

ATTACHMENT B

Notice of Nuisance 11-13-2014

Notice of Nuisance 4-7-2016



Recording Requested By & For Benefit Of:
COUNTY OF HUMBOLDT
When Recorded, Mail To:
CODE ENFORCEMENT UNIT
Courthouse Bldg., 825 Fifth Street
Eureka, California 95501
707.476.2429

Exempt From Fees Per Gov't C. § 27383

2014-019953-7
Recorded - Official Records
Humboldt County, California
Carolyn Crnich, Recorder
Recorded by: HUMBOLDT CO

Clerk: LH Total: \$0.00
Nov 20, 2014 at 14:01:40
CONFORMED COPY

NOTICE OF NUISANCE

Owners: JONATHAN & SARAH WELTSCH
Address of Subject Premises 6000 ELK RIVER ROAD, EUREKA, CA 95503

NOTICE IS HEREBY GIVEN that conditions described on "Attachment A" exist on premises situate in the County of Humboldt, State of California, as described on Attachment "B", which are in violation of state law and the Humboldt County Code. These conditions exist to an extent that endanger the life, limb, health, property, safety or welfare of the public and, as such, constitute a "nuisance". Therefore,

YOU ARE HEREBY ORDERED to **immediately abate** said nuisance. Failure to immediately abate said nuisance may result in:

- **Imposition of an administrative penalty.** The Code Enforcement Unit may impose an administrative penalty upon you, in which event you may be liable for a monetary penalty of between \$250 to \$10,000 per violation, for each and every day the violation exists. In that case, the penalty shall be made a special assessment against the premises, shall become a lien upon the property and may be collected at the same time and in the same manner as is provided for the collection of ordinary county taxes and, further, shall be subject to the same interest and the same procedure of foreclosure and sale in the case of delinquency as is provided for in ordinary county taxes, and/or it may be collected as a personal obligation against you; and/or
- **Commencement on an abatement proceeding before the County Board of Supervisors.** If corrective action is not undertaken and diligently pursued to abate the nuisance within thirty (30) days from service on you of this Notice of Nuisance, then the Code Enforcement Unit may apply to the Board of Supervisors of Humboldt County for an order to abate the nuisance. In the event the Code Enforcement Unit applies to the Board of Supervisors for an order to abate the nuisance, the cost of such abatement may become a charge against the premises and in that event may be made a special assessment against the premises which may be collected at the same time and in the same manner as is provided for the collection of ordinary county taxes and may be subject to the same penalties and interest, under the same procedure of foreclosure and sale, in the case of delinquency, as is provided for in ordinary county taxes; and/or
- **Commencement of a civil action.** In the event the Code Enforcement Unit commences a civil action for injunctive relief and to abate the nuisance, you may be liable for monetary damages including the costs of abatement, civil fines and penalties, as well as for court costs and attorney's fees.

Please be advised ~ Violation of Humboldt County Code is a misdemeanor, punishable by imprisonment in the County Jail for a term not exceeding six (6) months, or a fine up to \$1,000, or both such fine and imprisonment, for each day of a violation.

Dated: 11/13/14


Davina Smith
Deputy County Counsel

A.P. No: 304-211-011 File No: 14CEU-51

"Attachment A"

Code Section	Nature of Violation	Corrective action required
<input type="checkbox"/> § 311-10.1	Building/property use or operation in violation of zoning code	Apply for permits from Planning & Building Dept.
<input type="checkbox"/> § 312-3	Development within coastal zone without permit(s)	Cease use and/or development & apply for permits
<input type="checkbox"/> § 314-45.1	Cottage industry violation	Apply for/obtain permits from Planning Dept. or cease use
<input type="checkbox"/> § 314-81.1	Use of mobile homes or trailers as place of habitation	Disconnect utilities and cease use as residence
<input type="checkbox"/> § 314-87.1	Secondary dwelling unit without permits	Apply for/obtain permits from Planning & Building Dept.
<input type="checkbox"/> § 331-11	Building conditions endanger life, health, safety or welfare of public [H&S§17920.3]	Apply for permit for repair, securement or demolition
<input type="checkbox"/> § 331-11.5	Non-approved water supply system	Apply for permits for system or removal
<input checked="" type="checkbox"/> § 331-14	Grading without permits	Apply for and obtain permits
<input checked="" type="checkbox"/> § 331-28	Construction of building/structure in violation of building, plumbing and/or electrical codes	Apply for and obtain permits
<input checked="" type="checkbox"/> § 352-26	Junk vehicles	a) Restore vehicle(s) to operative condition, and/or b) Remove inoperable vehicles, and/or c) Store inoperable vehicles within enclosed structure
<input checked="" type="checkbox"/> § 371--2	Maintaining a junkyard	a) Contain all debris within 200 square-foot area, and/or b) Contain all debris within an enclosed structure, and/or c) Remove all debris
<input type="checkbox"/> § 511-1	Failure to obtain permit for food establishment	Apply for and obtain permit
<input type="checkbox"/> § 521-4	Storage & removal of solid waste	Contain & dispose of all solid waste properly
<input type="checkbox"/> § 521-10	Improper disposal of solid waste	Properly remove solid waste. No burning or burying of solid waste.
<input type="checkbox"/> § 611-3	Unapproved sewage disposal system	Apply for & receive permit from Environmental Health Department for sewage disposal system
<input type="checkbox"/> § 612-6	Sewage/sewage system creating nuisance	Cease use & contact Environmental Health Dept.
Remarks:		

