

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: ENVIRONMENTAL RESOURCES *KMW*

BOARD AGENDA # *B-2

Urgent Routine

AGENDA DATE January 23, 2001

CEO Concurs with Recommendation YES *opt* NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

**RECOMMENDATIONS OF THE NUISANCE ABATEMENT HEARING BOARD
REGARDING ABATEMENT HEARING NO. 2001-01; 1525 W. WHITMORE
AVENUE, MODESTO, CA**

STAFF
RECOMMEN-
DATIONS:

**ADOPT THE RECOMMENDATIONS OF THE NUISANCE ABATEMENT
HEARING BOARD REGARDING ABATEMENT HEARING NO. 2001-01; 1525 W.
WHITMORE AVENUE, MODESTO, CA**

FISCAL
IMPACT:

There is no fiscal impact.

BOARD ACTION

No. 2001-39

On motion of Supervisor Caruso , Seconded by Supervisor Simon ,
and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) Denied

3) Approved as amended

Motion:

Christine Ferraro

File No.

RECOMMENDATIONS OF THE NUISANCE ABATEMENT HEARING BOARD
REGARDING ABATEMENT HEARING NO. 2001-01; 1525 W. WHITMORE AVENUE,
MODESTO, CA

Page 2

DISCUSSION: This agenda item is important because it ensures a safe and healthy community, promotes efficient government operation, serves the public's interest in a cost-effective manner, and fosters pride in our community. The item before the Board today is to adopt, modify, or reject the recommendations of the Planning Commission acting as the Nuisance Abatement Hearing Board, as presented in Attachment A.

This agenda item concerns the ninth case that was brought before the Nuisance Abatement Hearing Board. The property at 1525 W. Whitmore Avenue, Modesto, has a history of noncompliance with the Stanislaus County Code section 9.04.020: unlawful accumulation of refuse, rubbish, old lumber, mattresses, tires, and debris on the property.

Many attempts have been made to contact the property owner, Larry G. Arnold, to achieve an acceptable level of compliance with the Stanislaus County Code (see Attachment B). This case was brought before the Code Enforcement Task Force for resolution as a public nuisance. Attempts to gain compliance were made per the provisions in the Stanislaus County Code.

This department recently learned that the owner, Mr. Arnold, is deceased, leaving no known heirs to the property. Exhausting the efforts to locate heirs, and given the serious nature of the violations, it became necessary to bring the case before the Nuisance Abatement Hearing Board on January 4, 2001. The history of this case is disclosed in the attached Staff Report (Attachment B), which was prepared for the Nuisance Abatement Hearing Board.

Should the Board decide to adopt the Nuisance Abatement Hearing Board's recommendations, as detailed in Attachment A, a responsible representative of Mr. Arnold will have to abate the nuisance within two weeks after the Board of Supervisor's decision by:

- Cleaning, collecting and removing all of the accumulated refuse, rubbish, old lumber, mattresses, tires, and debris to an approved disposal site.

Should the representatives of Mr. Arnold fail to comply within that two-week period, the County will proceed with a forced clean-up abatement action, whereby the property will be cleared of the nuisance. The cost of the abatement will be charged to the estate of Mr. Arnold. If the estate of

RECOMMENDATIONS OF THE NUISANCE ABATEMENT HEARING BOARD
REGARDING ABATEMENT HEARING NO. 2001-01; 1525 W. WHITMORE AVENUE,
MODESTO, CA
Page 3

Mr. Arnold fails to pay the cost of abatement, a Notice of Abatement Lien will be recorded against the property.

If the Board adopts the Nuisance Abatement Hearing Board's recommendations, this public nuisance can be abated in a timely and efficient manner. This would provide for a safe and healthy community, which helps the public to take greater pride in the areas in which they live.

POLICY
ISSUES:

The Board should decide if it should accept, modify, or reject the written recommendation as presented in the Decision of the Nuisance Abatement Hearing Board, Abatement Hearing No 2001-01 (Attachment A). Acceptance of this recommendation is consistent with the Board's priorities of a safe and healthy community, community service delivery and efficient government operations.

STAFFING
IMPACT:

None.



**STANISLAUS COUNTY
NUISANCE ABATEMENT HEARING BOARD**

DECISION

IN RE: 1525 W. Whitmore Avenue, Modesto, CA
Abatement Hearing No. 2001-01

The above-referenced matter was heard on January 4, 2001 by the Stanislaus County Planning Commission sitting as the Nuisance Abatement Hearing Board. Upon consideration of oral and documentary evidence presented at the hearing, the Nuisance Abatement Hearing Board finds and determines as follows:

1. The property located at 1525 W. Whitmore Avenue, in the unincorporated area of Stanislaus County, California, also identified as Assessor's Parcel Number 056-32-54, respectively (the "Property"), is zoned R-1 (single dwelling residential).
2. County staff confirmed the existence of and presented evidence of violations of Stanislaus County Code occurring on the Property.
3. All owners of record ("owners"), tenants and others holding an interest of record in the Property (collectively, the "interested Parties") are identified and listed in the title report contained in the staff report regarding this matter. The title report lists Larry G. Arnold as the owner of record for the Property.
4. All interested Parties were served a Notice and Order to Abate pursuant to Stanislaus County Code Section 2.92.030, describing the conditions or use of the Property that constitutes the violations and ordering abatement of those conditions.
5. County staff has attempted to obtain voluntary compliance by the Interested Parties, and all Interested Parties have had significant and reasonable time to correct all violations but have refused and/or failed to meet the deadlines prescribed by the Notice.
6. The owners have the legal responsibility for maintenance of the Property in conformance with applicable law, ordinance and rules, including abatement of all violations and compliance with all orders of the County.
7. The Interested Parties were served proper Notice of Hearing to Abate Nuisance pursuant to Stanislaus County Code Section 2.92.070.

Stanislaus County Nuisance Abatement Hearing Board
Abatement Hearing No. 2001-01

8. Based on the evidence and testimony presented at the hearing, which is incorporated herein by reference, there is substantial evidence that violations of the Stanislaus County Code, as set forth in the staff report for this matter, still exist on the Property.
9. Pursuant to Stanislaus County Code Section 2.92.010, the continuing violations that exist on the Property constitute a public nuisance.

NOW THEREFORE, the Nuisance Abatement Hearing Board recommends that the Stanislaus County Board of Supervisors:

1. Order the Owner and Interested Parties to abate the nuisance on the Property within two weeks from the date of the Board's decision by correcting the condition or use of the Property as set forth in the staff report on this matter.
2. Authorize the County to abate the nuisance and to charge the cost of abatement by the County to the Owners if the Owner or other Interested Party does not abate the nuisance within the specified time period.
3. Authorize County staff, pursuant to Stanislaus County Code section 2.92.070, to dispose of any material, equipment, vehicles or other personal property removed from the Property to abate a nuisance in any manner authorized by law, and to charge the cost of disposal to the Owners as part of the cost of abatement.
4. Order a Notice of Abatement Lien be recorded against the Property if the Owner fails to pay the cost of abatement upon demand by the County.

Dated: January 4, 2001



Harvey Crivelli, Chairman
Nuisance Abatement Hearing Board

COUNTY OF STANISLAUS



NOTICE OF HEARING TO ABATE NUISANCE

TO: LARRY G. ARNOLD
1525 W. Whitmore
Modesto, CA 95358

RE: File No. DER-CE 00-23
Assessor's Parcel No. 056 32 54
Address: 1525 W. Whitmore
Modesto, CA 95358

NOTICE IS HEREBY GIVEN TO APPEAR, before the Planning Commission sitting as the Nuisance Abatement Hearing Board on **January 4, 2001** at the hour of **6:00 p.m.**, or as soon thereafter as the matter may be heard, in the Joint Chambers, Basement Floor, 1010 Tenth Street, Modesto, California, then and there to show cause or give legal reason, if any there be, why such conditions listed on Attachment A should not be condemned as a nuisance and why such nuisance should not be abated by the undersigned enforcement official.

At the time and place specified in this Notice, the Hearing Officer or Hearing Board appointed to review the decision of the Director of the responsible County department ordering cessation or abatement of a nuisance occurring at or upon the subject property, shall proceed to hear the testimony of the undersigned enforcement official, his or her deputies, the testimony of the owner or his or her representatives, and the testimony of other competent persons concerning the conditions constituting such nuisance, the estimated cost of abatement and other matters which the Hearing Officer or Hearing Board may deem pertinent.

Upon the conclusion of the hearing, a decision will be rendered as to whether substantial evidence supports a determination that a nuisance exists upon the property. If a nuisance is found to exist, the Hearing Officer or Hearing Board may order you to abate the nuisance, prescribing the requirements of such abatement and prescribing a reasonable period of time for the completion of such abatement. Such order may further provide that, in the event that such abatement is not commenced, prosecuted or completed within the terms set in the order, the undersigned enforcement official shall be authorized to abate said nuisance and to recover the costs incurred by the County to abate the nuisance. The materials, equipment, vehicles or other personal property or materials contained in the nuisance abated by the enforcement official may be disposed of in any manner deemed appropriate by the enforcement official, including, but not limited to sale or transfer to another department in the same manner as surplus County personal property, and the proceeds from such sale shall be paid into the County general fund and shall offset the cost of abatement.

For further information concerning this Notice, please contact the Department of Environmental Resources, 3800 Cornucopia Way, Suite C, Modesto, California 95358 or call (209) 525-6700.

Dated: December 20, 2000

DEPARTMENT OF ENVIRONMENTAL RESOURCES

By

JIM SELLERS, SENIOR ENVIRONMENTAL HEALTH SPECIALIST

ATTACHMENT A

RE: File No. DER-CE 00-23
Assessor's Parcel No. 056 32 54
Address: 1525 W. Whitmore, Modesto, CA

A. CONDITIONS OF VIOLATION

Inspection of the above referenced property revealed the following violations of Stanislaus County Code Section 2.92.010

1. Unlawful accumulation of refuse, rubbish, old lumber, mattresses, tires, and debris. This is a violation of Stanislaus County Code Section 9.04.020.

"Further investigation may reveal additional violations."

B. CORRECTIVE ACTION REQUIRED

Clean, collect and remove all of the accumulated refuse, rubbish, old lumber, mattresses, tires, and debris to an approved disposal site.

