

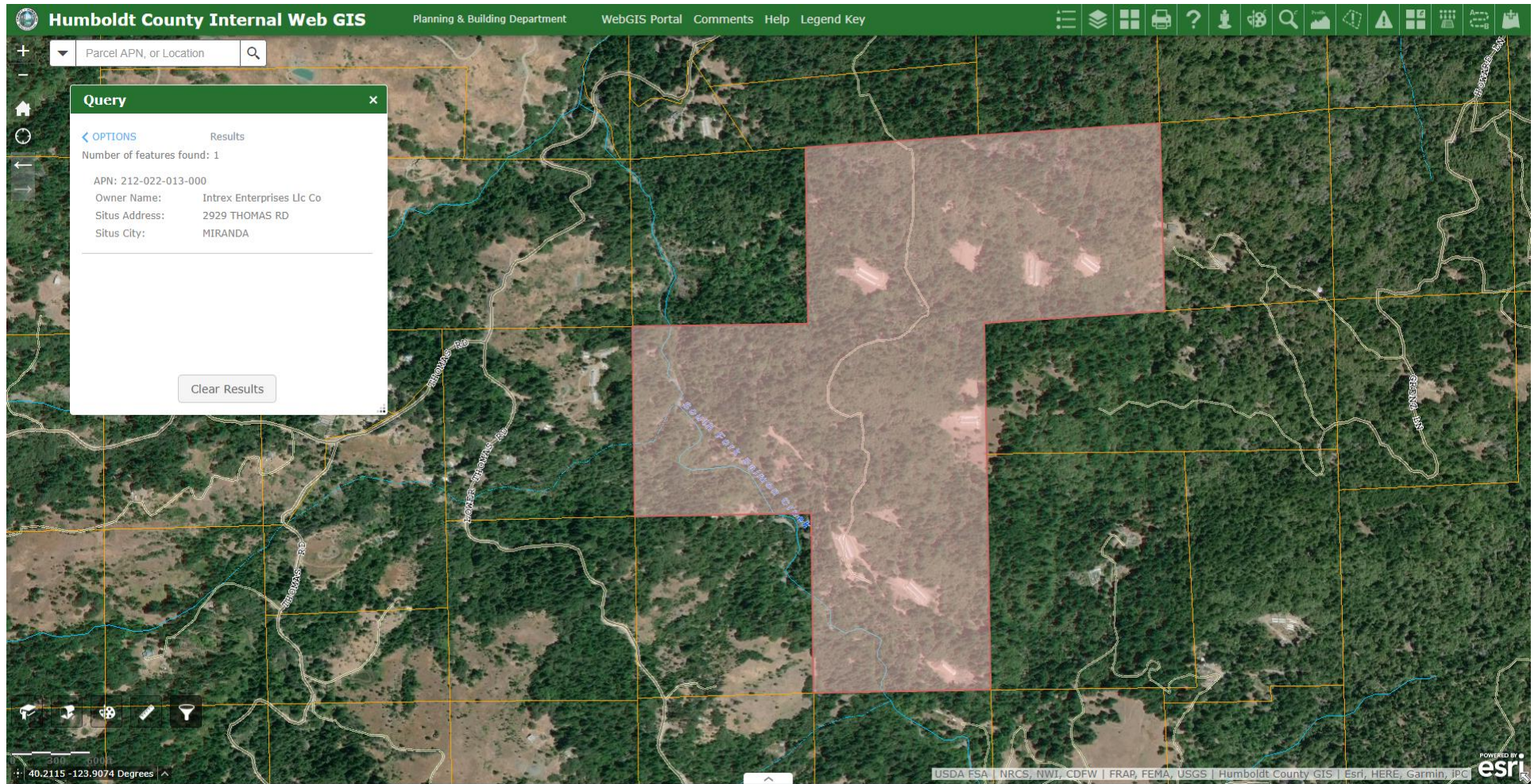
ATTACHMENT D

Wild Berry Investments, Inc. #18CEU-710

APN: 212-022-013

1. Recent Site History
2. Inspection Reports Search Warrant from 1/10/2022 during previous Ownership
3. Notice Documents for current property owner
  - a. Notice of Violation and Proposed Administrative Civil Penalty
  - b. Notice to Abate Nuisance
  - c. Proof of Service for Notice of Violation and Proposed Administrative Civil Penalty and Notice to Abate Nuisance
4. Notice of Administrative Civil Penalty Assessment with Proof of Service

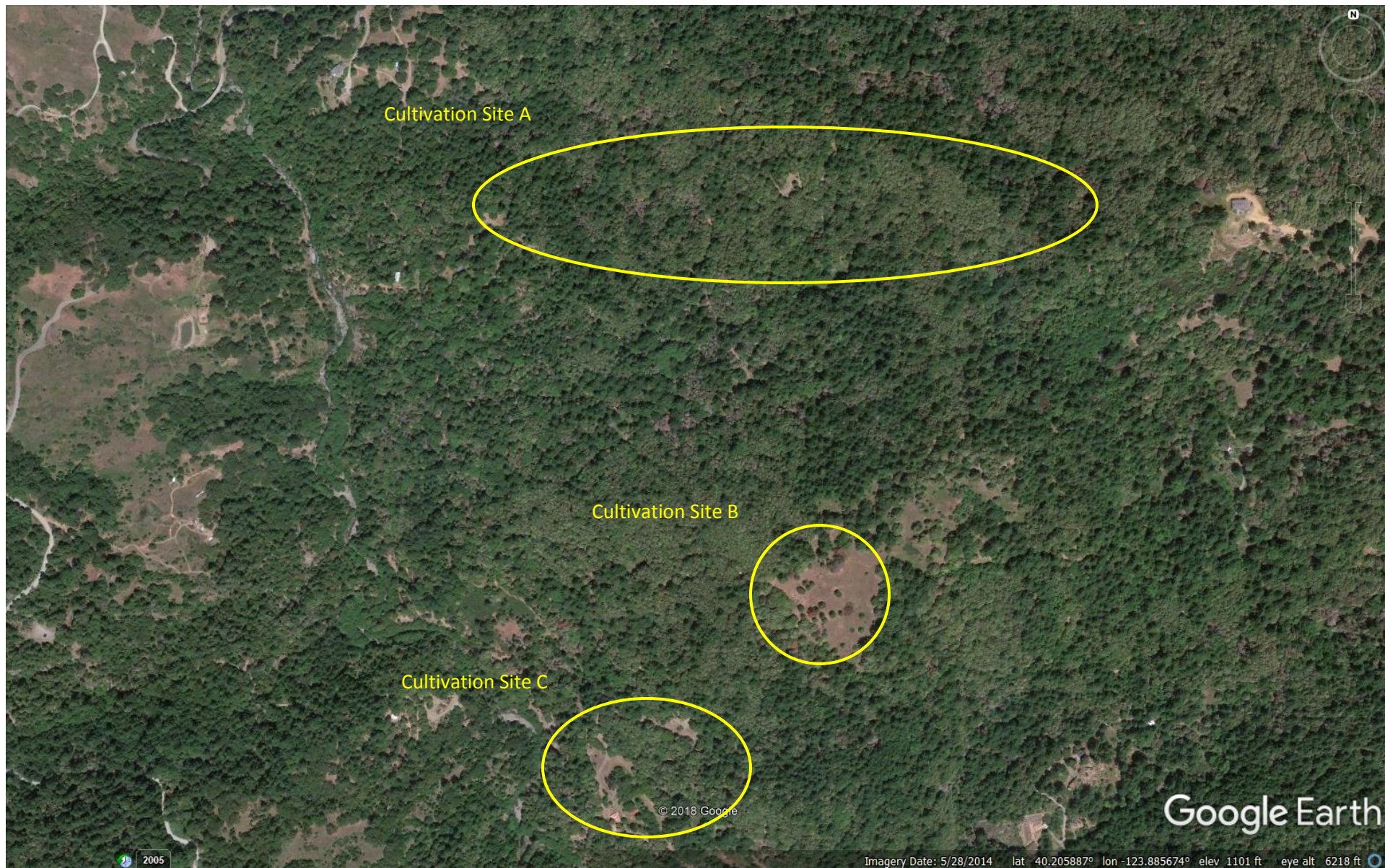
# Parcel Boundaries and Cultivation Site Reference Map: APN 212-022-013-000; U