A.P. No. 304-211-011

ATTACHMENT "B"

DESCRIPTION

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

PARCEL ONE:

BEGINNING at a point 404.25 feet West and 495.66 feet South from the Northeast corner of Section 16, Township 4 North, Range 1 West, Humboldt Meridian (6 chains 12½ links West and 7 chains 51 links South per 31 D 391);
thence South 0 degrees 19 minutes 15 seconds West 34.98 feet (South 53 links per 31 D 391) to the South line of the parcel of land conveyed by S.F. Pine, by Deed to Thomas Hinch, recorded June 26, 1889 in Book 31 of Deeds, Page 391, Humboldt County Records;
thence along said South line, North 70 degrees 00 minutes 00 seconds East 670.38 feet to an iron pipe marked L.S. 5996 shown on the Record of Survey for Walt Giacomini filed in Book 68 of Surveys, Page 65;
thence leaving said line North 20 degrees 00 minutes 00 seconds West 58.00 feet to an iron pipe marked L.S. 5996 as shown on said Record of Survey;
thence from a tangent bearing North 46 degrees 26 minutes 55 seconds East along a curve concave to the Northwest having a radius of 140.00 feet through a central angle of 46 degrees 26 minutes 55 seconds an arc distance of 113.50 feet to an iron pipe marked L.S. 5996 as shown on said Record of Survey;
thence tangent to said curve, North 25.00 feet to an iron pipe marked L.S. 5996 as shown on said Record of Survey;
thence along a tangent curve to the right having a radius of 140.00 feet through a central angle of 40 degrees 00 minutes 00 seconds an arc distance of 97.74 feet to an iron pipe marked L.S. 5996 as shown on said Record of Survey;
thence tangent to said curve, North 40 degrees 00 minutes 00 seconds East 32.33 feet to a point on the North line of Section 15, Township 4 North, Range 1 West, Humboldt Meridian, that bears South 89 degrees 21 minutes 33 seconds East 300.00 feet from the Northwest corner of Section 15, said point marked by an iron pipe marked L.S. 5996 as shown on said Record of Survey;
thence along said North line, North 89 degrees 21 minutes 33 seconds West 300.00 feet to the Northwest corner of Section 15;
thence along the North line of Section 16, North 89 degrees 23 minutes 50 seconds West 404.25 feet;
thence South 0 degrees 19 minutes 15 seconds West 497.65 feet to the point of beginning.

EXCEPTING therefrom however, an undivided one-half interest in and to all oil, gas, petroleum, naphtha or other hydrocarbon substances and minerals of whatsoever kind and nature in, upon or beneath the property above described, together with the right of entry and all other rights including all rights of way and easements which may be necessary for the development, production and removal of all such substances and the full enjoyment thereof. Said rights having been excepted in the Deed recorded January 19, 1942 in Book 253 of Deeds, Page 490, Humboldt County Records.

See Record of Survey for Walt Giacomini filed in Book 68 of Surveys, Page 65.

