

Exhibit NN

Service of 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

July 23, 2024

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

RE: Service of Notice of Nuisance Abatement Assessment
6766 West Avenue, Fields Landing, CA, 95503, APN: 306-024-004
Case No: CE22-1865

Dear Gerald McGuire,

Please see attached the Notice of Nuisance Abatement Assessment for your property located at 6766 West Avenue, Fields Landing, CA, 95503 for Code Enforcement Case Number CE22-1865.

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: 6766 West Avenue, Fields Landing, CA, 95537

Assessor's Parcel Number: 306-024-004

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 **Thirty Seven Thousand Seven Hundred Five Dollars and Fifty Four Cents (\$37,705.54)** 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
§371-2 §521-1, 521-4, & 521-12 §311-10.1	Received Complaint Regarding Property	December 27, 2022
	Meeting Held to Discuss Case and Complaint	December 17, 2022
	Complaint Letter Mailed and Request for Consent Inspection Mailed to Owner	December 29, 2022
	Contacted Owner by Telephone to Schedule Meeting to Discuss Case	January 4, 2023
	Drive By of Property Conducted for Photos to Include in Application for Inspection Warrant	January 19, 2023
	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 was Conducted	February 2, 2023
	Notice to Abate Nuisance and Notice of Violation and Proposed Administrative Civil Penalty, dated February 27, 2023, mailed to Owner And Posted at the Property	February 28, 2023
	Owner Came Into Office to Discuss Case with Code Enforcement and Building Division. Owner Requested Meeting be Scheduled with Director Ford and Chief Building Inspector Keith Ingersoll	March 1, 2023
	Meeting Scheduled for Owner with Director Ford for March 8, 2023 at 2:00 pm	March 1, 2023
	Attempted to Contact Owner by Telephone to Confirm Meeting, Unable To Speak with Owner	March 6 & 7, 2023
	Meeting with Owner Cancelled, Owner Did Not Show Up for Meeting	March 8, 2023
	Status Warning Letter Mailed to Owner	April 27, 2023
	Additional Complaints Received, Responded to Property for Updated Photos of Conditions from the Sidewalk	May 2, 2023
	Letter of Intent to Abate Public Nuisance and Request for Consent Inspection w/ Hired Contractor Mailed to the Owner	May 3, 2023
	Letter of Intent to Abate Public Nuisance and Request for Consent Inspection w/ Hired Contractor Posted at Property	May 4, 2023
	Owner Came Into Office in Response to Letter of Intent to Abate, Consented To an inspection for June 5, 2023	May 10, 2023
	Attempted to Contact Owner by Telephone to Remind/Confirm them of Consent Inspection Scheduled for June 5, 2023, Left Voicemail	June 1, 2023
	Responded to Property to Conduct Inspection with Contractor, Owner Rescinded Consent, Photos Taken from Sidewalk	June 5, 2023
Inspection Warrant Obtained	June 28, 2023	
Letter of Intent to Serve Inspection Warrant Mailed and Posted	June 29, 2023	

§371-2 §521-1, 521-4, & 521-12 §311-10.1	Inspection Warrant Served and Inspection Conducted	July 5, 2023
	Allowed Owner Additional Time to Obtain Building Permit	July – September 2023
	Coastal Development Permit Revoked	September 26, 2023
	Letter to Owner Mailed Documenting they had until October 26, 2023 to Bring Property into Compliance After the Revocation of Permit	September 26, 2023
	Inspection Warrant Obtained	October 30, 2023
	Letter of Intent to Serve Inspection Warrant Mailed and Posted	October 31, 2023
	Inspection Warrant Served and Inspection Conducted	November 2, 2023
	Letter of Intent to Abate Public Nuisance Served	November 21, 2023
	Owner Contacted to Discuss Status of Case	November 30, 2023
	Consent Inspection with Owner and Attorney with County Counsel and CEU Manager	December 11, 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	December 14, 2023
	Inspection Warrant and Order of Abatement Served and Abatement Commenced	December 19, 2023
	Abatement Completed	December 20, 2023
	Owner's Superior Court Case Dismissed	July 1, 2024
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:

The South 60 feet of Lot 5 measured along the East and West lines thereof, in Block 3 of the Second Addition to the Town of Fields Landing, according to the Map thereof on file in the Office of the County Recorder of Humboldt County, in Book 7 of Maps, Page 11.

ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ABATEMENT COSTS		
Violation	Nature of Cost Incurred	Amount
§371-2 §521-1, 521-4, & 521-12 §311-10.1	Labor	\$8,970.00
	Equipment	\$3,045.65
	Materials (including disposal costs, removal/disposal of junk vehicles)	\$2,194.21
	Overhead Expenses (8%)	\$1,136.79
	Contractor Fee	\$1,534.66
	Total:	\$16,881.31
ADMINISTRATIVE COSTS		
Violation	Nature of Cost Incurred	Amount
§371-2 §521-1, 521-4, & 521-12 §311-10.1	Staff Time Investigator: 59.75 hours x \$115 per hour = \$6,871.25 Investigator: 5.75 hours x \$179 per hour = \$1,029.25 Administrative Support: .75 hours x \$83 per hour = \$62.25 Code Compliance Officer .25 hours x \$106 per hour = \$26.50 CEU Manager: 9 hours x \$212 = \$1,908.00 Chief Building Official: .10 hours x \$212 = \$21.20 *Investigator burden rate changed January 2024 to \$179 per hour from \$115 per hour*	\$9,918.45
	Mileage 99 miles x \$0.54 per mile = \$53.46	\$53.46
	Mailings = \$32.32	\$32.32
	Total:	\$10,004.23

ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ATTORNEY'S FEES		
Violation	Nature of Cost Incurred	Amount
§371-2 §521-1, 521-4, & 521-12 §311-10.1	Deputy County Counsel: 27.5 Hours x \$136 = \$3,740.00 40.0 Hours x \$177 = \$7,080.00 *Deputy County Counsel burden rate changed January 2024 to \$177 per hour from \$136 per hour*	\$10,820.00
PROCEEDS RECEIVED FROM SALE OF PERSONAL PROPERTY		
Violation	Property Sold	Amount Received
§371-2 §521-1, 521-4, & 521-12 §311-10.1	None	\$0.00

ATTACHMENT D COST RECOVERY HEARING REQUEST FORM

Address of Affected Property: 6766 West Avenue, Fields Landing, CA, 95537

Assessor's Parcel Number: 306-024-004

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.**

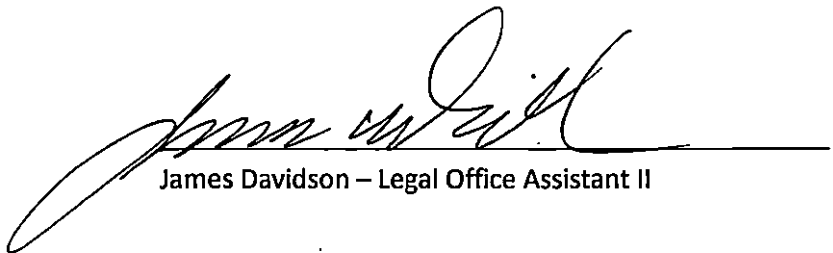
XXX : by placing a true copy of the aforementioned document in a sealed envelope individually addressed to each of the parties and caused each such envelope to be deposited with the U.S. Postal Service and/or picked up by an authorized representative, on that same day with fees fully prepaid at Eureka, 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 18

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:

**6766 West Avenue
Fields Landing, CA 95503
APN: 306-024-004**

_____ 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) 478-3429 • Fax: (707) 468-3792

July 23, 2024

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

RE: Service of Notice of Nuisance Abatement Assessment
6766 West Avenue, Fields Landing, CA, 95503, APN: 306-024-004
Case No: CE22-1865

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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

STAPLES