COUNTY OF STANISLAUS



NOTICE OF HEARING TO ABATE NUISANCE

RE: File No. DER-CE 00-23

Assessor's Parcel No. 056 32 54

Address: 1525 W. Whitmore Avenue, Modesto, CA

THIS IS A COURTESY NOTICE informing the surrounding area that the Planning Commission sitting as the Nuisance Abatement Hearing Board will conduct a Public Hearing on **January 4, 2001** at the hour of 6:00 p.m. or as soon thereafter as the matter may be heard in the Joint Chambers Room, Basement Floor, 1010 10th Street, Modesto, California, to determine whether the conditions which exist on property located at address, city (owner) constitute a public nuisance.

At the time and place specified in this Notice, the Hearing Officer or Hearing Board appointed to review the decision of the Director of the responsible County department ordering cessation or abatement of a nuisance occurring at or upon the subject property, shall proceed to hear the testimony of the undersigned enforcement official, his or her deputies, the testimony of the owner or his or her representatives, and the testimony of other competent person concerning persons the conditions constituting such nuisance, the estimated cost of abatement and other matters which the hearing Officer or Hearing Board may deem pertinent.

Upon the conclusion of the hearing, a decision will be rendered as to whether substantial evidence supports a determination that a nuisance exists upon the property.

For further information concerning this notice, please contact the Department of Environmental Resources, 3800 Cornucopia Way, Suite C, Modesto, California 95358 or call (209)525-6700.

Dated: December 20, 2000

Department of Environmental Resources
Jim Sellers, Senior Environmental Health Specialist



**STAFF REPORT
NUISANCE ABATEMENT HEARING BOARD**

DATE OF HEARING: January 4, 2001

TITLE: Nuisance Abatement Hearing - 01-01

INTERESTED PARTIES: Larry G. Arnold, property owner;
World Savings & Loan Association, mortgage co.

LOCATION OF PROPERTY: 1525 W. Whitmore Avenue, Modesto; APN 056-32-54

STATEMENT OF VIOLATION:

1. Unlawful accumulation of refuse, rubbish, old lumber, mattresses, tires, and debris. This is a violation of Stanislaus County Code Section 9.04.020.

COMPLIANCE EFFORTS:

- May 8, 2000 - A complaint was registered with Environmental Resources. An inspection was made of the property by John Borek, Environmental Technician. The complaint was verified.
- May 11, 2000 - Official Notice was mailed to the owner, explaining the violation. A compliance date was scheduled for May 22.
- May 23, 2000 - John Borek conducted a reinspection of the property. There was evidence of some effort to clean the property.
- June 7, 2000 - During a site inspection, John Borek discussed the clean up progress with the tenant, Travis Tillary Jr..
- June 22, 2000 - A Reinspection was made by John Borek. The property was not sufficiently cleaned. A Second and Final Notice was mailed with a compliance date of July 6, 2000. Exhibit 2
- July 6, 2000 - John Borek made a reinspection and noted more litter in the front, less in

the back yard.

- July 19, 2000 - A site inspection made by John Borek determined that some clean up progress had been made.
- August 1, 2000 - John Borek conducted a reinspection. Inadequate progress had been made in cleaning the property. A Code Enforcement Task Force referral letter was mailed, with a compliance of August 15. Exhibit 3
- August 15, 2000 - John Borek noted during a reinspection that no further progress had been made in the clean up of the property.
- September 18, 2000 - A site visit was made by John Borek and Steven Sather, Environmental Health Specialist I. No progress was noted in the clean up efforts. Photographs were taken. Exhibit 4
- September 28, 2000 - Title search was received by Environmental Resources. Exhibit 5
- October 20, 2000 - Notice and Order was mailed certified to all interested parties. Exhibit 6
- October 25, 2000 - Signed certified mail receipts received from World Savings & Loan Association, Assetcare, Inc., and the Franchise Tax Board. Exhibit 7
- October 27, 2000 - Signed certified mail receipt received from Financial Credit Network, inc. Exhibit 8
- November 9, 2000 - Notice and Order certified mail to Larry G. Arnold returned unclaimed. Exhibit 9
- December 19, 2000 - Denise Wood, Manager, learned that Larry G. Arnold is deceased as of February 1999. This was confirmed through the County Clerk's Office. Tax collector's office reported that the taxes are currently paid by the mortgage company. Attempts were made to get information from the mortgage company concerning who is keeping the payments current. This information was not made available.
- December 20, 2000 - Notice of Hearing to Abate Nuisance sent certified to interested parties and posted on property. Exhibit 10

SUMMARY OF EVIDENCE:

- Exhibit 1 - Official Notice dated May 11, 2000
- Exhibit 2 - Second and Final Notice dated June 22, 2000

- Exhibit 3 - Code Enforcement Task Force Referral letter dated August 1, 2000
- Exhibit 4 - Photographs depicting refuse, rubbish, mattresses, debris, tires on the property.
- Exhibit 5 - Title Search
- Exhibit 6 - Notice and Order with proof of service
- Exhibit 7 - Signed certified mail receipts
- Exhibit 8 - Signed certified mail receipt
- Exhibit 9 - Certified mail returned unclaimed
- Attachment A - Notice of Decision

DISCUSSION:

The property is a single family dwelling, zoned R-1 (single family residential). The property is located in a mandatory garbage service area. As such, the owner is required to cause all refuse to be removed once each week, using the appropriate franchise garbage collection service. Furthermore, the owner of the property shall not allow refuse to be discarded on the property.

Evidence has been collected which clearly identifies a property littered with refuse, rubbish, old lumber, mattresses, tires and debris. This is in violation of The Stanislaus County Code Section 9.04.20.

RECOMMENDATION:

- Find that the Department's determination that the conditions on the subject property constitute a public nuisance, conforms with applicable law and is supported by substantial evidence.
- Forward to the Board of Supervisors for adoption a recommended decision as set forth in Attachment A.

This report has been prepared by Jim Sellers, Senior Environmental Health Specialist, Department of Environmental Resources. (525-6763).



**STANISLAUS COUNTY
NUISANCE ABATEMENT HEARING BOARD**

DECISION

IN RE: 1525 W. Whitmore Avenue, Modesto, CA
Abatement Hearing No. 2001-01

The above-referenced matter was heard on January 4, 2001 by the Stanislaus County Planning Commission sitting as the Nuisance Abatement Hearing Board. Upon consideration of oral and documentary evidence presented at the hearing, the Nuisance Abatement Hearing Board finds and determines as follows:

1. The property located at 1525 W. Whitmore Avenue, in the unincorporated area of Stanislaus County, California, also identified as Assessor's Parcel Number 056-32-54, respectively (the "Property"), is zoned R-1 (single dwelling residential).
2. County staff confirmed the existence of and presented evidence of violations of Stanislaus County Code occurring on the Property.
3. All owners of record ("owners"), tenants and others holding an interest of record in the Property (collectively, the "interested Parties") are identified and listed in the title report contained in the staff report regarding this matter. The title report lists Larry G. Arnold as the owner of record for the Property.
4. All interested Parties were served a Notice and Order to Abate pursuant to Stanislaus County Code Section 2.92.030, describing the conditions or use of the Property that constitutes the violations and ordering abatement of those conditions.
5. County staff has attempted to obtain voluntary compliance by the Interested Parties, and all Interested Parties have had significant and reasonable time to correct all violations but have refused and/or failed to meet the deadlines prescribed by the Notice.
6. The owners have the legal responsibility for maintenance of the Property in conformance with applicable law, ordinance and rules, including abatement of all violations and compliance with all orders of the County.
7. The Interested Parties were served proper Notice of Hearing to Abate Nuisance pursuant to Stanislaus County Code Section 2.92.070.

Stanislaus County Nuisance Abatement Hearing Board
Abatement Hearing No. 2001-01

8. Based on the evidence and testimony presented at the hearing, which is incorporated herein by reference, there is substantial evidence that violations of the Stanislaus County Code, as set forth in the staff report for this matter, still exist on the Property.
9. Pursuant to Stanislaus County Code Section 2.92.010, the continuing violations that exist on the Property constitute a public nuisance.

NOW THEREFORE, the Nuisance Abatement Hearing Board recommends that the Stanislaus County Board of Supervisors:

1. Order the Owner and Interested Parties to abate the nuisance on the Property within two weeks from the date of the Board's decision by correcting the condition or use of the Property as set forth in the staff report on this matter.
2. Authorize the County to abate the nuisance and to charge the cost of abatement by the County to the Owners if the Owner or other Interested Party does not abate the nuisance within the specified time period.
3. Authorize County staff, pursuant to Stanislaus County Code section 2.92.070, to dispose of any material, equipment, vehicles or other personal property removed from the Property to abate a nuisance in any manner authorized by law, and to charge the cost of disposal to the Owners as part of the cost of abatement.
4. Order a Notice of Abatement Lien be recorded against the Property if the Owner fails to pay the cost of abatement upon demand by the County.

Dated: January 4, 2001

Harvey Crivelli, Chairman
Nuisance Abatement Hearing Board



FILE COPY

May 11, 2000

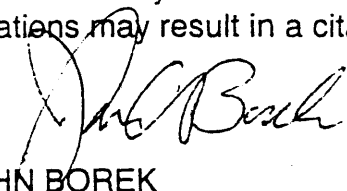
OFFICIAL NOTICE

Larry G. Arnold or Resident
1525 W. Whitmore Avenue
Modesto, CA 95358

This notice is to inform you of the violations of Stanislaus County Code, Title 9, Refuse Control existing at 1525 W. Whitmore Avenue, Modesto.

- [x] §9.04.020 **Unlawful accumulation of refuse on the property. Dispose/store refuse in an approved location.**
Description: mattress, brush, appliances and household refuse.
- [x] §9.04.040 **Failure to remove refuse. All refuse must be removed from the property at least once each week.**
 - (A) [x] Mandatory collection area. Owners shall contract for and maintain collection service for occupied dwellings.
 - (B) [] Exempt collection area. Collection service is optional. Owners or occupants shall dispose of refuse in an approved manner.
- [x] §9.04.070 **Lack of proper/sufficient containers. Provide sufficient number of approved refuse containers, with tight-fitting lids, to contain all refuse produced weekly.**

You are hereby ordered to make these corrections by **May 22, 2000**. Failure to correct violations may result in a citation or further legal action.


JOHN BOREK
ENVIRONMENTAL TECHNICIAN

*✓ for second
otherwise instructive*

sa

Enclosure





FILE COPY

June 22, 2000

SECOND AND FINAL NOTICE

Larry G. Arnold or Resident
1525 W. Whitmore Avenue
Modesto, CA 95358

This notice is to inform you of the violations of Stanislaus County Code, Title 9, Refuse Control existing at 1525 W. Whitmore Avenue, Modesto.

