

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA MAKING THE DETERMINATION AND ORDERING THAT THE AMOUNT OF ADMINISTRATIVE PENALTY RELATING TO THE PUBLIC NUISANCE BE ENFORCED AS A LIEN AGAINST THE AFFECTED PROPERTY AND FURTHER ORDERING RECORDATION OF NOTICE OF ADMINISTRATIVE PENALTY LIEN, PURSUANT TO CHAPTER 10.16 OF THE TEHAMA COUNTY CODE AND GOVERNMENT CODE SECTION 53069.4

**Owner: Elsie Morgan, Deceased
c/o Lynda Yanez
Site Address: 23150 Smith Ave., Gerber
APN: 063-210-017
Code Case: CE-25-22**

WHEREAS, in accordance with the procedures set forth in Chapter 10.16 of the Tehama County Code, the condition(s) occurring on the premises was determined to constitute a public nuisance; and

WHEREAS, in the event that the nuisance was not voluntarily abated, the County was authorized to impose a daily administrative penalty through the process set forth in Section 10.16.200 of the Tehama County Code; and

WHEREAS, the nuisance was not abated as ordered; and

WHEREAS, administrative penalty has been imposed for the public nuisance occurring on the property in accordance with the above-described process, and that determination has become final and conclusive; and

WHEREAS, the enforcing officer has kept an account of the amount of the administrative penalty imposed, and has rendered a report in writing to the Board of Supervisors showing the amount of administrative penalty, which is attached hereto as Exhibit "A"; and

WHEREAS, the total administrative penalty imposed is **\$3,000.00**; and

WHEREAS, the County made a demand on the property owner at least ninety (90) days prior to this Hearing for the amounts stated in Exhibit "A" to pay the County for the administrative penalty; and

WHEREAS, the County has not received payment in full from the property owner; and

WHEREAS, no timely appeal was filed with the Superior Court; and

WHEREAS, the Board of Supervisors is authorized to record Notice of Administrative Penalty Lien against the property pursuant to Government Code section 53069.4 and Tehama County Code section 10.16.200; and

WHEREAS, the owner of the property has been given notice of this Hearing and provided an opportunity to be heard in accordance with Tehama County Code section 10.16.200;

NOW THEREFORE BE IT RESOLVED, that the report of the enforcing officer, attached hereto as Exhibit "A," with any modifications directed by the Board of Supervisors on the record at this Hearing is hereby confirmed and approved; and

BE IT FURTHER RESOLVED, that the Tehama County Board of Supervisors hereby orders that an administrative penalty shall be enforced as a lien against the property described in the amount stated in Exhibit "A," with any modifications directed by the Board of Supervisors on the record at this Hearing; and

BE IT FURTHER RESOLVED, that the Board of Supervisors authorizes and directs the enforcing officer to record a Notice of Administrative Penalty Lien against the property for the amounts stated in Exhibit "A," with any modifications directed by the Board of Supervisors on the record at this Hearing, in substantially the form attached hereto as Exhibit "B,"

The foregoing resolution was offered on a motion by Supervisor _____, seconded by Supervisor _____, and carried by the following vote of the Board:

AYES:

NOES:

ABSENT OR NOT VOTING:

[illegible]

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said Board of Supervisors on the _____ day of _____, 2025.

DATED: This _____ day of _____, 2025.

_____, County
Clerk and ex-officio Clerk of the Board of
Supervisors of the County of Tehama, State of
California.

By _____

Tehama County Environmental Health Department
633 Washington Street, Room 36
Red Bluff, CA 96080
530-527-8020



Exhibit A

Code Enforcement Account Invoice

TO: ELSIE MORGAN DECD, ELSIE INGRAM DECD
c/o LYNDY YANEZ
23150 SMITH AVE.
GERBER, CA 96035

Account ID	Date
AR0003358	4/10/2025
Invoice ID	Invoice Total Due
IN0012309	\$ 3,000.00

PAYMENT DUE IMMEDIATELY

You received this invoice because you were either the property owner, occupant or a person who caused, permitted, suffers or maintained, conducted, or otherwise suffered or allowed the violation to exist.

APN: 063-210-017

Site Location: 23150 SMITH AVE. GERBER

Date	Program/ Element	Description	Amount
Invoice #IN0012309			
--- Date of Invoice : 4/10/2025			
04/10/25	8116	CODE ADMINISTRATIVE PENALTIES	\$ 3,000.00
Penalties due for Public Nuisance. \$100.00 per day starting 2/21/25 through 3/22/25 30 days at			
\$100.00 per day = \$3,000.00			
Total Due for This Invoice:			\$ 3,000.00

Please make payments to Tehama County Environmental Health Code Enforcement
633 Washington Street, Room 36, Red Bluff, CA 96080 in the form of a cashier's
check or money order, no personal checks.

