

DATE: September 27, 2023

TO: Congregation B Nai Chaim of Murrieta  
(and all other owners of or occupants at Property Address)

RE: 29500 Via Princesa, Murrieta, California 92563  
(PROPERTY ADDRESS)

**NOTICE AND ORDER TO ABATE**

TO THE OWNER, AGENT OF THE OWNER, LESSEE, OCCUPANT, OR PERSON IN POSSESSION OF THE PROPERTY DESCRIBED ABOVE:

YOUR ATTENTION IS HEREBY CALLED to the following provisions of Section 8.20.030(D)(P)(5)(a)(b) of the Municipal Code of the City of Murrieta, California (hereinafter "MMC"), on file in the office of the City Clerk in the City Hall, or online at: [https://codelibrary.amlegal.com/codes/murrieta/latest/murrieta\\_ca/0-0-0-20471](https://codelibrary.amlegal.com/codes/murrieta/latest/murrieta_ca/0-0-0-20471).

Pursuant to the provisions of said sections, you are hereby notified that the property, described herein, is in violation of these provisions and you must take action to abate these conditions immediately:

<u>Violation(s):</u>	<u>Description:</u>
MMC § 8.20.030(D)	It is unlawful and is declared a nuisance for any person owning, leasing, renting, occupying, charged with the management of or having charge or possession of any property in the city to maintain or fail to maintain the property in such a manner that any of the following conditions are present: To abandon or permanently vacate, or cause to be abandoned or permanently vacated, any building or structure, so that it becomes accessible to unauthorized persons including, but not limited to, juveniles and vagrants, for unlawful or hazardous use.
MMC § 8.20.030(P)(5)(a)	It is unlawful and is declared a nuisance for any person owning, leasing, renting, occupying, charged with the management of or having charge or possession of any property in the city to maintain or fail to maintain the property in such a manner that any of the following conditions are present: To maintain any property or structure in such a manner as to cause or allow the property or structure to become defective, unsightly or in such other condition of deterioration or disrepair as the same may cause substantial depreciation of the property values of, or similar detriment to surrounding properties, as well as an adverse effect on the health, safety, and welfare of the citizens of the city. This includes but is not limited to any of the following: Property which is not in compliance with the following minimum standard requirements: Front and visible side yards, except for lots in the R-R, R-A, and A-I zones, one acre or larger, shall be landscaped (except for improved surfaces including but not limited to walks and driveways)

	with ground cover, plant material, decorative rock, redwood bark and/or lawn, so as to prevent excessive dust, accumulation of debris, or depreciated values of adjacent properties.
MMC § 8.20.030(P)(5)(b)	It is unlawful and is declared a nuisance for any person owning, leasing, renting, occupying, charged with the management of or having charge or possession of any property in the city to maintain or fail to maintain the property in such a manner that any of the following conditions are present: To maintain any property or structure in such a manner as to cause or allow the property or structure to become defective, unsightly or in such other condition of deterioration or disrepair as the same may cause substantial depreciation of the property values of, or similar detriment to surrounding properties, as well as an adverse effect on the health, safety, and welfare of the citizens of the city. This includes but is not limited to any of the following: Property which is not in compliance with the following minimum standard requirements: In all zones, trees, shrubs, lawns, landscaping, and other plantings shall be maintained, including regular irrigation, pruning of trees, trimming of shrubs and cutting of lawns, in conformity with the surrounding vicinity. Property shall also comply with the weed abatement standards in <u>Chapter 8.32</u> of this code; and, in any case, abate dead, decayed, diseased, overgrown or hazardous trees, weeds and vegetation, cultivated or uncultivated, which is likely to harbor rats or vermin, or constitute an unsightly appearance, or is detrimental to neighboring properties or property values.

You are therefore notified at once, and in any event, within fifteen (15) days from the date of this notice, to commence abatement of the above specified conditions by taking the following actions:

Take all steps necessary to cause the property to be brought into compliance with all provisions of Chapter 8.20 of the Murrieta Municipal Code, including the violation(s) listed above. At a minimum, you must do the following:

1. Secure/board up all structures on the property to ensure break-ins and allowances inside the structures are prohibited. *This will ensure that furniture is not taken from inside the structures and moved to a different location.*
2. Cut back, remove and maintain all overgrown and dead vegetation throughout the property.
3. Contact Code Enforcement Supervisor Nolan Berentis at 951.461.6330 to schedule a final inspection of the property.

Such action(s) must be completed within the time set forth in this notice and thereafter you must maintain the property free from any of the unlawful conditions described above.

In the event you fail to complete such work within the time herein mentioned, the undersigned shall cause the appropriate abatement action to be taken and completed, and the charges therefor will be a lien upon the said property.