PARCEL TWO:

All the real property situated in Section 10, Township 4 North, Range 1 West, Humboldt Meridian, in the County of Humboldt, State of California, described as follows:

A non-exclusive easement for ingress, egress, and utilities together with the right to build, maintain, repair and replace a road and being a portion of Parcel "A" and Parcel "C" as shown on the Record of Survey for Walt Giacomini, filed in Book 68 of Surveys, Page 65, and described as follows:

BEGINNING at the Northeast corner of said Parcel "B", said corner marked by an iron pipe marked LS 5996 as shown on said Record of Survey;
thence along the Southeast line of said Parcel "A", North 40 degrees 00 minutes 00 seconds East 218.92 feet;
thence leaving said Southeast line, North 52 degrees 54 minutes 27 seconds East 50.00 feet to West line of Elk River Road as described in the Easement Deed granted to the County of Humboldt by as Instrument No. 1994-21416-5, Humboldt County Records;
thence along said West line of Elk River Road, North 37 degrees 05 minutes 33 seconds West 11.46 feet to the Southeast line of said Parcel "A";

thence continuing along said West line of Elk River Road, North 37 degrees 05 minutes 33 seconds West 41.04 feet;

thence along a line parallel with and 40.00 feet distant to said Southeast line of Parcel "A", South 40 degrees 00 minutes 00 seconds West 50.00 feet;

thence South 50 degrees 00 minutes 00 seconds East 15.00 feet;

thence along a line parallel with and 25.00 feet distant to said Southeast line of Parcel "A", South 40 degrees 00 minutes 00 seconds West 249.89 feet to the North line of said Parcel "B";

thence along said North line, South 89 degrees 21 minutes 33 seconds East 32.33 feet to the point of beginning.

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, TERI GRIDLEY, 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, Eureka, California; that on November 13, 2014, I served a true copy NOTICE OF NUISANCE; AND NOTICE OF INTENT TO RECOVER COSTS

XX 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: **(Certified Mail)**

**Jonathan and Sarah Weltsch
6000 Elk River Road
Eureka, CA 95503**

_____ by personally delivering a true copy thereof to the person as forth below.

_____ 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 the 13th day of November, 2014, at the City of Eureka, County of Humboldt, State of California.


Teri Gridley, Legal Office Services Manager

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): CODE ENFORCEMENT UNIT COUNTY OF HUMBOLDT 825 FIFTH STREET, ROOM 110 EUREKA, CA 95501 TELEPHONE NO.: (707) 476-2429 FAX NO. (Optional): (707) 445-6297 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF HUMBOLDT STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PÉTITIONER: CODE ENFORCEMENT UNIT DEFENDANT/RESPONDENT: JONATHAN & SARAH WELTSCH	CASE NUMBER:
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: 14CEU-51

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. summons
 - b. complaint
 - c. Alternative Dispute Resolution (ADR) package
 - d. Civil Case Cover Sheet (served in complex cases only)
 - e. cross-complaint
 - f. other (specify documents): **NOTICE OF NUISANCE**
3. a. Party served (specify name of party as shown on documents served):
 Jonathan & Sarah Weltsch
 - b. Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served: **6000 ELK RIVER ROAD EUREKA, CA 95503**
5. I served the party (check proper box)
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): _____ (2) at (time): _____
 - b. by substituted service. On (date): _____ at (time): _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3): _____
 - (1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): _____ from (city): _____ or a declaration of mailing is attached.
 - (5) I attach a declaration of diligence stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER: CODE ENFORCEMENT UNIT

CASE NUMBER:

DEFENDANT/RESPONDENT: Jonathan & Sarah Weltsch

5. c. by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt.) (Code Civ. Proc., § 415.30.)
- (4) to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. by other means (specify means of service and authorizing code section):

POSTED PROPERTY 11/19/14 @ 10:43 A.M.

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. as an individual defendant.
- b. as the person sued under the fictitious name of (specify):
- c. as occupant.
- d. On behalf of (specify):

under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. Person who served papers

- a. Name: David Cooper
- b. Address: 825 Fifth Street, Eureka, CA 95501
- c. Telephone number: (707) 476-2429
- d. The fee for service was: \$
- e. I am:

- (1) not a registered California process server.
- (2) exempt from registration under Business and Professions Code section 22350(b).
- (3) registered California process server:
- (i) owner employee independent contractor.
- (ii) Registration No.:
- (iii) County:

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

9. I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 11/19/14

David Cooper
(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

David Cooper
(SIGNATURE)



Recording Requested By & For Benefit Of:
COUNTY OF HUMBOLDT
When Recorded, Mail To:
CODE ENFORCEMENT UNIT
Courthouse Bldg., 825 Fifth Street
Eureka, California 95501
707.476.2429

Exempt From Fees Per Gov't C. § 27383

2016-007001

Recorded - Official Records
Humboldt County, California
Kelly E. Sanders, Recorder
Recorded by: HUMBOLDT CO

Pages: 7

Recording Fee: \$ 0.00
Tax Fee: \$0
Clerk: lh Total: \$0.00
Apr 15, 2016 at 02:18:24

*** CONFORMED COPY ***

AMENDED NOTICE OF NUISANCE

Owner: Werner Weltsch, Jonathan and Sarah Weltsch
Address of Subject Premises 6000 Block of Elk River Drive, Eureka, California, Assessor's Parcel Number 304-211-011

This document amends the previous Notice of Nuisance, which was recorded on November 20, 2014 as 2014-019953-7 by adding an additional violation to Attachment "A" and correcting the ownership and address of the parcel.