Approximately 150,053 sq. ft. of cultivation in 2018

Recent Site History APN: 212-022-013-000

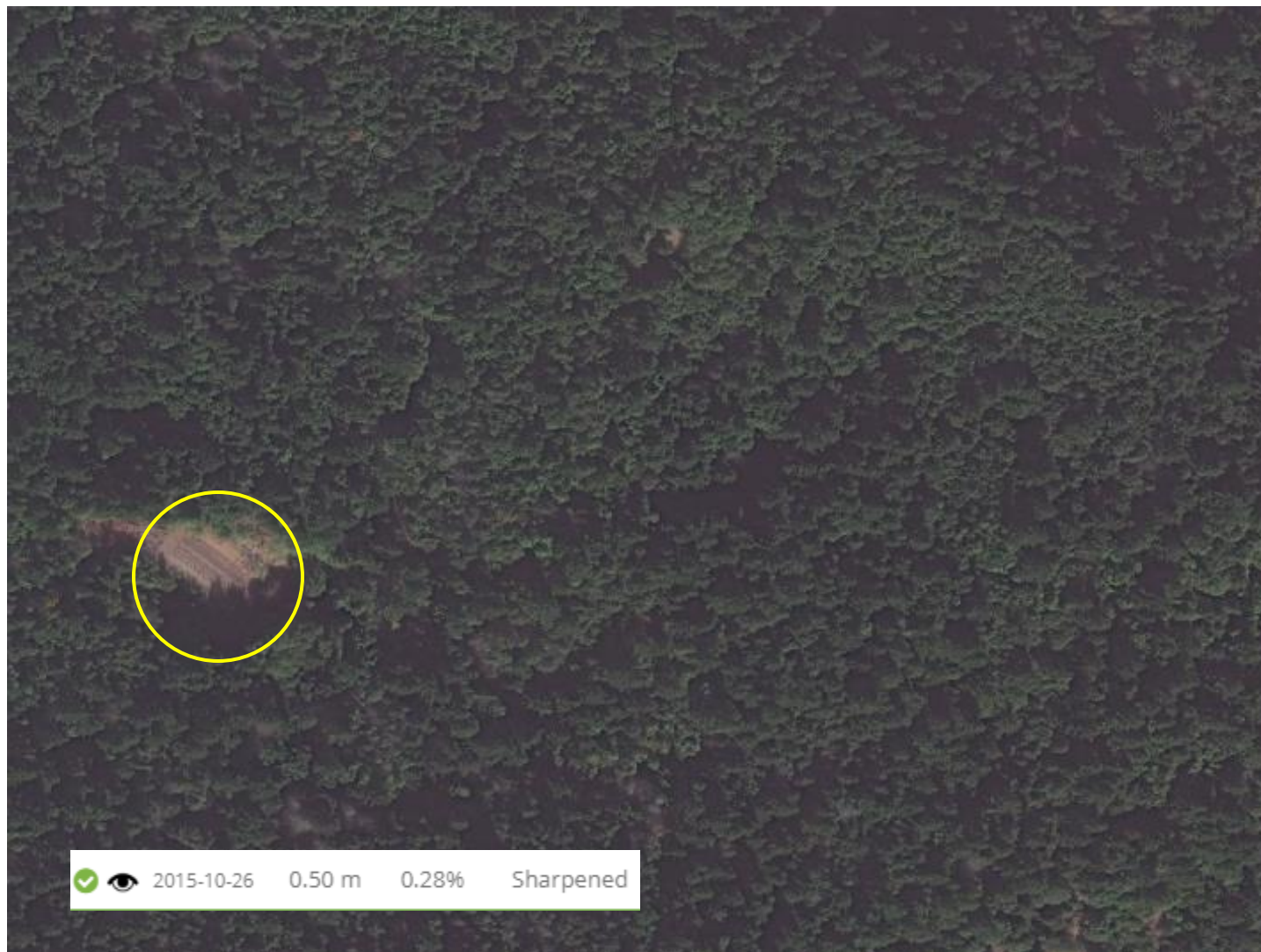
Cultivation Site 2014



May 28, 2014

Recent Site History APN: 212-022-013-000

Cultivation Site A 2015



October 26, 2015

Recent Site History APN: 212-022-013-000

Cultivation Site A 2016



October 26, 2015

Recent Site History APN: 212-022-013-000

Cultivation Site A 2018



October 6, 2018

Recent Site History APN: 212-022-013-000

Cultivation Site B 2015



✓ 2015-10-26 0.50 m 0.28% Sharpened

October 26, 2015

Recent Site History APN: 212-022-013-000

Cultivation Site B 2016



July 24, 2016



Recent Site History APN: 212-022-013-000

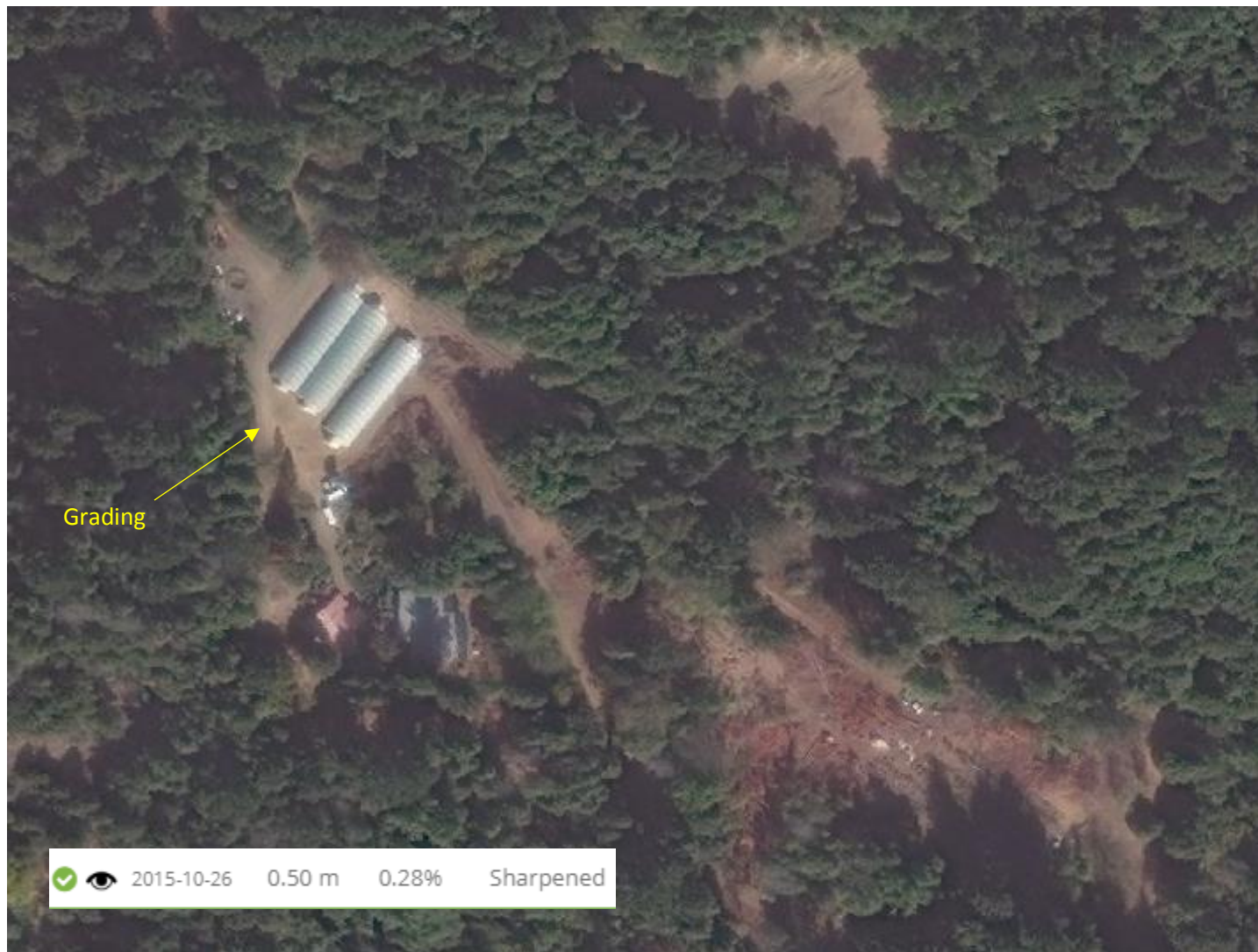
Cultivation Site B 2018



October 6, 2018

Recent Site History APN: 212-022-013-000

Cultivation Site C 2015



October 26, 2015

Recent Site History APN: 212-022-013-000

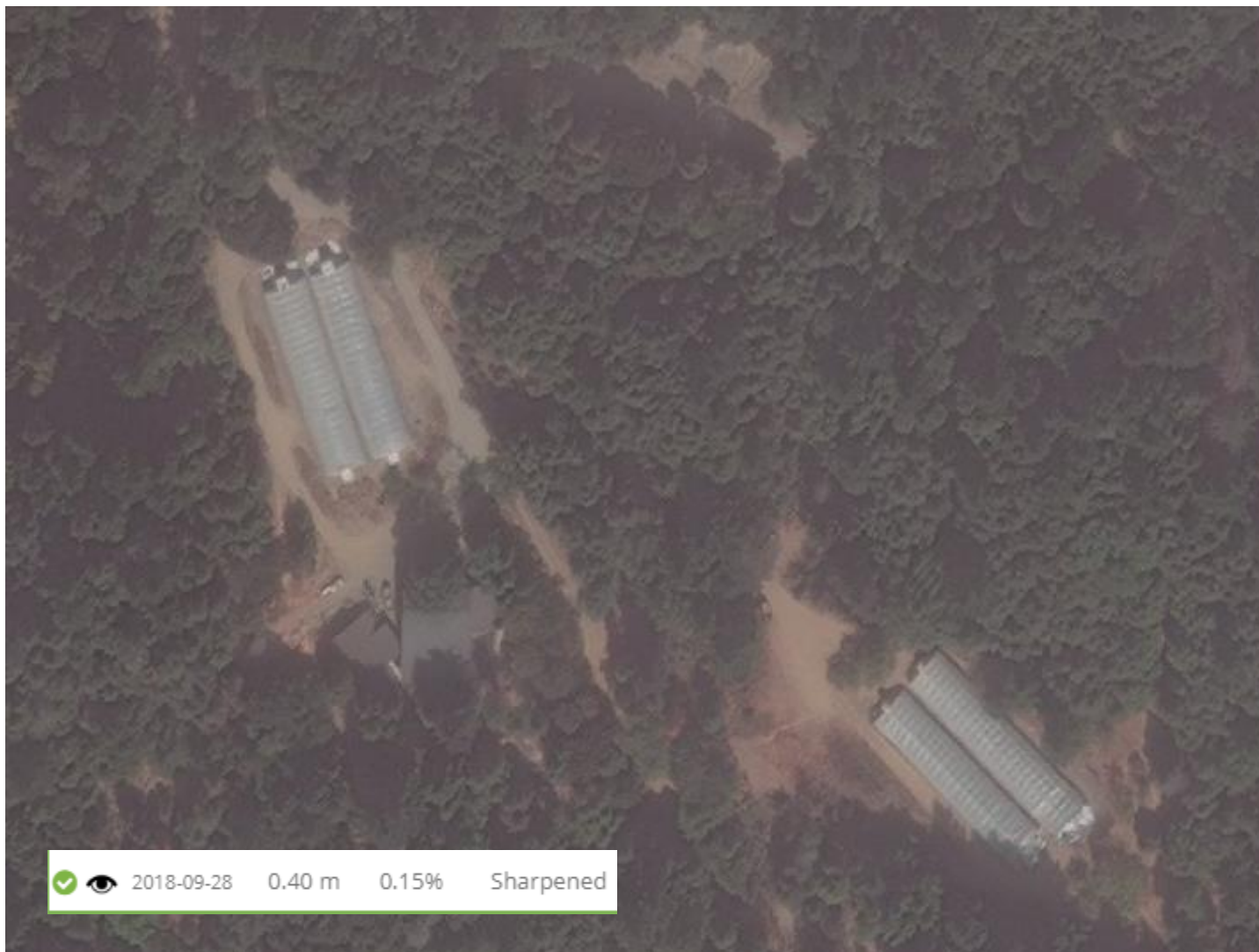
Cultivation Site C 2016



July 24, 2016

Recent Site History APN: 212-022-013-000

Cultivation Site C 2018



September 28, 2018

Recent Site History APN: 212-022-013-000

Cultivation Site 2018



October 22, 2018

**County of Humboldt Code Enforcement Unit  
Inspection Notes**

<b>Inspector: Branden Howton</b>	<b>Date: January 10, 2022</b>
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<b>PROPERTY DETAILS</b>	
<b>Type of Inspection:</b> Search Warrant	<b>Main Agency:</b> CDFW
<b>Property Name(s):</b> Shawn Waddell 667 Fir Lane, Apt B Garberville, CA 95542	<b>APN(s):</b> 212-022-013-000
<b>Situs Address/Area:</b> 2929 Thomas Road Miranda, CA 95553	<b>Zoning:</b> Unclassified
<b>Ownership History; Purchased:</b> December 29, 2020	<b>Grant Deed:</b> 2020-25334

<b>Planning &amp; Building Records</b>	
<b>Permits / Applications:</b> 17CEU-234; Closed; planning applications applied for. PLN-201-15292; CUP for cannabis cultivation PLN-11997-CUP; Closed; inactivity PLN-10098-TRM; < 3-Acre Conversion; Closed; incomplete PLN-10138-SP; Grading in SMA; incomplete BLD-40409-NA; No info BLD-40382-NA; Grading plan, fix SMA issue, <3-Acre Conversion; incomplete	<b>Applicant:</b>  Intrex Enterprises LLC Intrex Enterprises LLC Intrex Enterprises LLC Intrex Enterprises LLC Intrex Enterprises LLC Intrex Enterprises LLC
<b>Special Notes:</b> Ongoing Case; from previous owner Intrex Enterprises LLC	<b>CEU Case:</b> 18CEU-710 Initiate Penalty Assessment

<b>INSPECTION DETAILS</b>	
<b>Meet up:</b> Dyerville Overlook	<b>Time:</b> 0700
<b>Other Agencies:</b> State Water Boards, HCSO, CDFW Bio	

**SUMMARY: 212-022-013-000 Shawn Waddell**

In support of Law Enforcement Operations on January 10, 2022, at approximately 07:43, I accompanied the California Department of Fish and Wildlife (CDFW) on a Search Warrant for parcel number 212-022-013-000, located at 2929 Thomas Road in Miranda, CA. Other agencies on scene were the Humboldt County Sheriff's Office (HCSO), and the State Water Boards. Once the area was secured for entry, I entered the property and conducted a site inspection on behalf of Humboldt County Code Enforcement where I verified and documented the violations of Improper Storage and / or Removal of Solid Waste, Failure to Report a Hazardous Spill, Unpermitted Well, Junk and / or Inoperable Vehicle, Unapproved Sewage Disposal System, Construction in Violation of Building Codes, Grading without Permits, Development within a Streamside Management Area, and Violations of the Humboldt County Commercial Cannabis Land Use Ordinance (CCLUO).

Due to time constraints and the overall size of the property, I focused on developmental violations, such as unpermitted structures, cannabis cultivation, solid waste, and other associated issues; while my partner, CCO Brady Wylie, focused on grading, SMA, and associated environmental impacts.

**Area 1**

I immediately made my way to the indoor cannabis cultivation located within the Main Building on the property located on a large, graded area (Graded Flat 1) in the Southern portion of the property. Graded Flat 1 measured 25,000 ft<sup>2</sup> in area, had a moderate geo instability rating, and was found on a slope listed as 30 – 50%. Research found Graded Flat 1 was created for the purpose of erecting the Main Building upon it. Any graded area where excess of 50 cubic yards of earth is moved, or is in a moderate to high geo instability area, or has a 15% or greater slope, or is created for the placement of structures upon it requires a grading permit. Since no permit grading permits were issued for this property, a violation of unpermitted grading was noted.

Additionally, the Graded Flat 1, as well as a couple of the structures located upon it, were located within 50' feet of an intermittent watercourse. Its approximate location is noted on supplied reference map. This was noted as a violation of development within a streamside management area.

The Main Building is a two-story, eight-room, three bath, wooden structure, on a pier-and-post foundation, measuring roughly 4,800 ft<sup>2</sup>. The vast majority of the downstairs area was being utilized for unpermitted cannabis cultivation, as well as most of the upstairs area. The cannabis in the large room on the lower floor (Room A) measured between 8" – 18" inches in height, were in a vegetative state, and were placed in pots on the ground. In Room A, I noted 44 grow lights of a type typically found on indoor cultivation sites, hanging above the cannabis plants. Also hanging from the ceiling, were unpermitted electrical lines, fans venting, and other infrastructure typically found in unauthorized indoor cannabis cultivation

operations.

In one corner of the room (Northeast), I documented three (3) 250 – gallon water tanks (Water Tanks 1) used for mixing nutrients for the cultivation operation. I also noted water lines running from Water Tanks 1 to the cannabis plants within Room A. In the area around Water Tanks 1, I noted nutrient bottles placed directly on the ground and no proper containment in case of accidental spill.

Attached to Room A, on the South side, were two (2) bedrooms (Rooms 1 and 2), with a Bathroom between them. Room 1 allowed access to the exterior of the Main Building on the West side. Also connected to Room A was a closet being used for storage on the West wall near a stairwell to the second floor, and an entrance to the Hallway within the Main Building was located on the East wall. Access to the Kitchen is available from the North wall. Additional information and details can be found in the “Locations of Interest” section below.

The Hallway allowed access to two (2) additional bedrooms (Rooms 3 and 4), another Bathroom, a laundry room (Room 5), and a storage room (Room 6) on the East side of the Hallway, and the Kitchen to the North. I did note a set of French doors along the East wall in the Hallway that were boarded up. Inspection found this was once used to allow access to Room B, but was closed off when Room B was converted for indoor cannabis cultivation. I noted metal drying lines spanning the width of the Hallway running nearly its entire length. This suggests this area is utilized in the drying phase of the cannabis cultivation operation. On the floor of the Hallway, I also documented a duplex outlet mounted contrary to building codes and causing a trip hazard.

Room 3 was not only being used for a sleeping area, but also for a cannabis processing and storage area. I noted several green tubs placed in this area and cultivation materials. Inspection found the tubs were filled with processed cannabis, some of which was manicured and placed in bags weighing one (1) pound a piece.

Room B is only accessible from the outside since the French doors no longer allow access to the Hallway. It measured 576 ft<sup>2</sup> in size and was being utilized for indoor cannabis cultivation. The cannabis plants in this area stood between 3' – 3½' feet in size and were in the flowering stage. Like Room A, I noted unpermitted electrical and plumbing throughout the room and counted 10 grow lights hanging from the ceiling to aid in the operation. I also noted plastic netting being used to trellis up the cannabis plants. Located on the floor near the middle of the room was a large dehumidifier. This set up is typical of indoor cannabis operations.

There are two (2) separate upstairs areas located within the Main Building. The first room (Room 7) is only accessible via stairwell located in the Kitchen. It was being utilized as a sleeping area at time of inspection.

