# Exhibit J 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

June 27, 2024

Adalberto Arias 2050 Simmons Road Eureka, Ca 95501

RE: Service of Notice of Nuisance Abatement Assessment

2050 Simmons Road, Eureka, CA, 95501, APN: 300-093-014

Case No: 18CEU-154

Dear Adalberto Arias.

Please see attached the Notice of Nuisance Abatement Assessment for Code Enforcement Case Number 18CEU-154.

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 <a href="mailto:ssoeth@co.humboldt.ca.us">ssoeth@co.humboldt.ca.us</a>.

Sincerely,

Shauna Soeth

Code Enforcement Investigator

Attachment: Notice of Nuisance Abatement Assessment



Government Code §27383

# NOTICE OF NUISANCE ABATEMENT ASSESSMENT

[Humboldt County Code §351-16]

Address of Affected Property: 2050 Simmons Road, Eureka, California, 95503

Assessor's Parcel Number: 300-093-014

Owner: Adalberto Arias

2050 Simmons Road Eureka, CA 95503

Occupants: Timothy Arias

2050 Simmons Road

Eureka, CA 95503

Shanna Rosa

2050 Simmons Road Eureka, CA 95503

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 Twenty Seven Thousand Six Hundred Eighty Eight Dollars and Eighty One Cents (\$27,688.81) 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: Title: Title: Director – Date: Director – Humboldt County Planning and Building

## ATTACHMENT A ACTIONS REQUIRED TO ABATE NUISANCE

Violati	Violati Nature of Corrective Actions Taken Date			
ons	90.773	E. E		
	Complaint Received, Case Opened	June of 2018		
§521-1, 521-4,	Drive By Conducted	June 7, 2018		
521-12	Consent to Inspect Letter Completed	June 7, 2018		
&	Notice to Abate Nuisance Served (NTA) - mailed and posted at property	June 21, 2018		
§354-1	Occupant Contacted by Email in Response to NTA	July 12, 2018		
	Drive By Conducted to Check Progress	July 20, 2018		
	Emailed Occupant to Check Progress			
	Drive By Conducted to Check Progress and Emailed Occupant Again	August 21, 2018		
	Occupant Emailed Back Requesting Additional Time to Complete Work	August 31, 2018  September 5, 2018		
	Drive By Conducted to Check Progress			
	Drive By Conducted to Check Progress	October 24, 2018		
	Notice of Violation and Proposed Administrative Civil Penalty Served (NOV) – mailed and posted at the property	December 10, 2018		
	Occupant Contacted to Provide Update	December 28, 2018		
•	Occupant Contacted to Provide Update	January 7, 2019		
	CEU Received Additional Complaints (this time regarding backyard of property)	January 28, 2019		
	CEU Received New Information that the Property Owner was Deceased	February 28, 2019		
	Researched Case by Contacting Coroner's Office (no probate initiated, received contact info for possible heir)	April 8, 2019		
ļ	Contacted Heir/Occupant, Discussed CEU Case with Him and Requested	April 8, 2019		
	Consent Inspection for Backyard  Inspection of Whole Property Conducted	April 16, 2010		
		April 16, 2019		
	New NTA Served to Include Occupants – mailed and posted at the property	April 19, 2019		
	Occupant Contacted with Progress Info	May 29, 2019		
	Spoke with Occupant to Schedule Follow Up Inspection	September 19, 2019		

