

# Daily Pilot

FRIDAY, MARCH 17, 2023 /// dailypilot.com



Photos by Susan Hoffman

**A WORKER** Thursday sprays water to control dust clouds as a home at 1930 Galaxy Drive in Newport Beach is demolished.

## House demolished on bluff where landslide hit

The hillside behind a Newport Beach home on Galaxy Drive had completely deteriorated earlier this month, leaving the property too dangerous to enter.

**BY SUSAN HOFFMAN**

After a March 3 rain-induced hillside collapse in Newport Beach's Dover Shores neighborhood caused the evacuation of three houses — including one that on Thursday had to be demolished — all eyes are on Galaxy Drive.

That's where sprawling homes sit precariously perched atop a slope overlooking a portion of Upper Newport Bay where sensitive species have been known to live and where human activity is largely prohibited.

Gov. Gavin Newsom's office in late February declared a state of emergency to support storm response and relief efforts in 13 counties across California ravaged by recent winter storms. The announcement came days before the Newport Beach slope degraded.

On Tuesday, the state widened the geographic footprint of the emergency to include Orange County, granting a request from the county's Board of Supervisors to extend relief and resources to Newport Beach, along with the storm-damaged cities



**THE HILLSIDE** behind a home at 1930 Galaxy Drive in Newport Beach was covered Sunday in anticipation of further rain damage. The house was demolished Thursday.

of Laguna Beach, Seal Beach and San Clemente.

District 5 Supervisor Katrina Foley, who initially requested the inclusion be considered, said she went out Sunday to survey the

damage at Dover Shores and was concerned by what she saw on the 1900 block of Galaxy Drive.

See **Landslide**, page A6

See **OCPA**, page A3

## OCPA plans for changes following audits

A draft improvement plan was outlined by a former state auditor Wednesday, as another city considers pulling out of the utility.

**BY MATT SZABO**

One day after another of the four remaining founding cities of the Orange County Power Authority announced it might leave the Community Choice Energy program, the utility's board mulled improvement strategies during a meeting Wednesday in Irvine.

Buena Park Mayor Art Brown on Tuesday night agendized a withdrawal from OCPA for the next Buena Park City Council meeting on March 28.

Irvine and Huntington Beach remain tenuously in the organization, at least for now. Irvine Councilwoman Kathleen Treseder, vice chair of the OCPA Board of Directors, has backed off calls for the city to leave the agency.

Irvine is not only a founding member, but gave OCPA a loan of more than \$7 million to help get the green energy program off the ground.

Treseder said after Wednesday's meeting that she continues to believe that OCPA should remove its chief executive, Brian Probolsky, but she is more positive about the agency's general direction.

"Once we started interacting with the new board, most of the board members are very reasonable and I think have similar goals to Irvine," said Treseder, a science professor at UC Irvine. "So, I am optimistic that we're going to be able to reach those goals ... I had a very hard timeline [for removing Probolsky] at the beginning of this, but I was willing to loosen that a bit, because I could see the board is making good progress toward that. It just takes a while to hire the general counsel. I want to make sure we do it right."

Huntington Beach City Councilman Casey McKeon, who has been on the OCPA board since January, said Wednesday he is hopeful that he will be able to review energy contracts by next week. That will allow



Irfan Khan | Los Angeles Times

**ORANGE COUNTY SHERIFF** investigators check out the roof of Central Men's Jail from where three inmates escaped in 2016.

## Felon convicted in 2016 escape from Orange County jail

**BY PAUL ANDERSON  
CITY NEWS SERVICE**

The man prosecutors call the mastermind of a 2016 escape by three inmates from the Orange County jail in Santa Ana was convicted Thursday of felony counts of escaping custody and car theft.

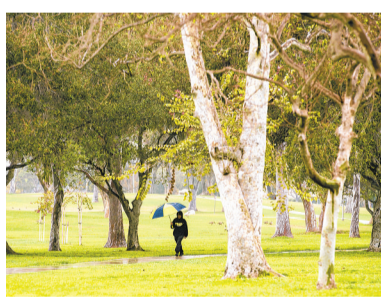
Jurors, however, acquitted Hossein Nayeri, 44, of kidnapping during a carjacking and other lesser-included offenses of simple kidnapping, carjacking and false imprisonment.

Sentencing was scheduled for

March 24. Nayeri is already imprisoned for life without the chance of parole for his role in the sexual mutilation of a marijuana dispensary owner in a kidnapping-extortion scheme. He was in custody awaiting trial in that case when the jail escape occurred.

Nayeri's co-defendant in the escape, Bac Tien Duong, 50, was convicted in April 2021 and sentenced to 20 years in prison in July. Duong, who was in custody at the time of the escape in an

See **Escape**, page A3



Scott Smeltzer

### ALSO FROM THE DAILY PILOT:

**STATE OF EMERGENCY DECLARED IN ORANGE COUNTY AS NEWPORT BEACH BREAKS RAINFALL RECORD** PAGE A2

**SEWAGE SPILL CLOSES**

**DOHENY STATE BEACH IN DANA POINT** PAGE A5

**ST. PATRICK'S DAY OBSERVERS WARNED TO LEAVE THEIR CAR KEYS AT HOME** PAGE A5

## Laguna to boost traffic safety measures on Glenneyre Street

The city will add more crosswalks, pedestrian warning signage and street lighting following a traffic safety report.