Room C is accessible via stairwell connected to Room A and was set up for indoor cannabis



cultivation. The room measured roughly 945 ft<sup>2</sup> in size and contained flowering cannabis plants standing between 2' – 3' feet in height. The plants were placed in pots on the floor and used plastic netting for support. Throughout the room I noted plumbing, electrical, and 35 grow lights hanging from the ceiling. The access to the balcony from Room C was boarded up so no access could be made. From the outside, I noted pulleys and supplies on the balcony, suggesting the supplies for the cannabis operation were brought to the second level of the Main Building through the balcony area.

Further details of the Main Building rooms and cannabis found within can be found in the "Locations of Interest" section below.

Any structure measuring 120 ft<sup>2</sup> or larger in size requires a permit per Humboldt County Code 331-11 and only Six (6) cannabis plants per permitted residential structure, per parcel is allowed per California State Ordinances, and Humboldt County Code, without the proper County Permits and State Licenses. Since I was unable to find any permits for structures or for cannabis, a violation of the CCLUO and the building code were noted.

After speaking with the Code Enforcement Manager (Karen Meynell) and the Director of Planning and Building (John Ford), the entire Main Building will have to be removed for the violations of unpermitted structures and the CCLUO to be abated. This is due to the residential areas appearing to have been built around the cannabis cultivation operation, and not a case of a residential living spacing being converted for indoor cannabis cultivation.

To the North of the Main Building, I documented a one-story, wooden structure (Building 1), approximately 700 ft<sup>2</sup>, housing two (2) large towable generators. Neither generator had secondary containment to help prevent the spilling of hazardous materials into the environment. Moreover, I noted areas within Building 1 where fuel and oil had spilled onto the ground. Had secondary containment features been utilized, the leaking fuel and oil would have been contained. Due to the issues found within, two (2) counts of failure to report a hazardous spill were constituted. County Hazmat will have to be consulted and the removal of the contaminated soil will have to be properly removed for the violations to be abated. The generators within Building 1 were found to be supplying power to the cannabis cultivation found within the Main Building and Building 2.

Building 2 is a 1,296 ft<sup>2</sup>, one-story, two-room, wooden building, located to the West of the Main Building and was set up as an indoor cannabis cultivation area. The cannabis plants within Building 2 were separated into three (3) sperate areas.

The first area contained smaller 6" inch plants located in thirty-six (36), fifty- count trays placed on metal racks positioned in the middle of the room. Along several walls were wooden shelves containing 8" inch cannabis plants in 4" inch pots. The rest of the plants in Building 2 measured between 2' – 4' feet in height and were located in pots placed on the ground.

Also in Building 2, I documented several power panels without covers and unpermitted electrical installed throughout the structure. I noted electrical outlets along the un-shelved walls spaced roughly 4' feet apart. The metal shelves had lighting installed to assist in the propagation of the cannabis plants and were connected to power by extension cords and power strips.

Additionally, I noted three (3) barrels within Building 2, typically found on cannabis cultivation operations used to mix nutrients for feeding the plants. I also located venting and fans throughout the structure, as well as other cannabis cultivation materials.

Once again, any structure measuring 120 ft<sup>2</sup> or larger in size requires a permit per Humboldt County Code 331-11, and only six (6) cannabis plants per permitted residential structure, per parcel is allowed per California State Ordinances, and Humboldt County Code, without the proper County Permits and State Licenses. I was unable to locate any permits associated with the subject parcel to allow for the structures or the cultivation of cannabis, so I noted violations of the CCLUO and building code.

Also found in Area 1 was an abandoned outhouse and several carports on the East side of the Main Building. Spread around the buildings were multiple piles of solid waste and discarded cannabis cultivation materials. Two (2) of the carports appeared to be utilized for the trimming process of the operation. I noted tubs filled with processed cannabis, tables, and lighting above. The carports in use were supplied power with extension cords. The other carports here were either used for storage or were essentially unfunctional, as the metal frames were bent, or the tarpaulin covers were torn beyond repair. These items, as well as the Main Building and Building 1 are located within the SMA, requiring a violation of such for each.

In one area near Building 2, I located a pile of vegetative cannabis plants previously in 4" inch pots that had been thrown on the ground. Alongside the discarded cannabis was a pile of discarded soil containing perlite. The soil was unkept and had no erosion control to prevent sediment transfer.

All the structures in this area are required to be removed, the solid waste properly disposed of, and the graded flats returned to natural contours for the violations to be abated.

## Area 2

The next area I inspected was another grouping of three (3) buildings (Buildings 3 – 5) located on graded flats (Graded Flat 2), Northeast of Area 1. Graded Flat 2 appeared to be created for the purposes of erecting the structures upon them, measured 19,400 ft<sup>2</sup>, had a 15 – 50% slope rating, and is listed to have a geo instability rating of moderate. I noted a violation of unpermitted grading since no permits were issued to this property for grading.

Building 3 is a 912 ft<sup>2</sup>, single-story, wooden structure, on a cement slab foundation, located

North of Buildings 4 and 5. Within Building 3, I documented 47 green tubs, and one (1) black tub filled with processed cannabis. No other items were located within Building 3. Research found, during inspection in 2018, this building was being utilized as a generator shed. Once again, any structure measuring 120 ft<sup>2</sup> or larger in size requires a permit per Humboldt County Code 331-11, and the amounts of cannabis found within requires a permit per Humboldt County Code 314-55. For these reasons, violations of the CCLUO and the building code were noted.

Building 4 is a two-story, two-room, wooden structure, on stem-wall foundation, and measured approximately 2,700 ft<sup>2</sup>. The lower level of Building 4 was half filled the drying cannabis, hanging from metal lines spanning the width of the structure; and several black bags and tubs filled with processed cannabis. Also, on the lower level of Building 4, I noted venting and unpermitted open air electrical.

The Upper level of Building 4 was only accessible with a ladder due to the stairwell being unusable. The upper floor was empty; however, I did note metal lines running the width of the building and more unpermitted and unsafe electrical. Additional violations of the CCLUO and the building code were noted for Building 4.

Building 5 is located South of the other buildings in Area 2. Like Building 4, it is a two-room wooden structure, on stem-wall foundation. It measured 3,400 ft<sup>2</sup> in area and the upper level was empty. The lower level was filled with discarded supplies which are typically found on cannabis cultivation operation sites. There were also additional bags filled with processed cannabis on the lower level and unpermitted electrical. For these reasons, violations of the CCLUO and the building code were warranted.

In order for the violations in this area to be abated, all the cannabis materials and structures will need to be removed, and the graded areas will have to be recontoured to natural slopes.

Further details of the buildings located in Area 2 can be found in the “Locations of Interest” section below.

### Area 3

The third area I inspected (Area 3) is located in the Northwest corner of the property. On a series of graded areas (Graded Flat 3) specifically designed for the placement of the structures upon them. Graded Flat 3 measured roughly 42,000 ft<sup>2</sup> in area, has a moderate geo instability rating, and a listed slope of 15 – 50%. I noted a violation of unpermitted grading as no permits were located for this property to allow for the grading that occurred.

Like Area 2, Area 3 consisted of three (3) buildings (Buildings 6 – 8) placed on graded terraced flats created specifically for the structures.

Two of the buildings (Buildings 7 and 8) were two-story, wooden structures, on a stem-wall foundations, and measure approximately 3,800 ft<sup>2</sup> a piece. Both buildings only had one room per level and had unpermitted electrical, lighting, venting, and plumbing installed.

At time of inspection, the lower level of Building 7 was being utilized for the drying process of the cannabis operation. There were several metal lines spanning the width of the structure with bucked cannabis plants hanging from them. Also on the lower level were several tubs filled with processed cannabis and piles of equipment typically used in cannabis operations. This includes Romex copper wire (14 – 10 AWG), fans, lights, plastic netting, and other items.

The upper level had raised platforms under construction. They appeared to be constructed in a similar style to those found on permitted and unpermitted cultivation operations, to aid in ease of cultivation. Placing the plants on a raised platform makes it easier to hand water the plants and creates established walkways.

Building 8 is North of Building 7 and was being set up for indoor cultivation at time of inspection. On both levels I found raised platforms under construction with plastic water line running throughout. I also noted several tools typically used in construction within the rooms and additional supplies for the construction of additional raised platforms.

Due to their size and use, violations of the CCLUO and the building code were warranted for both Buildings 7 and 8.

Building 6 is a 720 ft<sup>2</sup>, wooden structure, on a stem-wall foundation, located South of the other buildings in this area. It was being utilized to house a generator found to be supplying power to Buildings 7 and 8. There is a drainage hole in the rear of the building leading directly into a nearby streamside management area (SMA). Not only is this a violation of the CCLUO and the building code, a violation of development within the SMA was also noted.

As with the other buildings located on this property, Buildings 6 – 8 will have to be removed and the graded areas recontoured to natural slopes for the violations to be abated.

All throughout Area 3, I noted multiple piles of solid waste which will also have to be properly disposed of.

#### Area 4

Near Area 3, to the East, is a cement foundation with a stem wall, measuring 800 ft<sup>2</sup> in size. It appears this was going to be the location of an additional building (Building 9) but construction was not completed. The cement foundation qualifies as a structure without permits and will have to be removed as well. I noted a violation of the building code.

I noted several piles of solid waste throughout the property, all of which are not expressly noted in this report. A reference map has been added to aid in clarification.

An additional report was completed by Code Compliance Officer Brady Wylie, which lists the details of the large, graded flats on the property, previously used for outdoor cannabis cultivation, and their environmental impacts. After I finished up my investigation, I accompanied CCO Wylie while he documented several additional graded flats and finished up his portion of the inspection.

This concludes my report.

<b>Locations of Interest: 212-022-013-000 Shawn Waddell</b>			
<b>Lat.</b>	<b>Long.</b>	<b>Description</b>	<b>Violation</b>
		Area 1	
40.20120	-123.88694	Graded Flat 1; 25,000 ft <sup>2</sup> ; 30 – 50% slope, moderate geo instability. Location of Main Building, Building 1, and Building 2. Within SMA.	314-55.4 331-14 314-61.1
40.20115	-123.88679	Main Building; 4,800 ft <sup>2</sup> ; wooden; two-story, eight-rooms, three-bath; electrical, lighting, plumbing; pier-and-post foundation; Within SMA.	331-28 314-61.1 611-3
		Room A; 1,350 ft <sup>2</sup> ; electrical, plumbing, venting, lighting (44 lights); Cannabis; vegetative, 8” – 18” inches in height, in pots on the ground, netting.	314-55.4 331-28
		Hallway; drying lines spanning width.	331-28
		Room B; 576 ft <sup>2</sup> ; electrical, plumbing, venting, lighting (35 lights); Cannabis; budding, 2’ – 3’ feet in height, in pots on the ground, netting.	314-55.4 331-28
		Room 3; used for processing and storage of cannabis.	314-55.4 331-28
		Room C; 945 ft <sup>2</sup> ; electrical, plumbing, venting, lighting (10 lights); Cannabis; flowering, 3’ – 3½’ feet in height, in pots on the ground, netting.	314-55.4 331-28
40.20133	-123.88678	Building 1; 700 ft <sup>2</sup> ; wooden; one-story, one-room; electrical; pier and post foundation; Used to house generators. Hazardous Spill.	314-55.4 331-28 337-18
40.20112	-123.88705	Building 2; 1,296 ft <sup>2</sup> ; wooden; one-story, two-room; electrical, lighting, plumbing; slab foundation; Cannabis; vegetative, 528 ft <sup>2</sup> ; 6” – 36” inches in height, in pots on ground and trays on racks. Within SMA	314-55.4 331-28 314-61.1
40.20112	-123.88662	Carport 1; 200 ft <sup>2</sup> ; used for processing cannabis; electrical.	314-55.4 331-28
40.20112	-123.88657	Carport 2; 200 ft <sup>2</sup> ; used for processing cannabis; electrical.	314-55.4 331-28
40.20107	-123.88651	Carport 3; 200 ft <sup>2</sup> ; not in use.	331-28
40.20100	-123.88646	Carport 4; 200 ft <sup>2</sup> ; used for storage of supplies.	331-28
40.20099	-123.88660	Outhouse; pit privy; abandoned.	611-3

		Area 2	
40.20191	-123.88755	Graded Flat 2; 19,800 ft <sup>2</sup> ; 15 – 50% slope, moderate geo instability. Location of Buildings 3 – 5. Within SMA.	314-55.4 331-14
40.20218	-123.88468	Building 3; 912 ft <sup>2</sup> ; wooden; one-story, one-room; electrical; slab foundation. Designed to house generators. Used for storage of processed cannabis.	314-55.4 331-28 314-61.1
40.20207	-123.88449	Building 4; 2,700 ft <sup>2</sup> ; wooden; two-story, two-room; electrical, lighting, plumbing; stem-wall foundation; Cannabis; hanging, 1,350 ft <sup>2</sup> .	314-55.4 331-28 314-61.1
40.20177	-123.88440	Building 5; 3,400 ft <sup>2</sup> ; wooden; two-story, two-room; electrical, lighting, plumbing; stem-wall foundation; Cannabis; bags filled with processed.	314-55.4 331-28 314-61.1
		Area 3	
40.20846	-123.88758	Graded Flat 3; 42,000 ft <sup>2</sup> ; 15 – 50% slope, moderate geo instability. Location of Buildings 6 – 8. Within SMA.	314-55.4 331-14
40.20808	-123.88744	Building 6; 700 ft <sup>2</sup> ; wooden; one-story, one-room; electrical; Used to house generators.	314-55.4 331-28 314-61.1
40.20827	-123.88778	Building 7; 3,800 ft <sup>2</sup> ; wooden; two-story, two-room; electrical, lighting, plumbing; stem-wall foundation; Cannabis; hanging, 2,400 ft <sup>2</sup> .	314-55.4 331-28 314-61.1
40.20872	-123.88789	Building 8; 3,800 ft <sup>2</sup> ; wooden; two-story, two-room; electrical, lighting, plumbing; stem-wall foundation; Cannabis; none.	314-55.4 331-28 314-61.1
		Area 4	
40.20765	-123.88612	Building 9; 700 ft <sup>2</sup> ; slab and stem-wall only.	331-28