- [x] §9.04.020 **Unlawful accumulation of refuse on the property. Dispose/store refuse in an approved location.**
Description: mattress, brush, appliances, clothing and household refuse.
- [x] §9.04.040 **Failure to remove refuse. All refuse must be removed from the property at least once each week.**
 - (A) [x] Mandatory collection area. Owners shall contract for and maintain collection service for occupied dwellings.
 - (B) [] Exempt collection area. Collection service is optional. Owners or occupants shall dispose of refuse in an approved manner.
- [x] §9.04.070 **Lack of proper/sufficient containers. Provide sufficient number of approved refuse containers, with tight-fitting lids, to contain all refuse produced weekly.**

You are hereby ordered to make these corrections by **July 6, 2000**. Failure to correct violations may result in a citation or further legal action.

JOHN BOREK
ENVIRONMENTAL TECHNICIAN

sa

Enclosure

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5

FILE COPY

August 1, 2000

CODE ENFORCEMENT TASK FORCE REFERRAL

APN: 056 32 54

Larry G. Arnold
1525 W. Whitmore Avenue
Modesto, CA 95358

RE: 1525 W. Whitmore Avenue, Modesto

An inter-agency Code Enforcement Task Force has been formed to investigate and resolve long-standing code violations in the unincorporated areas of the County. The referenced property was referred to the Committee for resolution. It is the intent of the County to commit all available resources to abate and correct the present conditions, listed below:

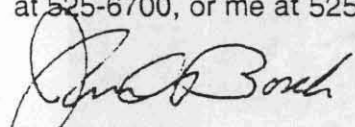
1. Present in yard are: clothing, furniture, lumber, mattress, tires, rubbish, and household refuse.

The large accumulation of described materials prohibits reasonable access to the dwellings in the case of fire or other emergency. As mentioned, the accumulations provide rodent and other vermin harborage, and resulting unsanitary conditions. These conditions constitute a public nuisance and are in violation of County Code section 2.92.010. A copy of that code is enclosed.

This Notice of Violation and Order to correct will serve as the first step in the final resolution of this ongoing problem.

You are ordered to clean, collect and remove the accumulated materials from the property within fourteen (14) days, and to restore the property to residential conformity.

If, for any reason, you should fail to comply with this Order, the County will begin proceedings to cause the conditions to be abated by County or contract personnel, **at your cost**, according to the provisions of the code. For further information or more specific details, please contact this office at 525-6700, or me at 525-6722.


JOHN BOREK
ENVIRONMENTAL TECHNICIAN

Steven Sather -
Took Pictures - Digital
9-18-00

sa

Enclosure Oakdale Drop-Off Program

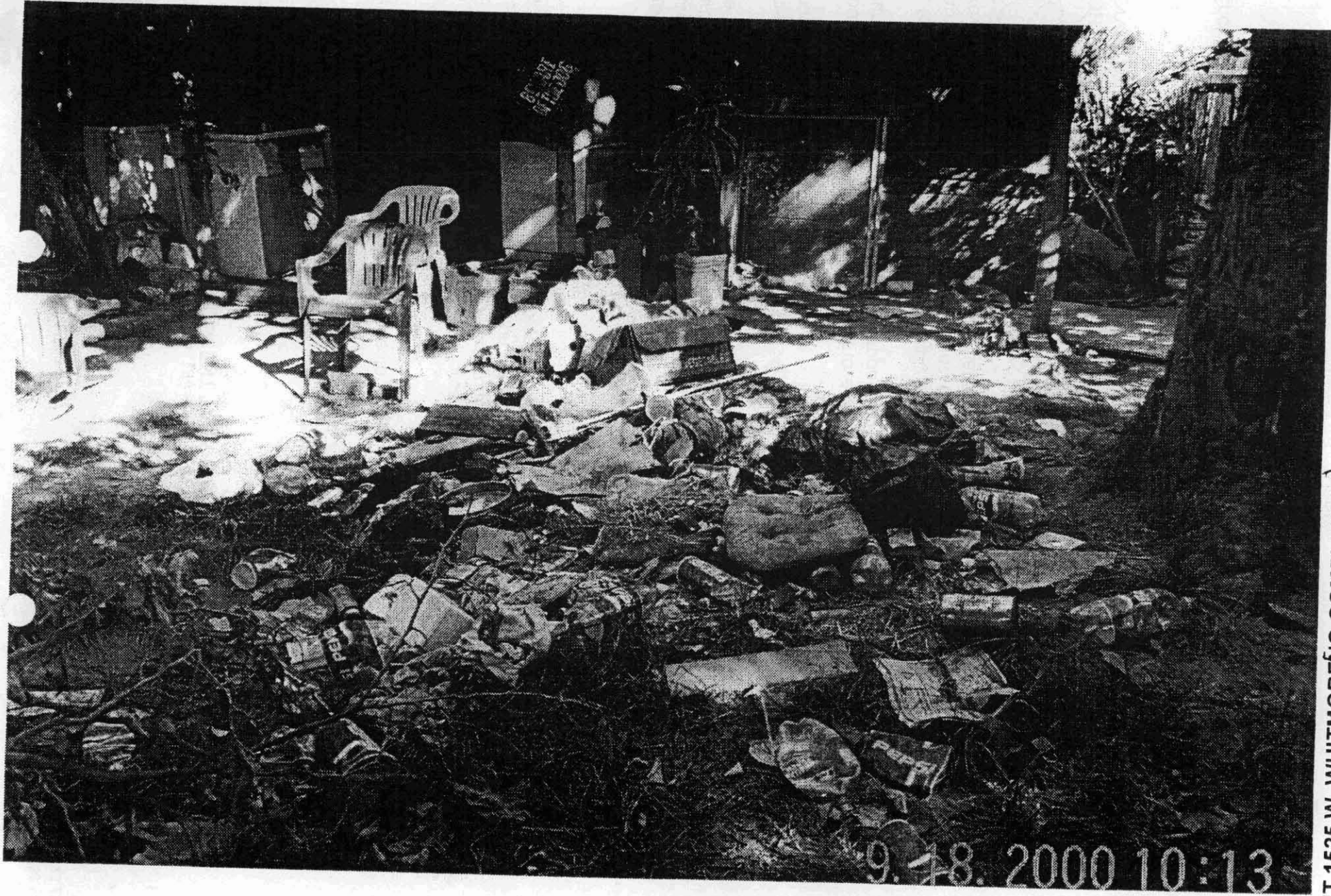
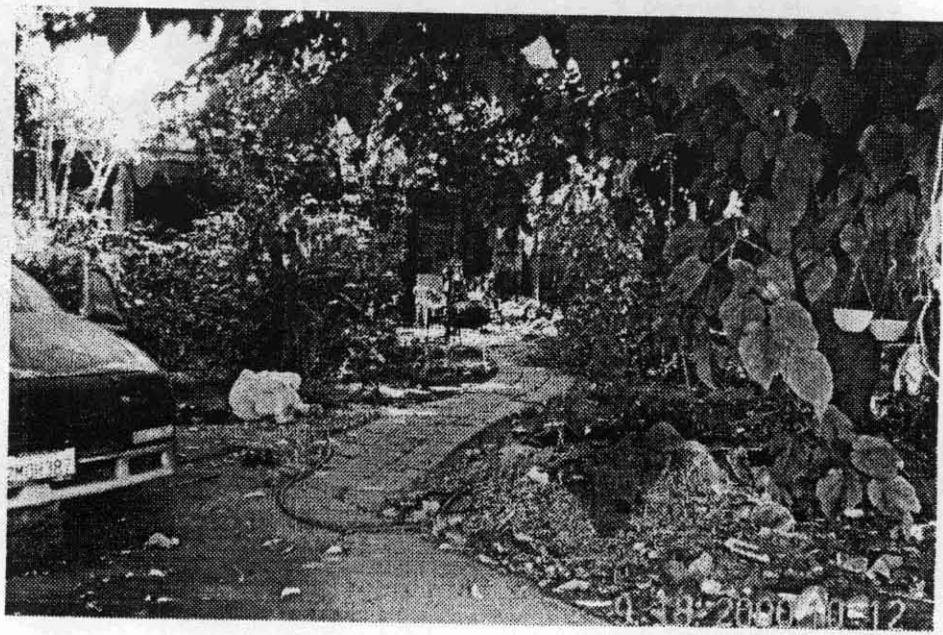


EXHIBIT 1525 W. WHITMORE (NO COMPLIANCE)



EXHIBIT 1525 W. WHITMORE(NO COMPLIANCE)