**BY ANDREW TURNER**

Laguna Beach will be implementing additional traffic safety measures and street lighting along Glenneyre Street following a study of the roadway that runs parallel to South Coast Highway.

The assessment covered the stretch of Glenneyre Street from its downtown intersection at Forest Avenue to Calliope Street to the south.

Recommendations included additional street signage and striping for uniformity, as well as added lighting at intersections. The City Council unanimously voted to proceed with implementing the recommendations after reviewing the findings of the report from a traffic engineer.



Don Leach | Staff Photographer

**LAGUNA BEACH** plans to improve traffic safety along Glenneyre Street. Several side street crosswalks were recommended, including at the Brooks Street intersection, seen above.

Over a 10-year period from 2012 to 2021, there were 105 traffic collisions reported on Glenneyre, including 32 broadside accidents and 17 involving pedes-

trians. Eight of the collisions involving pedestrians occurred at night.

See **Safety**, page A6



Allen J. Schaben | Los Angeles Times

**AN AERIAL VIEW** of four cliff-side, ocean-view buildings that were evacuated and tagged after heavy rains brought on a landslide in San Clemente on Wednesday.

# Newport sees new rainfall record as O.C. added to state disaster declaration

BY LILLY NGUYEN

A new rainfall record was set in Newport Beach on Wednesday, ousting the old record set almost a century ago, according to the National Weather Service.

About 2.6 inches of rain fell in Newport Beach on Wednesday, breaking the previous 24-hour rainfall record of 1.5 inches set in 1930.

"It has been one of the more wetter winters, especially compared to the last couple of years," said meteorologist Casey Oswant with the National Weather Service in San Diego. "The past three winters have not been very rainy, but when we get into the winter of 2019, Anaheim, for example ... was quite rainy with their annual total at 25.35 inches, with much of that rain falling between December and March. So far this calendar year, we're looking at 13.93 inches for Anaheim."

In Newport Beach, the city has recorded 11.3 inches of rain so far this calendar year, compared to the

annual average during the same period of around 6 inches.

Oswant noted 2019 was the wettest winter in recent memory.

This winter's storms have caused about \$1.6 million in damage to the Seal Beach Pier and destroyed a lifeguard tower in Laguna Beach, according to a statement by representatives for Orange County Supervisor Katrina Foley. The storms also caused the partial collapse of a Dover Shores residence that was demolished Thursday and a landslide in San Clemente on Wednesday.

The Orange County Board of Supervisors declared a state of emergency on Tuesday in response to the winter weather, and Gov. Gavin Newsom expanded his state of emergency to include Orange, Alpine and Trinity counties that same day, meaning that 43 of the state's 58 counties are now under the declaration. U.S. Rep. Mike Levin (D-San Juan Capistrano) also requested

Wednesday that Orange County be included in the federal emergency declaration announced last Friday.

Oswant said rain is expected to return in the early part of next week. Much of the rain is expected to fall on Tuesday, potentially into Wednesday, though the timing is unclear.

"Right now, it looks dry, but we can't completely rule anything out for the end of March, like the last week of March," Oswant said. "Our rainiest months are December, January, February, March. Once we get into April, climatologically, it's going to be less likely that we'll see rain."

This weekend is expected to remain fairly dry with some sunshine coming through Friday and Saturday afternoons. Highs on Saturday are forecast to reach the low 70s for parts of inland Orange County and the mid-60s on the coast, with lows across the county in the low 50s.

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## THE DAILY COMMUTER PUZZLE