<b>VIOLATIONS FOR PARCEL: 212-022-013-000 Shawn Waddell</b>		
<b>Section</b>	<b>Nature</b>	<b>Count</b>
314-55.4	Violation of the Commercial Cannabis Land Use Ordinance	17
	Area of active cannabis cultivation	3,399 ft <sup>2</sup>
	Area of cannabis drying / processing	2,375 ft <sup>2</sup>
331-14	Grading Without Permits	3
	Area of Unpermitted Grading	86,900 ft <sup>2</sup>
331-28	Const. of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes	14
314-61.1	Development in a Streamside Management Area without a Permit	8
337-18	Failure to Report a Hazardous Spill	1
611-3	Unapproved Sewage Disposal System	2
521-4	Improper Storage and Removal of Solid Waste	8

<b>TOTAL VIOLATIONS FOR PARCEL: 212-022-013-000 Shawn Waddell (Brady Wylie's and Branden Howton's combined violations)</b>		
<b>Section</b>	<b>Nature</b>	<b>Count</b>
314-55.4	Violation of the Commercial Cannabis Land Use Ordinance	17
	Area of active cannabis cultivation	3,399 ft <sup>2</sup>
	Area of cannabis drying / processing	2,375 ft <sup>2</sup>
331-14	Grading Without Permits	17
	Area of Unpermitted Grading	321,242 ft <sup>2</sup>
331-28	Const. of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes	14
314-61.1	Development in a Streamside Management Area without a Permit	13
354-1	Junk and/or Inoperable Vehicles	2
337-18	Failure to Report a Hazardous Spill	1
611-3	Unapproved Sewage Disposal System	2
631-3	Unpermitted Well	2
521-4	Improper Storage and Removal of Solid Waste	23



**NOTES: 212-022-013-000 Shawn Waddell**

**Number of Plants:** 7,098 cannabis plants eradicated

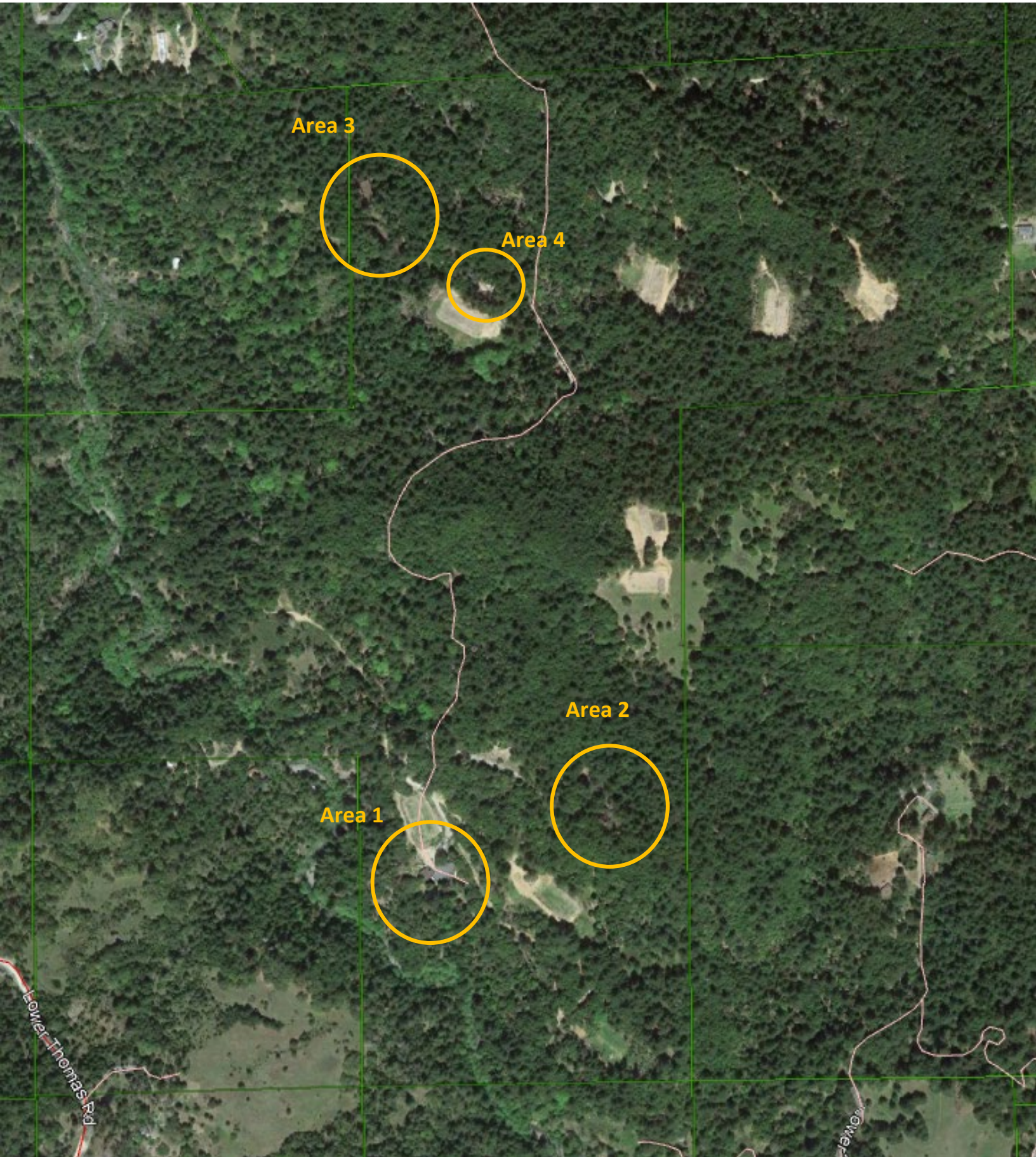
**Processed:** 4,030 pounds processed

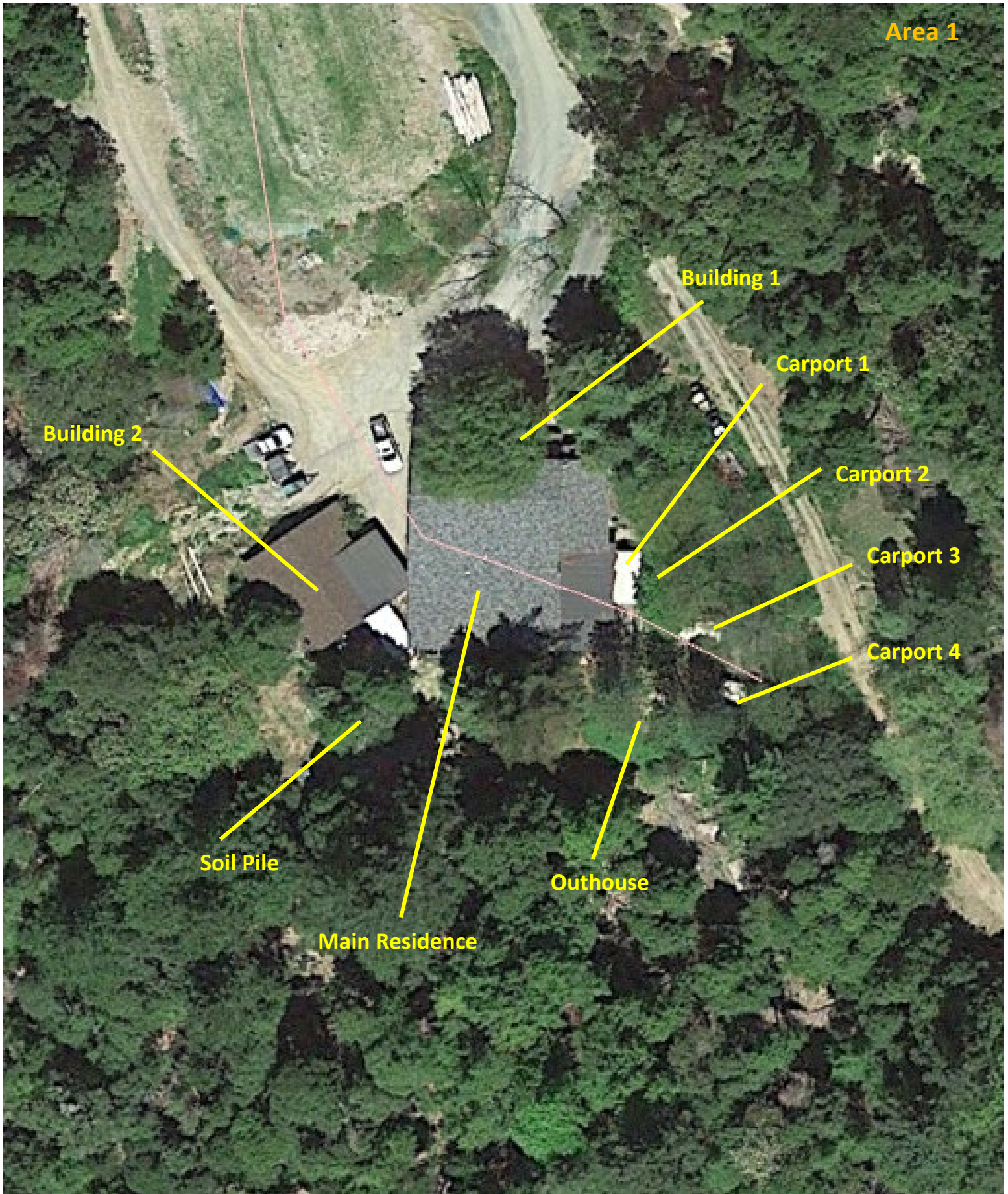
1,764 pounds shake

**People on Site:**

4 Adult Males; workers for property owner.

**Other Notes:**





**County of Humboldt Code Enforcement Unit  
Inspection Report**

<b>Inspector:</b> Brady Wylie	<b>Date:</b> 2022.01.10
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<b>PROPERTY DETAILS</b>	
<b>Type of Inspection:</b> Search Warrant	<b>Main Agency:</b> CDFW
<b>Property Name(s):</b> Shawn M. Waddell 667 Fir Ln Apt B Garberville, CA 95542	<b>APN(s):</b> 212-022-013-000
<b>Address/Area:</b> 2929 Thomas Road Miranda, CA 95553	<b>Grant Deed:</b> 2020-25334  <b>Zoning:</b> U
<b>Owner/history:</b> Intrex Enterprises LLC (Released ownership: 12/29/2020)	

<b>Planning &amp; Building Records</b>	
<b>Permits:</b> Expired grading permits. Special permit for grading in SMA is listed as open	<b>Cannabis Applications:</b> Two closed apps
<b>Special Notes:</b> Notices served 07.08.21 to new owner for cannabis, structures, grading, SMA, Hazardous waste, & Solid waste.	<b>CEU Case:</b> <a href="#">18CEU-710</a>

<b>INSPECTION DETAILS</b>	
<b>Meet up:</b> Dyerville Overlook	<b>Time:</b> 0700
<b>Other Agencies:</b> HCSO, Waterboard, Hazmat	

<b>SUMMARY: 212-022-013-000 Shawn M. Waddell</b>
In support of Law Enforcement Operations on January 10, 2022, at approximately 07:43, I accompanied the California Department of Fish and Wildlife (CDFW) on a Search Warrant for parcel number 212-022-013-000, located at 2929 Thomas Road in Miranda, CA. Other agencies on scene were the Humboldt County Sheriff's Office (HCSO), and the State Water Boards. Once the area was secured for entry, I entered the property and conducted a site inspection on behalf of Humboldt County Code Enforcement where I verified and documented the violations of Improper Storage and/or Removal of Solid Waste, Unpermitted Wells, Junk and/or Inoperable Vehicle, Construction in Violation of Building Codes, Grading without Permits, Development within a Streamside Management Area, and Violations of the Humboldt County Commercial Cannabis Land Use Ordinance (CCLUO).

Due to time constraints and the overall size of the property, I focused on the following violations: Development within a Streamside Management Area (SMA), grading, solid waste, and the associated environmental impacts. Code Compliance Officer Branden Howton, also on site, focused on the unpermitted structures and building violations, and association to the unpermitted cannabis cultivation operation.

I started the inspection at the Southern end of the property and worked my way North. For clarity, I will refer to the locations inspected as labeled in the map produced by Timberland Resource Consultants, attached hereto on the final page of this report. Lastly, it should be noted that no outdoor cannabis cultivation occurred on site, and the labeled cultivation areas coincide with the developed/graded areas.

Cultivation area K (CA K) was situated near the southernmost parcel line. To get to CA K, I followed a road that crossed over a stream channel. It appeared graded fill was placed on top of the stream channel for easier access to the cultivation area. Placing fill on top of a stream channel denigrates the natural flow and greatly increases sediment transport. CA K measured approximately 18,900 square feet with a 4-6-foot cut. The cultivation area appeared to have been abandoned for some time, indicated by revegetation of the graded area. Tree removal for the development of the flat was evident by the clearing in the forest and stacked timber on the edge of the developed area.

CA J is the next developed area to the North of CA K. In between CA K and CA J, I documented several piles of improperly stored solid waste that consisted of garbage, car batteries, tires, pallets, and construction refuse. CA J measured approximately 28,980 square feet with a graded cut that ranged approximately 6-20-feet high. Discarded Potting soil was observed dispersed and in piles in this area. The cultivation area appeared to have been abandoned for some time, indicated by revegetation of the graded area. Lastly, an inoperable white Ford truck was documented slightly to the north of CA J.