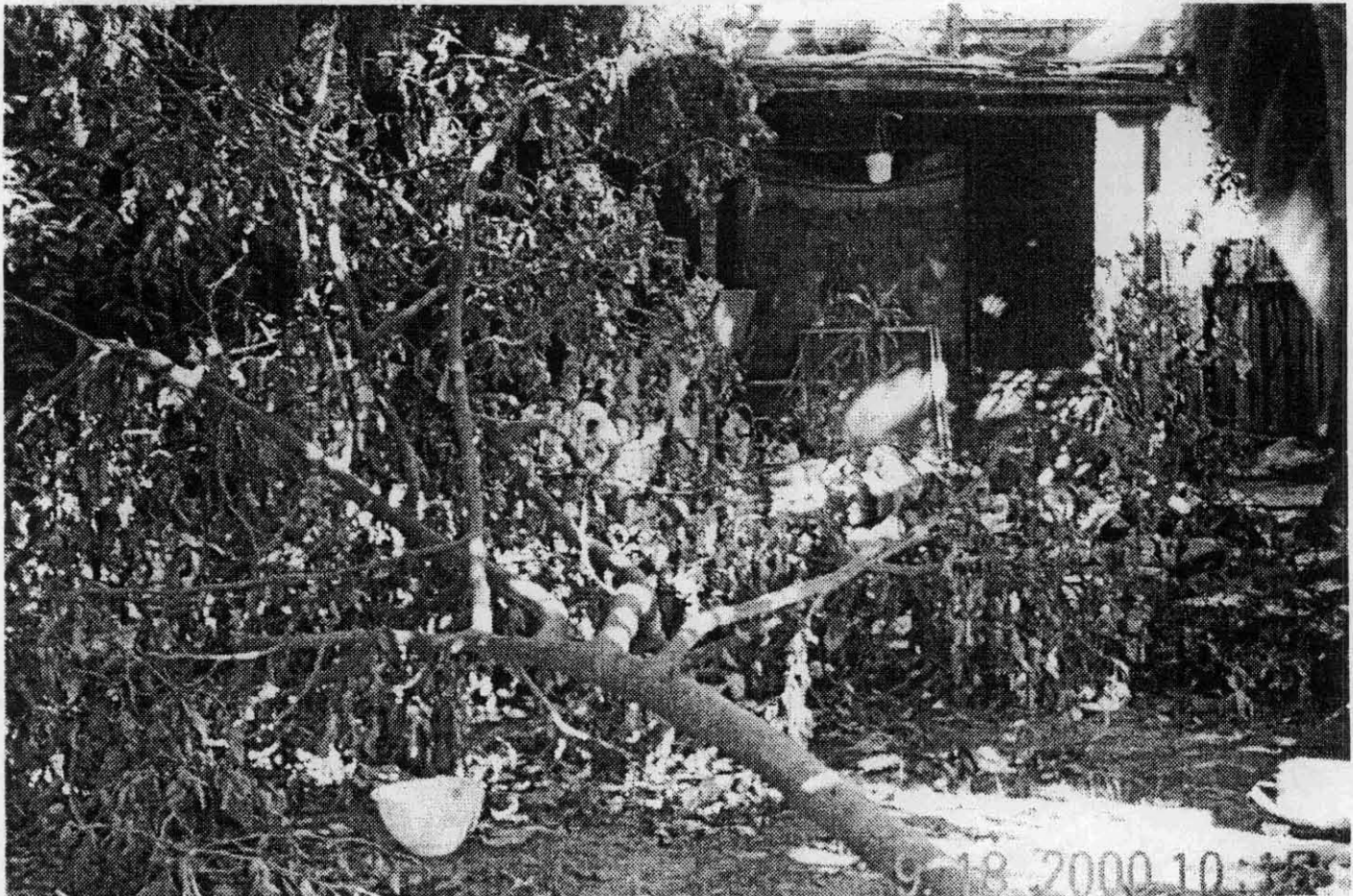


EXHIBIT 1525 W. WHITMORE (NO COMPLIANCE)

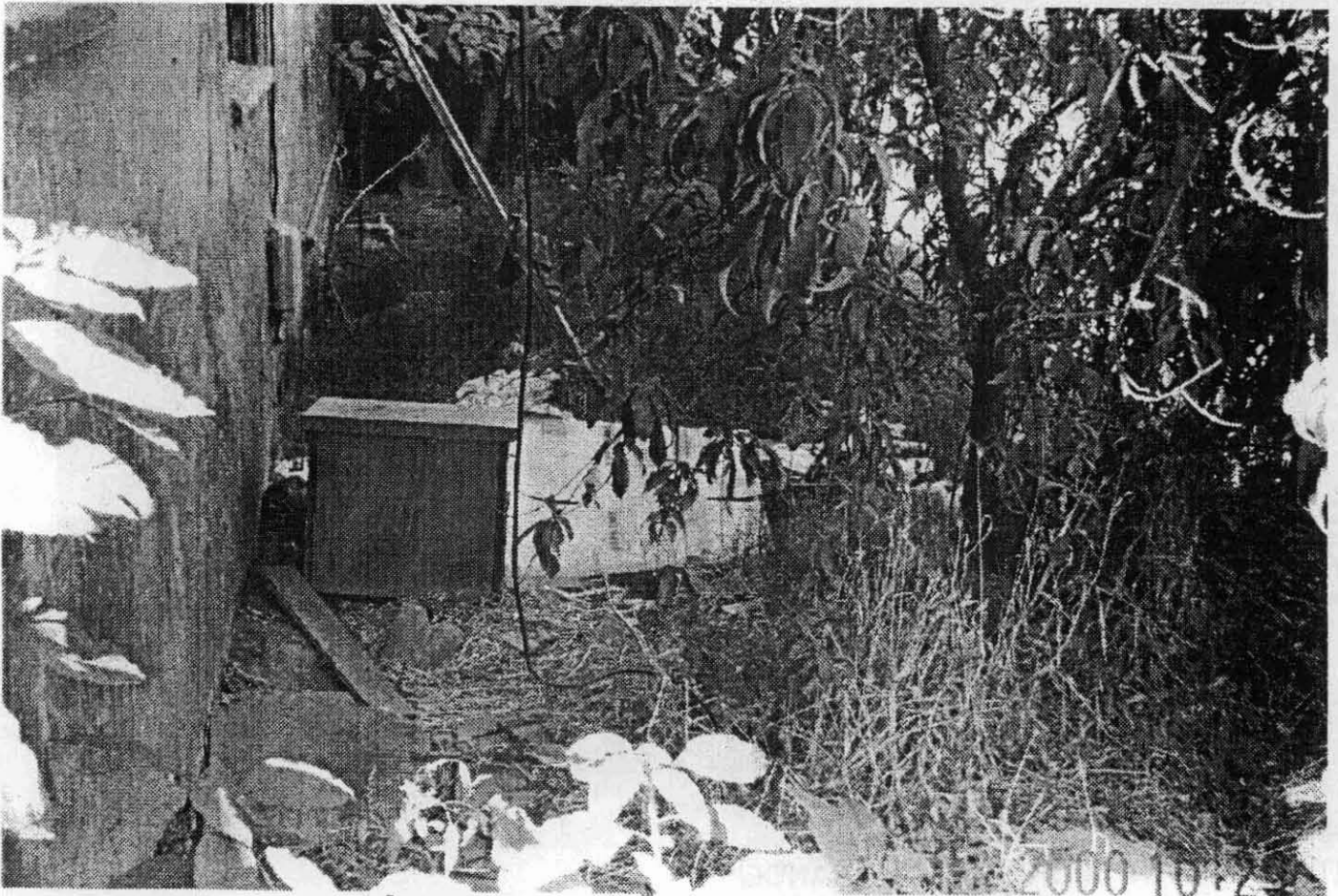


EXHIBIT 1525 W. WHITMORE (NO COMPLIANCE)

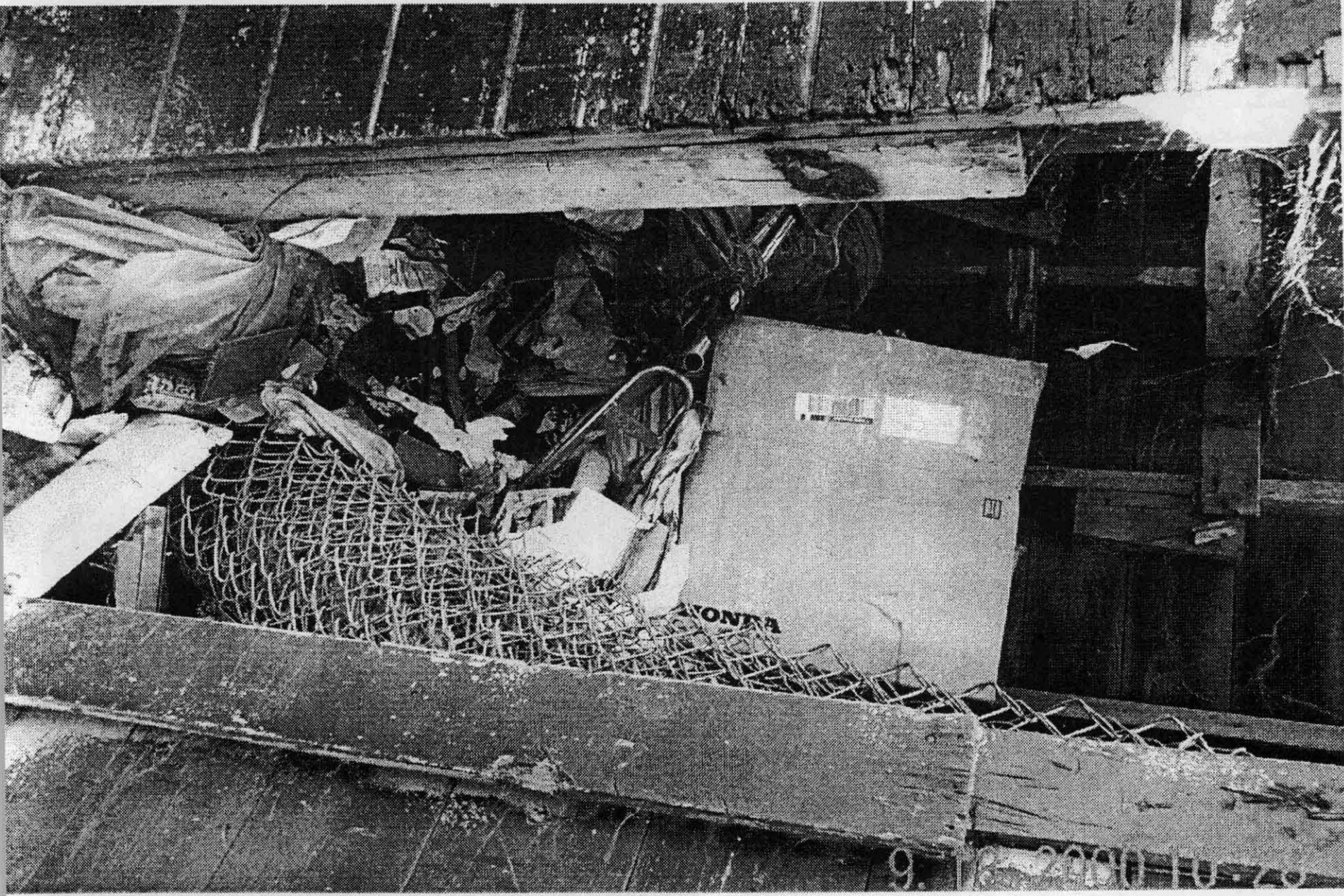
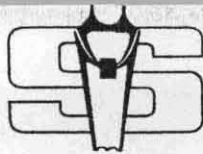


EXHIBIT 1525 W. WHITMORE (NO COMPLIANCE)



EXHIBIT 1525 W. WHITMORE (NO COMPLIANCE)



Sanctity of Contract

STEWART TITLE OF CALIFORNIA, INC

Modesto Division - Escrow Services

1401 I Street, Modesto, CA 95354

(209) 529-8550 Fax: (209) 579-0105



October 17, 2000

ENVIRONMENTAL RESOURCES
ATTN: JAMI
3800 CORNUCOPIA WAY, SUITE C
MODESTO, CA 95358

RE: Escrow Number : 01144218/ ARNOLD
Property Address: 1525 W. WHITMORE AVE., MODESTO, CA

With regard to the above referenced title transaction, we are pleased to enclose the following:

(X) SHORT FORM POLICY AND INVOICE

Please do not hesitate to contact us should you have any questions.

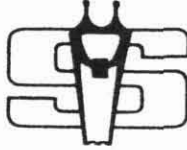
Sincerely,

STEWART TITLE OF CALIFORNIA, INC.

