

# NOTICE OF NUISANCE AND ORDER TO ABATE

PURSUANT TO LAKE COUNTY CODE, CHAPTER 13, Sections 13-6 ET. SEQ.

**A**    **CASE NUMBER:**                    18-00064  
      **OWNER(S) NAME:**           Gerstmann, Steven M  
      **SITE ADDRESS:**                16560 Rose Street, Lower Lake CA  
      **MAILING ADDRESS:**        1724 Alhambra Ct, Petaluma CA 94954

**ASSESSORS PARCEL NUMBER:**        024-342-16


**B**    **CONDITION CAUSING NUISANCE:** The above referenced property was inspected by the Code Enforcement Officer and determined to have a substandard property in violation of the State of California Health and Safety Code section 17920.3. This property has a burnt RV, remnants of burnt wood fence, high weeds and other miscellaneous debris resulting in violations of the Lake County Code. Specifically, your property is in violation of the following Sections of the Lake County Zoning Ordinance: Chapter 21, Article 9, Section 41.12; International Property Maintenance Code (IPMC): Sections 301.3, 302.4 and 302.8. These conditions constitute a public nuisance in accordance with Chapter 13, Article I, Section 13-3.1 (e) of the Lake County Code.

**C**    **ORDER IS GIVEN TO COMMENCE ABATEMENT OF SAID NUISANCE WITHIN 30 DAYS ( March 25, 2018 ) AND CORRECT THE NUISANCE CONDITIONS DESCRIBED ABOVE BY TAKING ALL FOLLOWING ACTIONS:**

- 1) Remove the inoperable/burnt vehicle(s) from the property within thirty (30) days of the date of this notice. Disposal receipts are required as proof of compliance.
- 2) Trim the weeds on the property by cutting them to a recommended maximum height of 4inches or less, within thirty (30) days of the date of this notice. This should be done in a manner that does not create any risk of causing a fire.
- 3) Remove the remaining remnants of the burnt fence and any other miscellaneous debris within thirty (30) days of the date of this notice. Disposal receipts are required as proof of compliance.

**ATTACHMENT 1**  
**PAGE 1 of 2**

- D** YOU ARE HEREBY NOTIFIED THAT IF YOU WISH TO SHOW ANY CAUSE WHY SUCH CONDITION SHOULD NOT BE ABATED AS A PUBLIC NUISANCE BY THE ENFORCEMENT OFFICIAL, YOU MUST REQUEST A PUBLIC HEARING BEFORE THE LAKE COUNTY BOARD OF SUPERVISORS BY COMPLETING A NUISANCE ABATEMENT HEARING REQUEST FORM. SAID FORM IS AVAILABLE AT THE COMMUNITY DEVELOPMENT DEPARTMENT (LOCATED AT 255 N. FORBES STREET, LAKEPORT) AND MUST BE SUBMITTED ON OR BEFORE March 16, 2018. IF YOU FAIL TO REQUEST A NUISANCE ABATEMENT HEARING, ALL RIGHTS TO APPEAL ANY ACTION OF THE COUNTY TO ABATE THE NUISANCE WILL BE WAIVED.
- E** IF YOU FAIL TO CORRECT THE NUISANCE CONDITIONS BY THE DATE SPECIFIED IN SECTION C OF THIS NOTICE AND ORDER OR ANY SUBSEQUENT TIME EXTENSION GRANTED BY THE ENFORCEMENT OFFICIAL, AND/OR FAIL TO SUCCESSFULLY SHOW CAUSE WHY SUCH CONDITION SHOULD NOT BE ABATED AS SPECIFIED IN SECTION D OF THIS NOTICE, THE ENFORCEMENT OFFICIAL MAY RECORD THIS NOTICE AND ORDER AND MAY ABATE THE PUBLIC NUISANCE. THE COSTS OF SAID ABATEMENT WILL BE RECOVERED BY ONE OR MORE OF THE FOLLOWING MEANS:
- 1) A CHARGE AGAINST THE PREMISES WITH THOSE COSTS MADE A SPECIAL ASSESSMENT AGAINST THE PREMISES. SAID SPECIAL ASSESSMENT MAY BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS IS PROVIDED FOR THE COLLECTION OF ORDINARY COUNTY TAXES, AND SHALL BE SUBJECT TO THE SAME PENALTIES, INTEREST AND TO THE SAME PROCEDURES OF FORECLOSURE AND SALE IN THE CASE OF DELINQUENCY AS IS PROVIDED FOR ORDINARY COUNTY TAXES.
  - 2) PAID THROUGH A CODE ENFORCEMENT DEBT REDUCTION AGREEMENT THAT HAS BEEN NEGOTIATED WITH THE LAKE COUNTY TREASURER – TAX COLLECTOR.
  - 3) REFERRED TO A DEBT COLLECTION AGENCY LICENSED BY THE STATE OF CALIFORNIA IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 26220(a).