NOTICE IS HEREBY GIVEN that conditions described on "Attachment A" exist on premises situate in the County of Humboldt, State of California, as described on Attachment "B", which are in violation of state law and the Humboldt County Code. These conditions exist to an extent that endanger the life, limb, health, property, safety or welfare of the public and, as such, constitute a "nuisance". Therefore,

YOU ARE HEREBY ORDERED to immediately abate said nuisance. Failure to immediately abate said nuisance may result in:

- **Imposition of an administrative penalty.** The Code Enforcement Unit may impose an administrative penalty upon you, in which event you may be liable for a monetary penalty of between \$250 to \$10,000 per violation, for each and every day the violation exists. In that case, the penalty shall be made a special assessment against the premises, shall become a lien upon the property and may be collected at the same time and in the same manner as is provided for the collection of ordinary county taxes and, further, shall be subject to the same interest and the same procedure of foreclosure and sale in the case of delinquency as is provided for in ordinary county taxes, and/or it may be collected as a personal obligation against you; and/or
- **Commencement on an abatement proceeding before the County Board of Supervisors.** If corrective action is not undertaken and diligently pursued to abate the nuisance within thirty (30) days from service on you of this Notice of Nuisance, then the Code Enforcement Unit may apply to the Board of Supervisors of Humboldt County for an order to abate the nuisance. In the event the Code Enforcement Unit applies to the Board of Supervisors for an order to abate the nuisance, the cost of such abatement may become a charge against the premises and in that event may be made a special assessment against the premises which may be collected at the same time and in the same manner as is provided for the collection of ordinary county taxes and may be subject to the same penalties and interest, under the same procedure of foreclosure and sale, in the case of delinquency, as is provided for in ordinary county taxes; and/or
- **Commencement of a civil action.** In the event the Code Enforcement Unit commences a civil action for injunctive relief and to abate the nuisance, you may be liable for monetary damages including the costs of abatement, civil fines and penalties, as well as for court costs and attorney's fees.

Please be advised ~ Violation of Humboldt County Code is a misdemeanor, punishable by imprisonment in the County Jail for a term not exceeding six (6) months; or a fine up to \$1,000, or both such fine and imprisonment, for each day of a violation.

Dated: April 7, 2016



Jason Sheets
Deputy County Counsel

A.P. No: 304-211-011

File No: 14CEU-51

"Attachment A"

Code Section	Nature of Violation	Corrective action required
<input type="checkbox"/> § 311-10.1	Building/property use or operation in violation of zoning code	Apply for permits from Planning & Building Dept.
<input type="checkbox"/> § 312-3	Development within coastal zone without permit(s)	Cease use and/or development & apply for permits
<input type="checkbox"/> § 314-45.1	Cottage industry violation	Apply for/obtain permits from Planning Dept. or cease use
<input type="checkbox"/> § 314-81.1	Use of mobile homes or trailers as place of habitation	Disconnect utilities and cease use as residence
<input type="checkbox"/> § 314-87.1	Secondary dwelling unit without permits	Apply for/obtain permits from Planning & Building Dept.
<input type="checkbox"/> § 331-11	Building conditions endanger life, health, safety or welfare of public [H&SS 17920.3]	Apply for permit for repair, securement or demolition
<input type="checkbox"/> § 331-11.5	Non-approved water supply system	Apply for permits for system or removal
<input checked="" type="checkbox"/> § 331-14	Grading without permits	Apply for and obtain permits
<input checked="" type="checkbox"/> § 331-28	Construction of building/structure in violation of building, plumbing and/or electrical codes	Apply for and obtain permits
<input checked="" type="checkbox"/> § 352-26	Junk vehicles	a) Restore vehicle(s) to operative condition, and/or b) Remove inoperable vehicles, and/or c) Store inoperable vehicles within enclosed structure
<input checked="" type="checkbox"/> § 371--2	Maintaining a junkyard	a) Contain all debris within 200 square-foot area, and/or b) Contain all debris within an enclosed structure, and/or c) Remove all debris
<input type="checkbox"/> § 511-1	Failure to obtain permit for food establishment	Apply for and obtain permit
<input type="checkbox"/> § 521-4	Storage & removal of solid waste	Contain & dispose of all solid waste properly
<input type="checkbox"/> § 521-10	Improper disposal of solid waste	Properly remove solid waste. No burning or burying of solid waste.
<input type="checkbox"/> § 611-3	Unapproved sewage disposal system	Apply for & receive permit from Environmental Health Department for sewage disposal system
<input type="checkbox"/> § 612-6	Sewage/sewage system creating nuisance	Cease use & contact Environmental Health Dept.
<input checked="" type="checkbox"/> § 314-61.1	Development in a Streamside Management Area without permits	Apply for and obtain the necessary permits from the Planning and/or Building Divisions
Remarks:		