The subsequent developed area, CA I, was located Northwest of CA J and had unpermitted structures facilitating indoor cannabis cultivation. Reference report by CCO Branden Howton, Area 1, for further details. Additionally, a large, abandoned graded area was located at CA I that measured approximately 26,082 square feet with a 12-foot cut and a 20-foot-high fill slope. Discarded Potting soil was observed dispersed and in piles in this area. The cultivation area appeared to have been abandoned for some time, indicated by revegetation of the graded area. The unpermitted structures facilitating indoor cultivation were situated below the 20-foot-high fill slope. A drainage channel was observed downhill to the west of the structures. It appeared improvements had been made via the installation of a culvert for better drainage and reduction of sediment transport. However, it appeared a large amount of sediment had collected near the mouth of the culvert which ultimately redirected water flow around the culvert.

CA H is located directly east of CA I and comprised two large unpermitted buildings and one unpermitted generator shed. The two large buildings were previously used for indoor cannabis cultivation, indicated by the materials found inside, such as, old, hanging bucked cannabis. Reference report by CCO Branden Howton, Area 2, for further details. A significant amount of grading was conducted for the placement of the structures in this area. For example, behind the generator shed was a steep cut that measured approximately 40 feet high. Additionally, a drainage channel appeared to stem below the southernmost building,

indicating some of the structures were likely built on top or near the drainage channel. Lastly, an inoperable/junk gold Ford F-350 pick-up truck was situated in front of the buildings.

The next areas inspected were CA G and CA F, which is North of the previous areas inspected and approximately near the center of the parcel. Along the way to CA G and CA F, a solid waste pile was documented alongside the road at a turn off. The solid waste consisted of discarded potting soil with fresh cannabis clippings (stalks), hoop frames, slash piles, & rusted metal. CA G measured approximately 15,300 square feet with a gradual cut of approximately 10 feet. Although the cut slope was gradual, the fill slope displayed signs of gully erosion. A large potting soil pile was situated on the flat that measured approximately 25 cubic yards. The potting soil pile appeared to have been there for a while indicated by the vegetation growing on it. CA F measured approximately 20,475 square feet with a steep 8-foot cut. In addition, two large potting soil piles were also found on the flat.

The subsequent location inspected was CA D, which is located Northwest of the previous areas inspected. In between CA F & CA D, an unpermitted well was identified alongside of the road. Adjacent to the unpermitted well was a flowing creek within approximately 50 feet. Additionally, the well was not capped properly. Upon reaching CA D, the graded/developed area appeared to be the size of a football field. CA D measured approximately 42,750 square feet with a steep cut of approximately 25 feet. Numerous piles of discarded potting soil were documented on the flat. Additionally, several slash piles were located around the perimeter of the flat. Lastly, a creek was flowing at the southern edge of CA D. From the top of the bank of the creek to the center of CA D measures approximately 100 feet. Therefore, the development that occurred at CA D is within a Streamside Management Area (SMA).

Following CA D, I inspected CA E, which is located to the Northwest of the previous area inspected. CA E comprised 3 unpermitted structures with a nexus to indoor cannabis cultivation. Two of the northernmost structures at this location were constructed specifically for indoor cannabis cultivation, while the southernmost structure was used to store fuel and generators. The fuel and generator structure had a hole drilled through the foundation on the back side of the building for drainage purposes. This eludes that hazardous waste materials likely drained through the hole and out unto the environment with no proper containment. Reference report by CCO Branden Howton, Area 3, for further details. Additionally, wetland like vegetation and a flowing creek was observed behind the building, presenting further environmental concerns. From the corner of the building to a pool of water near the creek, I measured approximately 84 feet, constituting a violation of development within a Streamside Management Area (SMA). Lastly, large quantities of grading occurred for the development and placement of the structures in this area along with the road leading to the structures.

The remaining areas to cover in this report are CA C, CA B, and CA A, which are positioned in a West to East orientation and were inspected in the order provided above.

CA C measured approximately 29,250 square feet with a steep cut of around 15-20 feet. The fill slope on the flat had evident signs of failure/sloughing. Slightly North of CA C was an unpermitted well that appeared to have frequent use.

CA B measured approximately 30,375 square feet with a steep cut of around 20-30 feet. Discarded potting soil was dispersed throughout the flat constituting a solid waste violation.

CA A measured approximately 22,230 square feet with a steep cut of around 30-40 feet. A large potting soil pile was situated on the flat that appeared to have been there for a while. Lastly, an unpermitted well was also located on the flat, but did not appear to have recent use.

Overall, the cumulative amount of grading and tree removal on this property for unpermitted cannabis development purposes amounts to approximately 234,342 square feet. The equivalent square footage is approximately 4 football fields worth of unpermitted development. Considering that the property is in an impacted watershed, the environmental impacts on this property are significant and major restoration is needed.

An additional report was completed by Code Compliance Officer Branden Howton, which denotes the details of the large, unpermitted cannabis structures/buildings on site. Refer to CCO Howton's report for information regarding the unpermitted cannabis structures.

Refer to the "Locations of Interest" table below for additional details of the inspection:

<b>Locations of Interest: 212-022-013-000 Shawn M. Waddell</b>			
<b>Lat.</b>	<b>Long.</b>	<b>Description</b>	<b>Violation</b>
40.201696	-123.886905	CA I: Graded flat, approx. 26,082 SF w/ 12ft cut & 20ft fill	<b>331-14; 314-55.4</b>
40.201793	-123.887092	Solid waste: discarded potting soil piles	<b>521-4</b>
40.201074	-123.885617	CA J: Graded flat, approx. 28,980 SF w/ 6-20ft	<b>331-14; 314-55.4</b>
40.200346	-123.884912	Solid Waste: Pallets & Tires	<b>521-4</b>
40.199965	-123.884847	Solid Waste: 5 car truck batteries	<b>521-4</b>
40.19956	-123.885065	Solid Waste: Construction debris	<b>521-4</b>
40.199298	-123.884858	SMA: fill placed on top of stream channel	<b>314-61.1; 331-14</b>
40.199301	-123.884692	Cut timber	<b>314-62.2</b>
40.199341	-123.884522	CA K: Graded flat, approx. 18,900 SF w/ 4-6' cut	<b>331-14; 314-55.4</b>
40.200279	-123.885253	Creek flowing over road	-
40.200706	-123.886007	Solid Waste: garbage pit, overflowing downslope	<b>521-4</b>
40.201495	-123.886049	Junk vehicle: White Ford Truck	<b>354-1</b>
40.201936	-123.88461	CA H: 2 large buildings & shed	<b>331-28; 314- 55.4.3</b>
40.202176	-123.884562	Cut behind shed: approx. 40ft	<b>331-14; 314-55.4</b>
40.201713	-123.884588	Drainage channel below CA H	<b>314-61.1</b>
40.202144	-123.884735	Junk vehicle: Gold F-350 truck	<b>354-1</b>
40.205979	-123.886853	Solid waste: discarded potting soil piles, hoop frames, slash piles, rusted metal	<b>521-4</b>
40.204384	-123.884152	CA G: Graded flat, approx. 15,300 SF w/ 10ft gradual cut	<b>331-14; 314-55.4</b>
40.204226	-123.883748	Gully erosion of fill slope on flat associated w/ CA G	<b>331-14; 314-55.4</b>

40.204369	-123.883655	Solid waste: discarded potting soil piles	<b>521-4</b>
40.204971	-123.883703	CA F: Graded flat, approx. 20,475 SF w/ 8ft cut/fill	<b>331-14; 314-55.4</b>
40.205094	-123.883829	Solid waste: discarded potting soil piles	<b>521-4</b>
40.205224	-123.884083	Solid waste: discarded potting soil piles	<b>521-4</b>
40.205233	-123.882947	2 generators and 1 car battery	<b>521-4</b>
40.206524	-123.884904	Stream crossing	-
40.206533	-123.884899	Unpermitted well within SMA. Not capped	<b>331-11.5; 314-61.1</b>
40.207273	-123.885981	CA D: Graded flat, approx. 42,750 SF w/ near vertical 25' cut. Located in SMA	<b>331-14; 314-55.4; 314-61.1</b>
40.207273	-123.886024	Slash pile	-
40.207149	-123.886106	Solid waste: discarded potting soil piles	<b>521-4</b>
40.20689	-123.88651	SMA top of bank	-
40.207331	-123.886884	Slash pile	-
40.207368	-123.886869	Solid waste: discarded potting soil piles	<b>521-4</b>
40.207492	-123.886682	Solid waste: discarded potting soil piles	<b>521-4</b>
40.208116	-123.887213	CA E: 3 buildings. Southernmost building has drainage channel in rear.	<b>331-28; 314- 55.4.3</b>
40.207915	-123.887556	Wetland area: pooled water & creek. Pooled water was approx. 84ft from the Southernmost building	<b>314-61.1</b>
40.20767	-123.88781	Flowing creek	-
40.20782	-123.883462	CA C: Graded flat, approx. 29,250 SF w/ 15-20ft cut	<b>331-14; 314-55.4</b>
40.207665	-123.883892	Fill slope failure/sloughing	<b>331-14</b>
40.20845	-123.883598	CA A: Graded flat, approx. 22,230 SF w/ 30-40ft cut	<b>331-14; 314-55.4</b>
40.207751	-123.880636	Unpermitted well	<b>331-11.5</b>
40.207543	-123.880345	Solid waste: discarded potting soil piles	<b>521-4</b>
40.207697	-123.881974	CA B: Graded flat, approx. 30,375 SF w/ 20-30ft cut	<b>331-14; 314-55.4</b>
40.207193	-123.881793	Solid waste: discarded potting soil piles	<b>521-4</b>



<b>VIOLATIONS FOR PARCEL: 212-022-013-000 Shawn M. Waddell</b>		
<b>Section</b>	<b>Nature</b>	<b>Count</b>
331-14	Grading Without Permits	<b>14</b>
	Area of Unpermitted Grading	<b>234,342 ft<sup>2</sup></b>
331-28	Const. of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes	<b>6</b>
314-55.4	Violation of the Commercial Cannabis Land Use Ordinance	<b>3,399 ft<sup>2</sup></b>
314-61.1	Development in a Streamside Management Area Without a Permit	<b>5</b>
354-1	Junk and/or Inoperable Vehicles	<b>2</b>
521-4	Improper Storage and Removal of Solid Waste	<b>15</b>
631-3	Unpermitted Well	<b>2</b>

<b>TOTAL VIOLATIONS FOR PARCEL: 212-022-013-000 Shawn Waddell (Brady Wylie's and Branden Howton's combined violations)</b>		
<b>Section</b>	<b>Nature</b>	<b>Count</b>
314-55.4	Violation of the Commercial Cannabis Land Use Ordinance	17
	Area of active cannabis cultivation	3,399 ft <sup>2</sup>
	Area of cannabis drying / processing	2,375 ft <sup>2</sup>
331-14	Grading Without Permits	17
	Area of Unpermitted Grading	321,242 ft <sup>2</sup>
331-28	Const. of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes	14
314-61.1	Development in a Streamside Management Area without a Permit	13
354-1	Junk and/or Inoperable Vehicles	2
337-18	Failure to Report a Hazardous Spill	1
611-3	Unapproved Sewage Disposal System	2
631-3	Unpermitted Well	2
521-4	Improper Storage and Removal of Solid Waste	23

**NOTES**

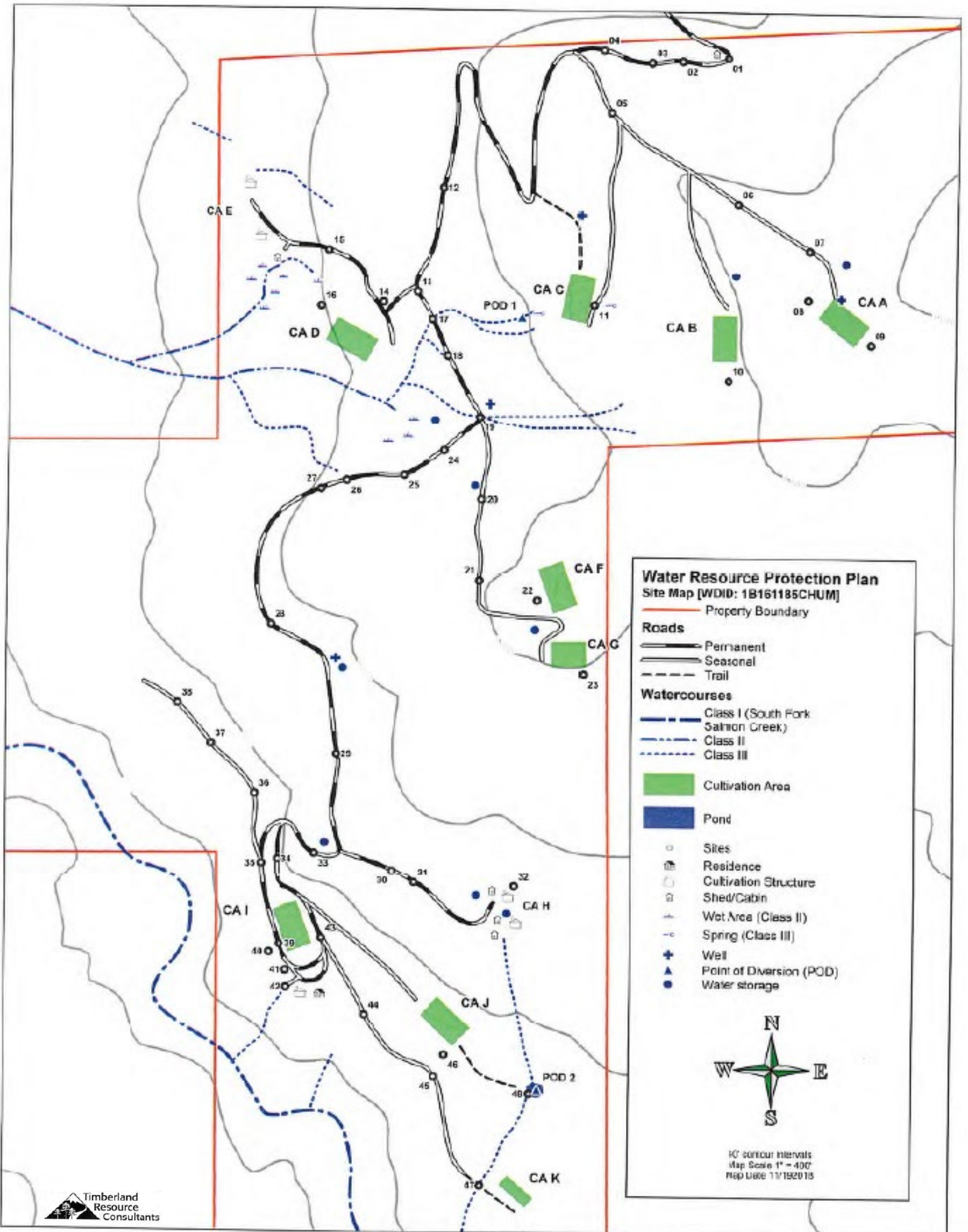
**Number of Plants:** 7,098 cannabis plants eradicated

**Processed:** 4,030 pounds processed  
1,764 pounds shake

**Other Notes:**

Any graded area where excess of 50 cubic yards of earth is moved, or is in a moderate to high instability area, or has a 15% or greater slope, or is created for the placement of structures upon it requires a grading permit.

