

ATTACHMENT Q

Spears Road

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

Certified Mailing #: 9171 9690 0935 0255 5521 46

May 13, 2022

Donna Keith
2773 Spears Road
Eureka, CA 95503


RE: Service of Notice of Nuisance Abatement Assessment
2773 Spears Road, Eureka, CA 95503; APN: 403-011-024
Case No: CE21-0925

Dear Donna Keith,

Please see the attached Notice of Nuisance Abatement Assessment for your property located at 2773 Spears Road, Eureka, CA, 95503, APN: 403-011-024, for your Code Enforcement Case CE21-0925.

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



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Certified Mailing #: 9171 9690 0935 0255 5521 39

May 13, 2022

Donald F. Snyder
2773 Spears Road
Eureka, CA 95503

RE: Service of Notice of Nuisance Abatement Assessment
2773 Spears Road, Eureka, CA 95503; APN: 403-011-024
Case No: CE21-0925

Dear Donald F. Snyder,

Please see the attached Notice of Nuisance Abatement Assessment for your property located at 2773 Spears Road, Eureka, CA, 95503, APN: 403-011-024, for your Code Enforcement Case CE21-0925.

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

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May 13, 2022

Richard 'Rick' Ryan
2773 Spears Road
Eureka, CA 95503

RE: Service of Notice of Nuisance Abatement Assessment
2773 Spears Road, Eureka, CA 95503; APN: 403-011-024
Case No: CE21-0925

Dear Rick Ryan,

Please see the attached Notice of Nuisance Abatement Assessment for the property located at 2773 Spears Road, Eureka, CA, 95503, APN: 403-011-024, for your Code Enforcement Case CE21-0925.

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

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Certified Mailing #: 9171 9690 0935 0255 5521 15

May 13, 2022

Becky Costa
2773 Spears Road
Eureka, CA 95503

RE: Service of Notice of Nuisance Abatement Assessment
2773 Spears Road, Eureka, CA 95503; APN: 403-011-024
Case No: CE21-0925

Dear Becky Costa,

Please see the attached Notice of Nuisance Abatement Assessment for the property located at 2773 Spears Road, Eureka, CA, 95503, APN: 403-011-024, for your Code Enforcement Case CE21-0925.

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
PLANNING AND BUILDING DEPARTMENT
CODE ENFORCEMENT

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

Certified Mailing #: 9171 9690 0935 0255 5521 53

May 13, 2022

Terri Wagar
801 S. U. S. Highway 27
St. Johns, MI 48879

RE: Service of Notice of Nuisance Abatement Assessment
2773 Spears Road, Eureka, CA 95503; APN: 403-011-024
Case No: CE21-0925

Dear Terri Wagar,

Please see the attached Notice of Nuisance Abatement Assessment for the property located at 2773 Spears Road, Eureka, CA, 95503, APN: 403-011-024, for your Code Enforcement Case CE21-0925.

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: 2773 Spears Road, Eureka, CA 95503

Assessor's Parcel Number: 403-011-024

To: Owners & Occupants
Donna Keith Richard Ryan
Donald Snyder Becky Costa
2773 Spears Road 2773 Spears Road
Eureka, CA 95503 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 **Fifteen Thousand Seven Hundred Forty-Nine Dollars and Seventy-Six Cents (\$15,749.76)** 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 & Building Department

