

CITY CLERK OFFICE

2023 SEP 28 P 5:10

CITY OF MONTEREY PARK

CITY OF MONTEREY PARK  
ATTN: CINDY TRANG, DEPUTY CITY CLERK  
320 WEST NEWMARK AVENUE  
MONTEREY PARK, CA 91754

Batch Number: 14286060

Document Count: 1



LOS ANGELES COUNTY  
REGISTRAR-RECORDER/COUNTY CLERK



DEAN C. LOGAN  
Registrar-Recorder/County Clerk

CITY OF MONTEREY PARK  
320 WEST NEWMARK AVENUE  
MONTEREY PARK CA 91754

Bundle Sequence: 202309200300034



Batch Number: 14286060



Temp Document Number: 23793187



Date: September 22, 2023

Re: LIEN INVOLUNTARY

\$0.00

The enclosed document(s) is/are being returned unrecorded for the following reason(s) indicated on the document:

X Affix the exhibit A (certified Monterey City Park Resolution No. XX) to the (\_document\_). It was not attached as stated.

***Please correct/complete the information as noted above and return a copy of this letter back with the documents.***

Dean C. Logan  
Registrar-Recorder/County Clerk

By: 477, Deputy

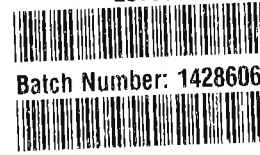
(800) 201-8999

**R742/900 (Rev 02/09)**

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

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

23793187



No fee per Government Code § 27383

**NOTICE OF NUISANCE ABATEMENT LIEN**

NOTICE IS HEREBY GIVEN that, pursuant to Government Code § 38773.1 and Monterey Park Municipal Code § 4.30.150, the City of Monterey Park ("City") seeks to impose a nuisance abatement lien against the real property ("Property") described below for the City's unreimbursed costs incurred in abating a public nuisance under a duly issued judicial abatement warrant. The Monterey Park City Council ordered the imposition of a nuisance abatement lien through its adoption of Resolution No. 2023-R69 on September 6, 2023 (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.

Recordation of 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, subd. (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	\$1,772,244.06
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 12 day of September 2023.

CITY OF MONTEREY PARK



\_\_\_\_\_  
Inez Alvarez, Interim 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 12<sup>th</sup> Sept 2023 before me, Megan Cheung, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Inez Elizabeth Alvarez  
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.



Place Notary Seal and/or Stamp Above

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 Megan Cheung  
Signature of Notary Public

**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 of Conservator
- Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Corporate Officer – Title(s): \_\_\_\_\_
- Partner –  Limited  General
- Individual  Attorney in Fact
- Trustee  Guardian of Conservator
- Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

**EXHIBIT "A"**  
**TO NUISANCE ABATEMENT LIEN**

**CERTIFIED MONTEREY CITY PARK**  
**RESOLUTION NO. 2023-R69**

**RESOLUTION NO. 2023-R69**

**A RESOLUTION 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. Center Int'l Investments, Inc. ("CII") is the record owner of the real property described as 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, and more commonly known as Los Angeles County assessor's parcel number 5254-002-031 (the "Property"), which is located in the City of Monterey Park (the "City").
- B. Despite years of City efforts to cause CII to remediate the dangerous hillside slope conditions on the Property, CII failed to make the Property safe despite its promise to do so via settlement agreement with the City and the People of the State of California (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.* that was filed December 31, 2015 (LASC Case No. BC605788).
- C. The Settlement Agreement authorizes the City, on behalf of the People, to enter the Property, without additional CII consent, to remediate the Property's nuisance conditions upon CII's failure to timely develop the Property and abate the nuisance, at CII's sole cost (Settlement Agreement § 2.A.vii, first amendment; § 2.b.5, second amendment).
- D. Pursuant to Resolution Nos. (collectively, the "Emergency Resolutions") 12255 (adopted June 16, 2021), Resolution No. 2022-R22 (adopted April 20, 2022), 2022-R34 (adopted May 18, 2022), and Resolution No. 2022-R63 (Adopted August 1, 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 referenced in paragraph B, above. This abatement is identified as the Goodviews Abatement Project ("GAP").
- E. 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 correspondence dated July 6, 2023, demanding CII's payment of \$1,772,244.06 for the time period between January 1, 2023, and June 30, 2023, establishing a total of

\$12,093,904.27 in GAP costs owed to the City by CII. A true and correct copy of that correspondence is attached as Exhibit "A," and incorporated by reference.

- F. 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.
- G. The City Council approves the recordation of a lien against the Property 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 \$12,093,904.27.
- H. 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).