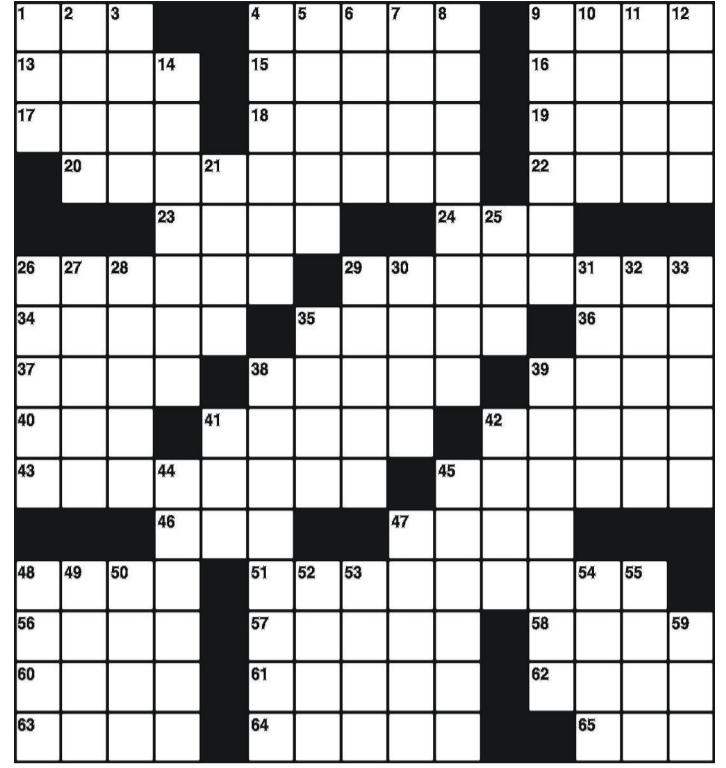
By Jacqueline E. Mathews

### ACROSS

- 1 Lid
- 4 Bridal path
- 9 European peaks
- 13 Amazes
- 15 Sink outlet
- 16 Apple discard
- 17 Actor Richard
- 18 "Nothing \_!"; adamant refusal
- 19 Tap the horn
- 20 Give in
- 22 Diamond men
- 23 Defaces
- 24 As hard \_ rock
- 26 Ice cream portions
- 29 Evolves
- 34 Is a breadwinner
- 35 Check recipient
- 36 Cauldron
- 37 Finds a total
- 38 Loathed
- 39 New Zealander
- 40 Golfer Trevino
- 41 Bad habits
- 42 Not as coarse
- 43 Overexerted
- 45 Bishops' accessories
- 46 Night spot, for most
- 47 Add a tweet
- 48 "\_ deal!"; words of agreement
- 51 Necessary
- 56 Lean
- 57 Perch
- 58 Per-n & Mendes
- 60 Board game
- 61 Terra firma
- 62 Web surfer's stop
- 63 Group of bison
- 64 Gown
- 65 Drops on the grass

### DOWN

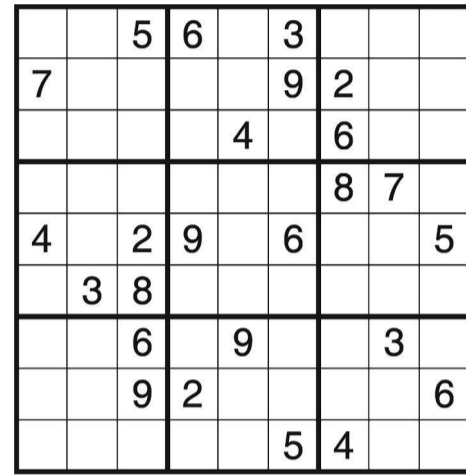
- 1 Luggage \_; suitcase ID



## SUDOKU

By the Mephram Group

Complete the grid so each row, column and 3-by-3 box (in bold borders) contains every digit, 1 to 9. For strategies on how to solve Sudoku, visit [sudoku.org.uk](http://sudoku.org.uk).



**For answers to the crossword and Sudoku puzzles, see page A5.**

- 2 Is indebted
- 3 Nation north of Chile
- 4 Venomous snakes
- 5 Actor Jeremy
- 6 Uttered
- 7 Out of \_;
- 8 Carved letters
- 9 Not imaginary
- 10 Weaving device
- 11 Stage item
- 12 \_ sail; leaves shore
- 14 Homilies

- 21 Knocks
- 25 Behold
- 26 Whiskered swimmers
- 27 West Point pupil
- 28 Tell the waiter what you want
- 29 Obsolete
- 30 Peepers
- 31 State one's views
- 32 Might
- 33 Mixes with a spoon
- 35 Rate of speed
- 38 Obstructed
- 39 Poker pools
- 41 Compete
- 42 Clenched hand
- 44 Lessened
- 45 Calendar pages
- 47 Nuisances
- 48 Reason to scratch
- 49 Scrabble piece
- 50 Speak unclearly
- 52 Zoom skyward
- 53 \_ as a boil
- 54 Rarin' to go
- 55 Overdue
- 59 Stitch

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**OCPA**

Continued from page A1

him to make an informed decision about the financial implications of Surf City possibly selling the contracts to exit the Southern California Edison alternative.

"We're in a seller's market, so I'm optimistic that the contracts will show that we bought [the energy] for a cheaper price than what they're selling it for on today's market," McKeon said. "But without seeing them, I can't make that claim yet."

He added that OCPA's resource adequacy remains a concern of his. The California Public Utilities Commission requires utility providers to essentially buy extra power for adequate resources to protect the grid, particularly in the summer months.

Last year, the Public Utilities Commission assessed OCPA a fine of more than \$1.9 million for failing to deliver its required resource adequacy, according to an Orange County Grand Jury investigation.

On Wednesday, board members listened to an energy markets update from Kirby Dusel of Public Energy Advisors.

"The picture he painted was that in the next two or three years, it's going to be very challenging to buy enough energy to meet the resource adequacy requirement," McKeon said. "They're not producing enough energy."

Board members also heard a draft improvement plan presentation from former California state auditor Elaine Howle. Howle, now



Photos by Scott Smeltzer | Staff Photographer

**THE ORANGE COUNTY** Power Authority board considered improvement strategies during a meeting Wednesday in Irvine.

**VICE CHAIR** of the Orange County Power Authority board Kathleen Treseder attends Wednesday's meeting in Irvine.



a member of Balance Public Relations, helped OCPA officials come up with a response following three audits that raised questions about the organization's management, contracting practices and transparency.