Development within a Streamside management Area (SMA) requires a special permit via the Planning Dept. An SMA is defined as a 50-100-foot buffer from the riparian drip line on either side of a stream. 100 feet for perennial streams OR 50 feet for intermittent streams.



**Water Resource Protection Plan  
Site Map [WDID: 1B161185CHUM]**

— Property Boundary

**Roads**

- Permanent
- - - Seasonal
- · · Trail

**Watercourses**

- Class I (South Fork Salmon Creek)
- - - Class II
- · · Class III

■ Cultivation Area

■ Pond

- Sites
- 🏠 Residence
- 🏠 Cultivation Structure
- 🏠 Shed/Cabin
- ⊕ Wet Area (Class II)
- Spring (Class III)
- ⊕ Well
- ▲ Point of Diversion (POD)
- Water storage

N  
W E  
S

10' contour intervals  
Map Scale 1" = 400'  
Map Date 11/19/2015



**COUNTY OF HUMBOLDT  
CODE ENFORCEMENT UNIT**  
3015 H Street  
Eureka, California 95501  
(707) 476-2429

Government Code § 27383

**2023-001463**

Recorded - Official Records  
Humboldt County, California  
Juan P. Cervantes, Recorder  
Recorded by: HUMBOLDT CNTY

Pages: 7

Recording Fee: \$ 0.00  
Tax Fee: \$0  
Clerk: jc Total: \$0.00  
Feb 01, 2023 at 12:26:09



# **NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY**

[Humboldt County Code §352-7]



**Address of Affected Property:**  
2929 Thomas Rd, Miranda, CA

**Assessor's Parcel Number:**  
212-022-013-000

**To Owner:**  
Wild Berry Investments, Inc  
2021 N Beachwood Dr. Apt 9  
Los Angeles, CA 90068

**NOTICE IS HEREBY GIVEN** that conditions described in "Attachment A – Conditions Constituting a Violation" exist on property situated in the County of Humboldt, State of California, as described in "Attachment B – Legal Description," which are in violation of state law and/or the Humboldt County Code. Such conditions exist to an extent that constitutes a "violation" pursuant to Humboldt County Code Section 352-3(t).

**YOU ARE HEREBY ORDERED** to **CORRECT** or **OTHERWISE REMEDY** said violation within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty.

**NOTICE IS FURTHER GIVEN** that, if the required corrective action or actions set forth in "Attachment A – Conditions Constituting a Violation" is not commenced, prosecuted and completed within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty, a daily administrative penalty of **Fifty-One Thousand Dollars (\$51,000.00)** will be imposed for a period of up to ninety (90) calendar days pursuant to Humboldt County Code Section 352-5.

**NOTICE IS FURTHER GIVEN** that each calendar day the violation occurs, continues or exists between the date on which the civil administrative penalty is imposed and the date on which the violation is corrected or otherwise remedied shall constitute a separate violation up to the ninetieth

(90<sup>th</sup>) calendar day.

**NOTICE IS FURTHER GIVEN** that you may file with the Code Enforcement Unit an appeal of the determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty.

**NOTICE IS FURTHER GIVEN** that an appeal of the Code Enforcement Unit's determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty must be prepared using the form attached hereto as "Attachment C – Administrative Civil Penalty Appeal Hearing Request Form," and signed under penalty of perjury.

**NOTICE IS FURTHER GIVEN** that, upon receipt of an appeal of the determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty, the Code Enforcement Unit shall set the matter for hearing before a County appointed hearing officer and issue a Notice of Administrative Civil Penalty Appeal Hearing as set forth in Humboldt County Code Section 352-9.

**NOTICE IS FURTHER GIVEN** that the date of the Administrative Civil Penalty Appeal Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Administrative Civil Penalty Appeal Hearing is served.

**NOTICE IS FURTHER GIVEN** that the imposition of the administrative civil penalty shall become final and the Code Enforcement Unit shall acquire jurisdiction to collect the full amount thereof, along with any and all administrative costs and/or attorney's fees associated therewith, as follows:

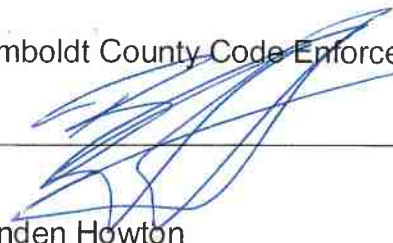
- Within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty, if an appeal of the Code Enforcement Unit's determination that a violation has occurred, and/or an appeal of the amount of the administrative civil penalty, is not filed; or
- Within twenty (20) calendar days after service of the Finding of Violation and Order Imposing Administrative Civil Penalty, if a request for judicial review of the Hearing Officer's imposition of the final administrative civil penalty is not filed with the Humboldt County Superior Court as set forth in California Government Code Section 53069.4(b)(1)-(2); or
- Within ten (10) calendar days after service of the Humboldt County Superior Court's decision regarding the hearing officer's imposition of the final administrative civil penalty, if the Court finds in favor of the Code Enforcement Unit.

**NOTICE IS FURTHER GIVEN** that the final administrative civil penalty, along with any and all administrative costs and/or attorney's fees associated therewith, may become a lien against the property on which the violation occurred or exists that 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.

**NOTICE IS FURTHER GIVEN** that an additional Notice of Violation and Proposed Administrative Civil Penalty can be served upon you, if the violation occurs, continues or exists after ninety (90) days from the date on which the initial civil administrative penalty is imposed.

For the Humboldt County Code Enforcement Unit:

Signature: \_\_\_\_\_



Title: Code Compliance Officer

Name: Branden Howton

Date: \_\_\_\_\_

31/JAN/23

CERTIFICATE OF ACKNOWLEDGMENT

**A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.**

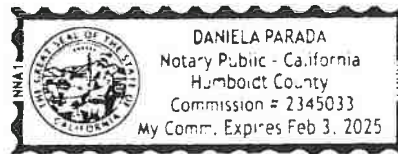
STATE OF CALIFORNIA }  
COUNTY OF HUMBOLDT }

On this 31st day of January, 2023, before me, Daniela Parada Notary Public, personally appeared Branden M. Horton who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she/he executed the same in her authorized capacity, and that by her/his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

Witness my hand and official seal.

Daniela Parada (seal)  
Signature



## ATTACHMENT A

### CONDITIONS CONSTITUTING A VIOLATION

Code Section(s)	Nature of Violation	Conditions Causing Nuisance	Violation Category (1-4)	Proposed Civil Administrative Penalty
314-55.4.3	Violation of the Commercial Cannabis Land Use Ordinance	Unpermitted commercial cannabis operations	4	\$10,000.00
314-61.1; 314-55.4.3	Development within a Streamside Management Area;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Developed areas, structures, and unauthorized water diversions within Streamside Management Areas (SMA)	4	\$10,000.00
331-11.5	Non-approved Water Supply System	Unpermitted wells	1	\$1,000.00
331-14; 314-55.4.3	Grading without Permits;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Graded areas/flats developed without permits in excess of 50 cubic yards and within a moderate instability zone	4	\$10,000.00
331-28; 314-55.4.3	Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Numerous indoor cannabis cultivation buildings and generator sheds constructed without permits	4	\$10,000.00
337-18	Hazardous Materials Violations	Improper storage and spillage of hazardous materials and fuels	4	\$10,000.00
354-1	Junk and/or Inoperable Vehicles	Junk and/or Inoperable Vehicles	1	\$1,000.00
521-4	Improper Storage and Removal of Solid Waste	Multiple piles of solid waste and improperly stored soil piles	1	\$1,000.00



# ATTACHMENT B LEGAL DESCRIPTION

**the following described real property in the Unincorporated Area of the County of Humboldt, State of California:**

**PARCEL ONE**

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 3 EAST, HUMBOLDT MERIDIAN.

**PARCEL TWO**

A ROAD RIGHT-OF-WAY 50 FEET IN WIDTH, FOR INGRESS, EGRESS AND PUBLIC UTILITIES OVER THE WEST HALF OF THE EAST HALF OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 3 EAST, HUMBOLDT MERIDIAN. BEING THE SAME RIGHT OF WAY AS GRANTED IN THE DEED FROM RONALD J. BALLARD, ET AL TO SCHIZOPHRENIA FOUNDATION OF NEW JERSEY, A CORPORATION DATED JULY 13, 1977, AND RECORDED SEPTEMBER 30, 1977 IN BOOK 1443 OF OFFICIAL RECORDS AT PAGE 48, UNDER RECORDERS FILE NO. 21586.

**PROPERTY COMMONLY KNOWN AS:** 2929 Thomas Road, Miranda, CA 95553

**ATTACHMENT C**  
**ADMINISTRATIVE CIVIL PENALTY APPEAL HEARING**  
**REQUEST FORM**

**Address of Affected Property:**  
2929 Thomas Rd, Miranda, CA

**Assessor's Parcel Number:**  
212-022-013-000

**To:** Humboldt County Code Enforcement Unit  
3015 H Street  
Eureka California, 95501

Pursuant to Humboldt County Code Section 352-9, I am requesting a hearing to contest the Humboldt County Code Enforcement Unit's determination of the amount of the proposed administrative civil penalty for the above-referenced property.

[Brief statement setting forth the interest that the requesting party has in the Code Enforcement Unit's determination that a violation has occurred or exists on the affected property]:

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[Brief statement of the material facts that the requesting party claims support the contention that the amount of the proposed administrative civil penalty is inappropriate under the circumstances, if applicable]:

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[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the Code Enforcement Unit's determination of the amount of the proposed administrative civil penalty for the above-referenced property.]:

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_ City, State: \_\_\_\_\_

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: \_\_\_\_\_



**COUNTY OF HUMBOLDT**  
**CODE ENFORCEMENT UNIT**  
3015 H Street  
Eureka, California 95501  
(707) 476-2429

Government Code § 27383

**2023-001462**

Recorded - Official Records  
Humboldt County, California  
Juan P. Cervantes, Recorder  
Recorded by: HUMBOLDT CNTY

Pages: 7

Recording Fee: \$ 0.00  
Tax Fee: \$0  
Clerk: jc Total: \$0.00  
Feb 01, 2023 at 12:26:09



# **NOTICE TO ABATE NUISANCE**

[Humboldt County Code §351-7]



**Address of Affected Property:**

2929 Thomas Rd, Miranda, CA

**Assessor's Parcel Numbers:**

212-022-013-000

**Owners:**

Wild Berry Investments, Inc  
2021 N Beachwood Dr. Apt 9  
Los Angeles, CA 90068

**NOTICE IS HEREBY GIVEN** that conditions described in "Attachment A – Conditions Constituting a Nuisance" exist on property situated in the County of Humboldt, State of California, as described in "Attachment B – Legal Description," which are in violation of state law and/or the Humboldt County Code. Such conditions exist to an extent that constitutes a "nuisance" pursuant to Humboldt County Code Section 351-3.

**YOU ARE HEREBY ORDERED to ABATE** said nuisance within ten (10) calendar days after service of this Notice to Abate Nuisance.

**NOTICE IS FURTHER GIVEN** that, if the Humboldt County Code Enforcement Unit determines that the condition or conditions causing said nuisance is imminently dangerous to human life or limb or is detrimental to the public health or safety, the Code Enforcement Unit may order that the affected property be vacated pending the correction or abatement of the condition or conditions causing the nuisance.

**NOTICE IS FURTHER GIVEN** that you may not retaliate against a lessee of the affected property pursuant to Section 1942.5 of the California Civil Code.

**NOTICE IS FURTHER GIVEN** that you may file with the Code Enforcement Unit an appeal of the determination that a nuisance exists on the affected property within ten (10) calendar days after service of this Notice to Abate Nuisance.

APN: 212-022-013-000

**NOTICE IS FURTHER GIVEN** that an appeal of the Code Enforcement Unit's determination that a nuisance exists on the affected property must be prepared using the form attached hereto as "Attachment C – Code Enforcement Appeal Hearing Request Form."