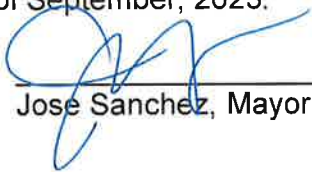
SECTION 4: Severability. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications, and to this end, the provisions of this Resolution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

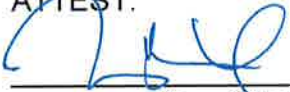
SECTION 6: Recordation. The Mayor, or presiding officer, is authorized to sign this Resolution signifying its adoption by the City Council of the City of Monterey Park and the City Clerk, or her duly appointed deputy, may attest thereto.

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

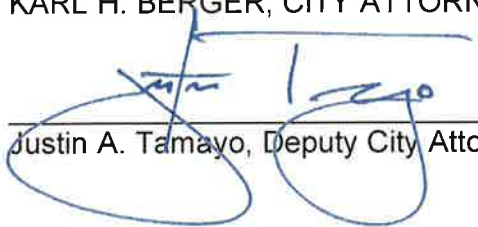
PASSED AND ADOPTED this 6th day of September, 2023.

  
\_\_\_\_\_  
Jose Sanchez, Mayor

ATTEST:

  
\_\_\_\_\_  
Maychelle Yee, City Clerk

APPROVED AS TO FORM:  
KARL H. BERGER, CITY ATTORNEY

  
\_\_\_\_\_  
Justin A. Tamayo, Deputy City Attorney

Attachments:


Exhibit A: July 6, 2023, Demand letter for City GAP costs  
Exhibit B: Notice of Nuisance Abatement Lien

State of California )  
County of Los Angeles) §.  
City of Monterey Park )

I, Maychelle Yee, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 2023-R69 was duly and regularly adopted by the City Council of the City of Monterey Park at a regular meeting held on the 6<sup>th</sup> day of September, 2023, by the following vote:

Ayes:	Council Members: Lo, Yiu, Ngo, Wong, Sanchez
Noes:	Council Members: None
Absent:	Council Members: None
Abstain:	Council Members: None
Recusal:	Council Members: None

Dated this 6<sup>th</sup> day of September, 2023.

  
\_\_\_\_\_  
Maychelle Yee, City Clerk  
Monterey Park, California

**EXHIBIT "A"**  
**JULY 6, 2023 DEMAND LETTER FOR**  
**CITY GAP COSTS**

# CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896  
[www.montereypark.ca.gov](http://www.montereypark.ca.gov)



**City Council**  
Henry Lo  
Vinh Ngo  
Jose Sanchez  
Thomas Wong  
Yvonne Yiu

**City Clerk**  
Maychelle Yee

**City Treasurer**  
Amy Lee

July 6, 2023

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

**Re: NOTICE OF ABATEMENT COSTS**  
**Property: Lot 1 of Tract No. 34875 (APN 5254-002-031)**

To Whom It May Concern:

This letter is a follow-up to the City of Monterey Park's letters dated February 16, 2022, April 1, 2022, July 1, 2022, September 30, 2022, and January 31, 2023, regarding the nuisance abatement action affecting 1688 West Garvey Avenue, Monterey Park, CA (Lot 1 of Tract No. 34875—APN 5254-002-031) (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.* that was 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 sixth Notice for the time period between January 1, 2023 and June 30, 2023.

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 \$1,772,244.06. This is in addition to the previously demanded \$10,321,660.21 which remains unpaid and is accruing interest at 10-percent per annum. Payment must be made not later than August 6, 2023. Failure to pay by that date will cause the City to charge interest at the statutory rate on this outstanding amount

GAP Invoice  
July 6, 2023  
Page 2

(along with the unpaid amount). 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 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,