	Inspection Conducted of Property	September 25, 2019
§521-1, 521-4,	Duive Dry of Dremoute	
1	Drive By of Property	January 19, 2023
521-12		
	Admin Determined County Abatement Would Proceed	March 28, 2024
&	Contacted Occupant to Inform of Intent to Conduct County Abatement and	
	Request Consent Inspection w/ Contractor	April 10, 2024
§354-1		7 xp111 10, 2024
3	Coordinated w/ Wahlund Construction Inc. for Abatement Work	April 11, 2024
	Inspection Conducted w/ Contractor for Estimate	April 18, 2024
		11011110, 2024
	Inspection Warrant and Order of Abatement Obtained	May 8, 2024
	Letter of Intent to Serve Inspection Warrant and Order of Abatement served -	
	mailed and posted at the property	May 9, 2024
j	County Abatement Commenced	May 13, 2024
	County Absternant Completed - Final County II N ( T. 1	16 04 0004
	County Abatement Completed – Final Overall Photos Taken	May 21, 2024
	Invoice Descrived/Duscossed from Walden 1 Country 1	14 00 0004
	Invoice Received/Processed from Wahlund Construction, Inc	May 28, 2024
	Inspection Warrant and Order of Abatement Returned to Superior Court	May 20, 2024
}	inspection warrant and Order of Abatement Neturned to Superior Court	May 29, 2024
	Prepare Notice of Nuisance Abatement Assessment	June 4, 2024
	1	7, 202T

#### ATTACHMENT B LEGAL DESCRIPTION

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

Those portions of the Southwest Quarter of the Northeast Quarter of Section 2, Township 4 North, Range 1 West, Humboldt Meridian, described as follows;

#### PARCEL ONE

BEGINNING at a point which is South 1 degree West 720 feet and East 500 feet from the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 2;

thence South 88 degrees 22 minutes East, 140 feet;

thence South 1 degree West, 80 feet;

thence North 88 degrees 22 minutes West, 140 feet;

thence North 1 degree East, 80 feet to the point of beginning.

#### PARCEL TWO

A nonexclusive right of way for ingress and egress over the following described parcel of land:

BEGINNING at the Southwest corner of Parcel One above described;

thence South 1 degree West, 25 feet;

thence South 88 degrees 22 minutes East, 20 feet;

thence North 1 degree East, 25 feet, more or less, to the South line of Parcel One above described;

thence North 88 degrees 22 minutes West along said last mentioned line, 20 feet to the point of beginning; as conveyed to Leo Simmons and wife, by Deed recorded May 29, 1952, in book 209, Page 418, under Recorder's Serial No. 6154, Humboldt County Official Records.

#### PARCEL THREE

A nonexclusive right of way for ingress and egress over a strip of land 16 feet wide, the South line of which is described as follows:

BEGINNING at a point which is South 1 degree West 740.94 feet and East 500 feet and South 1 degrees West 87 feet from the Northwest corner of the Southwest Quarter of the Northeast Quarter;

thence West, 500 feet to the West line of the Southwest Quarter of the Northeast Quarter of said Section 2; as conveyed to Leo Simmons and wife, by Deed recorded May 29, 1952, in Book 209, Page 418, under Recorder's Serial No. 6154, Humboldt County Official Records.

Nature of Cost Incurred	77 A C 200 Km
	Amount
Labor	\$7,408
Equipment	\$5,210
Materials (including disposal costs, removal/disposal of junk vehicles)	\$4,392.50
Total:	\$17,010.50
ADMINISTRATIVE COSTS  Nature of Cost Incurred	Amount
Staff Time:  Office Assistant: 2 hours $x $127 = $254$ Code Compliance Officer: 0.5 hours $x $107 = $53.50$ Investigator (old burden rate): 0.5 hours $x $115 = $57.50$ Investigator (new burden rate): $56.25 \times $179 = $10,068.75$ Total=	\$10,433.75
Mileage: 31 miles x \$0.54 per mile =	\$16.74
Mailing Costs:	\$50.82
Total:	\$10,501.31
	Equipment  Materials (including disposal costs, removal/disposal of junk vehicles)  Total:  ADMINISTRATIVE COSTS  Nature of Cost Incurred  Staff Time:  Office Assistant: 2 hours x \$127 = \$254 Code Compliance Officer: 0.5 hours x \$107 = \$53.50 Investigator (old burden rate): 0.5 hours x \$115 = \$57.50 Investigator (new burden rate): 56.25 x \$179 = \$10,068.75  Total=  Mileage: 31 miles x \$0.54 per mile =  Mailing Costs:

	ATTORNEY'S FEES	
Violation	Nature of Cost Incurred	Amount
§521-1, 521-4, 521-12	Deputy County Counsel – 1 hour x \$177 per hour = (review of legal documents)	\$177.00
& §354-1		
Violation	PROCEEDS RECEIVED FROM SALE OF PERSONAL PROPERTY  Property Sold	Amount
	None	Received \$0.00
§§521-1, 521-4, 521-12		
&		
§354-1		

## ATTACHMENT D COST RECOVERY HEARING REQUEST FORM

Address of Affected Property: 2050 Simmon	ns Road, Eureka, CA, 95503
Assessor's Parcel Number:300-093-014	
To: Humboldt County Code Enforcement Un 3015 H Street Eureka California, 95501	nit
nuisance abatement assessment proposed to be leads, administrative costs and/or attorney's fee	ion 351-18, I am requesting a hearing to contest the amount of the levied against the affected property in order to recover the abatements incurred by the Humboldt County Code Enforcement Unit during cet the condition or conditions found to constitute a nuisance on the
[Brief statement of the material facts that to proposed assessment is inappropriate under the	he requesting party claims support the contention that amount of the circumstances of this case]:
	,
to the amount of the proposed assessment]:  Name:  Address:	
City, State:	
Telephone Number:	
Hearing, as set forth in the Notice of Cost Record 351-18, the amount of the proposed assessment	opear at the place and time set for the requested Cost Recovery very Hearing issued pursuant to Humboldt County Code Section will become final, and be summarily approved by the Humboldt ays after service of the Notice of Nuisance Abatement Assessment -21.
I hereby declare under the penalty of perjurtrue and correct to the best of my knowledge.	ry, under the laws of the State of California, that the foregoing is
Signature:	Date:
Name:	



#### COUNTY OF HUMBOLDT

#### PLANNING AND BUILDING DEPARTMENT CODE ENFORCEMENT

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

June 27, 2024

Timothy Arias 2050 Simmons Road Eureka, CA 95503

RE: Service of Notice of Nuisance Abatement Assessment

2050 Simmons Road, Eureka, CA, 95501, APN: 300-093-014

**Case No: 18CEU-154** 

Dear Timothy Arias,

Please see attached the Notice of Nuisance Abatement Assessment for Code Enforcement Case Number 18CEU-154.

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 <a href="mailto:ssoeth@co.humboldt.ca.us">ssoeth@co.humboldt.ca.us</a>.

Sincerely,

Shauna Soeth

Code Enforcement Investigator

Attachment: Notice of Nuisance Abatement Assessment



Government Code §27383

# NOTICE OF NIISANCE ABATEMENT ASSESSMENT

[Humboldt County Code §351-16]

Address of Affected Property: 2050 Simmons Road, Eureka, California, 95503

Assessor's Parcel Number: 300-093-014

Owner: Adalberto Arias

2050 Simmons Road Eureka, CA 95503

Occupants: Timothy Arias

2050 Simmons Road

Eureka, CA 95503

Shanna Rosa

2050 Simmons Road Eureka, CA 95503

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 Twenty Seven Thousand Six Hundred Eighty Eight Dollars and Eighty One Cents (\$27,688.81) 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.