PAM LAWRENCE
TITLE OFFICER

enclosures

STEWART TITLE GUARANTY COMPANY



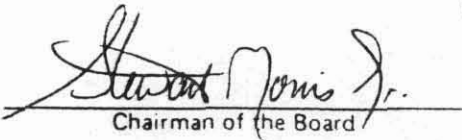
Security of Contract

SHORT FORM LOAN POLICY

SUBJECT TO THE CONDITIONS AND STIPULATIONS HEREOF, STEWART TITLE GUARANTY COMPANY, a Texas corporation, herein called the Company, insures the insured, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, sustained or incurred by said insured by reason of any incorrectness of the assurances set forth in Schedule A.

In Witness Whereof, STEWART TITLE GUARANTY COMPANY has caused this policy to be signed and sealed by its duly authorized officers as of Date of Policy shown in Schedule A.

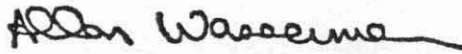
STEWART TITLE GUARANTY COMPANY


Chairman of the Board

Countersigned:




President



Authorized Countersignature

Policy
Serial
Number

SFLP-1576-

154139

SCHEDULE A

DATE OF POLICY : September 28, 2000 at 8:00 a.m.
COUNTY : STANISLAUS
BORROWER : LARRY G. ARNOLD,

AMOUNT OF INSURANCE : \$10,000.00

NAME OF INSURED : ENVIRONMENTAL RESOURCES
REF. NO. :

THE ASSURANCES REFERRED TO ON THE FACE PAGE ARE:

A. Subject to any conflicts in boundary lines, or discrepancies that would be revealed by a correct survey, the land referred to in this policy is that land located in the County shown above, in the State of California, and is described in the hereinbelow referenced instrument as follows:

1. 1525 W. WHITMORE AVE. MODESTO, CA
2. That property which is more fully described in "Legal Description" attached hereto.
3. Tax Information:

Parcel No.	:	056-32-54-101		
First Installment	:\$	95.75	Second Installment	:\$ 95.75
Land	:\$	4,694.00	Improvements	:\$ 14,104.00
Exemptions	:\$	7,000.00	Exempt Under	: HOMEOWNERS

B. The last document in the chain of title to said land as disclosed by the Official Records of the Recorder of said County purporting to convey the fee title to said land is:

Recorded: April 07, 1971
Instrument No.: 12417; VOL. 2387; PG 342
Documentary Transfer Tax: \$
Conveyed to: LARRY G. ARNOLD, A SINGLE MAN

C. That an examination of the chain of title to said land as disclosed by such official records reveals no homestead executed by the party(ies) named in paragraph B above, nor mortgages or liens purporting to affect said land, other than those set out below under exceptions; provided, however, that no liability is assumed with respect to the identity of any party named or referred to in this schedule, nor with respect to the validity, legal effect or priority of any matter shown as an exception.

See "Exceptions" Attached hereto

STEWART TITLE
Guaranty Company

SCHEDULE A

LEGAL DESCRIPTION

Order No.: 01144218

The land referred to herein is situated in the State of California, County of Stanislaus described as follows:

LOT 18, BLOCK 9713 OF FAIRVIEW TRACT, AS PER MAP THEREOF FILED NOVEMBER 30, 1950, IN VOLUME 17 OF MAPS, PAGE 15, STANISLAUS COUNTY RECORDS.

Tax Information	
Parcel No.	2770
First Installment	\$ 85.75
Land	\$ 1,800.00
Exemptions	\$ 770.00
Second Installment	\$ 85.75
Appraisal	\$ 1,800.00
Exemption	\$ 770.00

The last document in the chain of title to this land is a deed from the County of Stanislaus to the County of Stanislaus, dated and recorded as follows:

Deed of Grant, Volume 17 of Maps, Page 15, Stanislaus County Records, dated and recorded November 30, 1950.

This deed is subject to the provisions of the Fairview Tract Map, Volume 17 of Maps, Page 15, Stanislaus County Records, dated and recorded November 30, 1950.

STEWART TITLE

STEWART TITLE
Guaranty Company

EXCEPTIONS

1. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2000 -2001:

1st Installment:	\$95.75	due 12/10/00
Penalty:	\$0.00	
2nd Installment:	\$95.75	due 04/10/01
Penalty:	\$0.00	
Cost:	\$0.00	
Land:	\$4,694.00	
Building:	\$14,104.00	
Personal Property:	\$0.00	
Exemption:	\$7,000.00	
Bill No.:	1192529	
Code Area:	80 052	
Assessment No.	056-032-54-101	

Special Assessment of \$18.10 is collected with each installment for Industrial Fire District.

Special Assessment of \$9.10 is collected with each installment for Industrial Fire Protection District.

Special Assessment of \$5.17 is collected with each installment for Fairview Tract Light District.

2. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the Revenue and Taxation Code of the State of California.
3. Taxes and assessments levied by the Turlock Irrigation District for the year(s) 1999-2000.

Water charges, use fee's, levy's, stand by charges, etc. may also be due in addition to the irrigation taxes; however, Stewart Title Guaranty Company will not be responsible for reporting nor collecting said charges unless said charges have become a levy on the land pursuant to Sec. 25806 of the California Water Codes, or specific written instructions, stating the amounts to be paid, are provided by the principals of this transaction.

4. Any unpaid and/or delinquent Bond or Assessment amounts for any Assessment Districts which may have been removed from the rolls of the County Tax Assessor and which may have been removed from tax bills and tax default redemption amounts.

5. Assessments, if any, for community facility districts affecting said land which may exist by virtue of assessment maps or notices filed by said districts. Said assessments are collected
- Continued on next page

EXCEPTIONS - CONTINUED
Order No. 01144218

with the County Taxes.

6. Deed of Trust to secure an indebtedness in the amount shown below, and any other obligations secured thereby:
- Amount : \$18,000.00
Dated : June 6, 1979
Trustor : Larry G. Arnold
 a single man
Trustee : Golden West Financial Corporation
Beneficiary : World Savings & Loan Association
Recorded : June 19, 1979
Instrument No.: 82646, of Official Records
Liber : 3204
Page : 298
7. A Mortgage with power of sale, to secure all sums advanced or to be advanced, for aid or relief.
- Name of Document: Grant of Lien
Case No.: 165411
Dated: June 1, 1982
In Favor Of: The County of Stanislaus
Executed By: Larry D. Arnold
Recorded: October 13, 1982
Instrument No.: 18939 of Official Records.
8. An Abstract of Judgment recorded April 12, 1996, as Instrument NO. 96-0030010-00:
- Court: : Municipal
Case No. : 75132
Entry Date : April 9, 1996
Debtor : Larry Arnold
Creditor : Assetcare, Inc.
Amount : \$1,302.61, and any other amounts due thereunder.
Filing attorney's information:
Name : Frank C. Simmons
Address : P.O. Box 4113
 Modesto, CA 95352
Phone Number : 521-2135
9. A tax lien for the amount shown, and any other amounts due, in favor of the State of California:
- Amount : \$2,049.18
Filed by : Franchise Tax Board
Taxpayer : Larry G. Arnold

Continued on next page

EXCEPTIONS - CONTINUED
Order No. 01144218

Certificate No: 97203-000601
Recorded : July 24, 1997
Instrument/File No. 97-0056443-00 of Official Records.

10. An Abstract of Judgment recorded October 28, 1997, as Instrument No. 97-0089046-00:
- Court: : Municipal
 - Case No. : 119479
 - Entry Date : October 13, 1997
 - Debtor : Larry G. Arnold
 - Creditor : Financial Credit Network, Inc.
 - Amount : \$1,420.70, and any other amounts due thereunder.
- Filing attorney's information:
- Name : E. Warren Gubler, Hurlbutt, Clevenger, Long, Vortmann & Rauber
 - Address : 615 South Atwood Street
Visalia, CA 93277
 - Phone Number : 732-8151

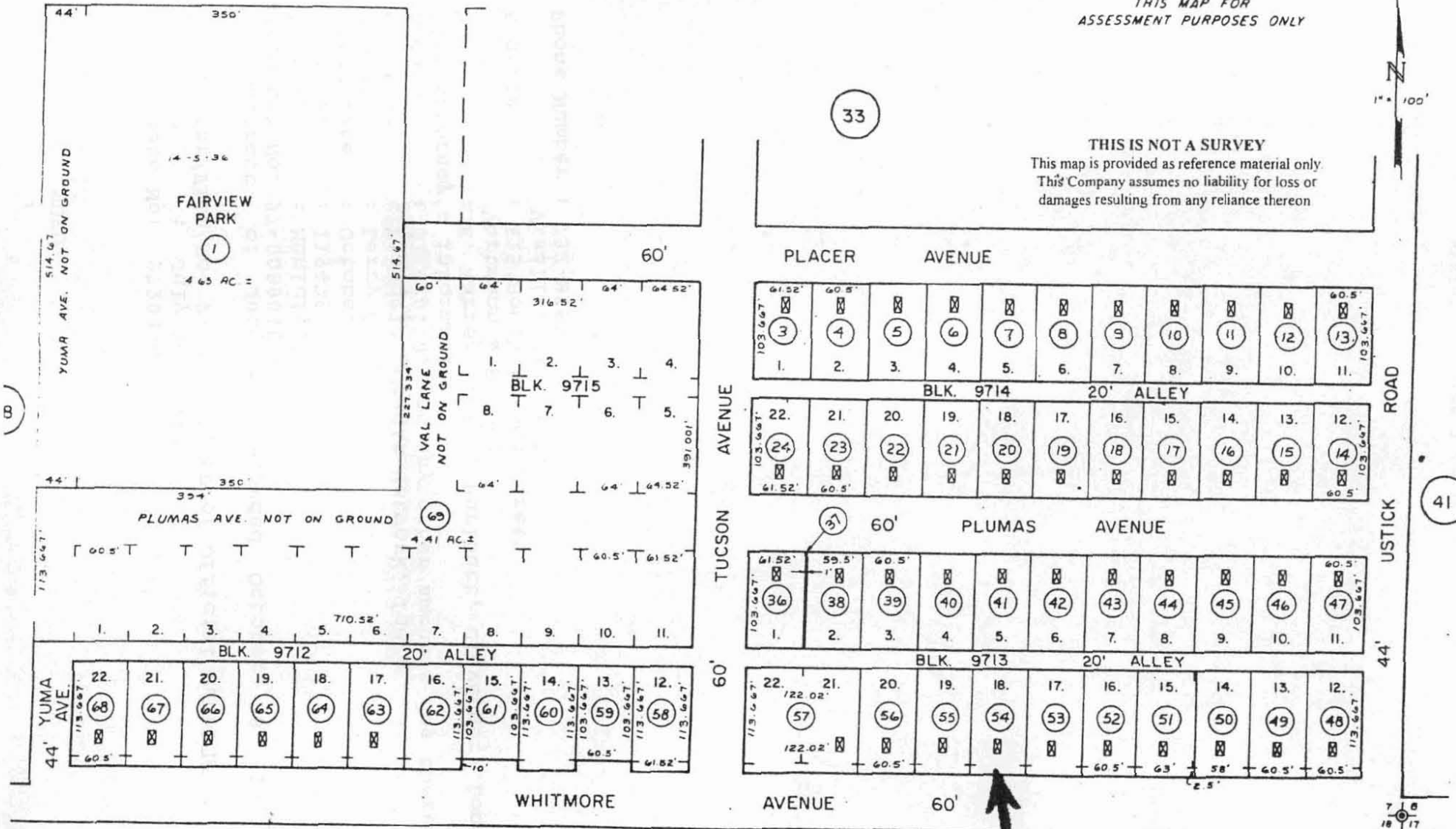
POR. SE 1/4 SECTION 7 T.4S. R.9E. M.D.B. & M.
 FAIRVIEW TRACT - BLKS. 9712, 9713, 9714, 9715