You are advised that any person holding record title or having any interest in the property may appeal from this notice and order, or any determination of the Code Enforcement Supervisor, to the City Council within **ten (10) days** from the date of service of this notice and order. Written notice of such appeal must be filed in the office of the City Clerk at the Murrieta City Hall located at 1 Town Square, Murrieta, CA 92562. If no appeal is filed within the time prescribed, the determination of the Code Enforcement Supervisor shall be final.

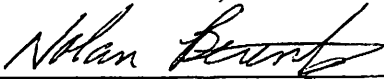
In the event you shall fail to either commence or complete such work within fifteen (15) days from the date of this notice, the City will proceed with abating the violations on the property and the charges therefore will be a lien upon the property. If you have any questions, please call Mr. Nolan Berentis, Code Enforcement Supervisor, 951.461.6330.

The said building, structure, improvement or property is situated in the City of Murrieta, County of Riverside, State of California, on premises described as: Lot 1, 2.29Acres M/L in Por Par 1 PM 091/014 PM 14373, in the City of Murrieta, County of Riverside, State of California.

The property is commonly known as 29500 Via Princesa, Murrieta, California.

The County Assessor's number of the property is: APN 913-150-017

Dated at Murrieta, California this 27th day of September 2023.




Nolan Berentis  
Code Enforcement Supervisor, City of Murrieta

#### DECLARATION OF SERVICE & POSTING

I declare under penalty of perjury, under the laws of the State of California, that the following is true and correct: I am over the age of 18 years, not a party to this action. I served this *Notice and Order to Abate* by personally mailing, via certified and regular mail, a copy of same to the person to whom this Notice and Order is addressed, or left this Notice and Order with a person over the age of 18 at the residence of the person to whom this Notice and Order is addressed. I also posted a complete copy of this Notice and Order in a conspicuous location on said property.

*I declare under penalty of perjury, under the laws of the State of California,  
that the foregoing is true and correct.*

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.		
DATE 9/27/23	TYPE OR PRINT NAME Ana Padilla	SIGNATURE 



## CITY OF MURRIETA

November 21, 2023

### Follow up Notice

David and Sally Ann Ramirez  
24189 Saradella Court  
Murrieta, CA 92562

Dear Property owners:

A recent inspection of the property located at **24189 Saradella Ct.**, revealed the fence has been placed diagonally across the planter area. While this is progress to obstruct access to the pool in your backyard you need to complete a permanent fix to reinstalling the fence in the ground.

Therefore, you are still maintaining a violation of the Murrieta Municipal Code.

1. MMC 8.20.030 (E)(2) — Unsecured Pool is not permitted

Please contact me to provide the steps you are going to take to complete a permanent fix to the fence before the end of the day November 28, 2023. Failure to do so will result in additional enforcement which could include a referral back to the City Prosecutors Office and administrative fines.

Thank you for your cooperation in addressing this condition and bringing your property into compliance. If you have any questions please contact me at (951)461-6343 or RHussey@murrietaca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Hussey".

Robert Hussey  
Code Enforcement Officer #1423  
cc: Case #2301421



## CITY OF MURRIETA

November 17, 2021

Kristine E. Webster  
25490 Blackthorne Dr.  
Murrieta, Ca 92563

**Re: Request for Consent to Enter Property to Abate and Remove Nuisance Conditions  
25490 Blackthorne Drive, Murrieta, CA 92563**

Dear Ms. Webster:

The condition of your property located at 25490 Blackthorne Drive, Murrieta, CA 92563 ("Property") continues to constitute a public nuisance in violation of Murrieta Municipal Code Section 8.20.030. The purpose of this correspondence is to request that you grant the City of Murrieta ("City") consent to enter upon the exterior of the Property to remove the overgrown, dry and/or dead weeds, vegetation, shrubs, plants, bushes, trees, and debris, and remove the substandard fire, health and safety hazards existing at the Property.

The City has previously sent you more than 25 notices advising you of the substandard conditions at your Property and requiring vegetation/weed abatement and correction of the ongoing violations; you have failed to respond. The City also granted you an opportunity to be heard at a noticed public hearing to declare the Property a public nuisance; you failed to appear.

The condition of your Property not only affects you, but those around you and your community. The substandard conditions at your Property continue to pose a risk to the public health, safety and welfare. Moreover, individuals have recently begun trespassing on the Property after realizing it is vacant.

**The City requests your consent by November 30, 2021 to enter the Property and abate/remove the nuisance conditions. If the City does not receive your consent by that date, the City will deem your failure to respond as a refusal to consent.** Accordingly, the City will pursue any and all available remedies to remedy the nuisance conditions. The City may also abate the nuisance and charge all costs relating to the abatement as a lien against your Property, which will accrue interest at the legal rate until paid.

Please do not hesitate to contact me, should you have any questions regarding the foregoing.

Sincerely,

A handwritten signature in cursive script that reads "Gina Parent".