One key change is the in-

creased presence of a community advisory committee, which will hold regular meetings and have a member present at each subsequent OCPA board meeting.

In terms of transparency, a complete refresh of the website is underway to highlight what the organization does and how it



**HUNTINGTON BEACH** Councilman Casey McKeon attends the OCPA board meeting.

benefits the community. Also by May, an oversight committee that includes members of the board will begin meeting regularly.

OCPA continues to actively recruit from a power resources director.

The state audit, released Feb. 28, stated that the pattern of OCPA contracting practices "that were neither competitive nor accountable to the board's oversight poses a risk to the organization."

OCPA officials responded with a statement that partially said they didn't believe the state auditors fully understood the intricacies of the contracts.

On Feb. 7, a letter from a coalition of more than 20 organizations dedicated to climate and social justice stated the need to replace Probolsky, the chief execu-

**"We're in a seller's market, so I'm optimistic that the contracts will show that we bought [the energy] for a cheaper price than what they're selling it for on today's market, but without seeing them, I can't make that claim yet."**

**Casey McKeon**

Huntington Beach Council member and OCPA board member

tive, as soon as possible. State Sen. Dave Min, whose district includes much of coastal Orange County and Irvine, also has publicly called for Probolsky to step down or be fired.

Signers of the letter included Ayn Craciun, the Orange County policy manager for Climate Action Campaign, who called into Wednesday's meeting.

"OCPA's situation could not be more dire," Craciun said during public comments. "This agency is on life support, and it is this board's responsibility to take swift action to remove the root cause of so many of the failures."

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**ESCAPE**

Continued from page A1

attempted murder case, resolved that case as well when he was sentenced.

Co-defendant Jonathan Tieu, 27, is awaiting trial in connection with the escape. Tieu was in custody in a murder case, but jurors in his trial deadlocked. A retrial was scheduled, but he was referred to juvenile court, where he was ultimately convicted of assault with a deadly weapon because a change in state law re-defined liability in murders and Tieu was not considered a major participant in the gang-related killing.

The trio escaped from Central Men's Jail Jan. 22, 2016. Authorities said that with the help of Loc Ba

Nguyen, a longtime friend of Duong's, the three inmates were able to obtain supplies they needed to escape. They sawed through obstacles, wriggled through an air vent in the dormitory-style housing and worked their way through plumbing tunnels to the roof of the jail. They then rappelled down with makeshift ropes, and Nguyen picked them up and drove them to a contact of Duong's in Westminster.

They called unlicensed cab driver Long Ma, who took them first to motels in Rosemead and later San Jose, where Duong and Nayeri got into a fight. Duong decided to part ways and brought Ma back with him to Orange County and surrendered on Jan. 29. The next day, Nayeri and Tieu were arrested in San Francisco.

Nguyen pleaded guilty in June 2017 for his role aiding the inmates in the escape and was sentenced to a year in jail, but he served his time in home confinement because he said he had a stroke on his sentencing date.

In closing arguments of Nayeri's trial Wednesday, Deputy Dist. Atty. David McMurrin argued that Nayeri masterminded the breakout.

The prosecutor argued that 537 pages of phone usage records point to Nayeri as the mastermind. The three inmates used smuggled-in phones to document the escape and to aid in it after they broke out, McMurrin said.

The phones showed evidence of searches for how to send money internationally, McMurrin said. Nayeri testified he got money sent to him by family in Iran.

After Duong later surrendered, Nayeri used his phone to look up a news report on it, McMurrin said.

McMurrin also referred to a video the escapees created in a motel room after the escape, showing Duong putting a cigarette out on his shoulder, allegedly at the direction of Nayeri.

"It shows a dynamic," McMurrin said. "He's saying to Mr. Duong, are you loyal to me? Are you going to step in line? Did I save your life?"

The prosecutor also disputed Nayeri's claim that none of the crew had a gun, saying that a cab driver the trio kidnapped, Ma, "was held at gunpoint in an abandoned parking lot, forced to hand over his wallet and phone."

He scoffed at the claim that Ma willingly went along with the es-

capade. "A willing person at that time who didn't even know they were escapees," McMurrin said of Ma, who was ordered to turn over his Honda Civic, wallet and phone to the escapees. "It wasn't in the news yet."

McMurrin showed jurors photos of facial injuries Duong suffered in a motel room fight with Nayeri, saying that when Duong ultimately surrendered to authorities, it showed he "would rather be in custody and turn himself in than be with that man (Nayeri). It's also reasonable to conclude he didn't want to get beat anymore."