**NOTICE IS FURTHER GIVEN** that, upon receipt of an appeal of the determination that a Nuisance exists on the affected property, the Code Enforcement Unit shall set the matter for hearing before a County appointed hearing officer and issue a Notice of Code Enforcement Appeal Hearing as set forth in Humboldt County Code Section 351-9.

**NOTICE IS FURTHER GIVEN** that the date of the Code Enforcement Appeal Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Code Enforcement Appeal Hearing is served.

**NOTICE IS FURTHER GIVEN** that, if the required corrective action or actions set forth in "Attachment A – Conditions Constituting a Nuisance" is not commenced, prosecuted and completed within ten (10) calendar days after service of this Notice to Abate Nuisance, or in case of an appeal, the time limits set forth in the Finding of Nuisance and Order of Abatement, the Code Enforcement Unit may correct or abate the condition or conditions causing the nuisance on the affected property pursuant to Humboldt County Code Section 351-13.

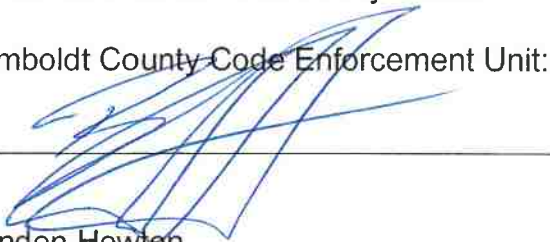
**NOTICE IS FURTHER GIVEN** that the costs of the required abatement may become a charge against the affected property and made a special assessment against the property, and that said special assessment may be collected at the same time and in the same manner, and shall be subject to the same penalties, 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 costs of the required abatement 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.

**NOTICE IS FURTHER GIVEN** that any personal property collected by the Code Enforcement Unit during the correction or abatement of the condition or conditions causing the nuisance on the affected property may be sold in the same manner as surplus personal property of the County of Humboldt, and the proceeds from such sale shall be paid into the revolving fund created pursuant to the provisions of the Humboldt County Code.

For the Humboldt County Code Enforcement Unit:

Signature: \_\_\_\_\_



Title: Code Compliance Officer

Name: Branden Howton

Date: 3/21/23

CERTIFICATE OF ACKNOWLEDGMENT

**A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.**

STATE OF CALIFORNIA }  
COUNTY OF HUMBOLDT }

On this 31st day of January, 2023, before me, Daniela Parada Notary Public, personally appeared Branden M. Houton who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she/he executed the same in her authorized capacity, and that by her/his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

Witness my hand and official seal.

Daniela Parada (seal)  
Signature



## ATTACHMENT A

### CONDITIONS CONSTITUTING A NUISANCE

<b>Code Section(s)</b>	<b>Nature of Violation</b>	<b>Conditions Causing Nuisance</b>	<b>Corrective Action Required</b>
314-55.4.3	Violation of the Commercial Cannabis Land Use Ordinance	Unpermitted commercial cannabis operations	Cease all commercial cannabis cultivation operations and remove all cannabis and infrastructure supporting commercial cannabis including water infrastructure and power sources.
314-61.1; 314-55.4.3	Development within a Streamside Management Area;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Developed areas, structures, and unauthorized water diversions within Streamside Management Areas (SMA)	Remove impermanent materials from waterway. If applicable, submit and obtain approval for a restoration plan to remediate development in Streamside Management Area. Obtain all permits needed for restoration, complete the approved work, and pass a final inspection.
331-11.5	Non-approved Water Supply System	Unpermitted wells	Contact Division of Environmental Health (DEH) at (707-445-6215) and apply for permits for system or removal
331-14; 314-55.4.3	Grading without Permits;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Graded areas/flats developed without permits in excess of 50 cubic yards and within a moderate instability zone	Submit and obtain approval for a restoration plan that provides for the remediation of the graded area(s). Obtain all permits required for approved restoration plan, complete the approved work, and pass a final inspection.
331-28; 314-55.4.3	Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Numerous indoor cannabis cultivation buildings and generator sheds constructed without permits	Remove all structures with a nexus to cannabis cultivation and constructed in violation of Humboldt County Code, including applying for and obtaining a demolition permit when applicable.
337-18	Hazardous Materials Violations	Improper storage and spillage of hazardous materials and fuels	Contact Division of Environmental Health (DEH) at (707-445-6215), and properly remove and dispose of contaminated materials.
354-1	Junk and/or Inoperable Vehicles	Junk and/or Inoperable Vehicles	a) Restore vehicle(s) to operative condition, and/or b) Remove inoperable vehicles, and/or c) Store inoperative

			vehicles within enclosed structure
521-4	Improper Storage and Removal of Solid Waste	Multiple piles of solid waste and improperly stored soil piles	Contain & dispose of all solid waste properly

# ATTACHMENT B LEGAL DESCRIPTION

**the following described real property in the Unincorporated Area of the County of Humboldt, State of California:**

**PARCEL ONE**

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 3 EAST, HUMBOLDT MERIDIAN.

**PARCEL TWO**

A ROAD RIGHT-OF-WAY 50 FEET IN WIDTH, FOR INGRESS, EGRESS AND PUBLIC UTILITIES OVER THE WEST HALF OF THE EAST HALF OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 3 EAST, HUMBOLDT MERIDIAN. BEING THE SAME RIGHT OF WAY AS GRANTED IN THE DEED FROM RONALD J. BALLARD, ET AL TO SCHIZOPHRENIA FOUNDATION OF NEW JERSEY, A CORPORATION DATED JULY 13, 1977, AND RECORDED SEPTEMBER 30, 1977 IN BOOK 1443 OF OFFICIAL RECORDS AT PAGE 48, UNDER RECORDERS FILE NO. 21586.

**PROPERTY COMMONLY KNOWN AS:** 2929 Thomas Road, Miranda, CA 95553



# ATTACHMENT C

## CODE ENFORCEMENT APPEAL HEARING REQUEST FORM

**Address of Affected Property:**

2929 Thomas Rd, Miranda, CA

**Assessor's Parcel Number:**

212-022-013-000

**To:** Humboldt County Code Enforcement Unit

3015 H Street

Eureka California, 95501

Pursuant to Humboldt County Code Section 351-9, I am requesting a hearing to contest the Humboldt County Code Enforcement Unit's determination that a nuisance exists on the above-referenced property.

[Brief statement setting forth the interest that the requesting party has in the Code Enforcement Unit's determination that a violation has occurred or exists on the affected property]: \_\_\_\_\_

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[Brief statement of the material facts that the requesting party claims support the contention that a nuisance does not exist on the affected property]: \_\_\_\_\_

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[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the Code Enforcement Unit's determination that a nuisance exists on the affected property]:

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_ City, State: \_\_\_\_\_

I understand, and agree, that if I fail to appear at the place and time set for the requested appeal hearing, as set forth in the Notice of Code Enforcement Appeal Hearing issued pursuant to Humboldt County Code Section 351-9, the Code Enforcement Unit's determination that a nuisance exists on the affected property will become final after ten (10) calendar days after service of the Notice to Abate Nuisance pursuant to Humboldt County Code Section 351-13.

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, Allison Bartles, 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 St, Eureka, California 95501; that on January 18, 2023, I served a true copy of **NOTICE TO ABATE NUISANCE / NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY.**

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 in Eureka, California, in the ordinary course of business as set forth below (1<sup>st</sup> Class Mail & Certified Mail):

Wild Berry Investments, Inc.  
2021 N. Beachwood Dr., Apt. 9  
Los Angeles, CA 90068  
Certified mailing # 9171 9690 0935 0255 5303 28

\_\_\_\_\_ by personally hand delivering a true copy thereof to the property owner:

\_\_\_\_\_ by personally posting a true copy thereof on the premises located at:

\_\_\_\_\_ 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 18<sup>th</sup> day of January 2023, in the City of Eureka, County of Humboldt, State of California.

  
\_\_\_\_\_  
Allison Bartles – Legal Office Assistant

**PROOF OF SERVICE**

STATE OF CALIFORNIA    )  
  ) ss.  
COUNTY OF HUMBOLDT )

I, Branden Howton, 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 County of Humboldt Planning & Building Dept.; 3015 H Street, Eureka, California; that on January 19, 2023, I served a true copy of **NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTIES & NOTICE TO ABATE NUISANCE.**

\_\_\_\_\_ by placing a true copy thereof enclosed in a sealed envelope and depositing the envelope at my place of business for same-day collection and mailing with the United States mail, following our ordinary business practices with which I am readily familiar, addressed as set forth below:

\_\_\_\_\_ by personally hand delivering a true copy thereof to the occupant who resides at the premises located at:

\_\_\_\_\_ by personally posting a true copy thereof on a tree near road allowing access to property:  
**2929 Thomas Rd, Miranda, CA**  
**APN: 212-022-013-000; GPS 40.21021, -123.88200**

\_\_\_\_\_ 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 this 20<sup>th</sup> day of January, 2023, in the City of Eureka, County of Humboldt, State of California.

\_\_\_\_\_  
Branden Howton, Code Compliance Officer

# NOTICE OF VIOLATION PROPOSED ADMINISTRATIVE CIVIL PENALTY

[Humboldt County Code]

**Address of Affected Property:**  
2929 Thomas Rd, Miranda, CA

**Assessor's Parcel Number:**  
212-022-013-000

**To Owner:**  
Wild Berry Investments, Inc  
2021 N Beachwood Dr. Apt 9  
Los Angeles, CA 90068

**NOTICE IS HEREBY GIVEN** that conditions de  
"Constituting a Violation" exist on property situated in the  
described in "Attachment B – Legal Description," which  
Humboldt County Code. Such conditions exist to an extent  
Humboldt County Code Section 352-3(t).

2023.1.19 16:36

**YOU ARE HEREBY ORDERED** to **CORRECT** or C  
ten (10) days of this Notice of V



COUNTY OF HUMBOLDT  
CODE ENFORCEMENT UNIT  
3015 H Street  
Eureka, California 95501  
(707) 476-2429



HUMBOLDT COUNTY  
CODE ENFORCEMENT UNIT

Warren Black  
Code Compliance Officer

Phone: (707) 476-2429  
Fax: (707) 445-4297  
Desk: (707) 441-7636

3015 H Street  
Eureka, CA 95501  
wblack2@co.humboldt.ca.us

Government Code § 27383

## NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY

[Humboldt County Code §352-7]

**Address of Affected Property:**  
2929 Thomas Rd, Miranda, CA

**Assessor's Parcel Number:**  
212-022-013-000

**To Owner:**  
Wild Berry Investments, Inc  
2021 N Beachwood Dr. Apt 9  
Los Angeles, CA 90068

**NOTICE IS HEREBY GIVEN** that conditions described in "Attachment A - Conditions Constituting a Violation" exist on property situated in the County of Humboldt, State of California, as described in "Attachment B - Legal Description," which are in violation of state law and/or the Humboldt County Code. Such conditions exist to an extent that constitutes a "violation" pursuant to Humboldt County Code Section 352-3(t).

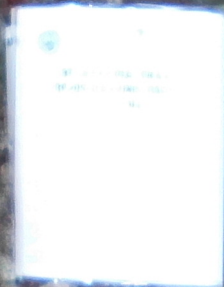
**YOU ARE HEREBY ORDERED** to **CORRECT** or **OTHERWISE REMEDY** said violation within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty.

**NOTICE IS FURTHER GIVEN** that, if the required corrective action or actions set forth in "Attachment A - Conditions Constituting a Violation" is not commenced, prosecuted and completed within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty, a daily administrative penalty of **Fifty-One Thousand Dollars (\$51,000.00)** will be imposed for a period of up to ninety (90) calendar days pursuant to Humboldt County Code Section 352-5.

**NOTICE IS FURTHER GIVEN** that, each calendar day the violation occurs, continues or exists between the date on which the civil administrative penalty is imposed and the date on which the violation is corrected or otherwise remedied, constitutes a separate violation.

2023.1.19 16:36

APN: 212-022-013-000



2023.1.19 16:36



2023.1.19 16:36



2023.1.19 16:36





2023.1.19 16:36



2023.1.19 16:37



2023.1.19 16:37



COUNTY OF HUMBOLDT  
CODE ENFORCEMENT  
UNIT  
3015 H Street  
Eureka, California 95501  
(707) 476-2429

# NOTICE OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT

[Humboldt County Code §352-15]

**Address of Affected Property:**

2929 Thomas Rd, Miranda, CA

**Assessor's Parcel Number:**

212-022-013-000

**Owner:**

Wild Berry Investments, Inc  
2021 N Beachwood Dr. Apt 9  
Los Angeles, CA 90068

**NOTICE IS HEREBY GIVEN** that a final administrative civil penalty in the amount of **Nine Hundred Thousand Dollars (\$900,000.00)** has been imposed based on the Humboldt County Code Enforcement Unit's determination that a violation, as defined by Humboldt County Code Section 352-3(t), has occurred or exists on the above-referenced property situated in the County of Humboldt, State of California, as described in "Attachment A – Legal Description."

**NOTICE IS FURTHER GIVEN** that the Code Enforcement Unit will seek to levy an administrative civil penalty assessment against the property on which the violation occurred or exists in the amount of **Nine Hundred Thousand Two Hundred Eighty-Five Dollars and forty-seven cents (\$900,285.47)** in order to collect the administrative civil penalty and recover the administrative costs and/or attorney's fees, as described in "Attachment B – Account of Costs Incurred," associated with the actions taken by the Code Enforcement Unit to impose the administrative civil penalty, as described in "Attachment C – Actions Required to Impose Administrative Civil Penalty."

**NOTICE IS FURTHER GIVEN** that you may file with the Code Enforcement Unit an objection to the proposed assessment that is limited to the amount of the administrative civil penalty, and/or the amount of the administrative costs and/or attorney's fees associated therewith, within ten (10) calendar days after service of this Notice of Administrative Civil Penalty Assessment.