Name: John Ford

Date: 5/11/2022

ATTACHMENT A ACTIONS REQUIRED TO ABATE NUISANCE

Violations	Nature of Corrective Actions Taken	Date	
§521-4 & §354-1	Open Case in Accela	Feb. 1, 2021	
	Research Case and Review Past History Related to Property; Attempt to Contact Complainants via Telephone	Feb. 3, 2021	
§331-28 & §312-3	Responded to Property to Contact Occupants & Schedule Property Inspection	Feb. 4, 2021	
	Additional Research; Coordinate Multi Agency Inspection Response; Update Complainants Via Telephone; Obtain and Read Humboldt Bay Fire Department's Incident Report	Feb. 4, 2021	
§612-5 & §611-6	Property Inspection - Initial	Feb. 8, 2021	
	Research: Removal of Fire Damaged Redwoods	Feb. 24, 2021	
§611-6	Prepare Notice to Abate Nuisance for Times-Standard Eureka and submit to Times-Standard Eureka via Email	Feb. 24, 2021 – Mar. 5, 2021	
	Research: Contact County Counsel RE: Department of Environmental Health Notice of Violation	Mar. 3, 2021	
§611-6	Prepare Notice to Abate Nuisance	Mar. 7, 2021	
	Post Notice to Abate Nuisance at Property	Mar. 8, 2021	
	Notice to Abate Nuisance Mailed via First Class and Certified Mail	Mar. 9, 2021	
	Write Investigative Report	Feb. 24, 2021 - Mar. 12, 2021	
	Contact Complainants with Case Update	Mar. 10, 2021	
	Case Meeting at Property with the Occupants	Mar. 23, 2021	
	Phone Call with Property Occupant	Mar. 26, 2021	

	Post Second and final Notice of Violation for Department Environmental Health	Apr. 5, 2021
§521-4	Complete Proof of Service for Posting Department Environmental Health's Second and Final Notice of Violation and submit via Email	Apr. 6, 2021
&		
§354-1	Case Meeting with Occupants at the Property	Apr. 8, 2021
&		
§331-28	Phone Call From Complainant Requesting Case Update	June 15, 2021
&		
§312-3	Prepare Notice of Intent to Conduct County Abatement	July 6, 2021
&		
§312-3	Mail Notice of Intent to Conduct County Abatement	July 6, 2021
&		
§612-5	Follow Up Property Inspection	July 23, 2021
&		
§612-5	Draft Inspection Warrant and Order of Abatement	Aug. 3, 2021
§611-6	Telephone Calls from Multiple Complainants	Aug. 3, 2021
	Proofread and Revise Draft of Inspection Warrant and Order of Abatement Declaration	Aug. 4, 2021
	Follow Up Property Inspection	Aug. 31, 2021
	Follow-Up Property Inspection	Sep. 9, 2021
	Draft Notice of Intent to Abate and Remove Junk/Inoperable Vehicles and Prepare Notices for Mailing via First Class and Certified Mail	Sep.14, 2021
	Add Contractor Information to Inspection Warrant and Order of Abatement draft; Prepare Warrant Attachments	Nov. 23,2021
	Re-write and Proofread Declaration In Support of Inspection Warrant and Order of Abatement, and Inspection Warrant and Order of Abatement; Prepare All Documents to be sent to County Counsel for Proofreading	Jan. 21, 2022 – Jan. 27, 2022
	Proofread and revise Declaration of Inspection Warrant and Order of Abatement & Inspection Warrant and Order of Abatement Draft	Feb. 18, 2022
	Complete Declaration in Support of Inspection Warrant and Order of Abatement & Inspection Warrant and Order of Abatement; Proofread and Correct Warrant	