## ATTACHMENT A ACTIONS REQUIRED TO ABATE NUISANCE

Violati ons	Nature of Corrective Actions Taken	Date
0.501 1	Complaint Received, Case Opened	June of 2018
§521-1, 521-4, 521-12	Drive By Conducted	June 7, 2018
&	Consent to Inspect Letter Completed	June 7, 2018
	Notice to Abate Nuisance Served (NTA) - mailed and posted at property	June 21, 2018
§354-1	Occupant Contacted by Email in Response to NTA	July 12, 2018
	Drive By Conducted to Check Progress	July 20, 2018
	Emailed Occupant to Check Progress	August 27, 2018
	Drive By Conducted to Check Progress and Emailed Occupant Again	August 31, 2018
	Occupant Emailed Back Requesting Additional Time to Complete Work	September 5, 2018
	Drive By Conducted to Check Progress	October 24, 2018
	Drive By Conducted to Check Progress	December 10, 2018
	Notice of Violation and Proposed Administrative Civil Penalty Served (NOV) – mailed and posted at the property	December 28, 2018
	Occupant Contacted to Provide Update	January 7, 2019
;	Occupant Contacted to Provide Update	January 28, 2019
	CEU Received Additional Complaints (this time regarding backyard of property)	February 28, 2019
	CEU Received New Information that the Property Owner was Deceased	April 8, 2019
	Researched Case by Contacting Coroner's Office (no probate initiated, received contact info for possible heir)	April 8, 2019
	Contacted Heir/Occupant, Discussed CEU Case with Him and Requested Consent Inspection for Backyard	April 8, 2019
	Inspection of Whole Property Conducted	April 16, 2019
	New NTA Served to Include Occupants – mailed and posted at the property	April 19, 2019
	Occupant Contacted with Progress Info	May 29, 2019
5	Spoke with Occupant to Schedule Follow Up Inspection	September 19, 2019

	Inspection Conducted of Property	September 25, 2019
§521-1, 521-4,	Drive By of Property	
521-12	Drive By or Froperty	January 19, 2023
	Admin Determined County Abatement Would Proceed	March 28, 2024
&	Contacted Occupant to Inform of Intent to Conduct County Abatement and	
0054.1	Request Consent Inspection w/ Contractor	April 10, 2024
§354-1	Coordinated w/ Wahlund Construction Inc. for Abatement Work	1 11 2024
]	Coordinated w/ wainting Construction inc. for Abatement work	April 11, 2024
	Inspection Conducted w/ Contractor for Estimate	April 18, 2024
	Inspection Warrant and Order of Abatement Obtained	May 8, 2024
	Letter of Intent to Serve Inspection Warrant and Order of Abatement served –	
	mailed and posted at the property	May 9, 2024
	County Abatement Commenced	May 13, 2024
	County Abatement Completed – Final Overall Photos Taken	May 21, 2024
	Invoice Received/Processed from Wahlund Construction, Inc	May 28, 2024
	Inspection Warrant and Order of Abatement Returned to Superior Court	May 29, 2024
	Prepare Notice of Nuisance Abatement Assessment	June 4, 2024

#### ATTACHMENT B LEGAL DESCRIPTION

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

Those portions of the Southwest Quarter of the Northeast Quarter of Section 2, Township 4 North, Range 1 West, Humboldt Meridian, described as follows;

#### PARCEL ONE

BEGINNING at a point which is South 1 degree West 720 feet and East 500 feet from the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 2;

thence South 88 degrees 22 minutes East, 140 feet;

thence South 1 degree West, 80 feet;

thence North 88 degrees 22 minutes West, 140 feet;

thence North 1 degree East, 80 feet to the point of beginning.

#### PARCEL TWO

A nonexclusive right of way for ingress and egress over the following described parcel of land:

BEGINNING at the Southwest corner of Parcel One above described;

thence South 1 degree West, 25 feet;

thence South 88 degrees 22 minutes East, 20 feet;

thence North 1 degree East, 25 feet, more or less, to the South line of Parcel One above described;

thence North 88 degrees 22 minutes West along said last mentioned line, 20 feet to the point of beginning; as conveyed to Leo Simmons and wife, by Deed recorded May 29, 1952, in book 209, Page 418, under Recorder's Serial No. 6154, Humboldt County Official Records.

#### PARCEL THREE

A nonexclusive right of way for ingress and egress over a strip of land 16 feet wide, the South line of which is described as follows:

BEGINNING at a point which is South 1 degree West 740.94 feet and East 500 feet and South 1 degrees West 87 feet from the Northwest corner of the Southwest Quarter of the Northeast Quarter;

thence West, 500 feet to the West line of the Southwest Quarter of the Northeast Quarter of said Section 2; as conveyed to Leo Simmons and wife, by Deed recorded May 29, 1952, in Book 209, Page 418, under Recorder's Serial No. 6154, Humboldt County Official Records.