Gina Parent  
Code Enforcement Officer  
cc: City Attorney

1 ALESHIRE & WYNDER, LLP  
TIFFANY J. ISRAEL, State Bar No. 185723  
tisrael@awattorneys.com  
2 ROBERT M. HENSLEY, State Bar No. 309101  
rhensley@awattorneys.com  
3 1 Park Plaza, Suite 1000  
Irvine, CA 92614  
4 Telephone: (949) 223-1170  
5 Facsimile: (949) 223-1180

6 Attorneys for Petitioner  
THE CITY OF MURRIETA

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
RIVERSIDE HISTORIC COURTHOUSE  
8 COUNTY OF RIVERSIDE, ~~SOUTHWEST JUSTICE CENTER~~

10 THE CITY OF MURRIETA,  
11 Petitioner,  
12 v.  
13 B NAI CHAIM OF MURRIETA  
14 CONGREGATION,  
15 Respondent.

Case No. CVRI 2306104  
~~PROPOSED~~ ABATEMENT WARRANT  
*[Filed Concurrently with Application for  
Abatement Warrant, Points and Authorities  
and Declaration of Nolan Berentis in Support  
Thereof]*

ALESHIRE &  
WYNDER  
ATTORNEYS AT LAW



16  
17 TO THE PEOPLE OF THE STATE OF CALIFORNIA, ANY POLICE OFFICER,  
18 SHERIFF'S DEPUTY, FIRE OFFICIAL, CODE ENFORCEMENT OFFICER, BUILDING  
19 OFFICIAL, PUBLIC WORKS OFFICIAL, CONTRACTOR, CITY AUTHORIZED  
20 INDIVIDUAL, LOCK SMITH, ANIMAL CONTROL OFFICER OR HEALTH OFFICER OF, OR  
21 ON BEHALF OF, THE CITY OF MURRIETA, STATE OF CALIFORNIA:

22 Proof having been made this day before me based upon the declarations and accompanying  
23 exhibits, points and authorities, and other materials submitted in connection with this Order, and it  
24 appearing therefrom that good cause exists for an Order to abate the Public Nuisances at 29500 Via  
25 Princesa, Murrieta, California identified as Assessor's Parcel No. 913-150-017 (the "Property"), the  
26 Court hereby grants the following order:  
27  
28

///

Electronically RECEIVED by Superior Court of California, County of Riverside on 11/14/2023 12:26 PM - Jason B. Galkin, Executive Officer/Clerk of the Court By Joanne Bishop, Clerk



1 The City of Murrieta and its officers, agents, employees, contractors, or authorized  
2 representatives, including law enforcement officer, health department officer, and fire department  
3 officer having jurisdiction over the Property and working in conjunction with the City, are hereby  
4 ordered to enter on the Property between the hours of 8:00 a.m. and 6:00 p.m. and abate the public  
5 nuisances on the Property by taking any and all action necessary to:

- 6 1. Boarding up/securing the modulars on the Property;
- 7 2. Remove the overgrown and dead vegetation from the Property; and
- 8 3. Removing the trash and debris from the Property.

9 Reasonable force may be used to enter the Property, should any request for entry pursuant to  
10 this Order be refused, or to accomplish any part of this Order. Reasonable force includes the cutting  
11 of any locking devise preventing any exterior gate or door from opening, and the temporary removal  
12 or confinement of any domesticated or wild animal that may hinder the execution of this Order. This  
13 Order permits entry onto any area of the Property, except inside any structure as a residence.

14 This Warrant shall be effective for a period of not more than fourteen (14) days, unless  
15 extended or renewed. The requirement for twenty-four (24) hours' notice prior to execution of this  
16 Warrant is waived.

17 The abatement activities authorized by this Order may be undertaken in the absence of the  
18 owner or occupant of the Property.

19 A return to this Court shall be made in accordance with the provisions of section 1822.55 of  
20 the Code of Civil Procedure.

21 11/14/2023

22 Dated: October , 2023

23 JUDGE OF THE SUPERIOR COURT

24 Honorable Harold W. Hopp





## CITY OF MURRIETA

November 17, 2021

Kristine E. Webster  
9834 N. Jagged Circle  
Fountain Hills, Arizona 85268

**Re: Request for Consent to Enter Property to Abate and Remove Nuisance Conditions  
25490 Blackthorne Drive, Murrieta, CA 92563**

Dear Ms. Webster:

The condition of your property located at 25490 Blackthorne Drive, Murrieta, CA 92563 ("Property") continues to constitute a public nuisance in violation of Murrieta Municipal Code Section 8.20.030. The purpose of this correspondence is to request that you grant the City of Murrieta ("City") consent to enter upon the exterior of the Property to remove the overgrown, dry and/or dead weeds, vegetation, shrubs, plants, bushes, trees, and debris, and remove the substandard fire, health and safety hazards existing at the Property.