Attachments; Combine All Warrant Attachments; Upload all Warrant Documents and Warrant Attachments to Exavault for Submittal to Superior Court via Email; Multiple Phone Calls and Emails Exchanged with Superior Court to Resolve Technical Issues	Feb. 22, 2022
Case Research: Read Controlled Documents Received from Humboldt County Sheriff's Office Regarding Property; Contact Neighborhood Watch Liaison with Case Update; Enter Case Notes from Department Environmental Health	Feb. 22, 2022
Phone Calls and Emails To and From Humboldt Superior Court to Have Inspection Warrant and Order of Abatement Filed with the Court and File and Date Stamped	Feb. 23, 2022
Prepare Notice of Intent to Serve Inspection Warrant and Order of Abatement SW2200103	Feb. 24, 2022
Prepare Notice of Intent to Serve Inspection Warrant and Order of Abatement SW2200103 for Posting and Mailing via First Class and Certified Mail (print copies, sign, scan and upload copies)	Feb. 24, 2022
Post Notice of Intent to Serve Inspection Warrant and Order of Abatement SW2200103 and Copies of Inspection Warrant and Order of Abatement SW2200103 on Property	Feb. 24, 2022
Property Inspection Conducted with Contractor Johns' Group as per Inspection Warrant and Order of Abatement SW2200103	Feb. 28, 2022
Contact Humboldt County Sheriff's Office via Telephone Regarding Plate Return Information for Vehicle Located on Property	Feb. 28, 2022
Call Complainant with Case Update	Mar. 1, 2022
Write Inspection Report	Mar. 1, 2022
Post Notice of Intent to Serve Inspection Warrant and Order of Abatement	Mar. 4, 2022
Inspection Warrant and Order of Abatement SW2200103 Served and Property Abatement Completed	Mar. 11, 2022
Prepare Notice of Nuisance Abatement Assessment	Mar. 14, 2022 – May 6, 2022
Inspection Warrant and Order of Abatement SW2200103 Returned to Superior Court	Mar. 16, 2022

ATTACHMENT B LEGAL DESCRIPTION

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

That portion of the Southeast Quarter of the Southwest Quarter
of the Southeast Quarter of Section 30, Township 5 North, Range 1
East, Humboldt Meridian, described as follows:

BEGINNING at the Southeast corner of the Southwest Quarter of
the Southeast Quarter of said Section 30;

thence North 0 degrees 14 minutes West along the east line of
said subdivision, 323.8 feet;

thence South 88 degrees 26 minutes West, 168.1 feet, to the
center line of a County Road said point also being the northeast
corner of the parcel of land conveyed to Department of Veterans Affairs
of the State of California by deed recorded December 12, 1967 in
Book 944 of Official Records, page 60, under Recorder's File No.
17623, Humboldt County Records;

and running thence along the easterly line of said last mentioned
parcel and along the center line of the County Road, south 22 degrees
34 minutes west, 157.84 feet; south 27 degrees 28 minutes west,
129.6 feet; and south 11 degrees 49 minutes west, 70.32 feet,
to the south line of said Section 30;

thence along the section line north 88 degrees 07 minutes East,
305.1 feet to the point of the beginning.

**ATTACHMENT C
ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED**

ABATEMENT COSTS		
Violation	Nature of Cost Incurred	Amount
§521-4 & §354-1 & §331-28 & §312-3 & §612-5 & §611-6	Labor, Equipment, Materials, Disposal Fees, Permit Costs	\$6,605.50
	Mailing Costs	\$26.24
	Newspaper Posting – Eureka Times-Standard	\$1,855.22
	Total:	\$8,486.96

ADMINISTRATIVE COSTS		
Violation	Nature of Cost Incurred	Amount
§521-4 & §354-1 & §331-28 & §312-3 & §612-5 & §611-6	Staff Time: Code Compliance Officer 13.25 hours at \$106 an hour Legal Office Assistant .1 hours at \$83 an hour Code Enforcement Investigator 48.50 hours at \$115 an hour	\$7,220.30
	Mileage: 78.7 Miles at \$0.54 a mile	\$42.50
	Total:	\$7,262.80

ATTACHMENT C
ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ATTORNEY'S FEES

Violation	Nature of Cost Incurred	Amount
§521-4 & §354-1 & §331-28 & §312-3 & §612-5 & §611-6	None	\$0.00

PROCEEDS RECEIVED FROM SALE OF PERSONAL PROPERTY

Violation	Property Sold	Amount Received
§521-4 & §354-1 & §331-28 & §312-3 & §612-5 & §611-6	Not Applicable	\$0.00

ATTACHMENT D COST RECOVERY HEARING REQUEST FORM

Address of Affected Property: 2773 Spears Rd. Eureka, CA 95503

Assessor's Parcel Number: 403-011-024

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: _____