80 019

56 - 32

THIS MAP FOR
 ASSESSMENT PURPOSES ONLY

THIS IS NOT A SURVEY
 This map is provided as reference material only.
 This Company assumes no liability for loss or
 damages resulting from any reliance thereon



FROM 141-24, 36-32
 A.M. 17-16
 REDRAWN 5-11-82

58



65

56 - 32

EXHIBIT 5 PAGE 8 OF 19

144218-

RECORDED AT THE REQUEST OF
MODESTO TITLE GUARANTY COMPANY

WHEN RECORDED, RETURN TO
Larry G. Arnold
1515 W. Whitmore Avenue
Modesto, California

2387-2342

12417 APR 7 71

Form No. 20539-F

ABOVE SPACE SOLELY FOR RECORDER

TAX PAID 77

Grant Deed



For Valuable Consideration, receipt of which is acknowledged hereby.

MAUDE E. ROSS
an unmarried woman,

do hereby Grant To LARRY G. ARNOLD, A Single Man.

that certain real property situate in the Unincorporated area
County of Stanislaus, State of California, described as follows:

Lot 13 Block 9713 of Fairview Tract, as per map thereof
filed November 30, 1950 in Volume 17 of Maps, page 16,
Stanislaus County Records.

Date: April 21, 1970

STATE OF CALIFORNIA
COUNTY OF Stanislaus

On April 21, 1970, before me, the undersigned,
a Notary Public in and for the State of California, having
my principal place of business in said County, personally
appeared Maude E. Ross

known to me to be the person whose name is
subscribed to the within instrument and acknowledged to me that she executed the same.

Muriel M. Davis
Muriel M. Davis Notary Public

Printed or typed name of Notary Public
My commission expires 3/20/73

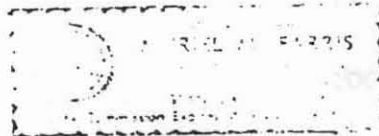


EXHIBIT 5 PAGE 9 OF 19
Return Address Above

MAIL FUTURE TAX STATEMENTS TO:

ATTACHMENT 27 of 45

12417 APR 7 71

Vertical stamp on the left margin: 1970 APR 21 11:00 AM

OKUT - 210

RECORDED BY Title Ins. & Trust Co. AT 8-
 OFFICIAL RECORDS, STANISLAUS COUNTY, CALIF.
 DWAYNE E. LILLY, RECORDER
 FEE \$ 7.00 BY *[Signature]*
 ASST. RECORDER

JUN 3204 PAGE 208

WHEN RECORDED MAIL TO
 WORLD SAVINGS & LOAN ASSOCIATION
 20TH STREET & BROADWAY
 OAKLAND, CA. 94612

SPACE ABOVE THIS LINE FOR RECORDER'S USE

82646 JUN 1979

DEED OF TRUST 49 08400 7

THIS DEED OF TRUST is made this 6TH day of JUNE
 19 79, among the Trustor, LARRY G. ARNOLD, A SINGLE MAN
 (herein "Borrower"),
GOLDEN WEST FINANCIAL CORPORATION (herein "Trustee"), and the Beneficiary,
WORLD SAVINGS & LOAN ASSOCIATION, a corporation organized and
 existing under the laws of CALIFORNIA, whose address is
20TH STREET & BROADWAY, OAKLAND, CA. 94612 (herein "Lender").

BORROWER, in consideration of the indebtedness herein recited and the trust herein created, irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County of STANISLAUS, State of California:

EXHIBIT "A" ATTACHED HERETO AND TO BECOME A PART HEREOF

which has the address of 1525 W. WHITMORE AVE., MOESTO, CA, 95351
 (Street)
 herein "Property Address".

TOGETHER with all improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents (exclusive of those set to the rights and authorities given herein to Lender) collect and apply and interest, royalties, mineral and gas rights and profits, water, water rights, and water truck, and all fixtures, and hereafter attached to the property, all of which, including replacements and additions thereto shall be deemed to be and remain a part of the property covered by this Deed of Trust, and all of the foregoing together with said property for the leasehold (if any) of this Deed of Trust is or a leasehold) are herein referred to as the "Property".

BY SIGNATURE TO LENDER
 JUNE 6, 1979
 Payment of the indebtedness evidenced by Borrower's Note in the sum of 18,000.00

JULY 1, 2009

18BFC 3204 PAGE 301

sums secured by this Deed of Trust shall continue unimpaired. Upon such payment and cure by Borrower, this Deed of Trust and the obligations secured hereby shall remain in full force and effect as if no acceleration had occurred.

20. Assignment of Rents; Appointment of Receiver; Lender in Possession. As additional security hereunder, Borrower hereby assigns to Lender the rents of the Property, provided that Borrower shall, prior to acceleration under paragraph 18 hereof or abandonment of the Property, have the right to collect and retain such rents as they become due and payable.

Upon acceleration under paragraph 18 hereof or abandonment of the Property, Lender, in person, by agent or by judicially appointed receiver shall be entitled to enter upon, take possession of and manage the Property and to collect the rents of the Property including those past due. All rents collected by Lender or the receiver shall be applied first to payment of the costs of management of the Property and collection of rents, including, but not limited to, receiver's fees, premiums on receiver's bonds and reasonable attorney's fees, and then to the sums secured by this Deed of Trust. Lender and the receiver shall be liable to account only for those rents actually received.

21. Future Advances. Upon request of Borrower, Lender, at Lender's option prior to full reconveyance of the Property by Trustee to Borrower, may make Future Advances to Borrower. Such Future Advances, with interest thereon, shall be secured by this Deed of Trust when evidenced by promissory notes stating that said notes are secured hereby.

22. Reconveyance. Upon payment of all sums secured by this Deed of Trust, Lender shall request Trustee to reconvey the Property and shall surrender this Deed of Trust and all other documents evidencing indebtedness secured by this Deed of Trust to Trustee. Trustee shall reconvey the Property to Borrower, without charge to the person or persons legally entitled thereto. Such person or persons shall pay all costs of reconveyance.

23. Substitute Trustee. Lender and Lender's agent may from time to time remove Trustee and appoint a successor trustee to any Trustee appointed hereunder. Without conveyance of the Property, the successor trustee shall succeed to all the title, power and duties conferred upon the Trustee herein and by applicable law.

24. Request for Notices. Borrower requests that copies of the notice of default and notice of sale be sent to Borrower's address which is the Property Address.

25. Statement of Obligation. Lender may collect a fee not to exceed \$15 for furnishing the statement of obligation as provided by Section 2943 of the Civil Code of California.

IN WITNESS WHEREOF, Borrower has signed this Deed of Trust.

Larry G. Arnold
LARRY G. ARNOLD

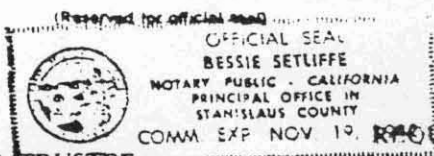
.....
-Borrower
.....
-Borrower

STATE OF CALIFORNIA, Stanislaus County ss:

On this 14th day of June, 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared Larry G. Arnold, known to me to be the person(s) whose name(s) subscribed to the foregoing instrument and acknowledged that he executed the same.

WITNESS my hand and official seal

Signature: *Bessie Setliffe*

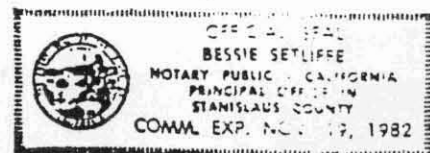


BESSIE SETLIFFE
Name (typed or printed)
My Commission expires:

TO TRUSTEE REQUEST FOR RECONVEYANCE

The undersigned is the holder of the note or notes secured by this Deed of Trust. Said note or notes, together with all other indebtedness secured by this Deed of Trust, have been paid in full. You are hereby directed to cancel said note or notes and this Deed of Trust, which are delivered hereby, and to reconvey, without warranty, all the estate now held by you under this Deed of Trust to the person or persons legally entitled thereto.

Dated:



(Space Below This Line Reserved For Lender and Recorder)

59616 JUN 1979

Lot 18 in Block 9713 of FAIRVIEW TRACT, in the County of Stanislaus,
State of California, according to the Official Map thereof, filed
in the Office of the Recorder of Stanislaus County, California, on
November 30, 1950 in Volume 17 of Maps. at page 16.

EXHIBIT "A" TO WORLD SAVINGS & LOAN ASSOC. LOAN # 100-16400

REC'D JUN 13 1979



3

18939 OCT 13 82

GRANT OF LIEN TO COUNTY OF STANISLAUS (Section 17109 W & I Code)

LIBER 3603 PAGE 523

Department Hospital MSS Number Case Number 165411

The undersigned hereby grant(s) to the County of Stanislaus a lien upon any real property in which the undersigned now has or holds any right, title or interest, and upon all other real property in which the undersigned may acquire any right, title or interest in the future, situated in the State of California, or elsewhere, for the purpose of securing an obligation to pay the amount of all county support, aid, medical care and hospitalization heretofore furnished or to be furnished in the future to the undersigned or to the spouses or dependents of the undersigned.

This lien shall not be foreclosable until the death of the undersigned; provided, however, that if any attempt by the undersigned to sell or otherwise transfer any interest in such property without making satisfactory arrangements for payment of the obligation secured by this lien, the lien shall be immediately foreclosable.