  
Michael Penhall, Code Enforcement Officer  
COMMUNITY DEVELOPMENT DEPARTMENT  
STATE OF CALIFORNIA  
COUNTY OF LAKE

DATED: February 23, 2018

# NOTICE OF ASSESSMENT

Notice is hereby given that the Lake County Board of Supervisors will hear and consider objections and protests to a proposed assessment to be levied to recover the cost of abating a nuisance on property owned by **Steven M. Gerstmann**. The property is located at **16560 Rose Street, Lower Lake, CA**, being Assessor's Parcel Number **024-342-16**. The property is further described in Document Number **00388774** filed in the County Recorder of said Lake County on **March 11, 1998**.

Notice is hereby given that abatement included removal and disposal of the remnants of a burnt RV frame, burnt fencing and the cutting of weeds on this property.

FEES:	Administrative	\$ 449.85
	Abatement contract	\$1,300.00

TOTAL ASSESSMENT	<u>\$1,749.85</u>
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The Enforcement Official will submit the account to the Board of Supervisors for confirmation on **January 29, at 9:35 AM**, in the Board of Supervisors Chambers, Lake County 255 North Forbes Street, Lakeport, at which time and place the Board of Supervisors will hear and consider objections and protests to said account and proposed assessment.



Michalyn DelValle  
Community Development Director  
Community Development Department  
County of Lake

Date: 1/15/19

Cert. Mail # \_\_\_\_\_

AFTER RECORDING  
Please Return To:  
Lake County Community  
Development Department  
255 North Forbes Street  
Lakeport, Ca. 95453

*No fee Document- per Government code 27383*

NOTICE AND CLAIM OF LIEN FOR  
COSTS OF NUISANCE ABATEMENT

NOTICE IS HEREBY GIVEN that the County of Lake claims a lien for nuisance abatement costs pursuant to County Ordinance Code Chapter 13 of **\$1,749.85** against the real property situated in the County of Lake, California, commonly known as Assessor's Parcel Number **024-342-160-000** located at **16560 Rose Street, Lower Lake, California** and more particularly described in Document # **00388774** of the County Recorder.

NOTICE IS HEREBY FURTHER GIVEN that a hearing pursuant to Lake County Ordinance Code, Chapter 13, Section 13-42 was held by the Lake County Board of Supervisors on the **29<sup>th</sup> day of January, 2019 at 9:35 AM** wherein the Board of Supervisors issued an order confirming the assessment of **\$1,749.85** (Case #18-00064).

The last known property owner, **Steven M. Gerstmann**, has been given notice of this lien as required by law.

WHEREFORE, the County of Lake claims a lien of **\$1,749.85** on the afore described property plus interest and other costs which may hereafter become due.

Dated:

I declare under penalty of perjury that the contents of this instrument are true and correct.

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Michael Penhall  
Code Enforcement Officer  
Community Development Department

STATE OF CALIFORNIA  
COUNTY OF LAKE

On \_\_\_\_\_ before me, \_\_\_\_\_ personally appeared Michael Penhall 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 he executed the same in his authorized capacity, and that by 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 paragraph is true and correct.

WITNESS my hand and official seal.

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

**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.**

Pioneer Constructors Inc dba Pioneer Builders  
PO BOX 177  
LAKEPORT, CA 95453-0177 US  
pioneer.builders@sbcglobal.net

## Invoice



**BILL TO**  
COUNTY OF LAKE

INVOICE#	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
5601	10/08/2018	\$1,300.00	10/08/2018	Due on receipt	

Please detach top portion and return with your payment.

**JOB**  
LOWER LAKE CLEANUP

ACTIVITY	QTY	RATE	AMOUNT
<b>LABOR</b> REMOVED BURNED RV AND MISC DEBRIS/GARBAGE, CUT WEEDS	1	1,300.00	1,300.00

BALANCE DUE

**\$1,300.00**

NUISANCE ABATEMENT

CE CS #18-00064 (18)

10/15/18 Okay to pay. K. Freeman

**COUNTY OF LAKE**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**CODE ENFORCEMENT DIVISION**  
**16560 Rose St, Lower Lake, CA. Abatement Case #18-00064**  
**APN #024-342-16**

**TASK SHEET**

INIT	DATE	TASK	TIME	RATE	EXT	SUBTOTAL CUMULATIVE
mp	02/23/2018	Initial Investigation/Prepare, Post NONOTA	1.00	\$77.42	\$77.42	\$77.42
mp	04/20/2018	follow up Investigation	1.00	\$77.42	\$77.42	\$154.84
mp		Prepare/Request Bids/Award Bid	1.00	\$77.42	\$77.42	\$232.26
mp	10/11/2018	Site Visit, Abatement Follow up	1.00	\$77.42	\$77.42	\$309.98
mp	01/03/2019	Prepare Staff Report & attachments	1.50	\$77.42	\$116.28	\$426.11
		Certified Mail	1.00	\$6.74	\$6.74	\$432.85
		Recordation fee(s)-Lien; 2 pages		\$17.00	\$17.00	\$449.85
		<b>Sub Total Administrative Amount</b>				<b>\$449.85</b>
		<b>Contractor Invoice</b>				
		<b>Pioneer Constructors #5601</b>			\$1,300.00	<b>\$1,300.00</b>
		<b>TOTAL</b>				<b>\$1,749.85</b>

