, JAMES DAVIDSON, 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 23, 2024, 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 & Certified Mail)

**Gerald McGuire
P.O. Box 322
Fields Landing, CA 95537**

Certified Mailing# 9171 9690 0935 0062 4882 49

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 23rd of July, 2024, in the City of Eureka, County of Humboldt, State of California.



James Davidson – Legal Office Assistant II

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 July 23, 2024, 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:

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

**240 Central Ave
Fields Landing, CA 95503
APN: 306-033-003**

_____ 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 23rd day of July, 2024, in the City of Eureka, County of Humboldt, State of California.



Shauna Soeth – Code Enforcement Investigator



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CODE ENFORCEMENT

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

July 23, 2024

Gerald McGuire
P.O. Box 322
Fields Landing, CA 95537

RE: Service of Notice of Nuisance Abatement Assessment
240 Central Ave, Fields Landing, CA, 95503, APN: 306-033-003
Case No: 16CEU-64

Dear Gerald McGuire,

Please see attached the Notice of Nuisance Abatement Assessment for your property located at 240 Central Ave, Fields Landing, CA, 95503, APN: 306-033-003, for Code Enforcement Case Number 16CEU-64.

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.

Sincerely,

Shauna Soeth
Shauna Soeth
Code Enforcement Investigator

Attachment: Notice of Nuisance Abatement Assessment



NOTICE
This notice is posted on the fence to inform you of the presence of a dog in the area. The dog is a large breed and may be aggressive. Please do not enter the area without the owner's permission. If you see the dog, please call the owner at [phone number].