

ATTACHMENT F

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

August 17, 2022

Certified Mailing No: 9171 9690 0935 0252 8869 30

Green Valley Motel, LLC
DBA Green Valley Motel
1732 Almanor St.
Oxnard, CA 93030


RE: Service of Notice of Nuisance Abatement Assessment
120784 State Hwy 101, Orick, California, 95555
APN: 520-086-008 Case No: CE20-0849

Dear Amanda Kushwaha,

Please see attached the Notice of Nuisance Abatement Assessment for Code Enforcement Case CE20-0849.

If you have any questions or concerns about these documents, please feel free to contact me by telephone at (707) 476-2358 or by email cwerner@co.humboldt.ca.us.

Sincerely,



Christine Werner

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: 120784 State Hwy 101, Orick, California, 95555

Assessor's Parcel Number: 520-086-008

To: Green Valley Motel, LLC
DBA Green Valley Motel
1732 Almanor St.
Oxnard, CA 93030

Amanda Kushwaha
Agent For Service Process
1732 Almanor St.
Oxnard, CA 93030

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 Nineteen Thousand Two Hundred Eighty Nine Dollars and Six Cents (\$119,289.06)** 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."

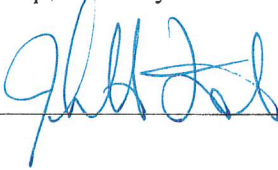
NOTICE IS FURTHER GIVEN that, upon receipt of an objection to the proposed assessment, the Code Enforcement Unit shall set the matter for hearing before the Humboldt County Board of Supervisors, and issue a Notice of Cost Recovery Hearing as set forth in Humboldt County Code Section 351-18.

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 – Planning and Building

Name: John Ford

Date: 8/15/2022

ATTACHMENT A ACTIONS REQUIRED TO ABATE NUISANCE

Violations	Nature of Corrective Actions Taken	Date
§351-3(c)	Receive Complaint and Open Case	December 7, 2020
	Conduct Research	December 9, 2020
§311-10.1	Drive-By Property	December 11, 2020
§521-4	Research Business License	March 23, 2021
§354-1	Responded to Property and Contacted Onsite Manager - Consent Inspection Requested and Refused	March 23, 2021
	Phone Call with Property Owner Regarding Scheduling a Consent Inspection	April 23, 2021
	Joint Response to Property to Inspect	September 15, 2021
	Interdepartmental Meeting Regarding Motel Abatement & Impacts to Occupants	September 24, 2021
	Compose and Send Letter to Property Owner	December 10, 2021
	Phone Call with Motel Manager Regarding Dumpster	September 21, 2021
	Phone Call with Property Owner Regarding Violations	September 23, 2021
	Served NTA and NOV, Conference Call with Property Owner	October 12, 2021
	Coordinate Junk Vehicle Tow, Prepare Junk Vehicle Letters	October 14-15, 2021
	Disperse Tenant Relocation Forms to Occupants of Motel	October 19, 2021
	Tenant Relocation Benefit Form Coordination	October 20, 2021
	Conference Call with Property Owner Regarding Compliance Agreement	October 22, 2021
	Phone Call with DHHS Regarding Certain Tenant Relocations	October 22, 2021
	Prepare Inspection Warrant & Order of Abatement	Oct. 25-Nov. 3, 2021
	Disperse Tenant Relocation Benefit Checks	October 25-28, 2021
	Coordinate Service of Inspection Warrant	November 2, 2021

Respond to Motel to Post Inspection Warrant & Order of Abatement	November 3, 2021
Serve Inspection Warrant & Order of Abatement	November 5, 2021
Inspection Warrant & Order of Abatement Follow-up/Reports	November 9, 2021
Research and Coordinate Exterminators	November 15, 2021
Prepare Inspection Warrant & Order of Abatement for Fumigation	Dec. 27 – Jan. 4, 2022
Coordinate Asbestos and Lead Testing	January 3, 2022
Phone Call from Potential Buyer of Property	January 6, 2022
Conference Call with Property Owner	January 13, 2022
Posted Inspection Warrant & Order of Abatement for Fumigation	February 22, 2022
Respond to Various Inquires Regarding Status of Case	April – July, 2022
Prepare Notice of Nuisance Abatement Assessment	August 10, 2022

ATTACHMENT B LEGAL DESCRIPTION

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

Those portions of the Northeast Quarter of Section 4, Township 10 North, Range 1 East, Humboldt Meridian, described as follows:

PARCEL ONE

COMMENCING on the Southerly line of the State Highway as conveyed to the State of California by Robert Swan by Deed of May 16, 1924 recorded May 17, 1924 in Book 169, Page 54 of Deeds, where said East line is intersected by the Southwesterly line of the parcel of land heretofore conveyed by Robert Swan to B.P. McConnaha by Deed recorded in Book 150, Page 443 of Deeds, in the Office of the County Recorder of said County;

thence along the Southwesterly line of said parcel conveyed to McConnaha, South 48 degrees 30 minutes East, 87.4 feet to the most Southerly corner thereof, said corner being the true point of beginning of the parcel of land to be herein described;

thence from said true point of beginning South 41 degrees 21 minutes West parallel with the State Highway, 425 feet;

thence South 48 degrees 30 minutes East, 75 feet;

thence North 41 degrees 21 minutes East parallel with the State Highway 425 feet; thence North 48 degrees 30 minutes West, 75 feet to the point of beginning.

