

CITY OF MONTEREY PARK
ATTN: CITY CLERK OFFICE
320 W. NEWMARK AVE.
MONTEREY PARK, CA 91754

Batch Number: 13596805
Document Count: 1

446-D

This page is part of your document - DO NOT DISCARD

20220808812



Pages:
0013

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

08/11/22 AT 09:23AM

CITY CLERK OFFICE

2022 AUG 15 P 11:59

CITY OF MONTEREY PARK

FEES:	0.00
TAXES:	0.00
OTHER:	0.00
<hr/>	
PAID:	0.00



LEADSHEET



202208112840008

00022646263



013596805

SEQ:
01

DAR - Mail (Intake)



THIS FORM IS NOT TO BE DUPLICATED

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

City of Monterey Park
Attn: City Clerk
320 W. Newmark Ave.
Monterey Park, CA 91754

22646263



No fee per Government Code § 27383

NOTICE OF NUISANCE ABATEMENT LIEN

TAKE NOTICE pursuant to Government Code § 38773.1 and Monterey Park Municipal Code § 4.30.150, that the City of Monterey Park ("City") imposes a nuisance abatement lien against the real property ("Property") described below for the City's unreimbursed costs incurred in abating a public nuisance. The Monterey Park City Council ordered the imposition of a nuisance abatement lien through its adoption of Resolution No. 2022-R63 on August 1, 2022 (attached as Exhibit "A"). Pursuant to a settlement agreement by and among the City the People of California, and the owner of the Property in the civil litigation captioned, *The People of the State of California, ex rel., Mark D. Hensley, City Attorney for the City of Monterey Park v. Center Int'l Investments, Inc., et al.* (LASC Case No. BC605788), the Property owner agreed to waive its notice and hearing rights in § 7 of the first amendment to such settlement agreement, which is on file with the City Clerk.

Recording this notice of nuisance abatement lien against the Property is made pursuant to Government Code § 38773.1(c) and Monterey Park Municipal Code § 4.30.150(c). Once recorded, this notice will constitute a lien against the Property with the force, effect, and priority of a judgment lien (Gov. Code, § 38773.1(c)). The City may foreclose on this nuisance abatement lien by a City action for a money judgment. (*Ibid.*)

In accordance with § 38773.1(c)(1), the following apply to the Property and this notice of nuisance abatement lien:

Lien amount	\$4,436,217.07
Agency on whose behalf the lien is imposed	City of Monterey Park
Property assessor's parcel number	5254-002-031
Property legal description	LOT 1 OF TRACT NO. 34875, IN THE CITY OF MONTEREY PARK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 932, PAGES 16-18 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY
Address associated with Property	No known address associated with the Property pursuant to Los Angeles County property and title records
Property record owner	Center Int'l Investments Inc., a California Corporation
Property owner address	846 East Garvey Avenue, #D, Monterey Park, CA 91755

Signed the 2nd day of August 2022.

CITY OF MONTEREY PARK



Ron Bow, City Manager

(NOTARIZED SIGNATURE REQUIRED)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 Los Angeles)
On 8/2/2022 before me, D. Vera, Notary
Date Here Insert Name and Title of the Officer
personally appeared Ronald Dai Chun Bow
Name(s) of Signer(s)

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

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

EXHIBIT "A"
TO NUISANCE ABATEMENT LIEN

CERTIFIED MONTEREY CITY PARK
RESOLUTION NO. 2022-R63

RESOLUTION NO. 2022-R63

A RESOLUTION EXTENDING THE LOCAL EMERGENCY FOR THE GOODVIEWS ABATEMENT PROJECT (“GAP”) PURSUANT TO GOVERNMENT CODE § 8630 AND AUTHORIZING THE RECORDATION OF A NUISANCE ABATEMENT LIEN AGAINST CERTAIN REAL PROPERTY LOCATED IN THE CITY (APN 5254-002-031).