"They all had a role to play but Nayeri was the planner, and Mr. Duong had his connections," McMurrin said, adding that Tieu was

See *Escape*, page A5

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If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of first publication of this Notice of Sale. If the sale is set aside for any reason, including if the Trustee is unable to convey title, the Purchaser at the sale shall be entitled only to a return of the monies paid to the Trustee. This shall be the Purchaser's sole and exclusive remedy. The purchaser shall have no further recourse against the Trustor, the Trustee, the Beneficiary, the Beneficiary's Agent, or the Beneficiary's Attorney. If you have previously been discharged through bankruptcy, you may have been released of personal liability for this loan in which case this letter is intended to exercise the note holders rights against the real property only. Date: QUALITY LOAN SERVICE CORPORATION 2763 Camino Del Rio S San Diego, CA 92108 619-645-7711 For NON SALE information only Sale Line: 855 238-5118 Or Login to: <http://www.qualityloan.com> Reinstatement Line: (866) 645-7711 Ext 5318 QUALITY LOAN SERVICE CORPORATION . TS No.: CA-19-872530-AB IDSPub #0184401 3/10/2023 3/17/2023 3/24/2023

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## CITY OF COSTA MESA NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the Costa Mesa Planning Commission will hold a public hearing at City Hall Council Chambers, 77 Fair Drive, Costa Mesa, California and virtual locations on **Monday, March 27, 2023** at 6:00 PM, or as soon as possible thereafter, to consider the following item:  
**Application No.:** PA-21-37  
**Applicant/Agent:** 2146 Newport Blvd. LLC/Sean Maddocks  
**Site Address:** 2146 Newport Boulevard, Units C & D  
**Zone:** Local Business District (C1)  
**Description:** Planning Application 21-37 is a request for a Conditional Use Permit to allow a retail cannabis storefront and delivery use in an existing 2,883-square-foot tenancy space within a single-story, multiple-tenant commercial building located at 2146 Newport Boulevard, Units C and D. The proposed use would be subject to Costa Mesa's Cannabis regulations, conditions of approval, and State Cannabis regulations. For additional information, please visit the City's website at [www.costamesaca.gov/cannabis](http://www.costamesaca.gov/cannabis).

**Environmental Determination:** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

**Additional Information:** For more information, call (714) 754-5245, or email [planninginfo@costamesaca.gov](mailto:planninginfo@costamesaca.gov). Planning Division staff are available from 8:00 AM to 5:00 PM Monday through Thursday and alternating Fridays, except specified holidays. All interested parties may submit comments to the Planning Commission in regard to this application. Please refer to the Planning Commission meeting agenda for instructions regarding how to participate in the meeting. The Planning Commission meeting agenda and staff report will be posted online 72 hours prior to the meeting at: <https://costamesa.legistar.com/Calendar.aspx>.

Members of the public may submit comments via email to [PCPublicComments@costamesaca.gov](mailto:PCPublicComments@costamesaca.gov). Comments received by **12:00 PM** on the date of the meeting will be provided to the Planning Commission, made available to the public, and will be part of the meeting record. Any written communications, photos, PowerPoints or other materials for distribution to the Planning Commission must be 10 pages or less and submitted to the City **NO LATER THAN 12:00 PM** on the day of the hearing via email or submitted to the Planning Department on a flash drive, or mailed to the Planning Department. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted. A direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats: .mp4, .mov, or .wmv. Only one file may be included per speaker for public comments. Please note that materials submitted by the public that are deemed appropriate for general audiences will not be redacted in any way and will be posted online as submitted, including any personal contact information. If you challenge this project in court, you may be limited to raising only those issues you, or someone else raised, during the public hearing or in written correspondence submitted to the City, during or prior to, the public hearing.

## BSC 223011 NOTICE OF PETITION TO ADMINISTER ESTATE OF: WALTER SKIBICKI 30-2023-01310599-PR-PW-CJC

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of: **WALTER SKIBICKI**.

**A PETITION FOR PROBATE** has been filed by **TREVOR MURPHY** in the Superior Court of California, County of **ORANGE**.

**THE PETITION FOR PROBATE** requests that **TREVOR MURPHY** be appointed as personal representative to administer the estate of the decedent.

**THE PETITION** requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

**THE PETITION** requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

**A HEARING** on the petition will be held on: **April 12, 2023 at 1:30 p.m. in Dept. C10** located at: 700 CIVIC CENTER DRIVE WEST, SANTA ANA, CA 92701

**The court is providing the convenience to appear for hearing by video using the court's designated video platform. This is a no cost service to the public. Go to the Court's website at The Superior Court of California - County of Orange (courts.org) to appear remotely for Probate hearings and for remote hearing instructions. If you have difficulty connecting or are unable to connect to your remote hearing, call 657-622-8278 for assistance. If you prefer to appear in-person, you can appear in the department on the day/time set for your hearing.**

**IF YOU OBJECT** to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

**IF YOU ARE A CREDITOR** or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code. Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

**YOU MAY EXAMINE** the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for the Petitioner:  
 NICOLE Y. NEWMAN, ESQ  
 NEWMAN LAW GROUP, APC  
 242 WEST MAIN STREET, STE 101  
 TUSTIN, CA 92780  
 Published in the NEWPORT HARBOR NEWS PRESS combined with the DAILY PILOT on: 3/15, 3/17 & 3/22/2023