Martha Garcia  
Finance Director

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

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

Process/ Invoice Date	Reference	Project#	Invoice#	CR & CK#	Amount	Payments/ Reversal	Balance
01/04/23	C.A. Rasmussen Inc.	64004	3581	CK110637	(579,163.51)	(579,163.51)	(579,163.51)
02/22/23	C.A. Rasmussen Inc.	64004	3628	CK111310	(206,429.20)	(206,429.20)	(785,592.71)
03/22/23	C.A. Rasmussen Inc.	64004	3688	CK111646	(144,044.36)	(144,044.36)	(929,637.07)
05/23/23	C.A. Rasmussen Inc.	64004	3700	CK400011	(94,519.28)	(94,519.28)	(1,024,156.35)
06/22/23	C.A. Rasmussen Inc.	64004	3727	CK400015	(104,612.18)	(104,612.18)	(1,128,768.53)
03/15/23	Geosyntec Consultants, Inc.	64004	21500786	CK111591	(49,893.91)	(49,893.91)	(1,178,662.44)
03/15/23	Geosyntec Consultants, Inc.	64004	21500787	CK111591	(1,021.06)	(1,021.06)	(1,179,683.50)
03/22/23	Geosyntec Consultants, Inc.	64004	21503400	CK111678	(1,021.06)	(1,021.06)	(1,180,704.56)
03/22/23	Geosyntec Consultants, Inc.	64004	21503399	CK111678	(69,440.88)	(69,440.88)	(1,250,145.44)
05/03/23	Geosyntec Consultants, Inc.	64004	21497234	CK111238	(1,198.22)	(1,198.22)	(1,251,343.66)
05/03/23	Geosyntec Consultants, Inc.	64004	21497233	CK112238	(47,310.17)	(47,310.17)	(1,298,653.83)
05/17/23	Geosyntec Consultants, Inc.	64004	21506586	CK112434	(37,323.54)	(37,323.54)	(1,335,977.37)
05/17/23	Geosyntec Consultants, Inc.	64004	21506587	CK112434	(1,021.06)	(1,021.06)	(1,336,998.43)
06/27/23	Geosyntec Consultants, Inc.	64004	21510549	CK112970	(85,596.21)	(85,596.21)	(1,422,594.64)
06/27/23	Geosyntec Consultants, Inc.	64004	21510550	CK112970	(1,021.06)	(1,021.06)	(1,423,615.70)
06/27/23	Geosyntec Consultants, Inc.	64004	21514137	CK112970	(55,219.78)	(55,219.78)	(1,478,835.48)
06/27/23	Geosyntec Consultants, Inc.	64004	21514138	CK112970	(4,807.34)	(4,807.34)	(1,483,642.82)
03/08/23	KCM Group	64004	12159	CK111515	(46,759.91)	(46,759.91)	(1,530,402.73)
03/08/23	KCM Group	64004	12132	CK111515	(44,452.60)	(44,452.60)	(1,574,855.33)
03/22/23	KCM Group	64004	12179	CK111690	(44,032.23)	(44,032.23)	(1,618,887.56)
05/17/23	KCM Group	64004	12005	CK112446	(30,628.30)	(30,628.30)	(1,649,515.86)
05/18/23	S.B.S Trust Deed Network	64004	26517	CK112544	(16,033.79)	(16,033.79)	(1,665,549.65)
03/01/23	State Water Resources Control Bo	64004	SW-0256300	CK111457	(704.00)	(704.00)	(1,666,253.65)
01/31/23	Development Review / Phoenix C	73008	22381	CK111809	(3,675.00)	(3,675.00)	(1,669,928.65)
02/28/23	Development Review / Phoenix C	73008	22403	CK112486	(1,102.50)	(1,102.50)	(1,671,031.15)
03/31/23	Development Review / Phoenix C	73008	22449	CK112486	(2,788.75)	(2,788.75)	(1,673,819.90)
04/30/23	Development Review / Phoenix C	73008	22475	Pending	(2,190.00)	(2,190.00)	(1,676,009.90)
05/31/23	Development Review / Phoenix C	73008	22501	Pending	(4,042.50)	(4,042.50)	(1,680,052.40)
01/19/23	City Expenses - Legal Fees	64003	295744	ACH400012	(1,693.39)	(1,693.39)	(1,681,745.79)
01/31/23	City Expenses - Legal Fees	64003	297328	CK111881	(4,705.00)	(4,705.00)	(1,686,450.79)
01/31/23	City Expenses - Legal Fees	64003	297016	ACH400009	(2,661.62)	(2,661.62)	(1,689,112.41)
02/28/23	City Expenses - Legal Fees	64003	298177	CK112263	(18,969.48)	(18,969.48)	(1,708,081.89)
02/28/23	City Expenses - Legal Fees	64003	298157	ACH400009	(14,775.00)	(14,775.00)	(1,722,856.89)
04/30/23	City Expenses - Legal Fees	64003	301037	ACH400009	(574.00)	(574.00)	(1,723,430.89)
04/30/23	City Expenses - Legal Fees	64003	300956	ACH400009	(8,253.96)	(8,253.96)	(1,731,684.85)
03/30/23	City Expenses - Legal Fees	64003	299683	ACH400009	(12,491.00)	(12,491.00)	(1,744,175.85)
03/30/23	City Expenses - Legal Fees	64003	299683	ACH400009	(1,522.81)	(1,522.81)	(1,745,698.66)
05/31/23	City Expenses - Legal Fees	64003	303114	ACH400016	(17,858.80)	(17,858.80)	(1,763,557.46)
05/31/23	City Expenses - Legal Fees	64003	303168	ACH400016	(7,685.44)	(7,685.44)	(1,771,242.90)
06/30/23	City Expenses - Finance				(1,001.16)	(1,001.16)	(1,772,244.06)
<b>Balance Due</b>					<b>(1,772,244.06)</b>	<b>(1,772,244.06)</b>	

**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

No fee per Government Code § 27383

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Address associated with Property	No known address associated with the Property pursuant to Los Angeles County property and title records
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Signed the \_\_day of September 2023.

CITY OF MONTEREY PARK

Inez Alvarez, Interim City Manager

(NOTARIZED SIGNATURE REQUIRED)

**EXHIBIT "A"**  
**TO NUISANCE ABATEMENT LIEN**

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