Interest shall accrue on any amounts due from the effective date until the date paid
pursuant to the laws applicable to civil judgments.

Exhibit "B"

Recording requested by and mail to:

Tehama County Department of
Environmental Health,
Code Enforcement
633 Washington St., Room 36
Red Bluff, CA 96080

NOTICE OF ADMINISTRATIVE PENALTY LIEN

Property Owner Name and Last Known Address:

XXXX
XXXX
XXXX

Site Address:

XXXX
XXXX
XXXX

Assessor's Parcel Number

#####

Date Penalty Began Accruing :

MM/DD/YYYY

Date Penalty Stopped Accruing:

MM/DD/YYYY

WHEREAS, Exhibit "A" attached hereto and incorporated herein is a legal description of the subject property ("Premises").

WHEREAS, in accordance with the procedures set forth in Chapter 10.16 of the Tehama County Code, a condition occurring on the Premises was determined to constitute a public nuisance, and an administrative penalty was imposed in the amount of \$#### per day.

WHEREAS, an administrative penalty accrued between MM/DD/YYYY through MM/DD/YYYY without abatement.

WHEREAS, on MM/DD/YYYY the County of Tehama made a demand that the administrative penalty in the sum of \$##### be paid immediately by MM/DD/YYYY. The amount paid toward the total sum to date is: \$####.

WHEREAS, on MM/DD/YYYY, the Tehama County Board of Supervisors adopted Resolution No. ##### ordering that the penalty be enforced against the Premises and further ordering recordation of this Notice of Administrative Penalty Lien against the Premises, pursuant to Chapter 10.06 of the Tehama County Code and Government Code section 53069.4.

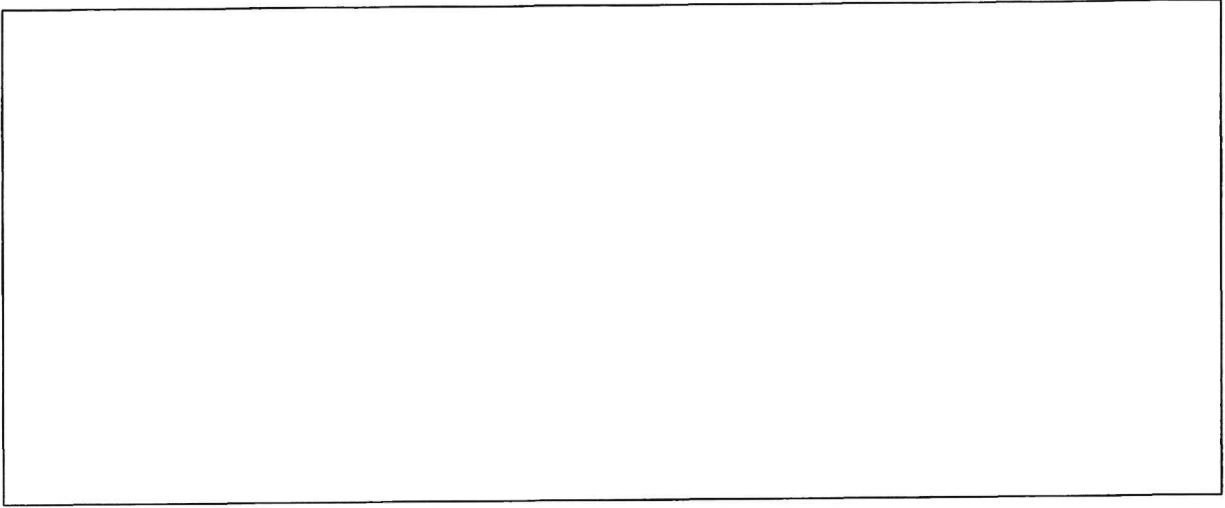
WHEREAS, the County of Tehama does hereby claim an Administrative Penalty Lien in the sum of \$####. The same shall be a lien on upon the Premises until the same has been paid in full and released of record.

NOTICE IS HEREBY GIVEN.

Date of Notice

Tim Potanovic, Enforcing Officer

EXHIBIT "A" - Legal Description of Premises



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 Tehama

On MM/DD/YYYY, before me, _____, the undersigned, a Notary Public in and for the State of California, personally appeared (NAME OF INDIVIDUAL SIGNING NOTICE OF LIEN) who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to be within instrument and acknowledged to me that (s)he executed the same in his/her authorized capacity, and that by his/her 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.

Notary Public in and for the State of California