## Legal Notices

### Notice of Public Sale

Pursuant to the California Self Service Storage Facility Act (B&P Code 21700 ET seq.) The undersigned will sell at public auction on Friday March 24, 2023 at 1:30 pm. Personal property including but not limited to furniture, clothing, tools and/or other household items located at: The sale will take place online at [www.selfstorageauction.com](http://www.selfstorageauction.com).  
 Derrick Rodriguez  
 Collette Parker  
 Elham Alami  
 Edwin Ramiro Rodriguez  
 Ciara Kunze-Kind  
 All sales are subject to prior cancellation. All terms, rules and regulations are available online at [www.selfstorageauction.com](http://www.selfstorageauction.com). Dated this March 10, 2023 and March 17, 2023 by Woodbridge Self Storage , 5020 Barranca Pkwy, Irvine, CA, 92604 (949) 857-4900  
 3/10, 3/17/23  
**CNS-3677503#**  
**DAILY PILOT**

### Notice of Public Sale

Pursuant to the California Self Service Storage Facility Act (B&P Code 21700 ET seq.) The undersigned will sell at public auction on Friday March 24, 2023 at 1:00 pm. Personal property including but not limited to furniture, clothing, tools and/or other household items located at: The sale will take place online at [www.selfstorageauction.com](http://www.selfstorageauction.com).  
 Laura A Mayr  
 Laura A Mayr  
 Laura A Mayr  
 Sarah M Denkler  
 Sarah Dankler  
 All sales are subject to prior cancellation. All terms, rules and regulations are available online at [www.selfstorageauction.com](http://www.selfstorageauction.com). Dated this March 10, 2023 and March 17, 2023 by Costa Mesa Self Storage, 3180 Red Hill Ave, Costa Mesa, CA, 91745 (714) 966-9901  
 3/10, 3/17/23  
**CNS-3677491#**  
**DAILY PILOT**

### Notice of Public Sale

Pursuant to the California Self Service Storage Facility Act (B&P Code 21700 ET seq.) The undersigned will sell at public auction on Friday March 24, 2023 at 3:00 pm. Personal property including but not limited to furniture, clothing, tools and/or other household items located at: The sale will take place online at [www.selfstorageauction.com](http://www.selfstorageauction.com).  
 Rafael Pacheco Garcia  
 Dima V Brown  
 Dima V Brown  
 Mohammad D Azizi Club Motor Cars LLC  
 Jayme B Clark  
 Leslie G Rutherford  
 Jesus Araiza  
 Judith Marion Clapp  
 All sales are subject to prior cancellation. All terms, rules and regulations are available online at [www.selfstorageauction.com](http://www.selfstorageauction.com). Dated this March 10, 2023 and March 17, 2023 by Irvine Self Storage, 2960 Main St, Irvine, CA, 92614 (949) 851-7900  
 3/10, 3/17/23  
**CNS-3677493#**  
**DAILY PILOT**

TSNG No.: 220524923-CA-MSI TS No.: CA2200287763 APN: 551-061-47 Property Address: 4 BELL IRVINE, CA 92620 NOTICE OF TRUSTEE'S SALE YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED 04/06/2006. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. On 04/17/2023 at 01:30 P.M., First American Title Insurance Company, as duly appointed Trustee under and pursuant to Deed of Trust recorded 04/12/2006, as Instrument No. 2006000244421, in book, page, of Official Records in the office of the County Recorder of ORANGE County, State of California. Executed by: TODD S HIGAKI, AND HELEN P HIGAKI HUSBAND AND WIFE AS SURVIVORSHIP, WILL SELL AT PUBLIC AUCTION TO HIGHEST BIDDER FOR CASH, CASHIER'S CHECK/CASH EQUIVALENT or other form of payment authorized by 2924m(b), (Payable at time of sale in lawful money of the United States) At the North front entrance to the County Courthouse at 700 Civic Center Drive West, Santa Ana, CA 92701 All right, title and interest conveyed to and now held by it under said Deed of Trust in the property situated in said County and State described as: AS MORE FULLY DESCRIBED IN THE ABOVE MENTIONED DEED OF TRUST APN# 551-061-47 The street address and other common designation, if any, of the real property described above is purported to be: 4 BELL, IRVINE, CA 92620 The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by said Deed of Trust, with interest thereon, as provided in said note(s), advances, under the terms of said Deed of Trust, fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust. The total amount of the unpaid balance of the obligation secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Sale is \$ 76,971.07. The beneficiary under said Deed of Trust has deposited all documents evidencing the obligations secured by the Deed of Trust and has declared all sums secured thereby immediately due and payable, and has caused a written Notice of Default and Election to Sell to be executed. The undersigned caused said Notice of Default and Election to Sell to be recorded in the County where the real property is located. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call (916)939-0772 or visit this internet website <http://search.nationwideposting.com/propertySearch/Terms.aspx>, using the file number assigned to this case: CA2200287763. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Website. The best way to verify postponement information is to attend the scheduled sale. NOTICE TO TENANT: You may have a right to purchase this property after the trustee auction if conducted after January 1, 2021, pursuant to Section 2924m of the California Civil Code. If you are an "eligible tenant buyer," you can purchase the property if you match the last and highest bid placed at the trustee auction. If you are an "eligible bidder," you may be able to purchase the property if you exceed the last and highest bid placed at the trustee auction. There are three steps to exercising this right of purchase. First, 48 hours after the date of the trustee sale, you can call (916)939-0772, or visit this internet website <http://search.nationwideposting.com/propertySearch/Terms.aspx>, using the file number assigned to this case: CA2200287763 to find the date on which the trustee's sale was held, the amount of the last and highest bid, and the address of the trustee. Second, you must send a written notice of intent to place a bid so that the trustee receives it no more than 15 days after the trustee's sale. Third, you must submit a bid, by remitting the funds and affidavit described in Section 2924m(c) of the Civil Code, so that the trustee receives it no more than 45 days after the trustee's sale. If you think you may qualify as an "eligible tenant buyer" or "eligible bidder," you should consider contacting an attorney or appropriate real estate professional immediately for advice regarding this potential right to purchase. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney. Date: First American Title Insurance Company 4795 Regent Blvd, Mail Code 1011-F Irving, TX 75063 First American Title Insurance Company MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE FOR TRUSTEES SALE INFORMATION PLEASE CALL (916)939-0772NPP0421978 To: NEWPORT HARBOR NEWS PRESS COMBINED WITH DAILY PILOT 03/10/2023, 03/17/2023, 03/24/2023