The City Council does resolve as follows:

SECTION 1:The City Council finds and declares as follows:

- A. The City Council incorporates by reference the findings set forth in Section 1 of Resolution No. 2022-R27, adopted May 4, 2022, as if fully set forth.
- B. Center Int’l Investments, Inc. (“CII”) is the record owner of the real property described as Los Angeles County assessor’s parcel number 5254-002-031 (the “Property”), which is located in the City of Monterey Park (the “City”).
- C. Pursuant to Resolution Nos. (collectively, the “Emergency Resolutions”) 12255 (adopted June 16, 2021), Resolution No. 2022-R22 (adopted April 20, 2022), and 2022-R34 (adopted May 18, 2022), the City is exercising emergency powers to abate a public nuisance on the Property in accordance with the Settlement Agreement in the civil case captioned *The People of the State of California, ex rel., Mark D. Hensley, City Attorney for the City of Monterey Park v. Center Int’l Investments, Inc., et al.* (filed December 31, 2015) LASC Case No. BC605788. This is identified as the Goodviews Abatement Project (“GAP”).
- D. Due to CII’s ongoing failure to reimburse the City for costs incurred as a result of the GAP, as required under the Settlement Agreement, Management Services Director Martha Garcia sent a July 1, 2022 correspondence demanding CII’s payment of \$4,436,217.07 for the time period of April 1, 2022 and June 30, 2022. CII has not responded. A true and correct copy of that correspondence is attached as Exhibit “A,” and incorporated by reference.
- E. Pursuant to Monterey Park Municipal Code (“MPMC”) § 4.30.150 and Government Code § 38773.1, the City may recover its nuisance abatement costs by recording a lien against a subject property.
- F. The City Council approves the recordation of a lien against the Property by through the Notice of Nuisance Abatement (“Notice”) attached as Exhibit “B” and incorporated by reference. After recording this lien, the liens against the Property will total \$5,689,830.53

- G. CII agreed to waive its notice and hearing rights in § 7 of the First Amendment to the Settlement Agreement

SECTION 2: Approval; Direction.

- A. The City Council approves the Notice and finds that it is true and correct.
- B. The City Council directs the City Clerk to submit the Notice with the Los Angeles County Recorder for recordation, pursuant to Government Code § 38773.1(c) and MPPC § 4.30.150(c).

SECTION 3: Extension of Emergency. The City Council reaffirms the authority delegated to the City Manager and City Attorney in the Emergency Resolutions. Additionally, the City Council reaffirms that the local emergency associated with implementation of the GAP is extended until at least December 31, 2022 unless terminated earlier by City Council resolution or otherwise extended by resolution or minute order.

SECTION 4: Severability. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications, and to this end, the provisions of this Resolution are severable.

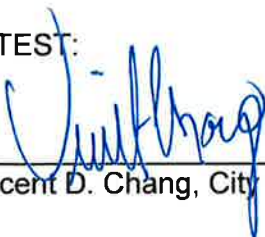
SECTION 5: Electronic Signatures. This Resolution may be executed with electronic signatures in accordance with Government Code § 16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 6: Recordation. The Mayor, or presiding officer, is authorized to sign this Resolution signifying its adoption by the City Council of the City of Monterey Park and the City Clerk, or her duly appointed deputy, may attest thereto.

SECTION 7: Effective Date. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 1st day of August, 2022.


Henry Lo, Mayor

ATTEST:


Vincent D. Chang, City Clerk

APPROVED AS TO FORM:


Karl H. Berger, City Attorney

Attachments:


Exhibit A: July 1, 2022 Demand letter for City nuisance abatement costs
Exhibit B: Notice of Nuisance Abatement Lien

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF MONTEREY PARK)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 2022-R63 was duly adopted and passed at a special meeting of the Monterey Park City Council on the 1st day of August, 2022 by the following vote:

Ayes:	Council Members: Yiu, Chan, Liang, Lo
Noes:	Council Members: None
Abstain:	Council Members: None
Absent:	Council Members: None

Dated this 1st day of August, 2022.