APN: 212-022-013-000

**NOTICE IS FURTHER GIVEN** that an objection to the proposed assessment, must be prepared using the form attached hereto as "Attachment D – Administrative Civil Penalty Assessment Appeal Hearing Request Form," and signed under penalty of perjury.

**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 Administrative Civil Penalty Assessment Appeal Hearing as set forth in Humboldt County Code Section 352-17.

**NOTICE IS FURTHER GIVEN** that the date of the Administrative Civil Penalty Assessment Appeal Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Administrative Civil Penalty Assessment Appeal 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 an Administrative Civil Penalty Assessment Appeal Hearing, if an objection to the proposed assessment is not filed within ten (10) calendar days after service of this Notice of Administrative Civil Penalty Assessment.

**NOTICE IS FURTHER GIVEN** that the final administrative civil penalty assessment, as approved by the Humboldt County Board of Supervisors, may become a lien against the property on which the violation occurred or exists that 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.

**NOTICE IS FURTHER GIVEN** that an additional Notice of Violation and Proposed Administrative Civil Penalty can be served upon you, if the violation occurs, continues or exists after ninety (90) days from the date on which the initial civil administrative penalty is imposed.

Humboldt County Code Enforcement Unit:

Signature:  \_\_\_\_\_

Name: John Ford

Title: Director, Planning & Building Dept.

Date: 3/6/2023

# ATTACHMENT A LEGAL DESCRIPTION

the following described real property in the Unincorporated Area of the County of Humboldt, State of California:

## PARCEL ONE

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 3 EAST, HUMBOLDT MERIDIAN.

## PARCEL TWO

A ROAD RIGHT-OF-WAY 50 FEET IN WIDTH, FOR INGRESS, EGRESS AND PUBLIC UTILITIES OVER THE WEST HALF OF THE EAST HALF OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 3 EAST, HUMBOLDT MERIDIAN. BEING THE SAME RIGHT OF WAY AS GRANTED IN THE DEED FROM RONALD J. BALLARD, ET AL TO SCHIZOPHRENIA FOUNDATION OF NEW JERSEY, A CORPORATION DATED JULY 13, 1977, AND RECORDED SEPTEMBER 30, 1977 IN BOOK 1443 OF OFFICIAL RECORDS AT PAGE 48, UNDER RECORDERS FILE NO. 21586.

**PROPERTY COMMONLY KNOWN AS:** 2929 Thomas Road, Miranda, CA 95553

# ATTACHMENT B ACCOUNT OF COSTS INCURRED

ADMINISTRATIVE COSTS		
Violation(s)	Nature of Cost Incurred	Amount
§314-55.4.3	Review of Existing Case with Property Transfer	
§314-61.1; 314-55.4.3	0.88 Staff Hours	\$ 93.28
§331-14; 314-55.4.3	Preparation and Service of Notice to Abate Nuisance & Notice of Violation by Posting and by Mail	
§331-28; 314-55.4.3	1.32 Staff Hours Grant Deed Cost Certified Mailing Cost Driving Mileage Cost	\$ 163.44
§521-4	Preparation and Recordation of Notice to Abate Nuisance & Notice of Violation	
§337-18	0.25 Staff Hours	\$ 28.75
§331-11.5		
§354-1		<b>Total Cost \$ 285.47</b>

# ATTACHMENT C

## ACTIONS REQUIRED TO IMPOSE ADMINISTRATIVE CIVIL PENALTY

Violation(s)	Nature of Actions Taken To Impose Administrative Civil Penalty	Date
§314-55.4.3	Review of Existing Case with Property Transfer	January 18, 2023
§314-61.1; 314-55.4.3	Preparation and Service of Notice to Abate Nuisance & Notice of Violation by Posting and by Mail	January 19, 2023
§331-14; 314-55.4.3  §331-28; 314-55.4.3  §521-4  §337-18  §331-11.5  §354-1	Preparation and Recordation of Notice to Abate Nuisance & Notice of Violation	January 30, 2023



# ATTACHMENT D ADMINISTRATIVE CIVIL PENALTY ASSESSMENT APPEAL HEARING REQUEST FORM

**Address of Affected Property:** 2929 Thomas Rd, Miranda, CA

**Assessor's Parcel Number:** 212-022-013-000

**To:** Humboldt County Code Enforcement Unit  
3015 H Street  
Eureka California, 95501

Pursuant to Humboldt County Code Section 352-17, I am requesting a hearing to contest the amount of the administrative civil penalty assessment proposed to be levied against the property on which the violation occurred or exists in order to collect the final administrative civil penalty and recover the administrative costs and/or attorney's fees associated with the actions taken by the Humboldt County Code Enforcement Unit to impose the administrative civil penalty.

[Brief statement of the material facts that the requesting party claims support the contention that the amount of the administrative penalty, and/or the administrative costs and/or attorney's fees associated therewith, are inappropriate under the circumstances of this case]:

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[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the Code Enforcement Unit's determination of the amount of the proposed administrative civil penalty for the above-referenced property.]:

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_ City, State: \_\_\_\_\_

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, Tim Nicoll, 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 County of Humboldt Planning & Building Dept.; 3015 H Street, Eureka, California; that on March 10, 2023, I served a true copy of **NOTICE OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT.**

XXX 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: (First Class and Cert.)

**Wild Berry Investments, Inc  
2021 N Beachwood Dr. Apt 9  
Los Angeles, CA 90068  
CM#:**

\_\_\_\_\_ by personally hand delivering a true copy thereof to the occupant who resides at the premises located at:

\_\_\_\_\_ by personally posting a true copy thereof on a gate allowing access to property:

\_\_\_\_\_ by placing a true copy thereof in the designated place at Court Operations to the attorney/parties named below:

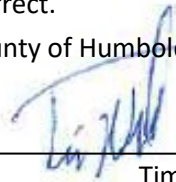
\_\_\_\_\_ by placing a true copy in the County’s Mailroom designated to the attorney named below:

\_\_\_\_\_ 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 this 10<sup>th</sup> day of March, 2023, in the City of Eureka, County of Humboldt, State of California.



\_\_\_\_\_  
Tim Nicoll – Legal Office Assistant,  
Code Enforcement Unit

**PROOF OF SERVICE**

STATE OF CALIFORNIA    )  
  ) ss.  
COUNTY OF HUMBOLDT )

I, Branden Howton, 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 County of Humboldt Planning & Building Dept.; 3015 H Street, Eureka, California; that on March 10, 2023, I served a true copy of **NOTICE OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT.**

\_\_\_\_\_ by placing a true copy thereof enclosed in a sealed envelope and depositing the envelope at my place of business for same-day collection and mailing with the United States mail, following our ordinary business practices with which I am readily familiar, addressed as set forth below:

\_\_\_\_\_ by personally hand delivering a true copy thereof to the occupant who resides at the premises located at:

\_\_\_\_\_ by personally posting a true copy thereof on a tree near road allowing access to property:  
**2929 Thomas Rd, Miranda, CA**  
**APN: 212-022-013-000; GPS 40. 21021, -123.88200**

\_\_\_\_\_ 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 this 13<sup>th</sup> day of March, 2023, in the City of Eureka, County of Humboldt, State of California.

  
\_\_\_\_\_  
Branden Howton, Code Compliance Officer

# Assessor's Parcel Number:

212-022-013-000

## Owner:

Wild Berry Investments, Inc  
2021 N Beachwood Dr. Apt 9  
Los Angeles, CA 90068

**NOTICE IS HEREBY GIVEN**  
**Hundred Thousand Dollars (\$900**  
Enforcement Unit's determination th  
3(t), has occurred or exists on the ab  
of California, as described in "Attachr

2023.3.10 01:47

**NOTICE IS FURTHER GIVEN** th  
civil penalty assessment against the p  
Nine H



COUNTY OF HUMBOLDT  
CODE ENFORCEMENT  
UNIT  
3015 H Street  
Eureka, California 95501  
(707) 476-2429



HUMBOLDT COUNTY  
CODE ENFORCEMENT UNIT

Warren Black  
Code Compliance Officer

Phone: (707) 476-2429  
Fax: (707) 445-6297  
Desk: (707) 441-2636

3015 H Street  
Eureka, CA 95501  
wblack2@co.humboldt.ca.us

# NOTICE OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT

[Humboldt County Code §352-15]

**Address of Affected Property:**  
2929 Thomas Rd, Miranda, CA

**Assessor's Parcel Number:**  
212-022-013-000

**Owner:**  
Wild Berry Investments, Inc  
2021 N Beachwood Dr. Apt 9  
Los Angeles, CA 90068

**NOTICE IS HEREBY GIVEN** that a final administrative civil penalty in the amount of **Nine Hundred Thousand Dollars (\$900,000.00)** has been imposed based on the Humboldt County Code Enforcement Unit's determination that a violation, as defined by Humboldt County Code Section 352-3(t), has occurred or exists on the above-referenced property situated in the County of Humboldt, State of California, as described in "Attachment A - Legal Description."

**NOTICE IS FURTHER GIVEN** that the Code Enforcement Unit will seek to levy an administrative civil penalty assessment against the property on which the violation occurred or exists in the amount of **Nine Hundred Thousand Dollars (\$900,000.00)** plus **administrative costs and/or attorney's fees, as described in "Attachment B - Account of Costs Incurred Associated with the Actions Taken by the Code Enforcement Unit to Impose the Administrative Civil Penalty."**

**NOTICE IS FURTHER GIVEN** that you may file with the Code Enforcement Unit an objection to the proposed assessment that is limited to the amount of the administrative civil penalty, an amount of the administrative costs and/or attorney's fees associated therewith, within ten (10) days after service of this Notice of Administrative Civil Penalty Assessment.

APN: 212-022-013-000

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COUNTY OF HUMBOLDT  
CODE ENFORCEMENT UNIT  
12111 Street  
Eureka, California 95501  
(707) 478-2429

NOTICE OF VIOLATION AND  
PROPOSED ADMINISTRATIVE  
CIVIL PENALTY

Address of Affected Property:  
2829 Thomas Rd, Morwick, CA

Assessor's Parcel Number:  
214-00415-000

To Owner:  
Wes Barry Investments, Inc.  
2021 N Beachwood Dr, Apt 9  
Los Angeles, CA 90068

NOTICE IS HEREBY GIVEN that a violation of the Code Enforcement Unit's Ordinance 10.01.010, "Prohibited Signs on Property," has been observed at the above address. The violation is described in Attachment B of this notice. The proposed administrative civil penalty is set forth in Attachment A of this notice. The proposed administrative civil penalty is set forth in Attachment A of this notice. The proposed administrative civil penalty is set forth in Attachment A of this notice.

YOU ARE HEREBY ORDERED to appear at the Code Enforcement Unit's hearing on the proposed administrative civil penalty at the address and time set forth in Attachment C of this notice. Failure to appear at the hearing may result in the Code Enforcement Unit's imposition of the proposed administrative civil penalty.

NOTICE IS FURTHER GIVEN that the Code Enforcement Unit will seek to levy an administrative civil penalty against the property on which the violation occurred in the amount of Nine Hundred Thousand Dollars (\$900,000.00) if the violation is not corrected within the time period set forth in Attachment A of this notice. The Code Enforcement Unit will also seek to levy an administrative civil penalty against the property in the amount of One Hundred Thousand Dollars (\$100,000.00) if the violation is not corrected within the time period set forth in Attachment A of this notice.

NOTICE IS FURTHER GIVEN that the Code Enforcement Unit will seek to levy an administrative civil penalty against the property in the amount of One Hundred Thousand Dollars (\$100,000.00) if the violation is not corrected within the time period set forth in Attachment A of this notice.

NOTICE IS FURTHER GIVEN that you may file with the Code Enforcement Unit an application for a proposed administrative civil penalty and receive the proposed administrative civil penalty in the amount of One Hundred Thousand Dollars (\$100,000.00) if the violation is not corrected within the time period set forth in Attachment A of this notice.

COUNTY OF HUMBOLDT  
CODE ENFORCEMENT UNIT  
12111 Street  
Eureka, California 95501  
(707) 478-2429

NOTICE OF ADMINISTRATIVE  
CIVIL PENALTY ASSESSMENT

Address of Affected Property:  
2829 Thomas Rd, Morwick, CA

Assessor's Parcel Number:  
214-00415-000

Owner:  
Wes Barry Investments, Inc.  
2021 N Beachwood Dr, Apt 9  
Los Angeles, CA 90068

NOTICE IS HEREBY GIVEN that a final administrative civil penalty in the amount of Nine Hundred Thousand Dollars (\$900,000.00) has been imposed based on the Humboldt County Code Enforcement Unit's determination that a violation of Humboldt County Code Section 10.01.010, "Prohibited Signs on Property," has occurred on the above referenced property located at the address and time set forth in Attachment A of this notice.

NOTICE IS FURTHER GIVEN that the Code Enforcement Unit will seek to levy an administrative civil penalty against the property on which the violation occurred in the amount of Nine Hundred Thousand Dollars (\$900,000.00) if the violation is not corrected within the time period set forth in Attachment A of this notice. The Code Enforcement Unit will also seek to levy an administrative civil penalty against the property in the amount of One Hundred Thousand Dollars (\$100,000.00) if the violation is not corrected within the time period set forth in Attachment A of this notice.

NOTICE IS FURTHER GIVEN that the Code Enforcement Unit will seek to levy an administrative civil penalty against the property in the amount of One Hundred Thousand Dollars (\$100,000.00) if the violation is not corrected within the time period set forth in Attachment A of this notice.

NOTICE IS FURTHER GIVEN that you may file with the Code Enforcement Unit an application for a proposed administrative civil penalty and receive the proposed administrative civil penalty in the amount of One Hundred Thousand Dollars (\$100,000.00) if the violation is not corrected within the time period set forth in Attachment A of this notice.

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