



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION ADOPTING THE RECOMMENDATION OF THE HEARING BODY AND APPROVING A SPECIAL ASSESSMENT AND ORDERING RECORDATION OF ABATEMENT LIEN IN THE AMOUNT OF \$43,318.00 AFTER A NUISANCE ABATEMENT ON THE PARCEL LOCATED AT 18633 MUSTANG VALLEY PLACE GRASS VALLEY, CA 95949 (APN 002-450-012), OWNER OF RECORD MANDEEP KANG, RON GILBERT LIFE EST/OCCUPY, EST. OF GARY TREECE, EST. OF GARY E. TREECE, WALTER AHRENS A TRSTE®, CHRISTINE MORRISON ETAL, VINCENT WELLS, ROSEMARY SKATES

WHEREAS, on February 03, 2020, a code case was referred to a Hearing Body for a nuisance abatement by Nevada County Code Compliance Division on Assessor's Parcel Number 002-450-012 at 18633 Mustang Valley Place Grass Valley, CA. 95949 (the "Property"); and

WHEREAS, significant health and safety risks to neighboring parcels existed due to inoperable vehicles, solid waste, RV occupancy, structures, sewage disposal; and

WHEREAS, the Code Compliance Division proceeded with the abatement process outlined in the County's Administrative Enforcement Ordinance, section L-II 5.23 of the Land Use and Development Code, which included conducting a competitive procurement process and selecting multiple vendors to provide a bid estimate based on the scope of work; and

WHEREAS, on March 9, 2020, after holding a nuisance abatement hearing, the Nuisance Abatement Hearing Officer ordered the Property Owner to abate the nuisance condition on the Property; and

WHEREAS, the Hearing Officer also determined and ordered Code Compliance Division is entitled to reimbursement of costs of its pre-abatement actions incurred from January 1, 2020 through July 22, 2020 in an amount to be determined according to proof; and

WHEREAS, the Hearing Officer also determined and ordered that, in addition to reimbursement of costs of its pre-abatement actions, the Code Compliance Division shall recover all costs for preparing and attending the hearing according to proof under LUDC § L-II, 5.23(E) and Government Code section 25845, subdivision (b); and

WHEREAS, the Hearing Officer also determined and ordered that, after such abatement is conducted, the Code Compliance Division is entitled to reimbursement of costs of its abatement actions incurred to seek and obtain an abatement warrant in compliance with the Hearing Officer's order, costs of further hearing-related abatement efforts, and all costs of abatement itself as may be reasonably incurred and charged to the Property Owner under Government Code section 25845; and

WHEREAS, the Hearing Officer's decision and order was deemed final on March 09, 2020. Pursuant to LUDC § L-II 5.23(P), any party to an administrative hearing may seek judicial review of a Hearing Body's decision by filing a petition for review with the Superior Court, pursuant to Government Code section 53069.4, within 20 days after service of the notice of decision; and

WHEREAS, the Property Owner failed to appeal the decision; and

WHEREAS, on July 10, 2020 an abatement warrant was executed, and the nuisance conditions were abated; and

WHEREAS, on June 21, 2023, the County sent to the Property Owner a demand for payment of costs of abatement, including administrative and physical abatement costs in the total amount of \$43,318.00; and

WHEREAS, Government Code section 25845, subdivision (d) provides, “[i]f the owner fails to pay the costs of the abatement upon demand by the county, the board of supervisors may order the cost of the abatement to be specially assessed against the parcel”; and

WHEREAS, on October 2, 2023, the Hearing Officer also determined and ordered Code Compliance Division is entitled to reimbursement of costs of its abatement actions in the amount of \$43,318.00 according to procedure under LUDC § L-II 5.23(R); and

WHEREAS, Government Code Section 25845, subdivision (e) provides, “[i]f the Board of Supervisors specially assesses the cost of the abatement against the parcel, the board also may cause a notice of abatement lien to be recorded. The notice shall, at a minimum, identify the record owner or possessor of property, set forth the last known address of the record owner or possessor, set forth the date upon which abatement of the nuisance was ordered by the Board of Supervisors and the date the abatement was complete, and include a description of the real property subject to the lien and the amount of the abatement cost”; and

WHEREAS, the Property Owner has failed to remit payment as demanded; and

WHEREAS, the Code Compliance Division recommends, pursuant to Government Code section 25845 and the County’s Land Use and Development Code, section L-II 5.23, the Board of Supervisors adopt the recommendation of the Hearing Officer and order the administrative and physical costs of abatement be specially assessed against the Property in the amount of \$43,318.00 as shown in Exhibit A attached hereto, and furthermore recommends the Board order the same amount recorded as an abatement lien against the Property, with the record owner of the Property identified as Mandeep Kang, Ron Gilbert Life Est/Occupy, Est. of Gary Treece, Est of Gary E. Treece, Walter Ahrens a Trste ®, Christine Morrison Etal, Vincent Wells, Rosemary Skates last known mailing address of 9655 Pinehurst Drive Roseville, CA. 95747, 401 215 T. Street Sacramento, CA. 95811, 18633 Mustang Valley Place Grass Valley, CA. 95949, P.O. Box 705 Loomis, CA. 95650, 18633 Mustang Valley Place Grass Valley, CA. 95949 c/o Justin Schmidt, P.O. Box 1868 Lincoln, CA. 95648, P.O. Box 206, Washington, CA. 95986 abatement date ordered on March 09, 2020, abatement completed on July 10, 2020 Property address of 18633 Mustang Valley Place Grass Valley, CA. 95949 (APN 002-450-012), with an abatement cost in the amount of \$43,318.00.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Government Code section 25845, subsection (d), the Nevada County Board of Supervisors approves the proposed assessment, in the amount of \$43,318.00, against the property located at 18633 Mustang Valley Place Grass Valley, CA. 95949 (APN 002-450-012); and

BE IT FURTHER RESOLVED that, pursuant to Government Code section 25845, subsection (e), the Nevada County Board of Supervisors orders a notice of abatement lien be recorded against the Property, with the record owner of the Property identified as Mandeep Kang, Ron Gilbert Life Est/Occupy, Est. of Gary Treece, Est of Gary E. Treece, Walter Ahrens a Trste ®, Christine Morrison Etal, Vincent Wells, Rosemary Skates last known mailing address of 9655 Pinehurst Drive Roseville, CA. 95747, 401 215 T. Street Sacramento, CA. 95811, 18633 Mustang Valley Place Grass Valley, CA. 95949, P.O. Box 705 Loomis, CA. 95650, 18633 Mustang Valley Place Grass Valley, CA. 95949 c/o Justin Schmidt, P.O. Box 1868 Lincoln, CA. 95648, P.O. Box 206, Washington, CA. 95986 abatement date ordered on March 09, 2020, abatement completed on July 10, 2020 Property address of 18633 Mustang Valley Place Grass Valley, CA. 95949 (APN 002-450-012), with an abatement cost in the amount of \$43,318.00.