## Legal Notices

## Legal Notices

## Legal Notices

## Legal Notices

**NOTICE OF TRUSTEE'S SALE UNDER A NOTICE OF DELINQUENT ASSESSMENT AND CLAIM OF LIEN Order No: 05946067 TS No: W22-03036 YOU ARE IN DEFAULT UNDER A NOTICE OF DELINQUENT ASSESSMENT AND CLAIM OF LIEN, DATED 08/26/2021. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER.** NOTICE is hereby given that Witkin & Neal, Inc., as duly appointed trustee pursuant to that certain Notice of Delinquent Assessment and Claim of Lien (hereinafter referred to as "Lien"), recorded on 09/01/2021 as instrument number 2021000549685 in the office of the County Recorder of ORANGE County, California, and further pursuant to the Notice of Default and Election to Sell thereunder recorded on 6/29/2022 as instrument number 2022000231516 in said county and further pursuant to California Civil Code Section 5675 et seq. and those certain Covenants, Conditions and Restrictions recorded on 4/27/2011 as instrument number 2011000211176, WILL SELL on 03/22/2023, 01:30 P.M. At the North front entrance to the County Courthouse at 700 Civic Center Drive West, Santa Ana, CA 92701 at public auction to the highest bidder for lawful money of the United States payable at the time of sale, all right, title and interest in the property situated in said county as more fully described in the above-referenced Lien. The purported owner(s) of said property is (are): LILI ZHANG, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY. The property address and other common designation, if any, of the real property is purported to be: 205 TRAYMOR, IRVINE, CA 92620. APN: 93-28-175. The undersigned trustee disclaims any liability for any incorrectness of the property address and other common designation, if any, shown herein. The total amount of the unpaid balance of the obligation secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of this Notice of Sale is: \$10,075.37. The opening bid at the foreclosure sale may be more or less than this estimate. In addition to cash, trustee will accept a cashier's check drawn on a state or national bank, a check drawn on a state or federal credit union or a check drawn on a state or federal savings and loan association, savings association or savings bank specified in Section 5102 of the California Financial Code and authorized to do business in this state. If tender other than cash is accepted, the trustee may withhold issuance of the Trustee's Deed Upon Sale until funds become available to the payee or endorsee as a matter of right. In its sole discretion, the seller (foreclosing party) reserves the right to withdraw the property from sale after the opening credit bid is announced but before the sale is completed. The opening bid is placed on behalf of the seller. Said sale shall be made, but without covenant or warranty, express or implied regarding title, possession or encumbrances, to satisfy the indebtedness secured by said Lien, advances thereunder, with interest as provided in the Declaration or by law plus the fees, charges and expenses of the trustee. THIS PROPERTY IS BEING SOLD IN AN "AS-IS" CONDITION. If you have previously received a discharge in bankruptcy, you may have been released from personal liability for this debt in which case this notice is intended to exercise the secured party's rights against the real property only. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER AND ALL OTHER INTERESTED PARTIES: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether this sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call 916-939-0772 or visit this internet website [www.nationwideposting.com](http://www.nationwideposting.com) using the file number assigned to this case: W22-03036. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the internet website. The best way to verify postponement information is to attend the scheduled sale. NOTICE TO TENANT: You may have a right to purchase this property after the trustee auction pursuant to Section 2924m of the California Civil Code. If you are an "eligible tenant buyer," you can purchase the property if you match the last and highest bid placed at the trustee auction. If you are an "eligible bidder," you may be able to purchase the property if you exceed the last and highest bid placed at the trustee auction. There are three steps to exercising this right of purchase. First, 48 hours after the date of the trustee sale, you can call 916-939-0772, or visit this internet website [www.nationwideposting.com](http://www.nationwideposting.com), using the file number assigned to this case: W22-03036 to find the date on which the trustee's sale was held, the amount of the last and highest bid, and the address of the trustee. Second, you must send a written notice of intent to place a bid so that the trustee receives it no more than 15 days after the trustee's sale. Third, you must submit a bid so that the trustee receives it no more than 45 days after the trustee's sale. If you think you may qualify as an "eligible tenant buyer" or "eligible bidder," you should consider contacting an attorney or appropriate real estate professional immediately for advice regarding this potential right to purchase. IMPORTANT NOTICE: Notwithstanding anything to the contrary contained herein, the sale shall be subject to the following as provided in the California Civil Code Section 5715: "A non judicial foreclosure sale by an association to collect upon a debt for delinquent assessments shall be subject to a right of redemption. The redemption period within which the separate interests may be redeemed from a foreclosure sale under this paragraph ends 90 days after the sale." Witkin & Neal, Inc. as said Trustee 5805 SHELVEDA BLVD., SUITE 670, SHERMAN OAKS, CA 91411 - Tele: (818) 845-8808 By: SUSAN PAQUETTE, TRUSTEE SALES OFFICER DATED: 01/20/2023 THIS NOTICE IS SENT FOR THE PURPOSE OF COLLECTING A DEBT. THIS FIRM IS ATTEMPTING TO COLLECT A DEBT ON BEHALF OF THE HOLDER AND OWNER OF THE NOTE. ANY INFORMATION OBTAINED BY OR PROVIDED TO THIS FIRM OR THE CREDITOR WILL BE USED FOR THAT PURPOSE. NPP0420871 To: NEWPORT HARBOR NEWS PRESS COMBINED WITH DAILY PILOT 03/03/2023, 03/10/2023, 03/17/2023