	ABATEMENT COSTS	
Violation	Nature of Cost Incurred	Amount
	Labor	\$7,408
§521-1, 521-4,	Equipment	\$5,210
521-12 &	Materials (including disposal costs, removal/disposal of junk vehicles)	\$4,392.50
354-1		
	Total:	\$17,010.50
lolation	ADMINISTRATIVE COSTS  Nature of Cost Incurred	Amount
§521-1, 521-4, 521-12 & §354-1	Staff Time:  Office Assistant: 2 hours x \$127 = \$254  Code Compliance Officer: 0.5 hours x \$107 = \$53.50  Investigator (old burden rate): 0.5 hours x \$115 = \$57.50  Ivestigator (new burden rate): 56.25 x \$179 = \$10,068.75  Total=	\$10,433.75
	Mileage: 31 miles x \$0.54 per mile =	\$16.74
,	Mailing Costs:	\$50.82
	Total:	\$10,501.31

ATTORNEY'S FEES		
Violation	Nature of Cost Incurred	Amount
§521-1, 521-4, 521-12	Deputy County Counsel – 1 hour x \$177 per hour = (review of legal documents)	\$177.00
& §354-1		
Violation	PROCEEDS RECEIVED FROM SALE OF PERSONAL PROPERTY  Property Sold	Amount
	None	Received \$0.00
§§521-1, 521-4, 521-12		
&		
§354-1		

## ATTACHMENT D COST RECOVERY HEARING REQUEST FORM

Address of Affected Property: 2050 Simmons Road, Eureka, CA, 95503	
Assessor's Parcel Number: 300-093-014	
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 nuisance abatement assessment proposed to be levied against the affected property in order to recover the abcosts, administrative costs and/or attorney's fees incurred by the Humboldt County Code Enforcement Unit the performance of the actions required to correct the condition or conditions found to constitute a nuisance affected property.	atement t during
[Brief statement of the material facts that the requesting party claims support the contention that amou proposed assessment is inappropriate under the circumstances of this case]:	nt of the
· · · · · · · · · · · · · · · · · · ·	
[Address at which the requesting party agrees to accept service of any additional notices or documents to the amount of the proposed assessment]:  Name:	relating
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 Re Hearing, as set forth in the Notice of Cost Recovery Hearing issued pursuant to Humboldt County Code 351-18, the amount of the proposed assessment will become final, and be summarily approved by the Hu County Board of Supervisors, ten (10) calendar days after service of the Notice of Nuisance Abatement Asse pursuant to Humboldt County Code Section 351-21.	Section mboldt
I hereby declare under the penalty of perjury, under the laws of the State of California, that the foreg true and correct to the best of my knowledge.	oing is
Signature: Date:	
Name:	

Page 8 of 8



#### COUNTY OF HUMBOLDT

#### PLANNING AND BUILDING DEPARTMENT CODE ENFORCEMENT

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

June 27, 2024

Shanna Rose 2050 Simmons Road Eureka, CA 95503

RE: Service of Notice of Nuisance Abatement Assessment

2050 Simmons Road, Eureka, CA, 95501, APN: 300-093-014

Case No: 18CEU-154

Dear Shanna Rose,

Please see attached the Notice of Nuisance Abatement Assessment for Code Enforcement Case Number 18CEU-154.

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 <a href="mailto:soeth@co.humboldt.ca.us">soeth@co.humboldt.ca.us</a>.

Sincerely.

Shauna Soeth

Code Enforcement Investigator

Attachment: Notice of Nuisance Abatement Assessment



Government Code §27383

# NOTICE OF NUISANCE ABATEMENT ASSESSMENT

[Humboldt County Code §351-16]

Address of Affected Property: 2050 Simmons Road, Eureka, California, 95503

Assessor's Parcel Number: 300-093-014

Owner: Adalberto Arias

2050 Simmons Road Eureka, CA 95503

Occupants: Timothy Arias

2050 Simmons Road

Eureka, CA 95503

Shanna Rosa

2050 Simmons Road Eureka, CA 95503

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 Twenty Seven Thousand Six Hundred Eighty Eight Dollars and Eighty One Cents (\$27,688.81) 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: <u>Director - Humboldt County Planning and Building</u>
Name:John Ford	Date: JUNE 26, 2024