This agreement shall be binding upon each of the undersigned, his successors, heirs and assigns. Furthermore, the benefits of all Statutes of Limitation relating to collection of such indebtedness or enforcement of this lien are hereby and forever waived.

2/8/81 George A. Arnold Date Signature #1525 W. Whitmore Address City & State Modesto Birthdate 7/27/43 Social Security No. 546-64-0020 Dr. Lic. No. Birth Date Social Security No. Dr. Lic. No.

STATE OF CALIFORNIA COUNTY OF STANISLAUS } SS

On this 8th day of February, 1981, before me, Dwayne E. Lilly, County Clerk of Stanislaus County, California, personally appeared Larry D. Arnold and known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he executed the same. In Witness Whereof, I have hereunto set my hand and affixed my official seal in the said County of Stanislaus, State of California, the day and year in this certificate first above written.



Dwayne E. Lilly, County Clerk of Stanislaus County, California

By: Linda Jones Deputy

This is to certify that any interest in real property conveyed by this grant of lien to the County of Stanislaus, a political corporation and governmental agency is hereby accepted by the undersigned agent on behalf of the Board of Supervisors of Stanislaus County pursuant to authority conferred by order of the said Board adopted on March 23, 1976, and the grantee consents to recordation thereof by its duly authorized officer.

Dated JUN 1 1982

F. L. deCamp Treasurer and Tax Collector Stanislaus County



By: Jean Paul Deputy

Return to: Collection Division P. O. Box 859, Modesto, CA 95353 Telephone: (209) 526-6175

FOR RECORDER'S USE ONLY

RECORDED AT 10:30 BY TAX COLLECTOR OFFICIAL RECORDS STANISLAUS CO., CALIF. DWAYNE E. LILLY, RECORDER

NOFEE

RECORDING REQUESTED BY:
FINANCIAL CREDIT NETWORK, INC

AND WHEN RECORDED MAIL TO:
FINANCIAL CREDIT NETWORK, INC
PO Box 3084
VISALIA, CA 93278

ENV.

Stanislaus Co Recorder's Office
Karen Mathews, County Recorder

DOC - 97-0089046-00

Acct 403-Mail Documents

Tuesday, OCT 28, 1997 11:20:04

REC \$4.00|MOD \$4.00|MIC \$1.00

STF \$1.00|NF1 \$9.00|

Ttl Pd \$19.00

Nbr-0000123091

RIW/R3/1-2

THIS SPACE FOR RECORDER'S USE ONLY

ABSTRACT OF JUDGMENT

m-1

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(ADDITIONAL RECORDING FEE APPLIES)

12/93

ATTACHMENT B - Page 32 of 45

EXHIBIT 5 PAGE 14 OF 19

FOR RECORDER'S USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):
 Recording requested by and return to:
E. WARREN GUBLER #109317 (209) 732-8151
HURLBUTT, CLEVENGER, LONG, VORTMANN & RAUBER
615 South Atwood Street
Visalia, CA 93277
 ATTORNEY FOR JUDGMENT CREDITOR ASSIGNEE OF RECORD

TELEPHONE NO.:

NAME OF COURT: STANISLAUS COUNTY MUNICIPAL COURT, MODESTO JUDICIAL DISTRICT
STREET ADDRESS: 1100 "I" STREET
MAILING ADDRESS:
CITY AND ZIP CODE: MODESTO, CALIFORNIA 95333
BRANCH NAME:

PLAINTIFF: FINANCIAL CREDIT NETWORK, INC.
DEFENDANT: LARRY G ARNOLD

CASE NUMBER:

ABSTRACT OF JUDGMENT

119479

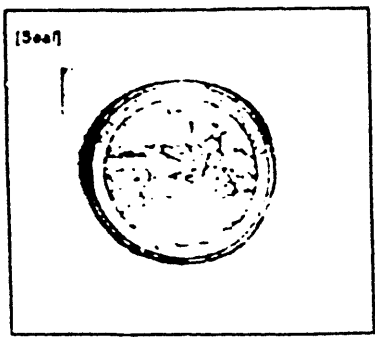
1. Judgment creditor Assignee of record
applies for an abstract of judgment and represents the following:
a. Judgment debtor's
Name and last known address
LARRY G. ARNOLD
1525 W WHITMORE AV
MODESTO, CA 95358-5951
b. Driver's license no. and state:
c. Social Security number: 546-64-0020 unknown.
d. Summons or notice of entry of sister state judgment was personally served or
mailed to (name and address): LARRY G. ARNOLD
1525 W. WHITMORE AVE
MODESTO, CA
e. Additional judgment debtors are shown on reverse.
Date: JUNE 3, 1997
...Alicia Sundstrom, Vice President...
(TYPE OR PRINT NAME)

FOR COURT USE ONLY

(SIGNATURE OF APPLICANT OR ATTORNEY)

2. a. I certify that the following is a true and correct abstract
of the judgment entered in this action.
b. A certified copy of the judgment is attached.
3. Judgment creditor (name):
FINANCIAL CREDIT NETWORK, INC.
whose address appears on this form above the court's name.
4. Judgment debtor (full name as it appears in judgment):
LARRY G. ARNOLD

6. Total amount of judgment as entered or last renewed:
\$ 1420.70
7. An execution attachment lien
is endorsed on the judgment as follows:
a. Amount: \$
b. in favor of (name and address):



5. a. Judgment entered on
(date): OCT 13 1997
b. Renewal entered on
(date):
c. Renewal entered on
(date):

This abstract issued on
(date): OCT 13 1997

8. A stay of enforcement has
a. not been ordered by the court.
b. been ordered by the court effective until
(date):
9. This judgment is an installment judgment.
DONALD H. LUNDY
ATTACHMENT Clerk, by *Donald H. Lundy*

Recording Requested by:
STATE OF CALIFORNIA
FRANCHISE TAX BOARD

Stanislaus Co Recorder's Office
Karen Mathews, County Recorder

When Recorded Mail To:

DOC - 97-0056443-00

Thursday, JUL 24, 1997 11:27:56

FRE \$0.00!!

Ttl Pd \$0.00

Nbr-0000080632

RCK/R1/1-1

ENV.

LIEN DESK
PO BOX 2952
SACRAMENTO, CA 95812-2952



NOTICE OF STATE TAX LIEN

FILED WITH: COUNTY OF STANISLAUS

CERTIFICATE NUMBER: 97203-000601

The Franchise Tax Board of the State of California hereby certifies that the following named taxpayer(s) is liable under Parts 10 or 11 of Division 2 of the Revenue and Taxation Code to the State of California for amounts due and required to be paid by said taxpayer as follows:

Name of Taxpayer: LARRY G ARNOLD

FTB Account Number: 546640020

Social Security Number: 546-64-0020

Last Known Address: 1525 W WHITMORE, MODESTO, CA 95358-5951

For Taxable Years: 1995

TAX	PENALTY	INTEREST	COLLECTION COSTS	PAYMENTS AND ADJUSTMENTS	* TOTAL
1,122.00	561.00	181.18	185.00	0.00	2,049.18

That further interest and fees will accrue at the rate prescribed by law until paid; that the Franchise Tax Board of the State of California complied with all of the provisions of Parts 10 or 11 of Division 2 of the Revenue and Taxation Code of the State of California in computing, levying, determining and assessing the tax; that said amounts are due and payable and have not been paid. The lien attaches to all property and rights to such property now owned or later acquired by the taxpayer.

IN WITNESS WHEREOF the Franchise Tax Board of the State of California has duly authorized the undersigned to execute this Notice in its name.

Dated: 07/22/97
COLLECTION BUREAU
Telephone Number: (916) 845-4350

By:

* Additional interest is accruing at the rate prescribed by law.

FT2200 MEO Rev 1/94

056443 JUL 24 07

1 CK

Recording Requested By:

FRANK C. SIMMONS

When Recorded Mail To:

Name: FRANK C. SIMMONS
Attorney at Law

Address: P.O. BOX 4113

Town, State MODESTO, CA 95352
& Zip:

Stanislaus, Co Recorder's Office
Karen Mathews, County Recorder

DOC - 96-0030010-00

Acct 401-Over The Counter Documents

Friday, APR 12, 1996 11:38:42

REC \$4.00;MOD \$4.00;MIC \$1.00

STF \$1.00;NF1 \$9.00;

Ttl Pd \$19.00

Nbr-0000041947

RIW/R2/2

(Space above This Line Reserved
For Recorder's Use Only)

ABSTRACT OF JUDGMENT
(CIVIL)

(Document Title/s)

Deeds & Property Transfers Only:

Assessor's Parcel No. _____

①

m

ATTACHMENT 35 of 45

(Below for Deeds or Instruments conveying title)

MAIL TAX STATEMENTS TO PARTY SHOWN: _____

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):
 Recording requested by and return to:
Frank C. Simmons
Attorney at Law, State Bar #40571
P.O. Box 4113
Modesto, CA 95352

TELEPHONE NO.: (209) 521-2135

ATTORNEY FOR JUDGMENT CREDITOR ASSIGNEE OF RECORD

NAME OF COURT: **STANISLAUS COUNTY MUNICIPAL COURT**
 STREET ADDRESS: **1100 "I" Street**
 MAILING ADDRESS: **P.O. BOX 828**
 CITY AND ZIP CODE: **Modesto, CA 95353**
 BRANCH NAME: **Telephone: (209) 525-6493**

PLAINTIFF: **ASSETCARE, INC.**

DEFENDANT: **LARRY ARNOLD**

ABSTRACT OF JUDGMENT

FOR RECORDER'S USE ONLY

CASE NUMBER:
75132

1. The judgment creditor assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

LARRY ARNOLD
1525 W. WHITMORE AVE.
MODESTO, CA 95358

b. Driver's license No. and state:

c. Soc al Security No.: **546-64-0020**

d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address):

Unknown

Unknown

e. Additional judgment debtors are shown on reverse.

Date: **APRIL 11, 1996**

FRANK C. SIMMONS

(TYPE OR PRINT NAME)

Frank C. Simmons
 (SIGNATURE OF APPLICANT OR ATTORNEY)

2. a. I certify that the following is a true and correct abstract of the judgment entered in this action.

b. A certified copy of the judgment is attached.

3. Judgment creditor (name): **ASSETCARE, INC.**

whose address appears on this form above the court's name.