A.P. No. 304-211-011

ATTACHMENT "B"

DESCRIPTION

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

PARCEL ONE:

BEGINNING at a point 404.25 feet West and 495.66 feet South from the Northeast corner of Section 16, Township 4 North, Range 1 West, Humboldt Meridian (6 chains 12½ links West and 7 chains 51 links South per 31 D 391);
thence South 0 degrees 19 minutes 15 seconds West 34.98 feet (South 53 links per 31 D 391) to the South line of the parcel of land conveyed by S.F. Pine, by Deed to Thomas Hinch, recorded June 26, 1889 in Book 31 of Deeds, Page 391, Humboldt County Records;
thence along said South line, North 70 degrees 00 minutes 00 seconds East 670.38 feet to an iron pipe marked L.S. 5996 shown on the Record of Survey for Walt Giacomini filed in Book 68 of Surveys, Page 65;
thence leaving said line North 20 degrees 00 minutes 00 seconds West 58.00 feet to an iron pipe marked L.S. 5996 as shown on said Record of Survey;
thence from a tangent bearing North 46 degrees 26 minutes 55 seconds East along a curve concave to the Northwest having a radius of 140.00 feet through a central angle of 46 degrees 26 minutes 55 seconds an arc distance of 113.50 feet to an iron pipe marked L.S. 5996 as shown on said Record of Survey;
thence tangent to said curve, North 25.00 feet to an iron pipe marked L.S. 5996 as shown on said Record of Survey;
thence along a tangent curve to the right having a radius of 140.00 feet through a central angle of 40 degrees 00 minutes 00 seconds an arc distance of 97.74 feet to an iron pipe marked L.S. 5996 as shown on said Record of Survey;
thence tangent to said curve, North 40 degrees 00 minutes 00 seconds East 32.33 feet to a point on the North line of Section 15, Township 4 North, Range 1 West, Humboldt Meridian, that bears South 89 degrees 21 minutes 33 seconds East 300.00 feet from the Northwest corner of Section 15, said point marked by an iron pipe marked L.S. 5996 as shown on said Record of Survey;
thence along said North line, North 89 degrees 21 minutes 33 seconds West 300.00 feet to the Northwest corner of Section 15;
thence along the North line of Section 16, North 89 degrees 23 minutes 50 seconds West 404.25 feet;
thence South 0 degrees 19 minutes 15 seconds West 497.65 feet to the point of beginning.

EXCEPTING therefrom however, an undivided one-half interest in and to all oil, gas, petroleum, naphtha or other hydrocarbon substances and minerals of whatsoever kind and nature in, upon or beneath the property above described, together with the right of entry and all other rights including all rights of way and easements which may be necessary for the development, production and removal of all such substances and the full enjoyment thereof. Said rights having been excepted in the Deed recorded January 19, 1942 in Book 253 of Deeds, Page 490, Humboldt County Records.

See Record of Survey for Walt Giacomini filed in Book 68 of Surveys, Page 65.

PARCEL TWO:

All the real property situated in Section 10, Township 4 North, Range 1 West, Humboldt Meridian, in the County of Humboldt, State of California, described as follows:

A non-exclusive easement for ingress, egress, and utilities together with the right to build, maintain, repair and replace a road and being a portion of Parcel "A" and Parcel "C" as shown on the Record of Survey for Walt Giacomini, filed in Book 68 of Surveys, Page 65, and described as follows:

BEGINNING at the Northeast corner of said Parcel "B", said corner marked by an iron pipe marked LS 5996 as shown on said Record of Survey;
thence along the Southeast line of said Parcel "A", North 40 degrees 00 minutes 00 seconds East 218.92 feet;
thence leaving said Southeast line, North 52 degrees 54 minutes 27 seconds East 50.00 feet to West line of Elk River Road as described in the Easement Deed granted to the County of Humboldt by as Instrument No. 1994-21415-5, Humboldt County Records;
thence along said West line of Elk River Road, North 37 degrees 05 minutes 33 seconds West 11.46 feet to the Southeast line of said Parcel "A";

thence continuing along said West line of Elk River Road, North 37 degrees 05 minutes 33 seconds West 41.04 feet;
thence along a line parallel with and 40.00 feet distant to said Southeast line of Parcel "A", South 40 degrees 00 minutes 00 seconds West 50.00 feet;
thence South 50 degrees 00 minutes 00 seconds East 15.00 feet;
thence along a line parallel with and 25.00 feet distant to said Southeast line of Parcel "A", South 40 degrees 00 minutes 00 seconds West 249.89 feet to the North line of said Parcel "B";
thence along said North line, South 89 degrees 21 minutes 33 seconds East 32.33 feet to the point of beginning.

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, LACY MITCHELL, 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, Eureka, California; that on April 12, 2016, I served a true copy **AMENDED NOTICE OF NUISANCE:**

XX 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: (Certified Mail)

**Werner Weltsch
6451 Elk River Road
Eureka, CA 95503**

**Jonathan & Sarah Weltsch
921 Hilda Court
Rio Dell, CA 95562**

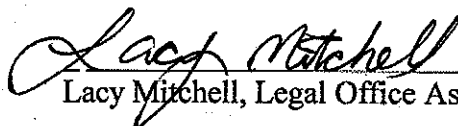
_____ by personally delivering a true copy thereof to the person as forth below.

_____ by placing a true copy thereof in the designated place at Court Operations to the attorney/parties named below.

_____ by fax

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

Executed on the 12th day of April, 2016, at the City of Eureka, County of Humboldt, State of California.



Lacy Mitchell, Legal Office Assistant

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): CODE ENFORCEMENT UNIT COUNTY OF HUMBOLDT 825 FIFTH STREET, ROOM 110 EUREKA, CA 95501 TELEPHONE NO.: (707) 476-2429 FAX NO. (Optional): (707) 445-6297 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF HUMBOLDT STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: CODE ENFORCEMENT UNIT DEFENDANT/RESPONDENT: WERNER WELTSCH; JONATHAN & SARAH WELTSCH	CASE NUMBER:
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: 14CEJ-51

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. summons
 - b. complaint
 - c. Alternative Dispute Resolution (ADR) package
 - d. Civil Case Cover Sheet (served in complex cases only)
 - e. cross-complaint
 - f. other (specify documents): **AMENDED NOTICE OF NUISANCE**
3.
 - a. Party served (specify name of party as shown on documents served):
WERNER WELTSCH, JONATHAN & SARAH WELTSCH
 - b. Person served: party in item 3a other (specify name and relationship to the party named in item 3a):
4. Address where the party was served:
Ap # 304-211-011
5. I served the party (check proper box)
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): _____ (2) at (time): _____
 - b. by substituted service. On (date): _____ at (time): _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b): _____
 - (1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): _____ from (city): _____ or a declaration of mailing is attached.
 - (5) I attach a declaration of diligence stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER: CODE ENFORCEMENT UNIT	CASE NUMBER:
DEFENDANT/RESPONDENT: WERNER WELTSEH ET AL	

- c. by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid;
- (1) on (date): (2) from (city):
- (3) with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt.) (Code Civ. Proc., § 415.30.)
- (4) to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. by other means (specify means of service and authorizing code section):

POSTED PROPERTY 4/13/2016 1345

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. as an individual defendant.
- b. as the person sued under the fictitious name of (specify):
- c. as occupant.
- d. On behalf of (specify):

under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. Person who served papers:

- a. Name: Jeff Conner
- b. Address: 825 Fifth Street
- c. Telephone number: 476-2429
- d. The fee for service was: \$ 0.00

e. I am:

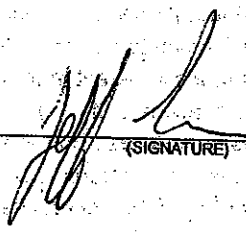
- (1) not a registered California process server.
- (2) exempt from registration under Business and Professions Code section 22350(b).
- (3) registered California process server:
- (i) owner employee independent contractor.
- (ii) Registration No.:
- (iii) County:

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

9. I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 4/14/2016

Jeff Conner
(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


(SIGNATURE)