The City has previously sent you more than 25 notices advising you of the substandard conditions at your Property and requiring vegetation/weed abatement and correction of the ongoing violations; you have failed to respond. The City also granted you an opportunity to be heard at a noticed public hearing to declare the Property a public nuisance; you failed to appear.

The condition of your Property not only affects you, but those around you and your community. The substandard conditions at your Property continue to pose a risk to the public health, safety and welfare. Moreover, individuals have recently begun trespassing on the Property after realizing it is vacant.

**The City requests your consent by November 30, 2021 to enter the Property and abate/remove the nuisance conditions. If the City does not receive your consent by that date, the City will deem your failure to respond as a refusal to consent.** Accordingly, the City will pursue any and all available remedies to remedy the nuisance conditions. The City may also abate the nuisance and charge all costs relating to the abatement as a lien against your Property, which will accrue interest at the legal rate until paid.

Please do not hesitate to contact me, should you have any questions regarding the foregoing.

Sincerely,

A handwritten signature in black ink that reads "Gina Parent". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Gina Parent  
Code Enforcement Officer  
cc: City Attorney



1 **DEVANEY PATE MORRIS &**  
2 **CAMERON**  
3 *A Limited Liability Partnership*  
4 Jeffery A. Morris, Esq. (SBN 137906)  
5 Wendy L. House, Esq. (SBN 265352)  
6 41955 Fourth Street, Suite 210  
7 Temecula, CA 92590  
8 Telephone: (951) 262-4491  
9 Facsimile: (951) 262-4495  
10 Email: [jmorris@dpmclaw.com](mailto:jmorris@dpmclaw.com)  
11 Email: [whouse@dpmclaw.com](mailto:whouse@dpmclaw.com)

12 Attorneys for CITY OF MURRIETA

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
14 **IN AND FOR THE COUNTY OF RIVERSIDE**  
15 **SOUTHWEST JUSTICE CENTER**

16 In the Matter of the Application of  
17 THE CITY OF MURRIETA for  
18 Abatement Warrant for the Premises at  
19 25490 BLACKTHORNE DRIVE,  
20 MURRIETA, CALIFORNIA 92563

Warrant No. **CVRI** 2105769

**ABATEMENT WARRANT**

CCP §§ 1822.50 *et seq.*

21 THE PEOPLE OF THE STATE OF CALIFORNIA, TO ANY CITY OF  
22 MURRIETA BUILDING INSPECTOR OR BUILDING OFFICIAL, CODE  
23 ENFORCEMENT OFFICER, POLICE OFFICER AND FIRE INSPECTOR:

24 Upon the Application of the City of Murrieta and for good cause shown to the  
25 Court in accordance with California Code of Civil Procedure Sections 1822.50 *et seq.*:

26 Proof, by declaration having been made this day before me by Gina Parent,  
27 Code Enforcement Officer for the City of Murrieta, that cause exists for an Abatement  
28 Warrant of the premises known as 25490 Blackthorne Drive, Murrieta, California  
92563, hereinafter referred to as the "Subject Property".

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CAI

DEC 23 2021

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*AUTHORIZED*

1 YOU ARE ~~COMMANDED~~ to enter upon the Subject Property and conduct an  
2 abatement of the substandard conditions existing at the Subject Property to bring the  
3 Subject Property into compliance with the Murrieta Municipal Code. *Specifically,*

4 YOU ARE AUTHORIZED to enter upon the exterior of the Subject Property to  
5 remove the overgrown, dry and/or dead weeds, vegetation, shrubs, plants, bushes,  
6 trees, and debris, ~~and remove the substandard fire, health and safety hazards~~ existing  
7 at the Subject Property.

8 Abatement shall be conducted in a reasonable manner for the purpose of  
9 ensuring compliance with all applicable laws. A copy of this Abatement Warrant  
10 shall be sent by certified mail <sup>*four calendar days in advance*</sup> to the recorded owner of the Subject Property, and it  
11 shall be posted at the location of the Subject Property at least twenty-four (24) hours  
12 in advance of the abatement. The Court finds that forcible entry will not be necessary  
13 as it is an openly accessible structure. In addition, the Court finds that the abatement  
14 in the absence of the owner is reasonably necessary under the circumstances shown to  
15 effectuate the purpose of the laws being enforced. The presence of the owner is  
16 therefore not required for the reasons set forth in the accompanying affidavit.  
17 Abatement may begin between the hours of 7:00 a.m. and 7:00 p.m. on any day. This  
18 Abatement Warrant shall be effective from the date hereof and continuing for a period  
19 not to exceed fourteen (14) days.

20  
21 GIVEN UNDER MY HAND THIS 23 day of December, 2021.



*Craig G. Riemer*  
JUDGE OF THE SUPERIOR COURT  
Craig G. Riemer  
Judge of the Superior Court