4. Judgment debtor (full name as it appears in judgment):
LARRY ARNOLD

6. Total amount of judgment as entered or last renewed:
\$ 1,302.61

7. An execution attachment lien is endorsed on the judgment as follows

a. Amount: \$

b. In favor of (name and address):

(SEAL)



5. a. Judgment entered on

(date): **4-9-96**

b. Renewal entered on

(date):

c. Renewal entered on

(date):

8. A stay of enforcement has

a. not been ordered by the court

b. been ordered by the court effective until (date):

9. This judgment is an installment judgment

DONALD H. LUNDY

Clerk, by

Donald H. Lundy Deputy

This abstract issued on

(date): **APR 12 1996**

C U C I U APR 12 1996

AR01911 STANISLAUS COUNTY PROPERTY AND TAX SYSTEM AI
LIEN YR: 2000 * * * P U B L I C I N Q U I R Y * * *

APN: 056 32 54 OWNER: 3838 SEC/UNSEC: S USE CD: 101 TAXCODE A: 01

NAME....: LARRY G ARNOLD --- LOCATION ADDRESS OF PROPEI
SPOUSE...: 1525 WHITMORE AVE
MAILADDR: 1525 W WHITMORE AVE MODESTO
MODESTO, CA 95358-3124

VALUE	PENALTY	EXEMPTION	ROLL V
LAND.: 4,602		HOMEOWN 7,000-	(VAL + PI
IMPV.: 13,827			- EXEMP'
PERS.:			=====
TOTAL: 18,429	TOTAL.:	TOTAL...: 7,000-	1:

MULTI-SITUS: N

DEED NO	SIGNED	RECORDED	TRAN CD	STAMP VAL
00	VALUES	OFFICIAL		
AS OF	07/01/2000			

TRANSFER HISTORY

PF:3=END 5=REFRSH 7=UP 8=DOWN 12=INQ 17=PROP DETAIL 19=PREV 20=NEX'
INQUIRY COMPLETE (8016)



And For The Benefit Of:
and
When Recorded Mail To:

County of Stanislaus
Environmental Resources
Attn: Jamie Aggers, R.E.H.S.
3800 Cornucopia Way, #C
Modesto, CA 95358-9492

Space Above For Recorder's Use

NOTICE AND ORDER TO ABATE NUISANCE

TO: LARRY G. ARNOLD 1525 W. WHITMORE MODESTO, CA 95358	RE: File No. DER-CE 00-23 Assessor's Parcel No. 056 32 54 Modesto, CA
---	--

NOTICE IS HEREBY GIVEN, pursuant to Stanislaus County Code §2.92.030, that conditions described on Attachment A which, by this reference is made a part hereof, exist on the above-referenced real property in the County of Stanislaus, State of California, which conditions are in violation of Stanislaus County Code. These conditions exist to an extent that endangers, the life, health, property, safety or welfare of the public and, as such, constitute a nuisance under Stanislaus County Code §2.92.010.

YOU ARE HEREBY ORDERED to commence the abatement of the aforementioned nuisance within forty-five (45) days from the date of this Notice and Order to Abate, and to thereafter diligently prosecute and complete such abatement. If corrective action is not undertaken and diligently pursued within the time allotted, then the responsible County department may (1) impose an administrative penalty (§2.92.060); (2) initiate abatement proceedings pursuant to Government Code sections 25845 or 26528 (§2.92.070); (3) commence criminal prosecution (§ 2.92.080); (4) file a civil lawsuit for injunctive relief (§ 2.92.090); and/or (5) initiate any other remedy available under the law (§ 2.92.100).

In the event that abatement proceedings are initiated, all costs incurred by the County to abate the nuisance will be charged to the owner of the property and shall become a lien against the property under Government Code § 25845.

In the event that an administrative citation is issued, the fine or penalty imposed, as confirmed by the Board of Supervisors, shall become a lien against the property under Stanislaus County Code § 2.92.060E.

For further information concerning this Notice, please contact the Department of Environmental Resources, 3800 Cornucopia Way, Suite C, Modesto, California 95358-9492 or call (209) 525-6700.

Dated: October 20, 2000

DEPARTMENT OF ENVIRONMENTAL RESOURCES

By 
John Borek, Environmental Technician

ATTACHMENT A

RE: File No.
Assessor's Parcel No. 056-32-54
Address: 1525 W. Whitmore Avenue
Modesto, CA

A. CONDITIONS OF VIOLATION

Present in yard are: vehicles, clothing, furniture, lumber, mattress, tires, rubbish, and household refuse.

The large accumulation of described materials prohibits reasonable access to the dwellings in the case of fire or other emergency. As mentioned, the accumulations provide rodent and other vermin harborage, and resulting unsanitary conditions. These conditions constitute a public nuisance and are in violation of County Code section 2.92.010.

B. CORRECTIVE ACTION REQUIRED

To clean, collect and remove the accumulated materials from the property within fourteen (14) days, and to restore the property to residential conformity.

PROOF OF SERVICE

(Use separate proof of service for each person served)

1. I served the

- a. [x] Notice and Order to Abate [] Criminal Citation
[] Administration Citation [] Notice of Hearing

b. on defendant (name): Larry G. Arnold

c. by serving [] defendant [x] other (name and title or relationship to person served:
1. World Savings & Loan Association

d. [] by delivery [] at home [] at business 2. Assetcare, Inc.
(1) date: 3. The County of Stanislaus
(2) time: 4. Franchise Tax Board
(3) address: 5. Financial Credit Network, Inc.

e. [x] by mailing 1. 20th St. & Broadway,
(1) date: OCTOBER 20, 2000 OAKLAND, CA 94612
(2) time: 8:00 A.M. 2. c/o Frank C. Simmons
(3) address: SEE ADDRESS AT RIGHT P. O. Box 4113, Modesto 95352
3. P. O. Box 859, Modesto 95353
4. LIEN DESK- P. O. Box 2953
Sacramento, CA 95812-2052

2. Manner of service (check proper box):

- a. [] Personal service. By personally delivering copies (CCP 415.10)
b. [] Substituted service on corporation, unincorporated association (including partnership), or public entity. By leaving, during usual office hours, copies in the office of the person served with the person who apparently was in charge and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (CCP 415.20(a))
Name of Person:
c. [] Substituted service on natural person, minor, conservatee, or candidate. By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household or a person apparently in charge of the office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (CCP 415.20(b))
Name of person:
d. [] Mail and acknowledgment service. By mailing by (first-class mail or airmail, postage prepaid) copies to the person served, together with two copies of the form of notice and acknowledgment and a return envelope, postage prepaid) copies to the person served at the place where the copies were left. (CCP 415.30) (Attach completed acknowledgment of receipt)
e. [x] Certified or registered mail service. By mailing (by first-class mail, postage prepaid, requiring a return receipt) copies to the person served. (CCP 415.40) (Attach signed return receipt or other evidence of actual delivery to the person served.)
f. [] Posting. By posting on the dwelling or entrance to the property a true copy of the notice and order to abate.
g. [] Other (specify code section):
[] additional page is attached.

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

[Signature]

Is your RETURN ADDRESS completed on the reverse side?

SENDER: J. BOREK

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 WORLD SAVINGS & LOAN ASSOCIATION
 20TH & BROADWAY
 OAKLAND, CA 94612
 (1524 W. WHITMORE AVE. MODESTO)
 PROOF OF SERVICE

4a. Article Number
 7099 3400 0018 7309 5339

4b. Service Type

<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Certified
<input type="checkbox"/> Express Mail	<input type="checkbox"/> Insured
<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> COD

7. Date of Delivery
 10/23/6

5. Received By: (Print Name)
[Signature]

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)
 X *[Signature]*

EXHIBIT 7 PAGE 1 OF 3

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER: J. BOREK

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

SSETCARE, INC.
 c/o FRANK C. SIMMONS
 P. O. BOX 4113
 MODESTO, CA 95352
 (1525 W. WHITMORE, MODESTO)

4a. Article Number

7099 3400 0018 7309 5322

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

10/23

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *[Handwritten Signature]*

EXHIBIT 7 PAGE 2 OF 3

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER: BOREK ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: FRANCHISE TAX BOARD - LIEN DESK P. O. BOX 2953 SACRAMENTO, CA 95812-2052 (1525 W. WHITMORE, MODESTO)		4a. Article Number 7099 3400 0018 7309 5308	
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
		7. Date of Delivery	
5. Received By: (Print Name) Joseph D. Munn		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature: (Addressee or Agent) X <i>Joseph D. Munn</i>		EXHIBIT 7 PAGE 1 OF 3	

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

102595-97-B-0179 Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

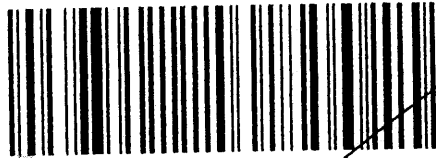
SENDER: J. BOREK ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: FINANCIAL CREDIT NETWORK, INC. P. O. BOX 3084 VISALIA, CA 93278 (1525 W. WHITMORE, MODESTO)		4a. Article Number 7099 3400 0018 7309 5292	
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
		7. Date of Delivery OCT 24 2000	
5. Received By: (Print Name) DANIELA BERRY		8. Addressee's Address (Only if requested and fee is paid) EXHIBIT 8	
6. Signature: (Addressee or Agent) X <i>[Signature]</i>			

Thank you for using Return Receipt Service.

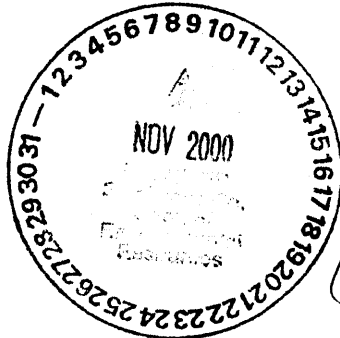
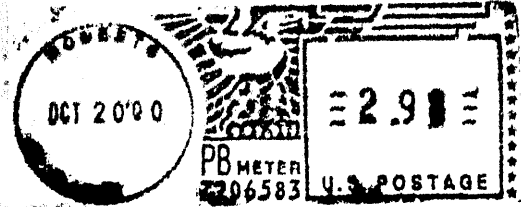
CERTIFIED MAIL

401307
Stanislaus County
Department of
Environmental Resources
3800 Cornucopia Way, Suite C
Modesto, CA 95358-9492

RETURN SERVICE REQUESTED



7099 3400 0018 7309 5285



LARRY G. ARNOLD
1525 W. WHITMORE
MODESTO, CA 95358

ENCLOSURE
ALL PAID / NOTIFIED 10-21-00
FINAL NOTICE
TRD
OCT 26 2000
NOV 5 2000

EXHIBIT 9

1 1269-95358