PARCEL TWO

COMMENCING on the Southeasterly line of the State Highway right of way (as conveyed to the State of California, by Robert Swan by Deed dated May 16, 1924, and recorded May 17, 1924 in Book 169, Page 54 of Deeds) where said East line is intersected by the Southwesterly line of a parcel of land heretofore conveyed by Robert Swan to B.P. McConnaha and C.J. McConnaha by Deed recorded November 17, 1920 in Book 150, Page 443 of Deeds;

thence along the Southwesterly line of said parcel conveyed to McConnaha, South 48 degrees 30 minutes East, 87.4 feet to the most Southerly corner thereof;

thence South 41 degrees 21 minutes West parallel with the State Highway, 425 feet;

thence North 48 degrees 39 minutes West, 87 feet to the said State Highway;

thence along same North 41 degrees 21 minutes East, 425 feet to the point of beginning.

PARCEL THREE

BEGINNING at a point on the East side of the County Road leading from Trinidad to Crescent City (as it existed in the year 1920), distant 220 feet Southwesterly from the Southwest corner of lot conveyed to Orick School District by Robert Swan by Deed dated in November 1919, and recorded in Book 148, Page 457 of Deeds, in the Office of the County Recorder of said County;

thence along the East side of said road South 41 degrees 30 minutes West, 100 feet;

thence South 48 degrees 30 minutes East, 110 feet; thence North 41 degrees 30 minutes East, 100 feet;

thence North 48 degrees 30 minutes West, 110 feet to the point of beginning.

ATTACHMENT B
LEGAL DESCRIPTION
(continued)

PARCEL FOUR

An easement for water pipe lines together with the right to lay, replace and maintain said pipe lines over the following described strips of land:

- (1) A strip of land 15 feet in width, the center line of which begins on the Westerly line of the State Highway at a point North 41 degrees 12 minutes East thereon 75 feet from the most Southerly corner of the land conveyed to James L. Hagood and wife by Deed recorded April 23, 1970, under Recorder's Serial No. 5737, in the Office of the County recorder of said County.

- (2) A strip of land 4 feet in width the center line of which begins at Point "A" herein above referred to; thence North 48 degrees 42 minutes West, 48 feet to a point (said point for convenience herein is designated as Point "B");
thence continuing North 48 degrees 42 minutes West, 65 feet;
thence South 41 degrees 18 minutes West, 75 feet to the Southwesterly line of said land conveyed to James L. Hagood and wife above mentioned.

- (3) A strip of land 4 feet in width, the center line of which begins at Point "B" herein above referred to; thence North 3 degrees 42 minutes West to the Northeasterly line of said land conveyed to James L. Hagood and wife above mentioned.

ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ABATEMENT COSTS		
Violation	Nature of Cost Incurred	Amount
§351-3(c)	Tenant Relocation Payments – 13 Units @ \$1573 ea.	\$20,449.00
§311-10.1	New Life Services Co. – Initial Board-Up and Solid Waste Removal	\$22,568.49
§521-4	New Life Service Co. – Asbestos and Lead Testing and Re-Board-Up	\$11,997.27
§354-1	Big Time Pest Control – Fumigation	\$44,580.00
	Vehicle Towing	\$500.00
	Total:	\$100,094.76

ADMINISTRATIVE COSTS		
Violation	Nature of Cost Incurred	Amount
§351-3(c)	<u>Staff Time</u> Admin Analyst - 5.25 hrs. @ \$83/hr. = \$435.75	\$15,990.50
§311-10.1	Code Compliance Officer – 77.25 hrs. @ \$106/hr. = \$8,188.50	
§521-4	Investigator – 28.75 hrs. @ \$115/hr. = \$3,306.25 Planner – 8 hrs. @ \$110/hr. = \$880	
§354-1	CEU Manager – 15 hrs. @ \$212/hr. = \$3,180	
	Mileage - 920 miles	\$496.80
	Mailing/Recorder's Office Costs	\$27.00
	Total:	\$16,514.30

ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ATTORNEY'S FEES		
Violation	Nature of Cost Incurred	Amount
§351-3(c) §311-10.1 §521-4 §354-1	County Counsel – 20 hrs. @ \$134/hr.	\$2,680.00
PROCEEDS RECEIVED FROM SALE OF PERSONAL PROPERTY		
Violation	Property Sold	Amount Received
§351-3(c) §311-10.1 §521-4 §354-1	None	\$0.00

ATTACHMENT D

COST RECOVERY HEARING REQUEST FORM

Address of Affected Property: 120784 State Hwy 101, Orick, California, 95555

Assessor's Parcel Number: 520-086-008

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, Warren Black, 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 Humboldt County Courthouse; 825 Fifth Street, Eureka, California; that on August 17, 2022, I served a true copy of **NOTICE TO NUISANCE ABATEMENT ASSESSMENT.**

_____ 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 property owner, at the Planning & Building Dept. located at: 3015 H st , Eureka, Ca. 95501

___xxx___ by personally posting a true copy thereof on the premises located at: APN: 520-086-008; 120784 St Hwy 101, Orick, CA 95555

_____ 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 8/17/2022 @ approximately 11:30 a.m., in the community of Orick, County of Humboldt, State of California.



Warren Black, Code Compliance Officer