Exhibit C

Notice to Abate Nuisance

COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street • Eureka CA 95501
Phone: (707) 445-7541 • Fax: (707) 268-3792

June 21, 2018

Adalberto, Arias
2050 Simmons Rd.
Eureka, CA 95501

Re: Service of Notice to Abate Nuisance
Property location: 2050 Simmons Road, Eureka, CA, 95501, APN: 300-093-014

Dear Mr. Arias,

The Code Enforcement Unit recently observed your above described property and confirmed violations of County Code. As a result, we are serving you with the attached Notice to Abate Nuisance. You have the following options:

1. Correct the violations within ten (10) days of the service of the Notice. Once you contact us with this information and we are able to confirm it, the Notice will be dismissed.

2. Request a hearing before a hearing officer to contest the determination that a violation exists. You may request a hearing by completing the attached hearing request form within ten (10) days of the service of the Notice.

3. Enter into a Compliance Agreement with the County that would suspend enforcement action for a reasonable amount of time to allow you to correct the violations. If the conditions of the agreement are met, then the Notice will be dismissed.

4. You can do nothing. At the end of the ten (10) day period, the County may take further enforcement action.

Please feel free to contact me by phone at (707) 441-2627 or by email at ssoeth@co.humboldt.ca.us to answer any questions or concerns you may have.

Sincerely,

Shauna Soeth
Code Compliance Officer

Attachment: Notice to Abate Nuisance

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

NOTICE TO ABATE NUISANCE

[Humboldt County Code §351-7]

Address of Affected Property:
2050 Simmons Road, Eureka, CA 95501

Assessor's Parcel Number:
300-093-014

Owner:
Adalberto Arias
2050 Simmons Road
Eureka, CA 95501

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 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.

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: Shauna Soeth Date: June 21, 2018

ATTACHMENT A
CONDITIONS CONSTITUTING A NUISANCE

County Code	Description	Corrective Action
521-4	Improper Storage and Removal of Solid Waste	Contain & dispose of all solid waste properly
354-1	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

ATTACHMENT B
LEGAL DESCRIPTION

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

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

PARCEL ONE

BEGINNING at a point which is South 1 degree West 720 feet and East 500 feet from the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 2;
thence South 88 degrees 22 minutes East, 140 feet;
thence South 1 degree West, 80 feet;
thence North 88 degrees 22 minutes West, 140 feet;
thence North 1 degree East, 80 feet to the point of beginning.

PARCEL TWO

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

1991-1447-2

BEGINNING at the Southwest corner of Parcel One above described;
thence South 1 degree West, 25 feet;
thence South 88 degrees 22 minutes East, 20 feet;
thence North 1 degree East, 25 feet, more or less, to the South line of Parcel One above described;
thence North 88 degrees 22 minutes West along said last mentioned line, 20 feet to the point of beginning; as conveyed to Leo Simmons and wife, by Deed recorded May 29, 1952, in Book 209, Page 418, under Recorder's Serial No. 6154, Humboldt County Official Records.

PARCEL THREE

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

BEGINNING at a point which is South 1 degree West 740.94 feet and East 500 feet and South 1 degrees West 87 feet from the Northwest corner of the Southwest Quarter of the Northeast Quarter;
thence West, 500 feet to the West line of the Southwest Quarter of the Northeast Quarter of said Section 2; as conveyed to Leo Simmons and wife, by Deed recorded May 29, 1952, in Book 209, Page 418, under Recorder's Serial No. 6154, Humboldt County Official Records.

A.P. No. 300-093-14
sm/sh

(3)

ATTACHMENT C
CODE ENFORCEMENT APPEAL HEARING REQUEST FORM

Address of Affected Property:
2050 Simmons Road, Eureka, CA 95501

Assessor's Parcel Number:
300-093-014

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

Pursuant to Humboldt County Code Section 351-9, 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 nuisance exists on the affected property]: _____
_____
_____
_____
_____
_____
_____.

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

[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: _____

Address: _____

City, State: _____

Telephone Number: _____

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: _____

Name: _____

Date: _____

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, TASHEENA EVENSON, say:

I am a citizen of the United States, over 18 years of age, a resident of the County of Humboldt, State of California, and not a party to the within action; that my business address is Planning and Building Department, 3015 H Street, Eureka, California; that on June 21, 2018 I served a true copy **NOTICE TO ABATE NUISANCE.**

XXX by placing a true copy of the aforementioned document in a sealed envelope individually addressed to each of the parties and caused each such envelope to be deposited with the U.S. Postal Service and/or picked up by an authorized representative, on that same day with fees fully prepaid at Eureka, California, in the ordinary course of business as set forth below: (First Class & Certified)

Adalberto Arias
2050 Simmons Rd.
Eureka, CA 95501

_____ by personally hand delivering a true copy thereof to the occupant at the premises located at:

_____ 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:

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

Executed on this 21 day of June, 2018, in the City of Eureka, County of Humboldt, State of California.

Tasheena Evenson - Code Enforcement Legal Office Assistant