## ATTACHMENT A ACTIONS REQUIRED TO ABATE NUISANCE

Violati ons	Nature of Corrective Actions Taken	Date
0.501.1	Complaint Received, Case Opened	June of 2018
§521-1, 521-4, 521-12	Drive By Conducted	June 7, 2018
&	Consent to Inspect Letter Completed	June 7, 2018
	Notice to Abate Nuisance Served (NTA) - mailed and posted at property	June 21, 2018
§354-1	Occupant Contacted by Email in Response to NTA	July 12, 2018
	Drive By Conducted to Check Progress	July 20, 2018
	Emailed Occupant to Check Progress	August 27, 2018
	Drive By Conducted to Check Progress and Emailed Occupant Again	August 31, 2018
	Occupant Emailed Back Requesting Additional Time to Complete Work	September 5, 2018
	Drive By Conducted to Check Progress	October 24, 2018
	Drive By Conducted to Check Progress	December 10, 2018
	Notice of Violation and Proposed Administrative Civil Penalty Served (NOV) – mailed and posted at the property	December 28, 2018
	Occupant Contacted to Provide Update	January 7, 2019
3	Occupant Contacted to Provide Update	January 28, 2019
	CEU Received Additional Complaints (this time regarding backyard of property)	February 28, 2019
-	CEU Received New Information that the Property Owner was Deceased	April 8, 2019
<u> </u>	Researched Case by Contacting Coroner's Office (no probate initiated, received contact info for possible heir)	April 8, 2019
	Contacted Heir/Occupant, Discussed CEU Case with Him and Requested Consent Inspection for Backyard	April 8, 2019
	Inspection of Whole Property Conducted	April 16, 2019
	New NTA Served to Include Occupants – mailed and posted at the property	April 19, 2019
	Occupant Contacted with Progress Info	May 29, 2019
	Spoke with Occupant to Schedule Follow Up Inspection	September 19, 2019

	Inspection Conducted of Property	September 25, 2019
§521-1, 521-4,	Drive By of Property	January 19, 2023
521-12		tulidal j 19, 2025
	Admin Determined County Abatement Would Proceed	March 28, 2024
&	Contacted Occupant to Inform of Intent to Conduct County Abatement and	
	Request Consent Inspection w/ Contractor	April 10, 2024
§354-1		
	Coordinated w/ Wahlund Construction Inc. for Abatement Work	April 11, 2024
	Inspection Conducted w/ Contractor for Estimate	April 18, 2024
	Inspection Warrant and Order of Abatement Obtained	May 8, 2024
	Letter of Intent to Serve Inspection Warrant and Order of Abatement served –	
	mailed and posted at the property	May 9, 2024
	County Abatement Commenced	May 13, 2024
	County Abatement Completed – Final Overall Photos Taken	May 21, 2024
	Invoice Received/Processed from Wahlund Construction, Inc	May 28, 2024
	Inspection Warrant and Order of Abatement Returned to Superior Court	May 29, 2024
	Prepare Notice of Nuisance Abatement Assessment	June 4, 2024

#### ATTACHMENT B LEGAL DESCRIPTION

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

Those portions of the Southwest Quarter of the Northeast Quarter of Section 2, Township 4 North, Range 1 West, Humboldt Meridian, described as follows;

#### PARCEL ONE

BEGINNING at a point which is South 1 degree West 720 feet and East 500 feet from the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 2;

thence South 88 degrees 22 minutes East, 140 feet;

thence South 1 degree West, 80 feet;

thence North 88 degrees 22 minutes West, 140 feet;

thence North 1 degree East, 80 feet to the point of beginning.