Vincent D. Chang, City Clerk
Monterey Park, California

EXHIBIT "A"

**JULY 1, 2022 DEMAND LETTER FOR
CITY NUISANCE ABATEMENT COSTS**

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.montereypark.ca.gov



City Council

Henry Lo
Hans Liang
Peter Chan
Yvonne Yiu

City Clerk

Vincent D. Chang

City Treasurer

Joseph Leon

July 1, 2022

Center Int'l Investments
501 W. Garvey Ave. #207
Monterey Park, CA 91754
Attn: Karrie On

Re: NOTICE OF ABATEMENT COSTS
Property: 1688 West Garvey

To Whom It May Concern:

This letter is a follow-up to the City of Monterey Park's letters dated February 16, 2022 and April 1, 2022 regarding the nuisance abatement action affecting 1688 West Garvey Avenue, Monterey Park, CA (the "Property"). The underlying public nuisance is identified in the civil case captioned *The People of the State of California, ex rel., Mark D. Hensley, City Attorney for the City of Monterey Park v. Center Int'l Investments, Inc., et al.* (filed December 31, 2015) LASC Case No. BC605788.

The nuisance abatement activity, identified as the "Goodviews Abatement Project" or "GAP," is being undertaken in accordance with the Settlement Agreement, as amended, executed by Center Int'l Investments, Inc. ("CII").

Per the February 16, 2022 letter, abatement costs associated with the GAP will be recovered on a quarterly basis from CII. This is the second Notice for the time period between April 1, 2022 and June 30, 2022.

Attached to this Notice are the City's abatement costs that were incurred by the City relating to the enforcement action against the Property. These abatement costs are imposed pursuant to Monterey Park Municipal Code ("MPMC") Chapter 4.30. Please remit payment to the City within **30 days** from the date of this letter.

This is a demand for payment in the amount of \$4,436,217.07. This is in addition to the previously demanded \$1,253,613.46 which remains unpaid and is accruing interest at 10% per annum. Payment must be made not later than July 31, 2022. Failure to pay by that date will cause the City to charge interest at the statutory rate on this outstanding amount (along with the unpaid amounts). Additionally, the City will take action to collect its abatement costs

in any manner allowed by law, including collection by special assessment or nuisance abatement lien (see MPMC § 4.30.150)

Be advised that CII waived all due process rights in this matter including, without limitation, appeals rights set forth in Monterey Park Municipal Code ("MPMC") § 4.30.140. CII, therefore, waived any right to contest the notice of abatement costs. Consequently, this interim notice of abatement costs is final and binding for the time period stated above. This is not the total cost of the GAP; the City continues to incur costs on a daily basis.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Martha Garcia', with a long horizontal flourish extending to the right.

Martha Garcia
Management Services Director

C: Ron Bow, City Manager
Karl H. Berger, City Attorney
Alfred Fraijo Jr., Esq. @
Sheppard Mullin Richter & Hampton, LLP
333 South Hope Street, CA Los Angeles 90071

Agent for Service of Process:
Willis Do
1648 Puente Avenue
Baldwin Park, CA 91706