RECORDING REQUESTED BY  
**CHARLOTTE GERSTMANN**  
AND WHEN RECORDED MAIL THIS DEED AND, UNLESS  
OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

NAME **STEPHEN GERSTMANN**  
STREET **P.O. Box 1940**  
ADDRESS **Lower Lake, CA 95457**  
CITY, STATE &  
ZIP CODE  
TITLE ORDER NO. \_\_\_\_\_ ESCROW NO. \_\_\_\_\_

DOCUMENT NUMBER  
**98-003822**

R	4
M	3
ST	1
GC	2
LN	9
CO	

RECORDED AT REQUEST

*Atty Rist W*  
**98 MAR 11 PM 12:14**

**LAKE  
ASSESSOR-RECORDER  
DAN L. IRWIN**

**INTERSPOUSAL TRANSFER  
GRANT DEED**

DOCUMENTARY TRANSFER TAX \$ -0-  
☐ computed on full value of property conveyed, or  
☐ computed on full value less liens and  
encumbrances remaining at time of sale.

Signature of Declarant or Agent Determining Tax Firm Name

FOR VALUABLE CONSIDERATION, receipt of which is acknowledged, I (We), **CHARLOTTE Y.  
GERSTMANN**, an unmarried woman  
(NAME OF GRANTEE(S))

grant to **STEVEN M. GERSTMANN**, an unmarried man  
(NAME OF GRANTEE(S))  
all that real property situated in ~~XXXXXX~~ **an unincorporated area of** (or in an unincorporated area of)  
**LAKE** County, **California** described as follows (insert legal description):  
(NAME OF COUNTY) (STATE)

**EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF,**  
consisting of one page.

Assessor's parcel No. **24-342-12 and 24-342-13**

Executed on **March 10, 1998**, at **Clearlake, California**

STATE OF **California**

COUNTY OF **Lake**

On **3-10-98** before me, **Karen Lee Allen, Notary Public**  
(NAME/TITLE OF "NOTARY PUBLIC")

personally appeared **Charlotte Y. Gerstmann**  
personally known to me (or proved to me on the basis of satisfactory evidence) to be  
the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),  
or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.  
*Karen Lee Allen*  
(SIGNATURE OF NOTARY)

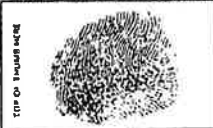
MAIL TAX (See) STATEMENTS TO: **Same as above**

Before you use this form, fill in all blanks, and make whatever changes are appropriate and necessary to your  
particular transaction. Consult a lawyer if you doubt the form's fitness for your purpose and use. Wolcotts  
makes no representation or warranty, express or implied, with respect to the merchantability or fitness of this  
form for an intended use or purpose.

WOLCOTTS FORM 778 Rev. 3-94a (price class "A")  
GRANT DEED



RIGHT THUMBPRINT (Optional)



CAPACITY CLAIMED BY SIGNER(S)  
☒ INDIVIDUAL(S)  
☐ CORPORATE OFFICER(S)  
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL  
☐ ATTORNEY IN FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER

SIGNER IS REPRESENTING  
(NAME OF PERSON/ENTITY REPRESENTED)

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EXHIBIT TO INTERSPOUSAL TRANSFER QUITCLAIM DEED

EXHIBIT "A"

The following described real property in the unincorporated area of the County of Lake, State of California, described as follows:

TRACT ONE:

All that portion of Lot 4 in Block 1, as shown on that certain map entitled, "W.I. NICHOLS ADDITION TO LOWER LAKE," filed in the office of the County Recorder of said Lake County on May 27, 1895 in Book 1 of Town Maps, at Page 43, described as follows:

That part of Lot No. 4 situated in the Southwest corner which is 50 feet wide by 150 feet in depth.

TRACT TWO:

All that portion of Lot No. 4 in Block 1, as shown on that certain map entitled, "W.I. NICHOLS ADDITION TO LOWER LAKE," filed in the office of the County Recorder of said Lake County on May 27, 1895 in Book 1 of Town Maps, at Page 43, described as follows:

That part of Lot No. 4 situated in Southeast corner which is 50 feet wide by 140 feet in depth.

IT IS THE EXPRESS INTENT OF THE GRANTOR, BEING THE SPOUSE OF THE GRANTEE, TO CONVEY ALL RIGHT, TITLE AND INTEREST OF THE GRANTOR, COMMUNITY OR OTHERWISE, IN AND TO THE HEREIN DESCRIBED PROPERTY TO THE GRANTEE AS HIS/HER SOLE AND SEPARATE PROPERTY.

A.P. NO. 24-342-12 and 24-342-13

END OF DOC 2

ATTACHMENT 6  
PAGE 2 of 2