#### PARCEL TWO

A nonexclusive right of way for ingress and egress over the following described parcel of land:

BEGINNING at the Southwest corner of Parcel One above described:

thence South 1 degree West, 25 feet;

thence South 88 degrees 22 minutes East, 20 feet;

thence North 1 degree East, 25 feet, more or less, to the South line of Parcel One above described;

thence North 88 degrees 22 minutes West along said last mentioned line, 20 feet to the point of beginning; as conveyed to Leo Simmons and wife, by Deed recorded May 29, 1952, in book 209, Page 418, under Recorder's Serial No. 6154, Humboldt County Official Records.

#### PARCEL THREE

A nonexclusive right of way for ingress and egress over a strip of land 16 feet wide, the South line of which is described as follows:

BEGINNING at a point which is South 1 degree West 740.94 feet and East 500 feet and South 1 degrees West 87 feet from the Northwest corner of the Southwest Quarter of the Northeast Quarter;

thence West, 500 feet to the West line of the Southwest Quarter of the Northeast Quarter of said Section 2; as conveyed to Leo Simmons and wife, by Deed recorded May 29, 1952, in Book 209, Page 418, under Recorder's Serial No. 6154, Humboldt County Official Records.

Nature of Cost Incurred	ga er en er en en grante en
	Amount
Labor	\$7,408
Equipment	\$5,210
Materials (including disposal costs, removal/disposal of junk vehicles)	\$4,392.50
Total:	\$17,010.50
ADMINISTRATIVE COSTS  Nature of Cost Incurred	Amount
Staff Time:  Office Assistant: 2 hours x \$127 = \$254	\$10,433.75
Code Compliance Officer: 0.5 hours $\times$ \$107 = \$53.50 Investigator (old burden rate): 0.5 hours $\times$ \$115 = \$57.50 Ivestigator (new burden rate): 56.25 $\times$ \$179 = \$10,068.75	
Total=	
Mileage: 31 miles x \$0.54 per mile =	\$16.74
Mailing Costs:	\$50.82
Total:	\$10,501.31
	Equipment  Materials (including disposal costs, removal/disposal of junk vehicles)  Total:  ADMINISTRATIVE COSTS  Nature of Cost Incurred  Staff Time:  Office Assistant: 2 hours x \$127 = \$254 Code Compliance Officer: 0.5 hours x \$107 = \$53.50 Investigator (old burden rate): 0.5 hours x \$115 = \$57.50 Ivestigator (new burden rate): 56.25 x \$179 = \$10,068.75  Total=  Mileage: 31 miles x \$0.54 per mile =  Mailing Costs:

ATTORNEY'S FEES			
Violation	Nature of Cost Incurred	Amount	
§521-1, 521-4, 521-12 &	Deputy County Counsel – 1 hour x \$177 per hour = (review of legal documents)	\$177.00	
§354-1	PROCEEDS RECEIVED FROM SALE OF PERSONAL PROPERTY		
Violation	Property Sold	Amount Received	
§§521-1, 521-4, 521-12	None	\$0.00	
& §354-1			

## ATTACHMENT D COST RECOVERY HEARING REQUEST FORM

Address of Affected Property: 2050 Simmon	ns Road, Eureka, CA, 95503
Assessor's Parcel Number: 300-093-014	
To: Humboldt County Code Enforcement Un 3015 H Street Eureka California, 95501	nit
nuisance abatement assessment proposed to be costs, administrative costs and/or attorney's fee	ion 351-18, I am requesting a hearing to contest the amount of the levied against the affected property in order to recover the abatement incurred by the Humboldt County Code Enforcement Unit during ct the condition or conditions found to constitute a nuisance on the
proposed assessment is inappropriate under the	
	· · · · · · · · · · · · · · · · · · ·
to the amount of the proposed assessment]:  Name:  Address:	
City, State:	
Telephone Number:	
Hearing, as set forth in the Notice of Cost Records 351-18, the amount of the proposed assessment	opear at the place and time set for the requested Cost Recovery very Hearing issued pursuant to Humboldt County Code Section will become final, and be summarily approved by the Humboldt ays after service of the Notice of Nuisance Abatement Assessment -21.
I hereby declare under the penalty of perjuture and correct to the best of my knowledge.	ry, under the laws of the State of California, that the foregoing is
Signature:	Date:
Name:	