Process/
Invoice
Date

	<u>Reference</u>	<u>Project#</u>	<u>Invoice#</u>	<u>CR & CK#</u>	<u>Amount</u>	<u>Balance</u>
03/31/22	C.A. Rasmussen Inc.	64004	3302	CK107467	(439,365.50)	(439,365.50)
04/30/22	C.A. Rasmussen Inc.	64004	3328	CK107948	(2,009,335.56)	(2,448,701.06)
05/06/02	Beacon Intergrated Professionals	64004	201698	CK107760	(210.00)	(2,448,911.06)
04/30/22	KCM Group	64004	11914	CK107791	(103,710.39)	(2,552,621.45)
04/14/22	Geosyntec Consultants, Inc.	64004	21468745	CK107641	(130,248.05)	(2,682,869.50)
04/14/22	Geosyntec Consultants, Inc.	64004	21468746	CK107641	(39,273.82)	(2,722,143.32)
03/31/22	KCM Group	64004	11881	CK107658	(48,758.77)	(2,770,902.09)
04/18/22	Beacon Intergrated Professionals	64004	201630	CK107346	(377.00)	(2,771,279.09)
04/04/22	Development Review / Phoenix Civil Engineer	73008	22026	CK107415	(19,100.00)	(2,790,379.09)
04/28/22	Development Review / Phoenix Civil Engineer	73008	22060	CK108102	(9,493.75)	(2,799,872.84)
04/30/22	City Expenses - Legal Fees	64004	11010	CK107648	(13,429.50)	(2,813,302.34)
05/16/22	Geosyntec Consultants, Inc.	64004	21472196	CK108281	(6,683.93)	(2,819,986.27)
05/16/22	Geosyntec Consultants, Inc.	64004	21472195	CK108281	(72,562.41)	(2,892,548.68)
05/31/22	City Expenses - Legal Fees	64004	11017	CK108058	(3,666.10)	(2,896,214.78)
05/31/22	City Expenses - Legal Fees	64004	11017	CK108058	(877.50)	(2,897,092.28)
06/10/22	Development Review / Phoenix Civil Engineer	73008	22130	CK108427	(4,777.50)	(2,901,869.78)
06/30/22	City Expenses - Management Services	64004			(1,842.65)	(2,903,712.43)
05/31/22	KCM Group	64004	11941	CK108293	(59,387.16)	(2,963,099.59)
05/31/22	C.A. Rasmussen Inc.	64004	3371	CK108242	(1,370,016.32)	(4,333,115.91)
06/22/22	Geosyntec Consultants, Inc.	64004	21476281	PENDING	(3,635.39)	(4,336,751.30)
06/22/22	Geosyntec Consultants, Inc.	64004	21476280	PENDING	(80,210.17)	(4,416,961.47)
06/30/22	City Expenses - Legal Fees	64004			(19,255.60)	(4,436,217.07)
						(4,436,217.07)
	Balance Due				(4,436,217.07)	

EXHIBIT "B"
NOTICE OF NUISANCE ABATEMENT LIEN

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**
City of Monterey Park
Attn: City Clerk
320 W. Newmark Ave.
Monterey Park, CA 91754

08/11/2022

COPY



20220808812

Has not been compared with original.
Originals will be returned when processing
has been completed.

LOS ANGELES COUNTY REGISTRAR-RECORDER

No fee per Government Code § 27383

NOTICE OF NUISANCE ABATEMENT LIEN

TAKE NOTICE pursuant to Government Code § 38773.1 and Monterey Park Municipal Code § 4.30.150, that the City of Monterey Park (“City”) imposes a nuisance abatement lien against the real property (“Property”) described below for the City’s unreimbursed costs incurred in abating a public nuisance. The Monterey Park City Council ordered the imposition of a nuisance abatement lien through its adoption of Resolution No. **XXX** on August 1, 2022 (attached as **Exhibit “A”**). Pursuant to a settlement agreement by and among the City the People of California, and the owner of the Property in the civil litigation captioned, *The People of the State of California, ex rel., Mark D. Hensley, City Attorney for the City of Monterey Park v. Center Int’l Investments, Inc., et al.* (LASC Case No. BC605788), the Property owner agreed to waive its notice and hearing rights in § 7 of the first amendment to such settlement agreement, which is on file with the City Clerk.

Recording this notice of nuisance abatement lien against the Property is made pursuant to Government Code § 38773.1(c) and Monterey Park Municipal Code § 4.30.150(c). Once recorded, this notice will constitute a lien against the Property with the force, effect, and priority of a judgment lien (Gov. Code, § 38773.1(c)). The City may foreclose on this nuisance abatement lien by a City action for a money judgment. (*Ibid.*)

In accordance with § 38773.1(c)(1), the following apply to the Property and this notice of nuisance abatement lien:

Lien amount	\$4,436,217.07
Agency on whose behalf the lien is imposed	City of Monterey Park
Property assessor’s parcel number	5254-002-031
Property legal description	LOT 1 OF TRACT NO. 34875, IN THE CITY OF MONTEREY PARK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 932, PAGES 16-18 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY
Address associated with Property	No known address associated with the Property pursuant to Los Angeles County property and title records
Property record owner	Center Int’l Investments Inc., a California Corporation
Property owner address	846 East Garvey Avenue, #D, Monterey Park, CA 91755

EXHIBIT "A"
TO NUISANCE ABATEMENT LIEN

CERTIFIED MONTEREY CITY PARK
RESOLUTION NO. **XX**