**APN: 049-201-05 TS No: CA08000378-19-1F-T To No: 02-19045247 NOTICE OF TRUSTEE'S SALE (THE ABOVE STATEMENT IS MADE PURSUANT TO CA CIVIL CODE SECTION 2923.3(d)(1)). THE SUMMARY WILL BE PROVIDED TO TRUSTOR(S) AND/OR VESTED OWNER(S) ONLY, PURSUANT TO CA CIVIL CODE Section 2923.3(d)(2)). YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED May 3, 2006. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDINGS AGAINST YOU, YOU SHOULD CONTACT A LAWYER.** On April 3, 2023 at 09:00 AM, Auction.com Room, Doubletree by Hilton Hotel Anaheim - Orange County, 100 The City Drive, Orange, CA 92868, MTC Financial Inc. dba Trustee Corps, as the duly Appointed Trustee, under and pursuant to the power of sale contained in that certain Deed of Trust Recorded on May 10, 2006 as Instrument No. 2006000315581, of official records in the Office of the Recorder of Orange County, California, executed by DAMIAN R KUTZNER, A SINGLE MAN, as Trustor(s), in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, as nominee for COUNTRYWIDE HOME LOANS, INC. as Beneficiary, WILL SELL AT PUBLIC AUCTION TO THE HIGHEST BIDDER, in lawful money of the United States, all payable at the time of sale, that certain property situated in said County, California describing the land therein as: AS MORE FULLY DESCRIBED IN SAID DEED OF TRUST The property heretofore described is being sold "as is". The street address and other common designation, if any, of the real property described above is purported to be: 511 CUFF DRIVE, NEWPORT BEACH, CA 92663 The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made without covenant or warranty, express or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the Note(s) secured by said Deed of Trust, with interest thereon, as provided in said Note(s), advances if any, under the terms of the Deed of Trust, estimated fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust. The total amount of the unpaid balance of the obligations secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of this Notice of Trustee's Sale is estimated to be \$3,760,188.52 (Estimated). However, prepayment premiums, accrued interest and advances will increase this figure prior to sale. Beneficiary's bid at said sale may include all or part of said amount. In addition to cash, the Trustee will accept a cashier's check drawn on a state or national bank, a check drawn by a state or federal credit union or a check drawn by a state or federal savings and loan association, savings association or savings bank specified in Section 5102 of the California Financial Code and authorized to do business in California, or other such funds as may be acceptable to the Trustee. In the event tender other than cash is accepted, the Trustee may withhold the issuance of the Trustee's Deed Upon Sale until funds become available to the payee or endorsee as a matter of right. The property offered for sale excludes all funds held on account by the property receiver, if applicable. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee and the successful bidder shall have no further recourse. Notice to Potential Bidders If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a Trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a Trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same Lender may hold more than one mortgage or Deed of Trust on the property. Notice to Property Owner The sale date shown on this Notice of Sale may be postponed one or more times by the Mortgagee, Beneficiary, Trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about Trustee Sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call Auction.com at 800.280.2832 for information regarding the Trustee's Sale or visit the Internet Website address [www.Auction.com](http://www.Auction.com) for information regarding the sale of this property, using the file number assigned to this case, CA08000378-19-1F-T. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Website. The best way to verify postponement information is to attend the scheduled sale. Notice to Tenant NOTICE TO TENANT FOR FORECLOSURES AFTER JANUARY 1, 2021 You may have a right to purchase this property after the trustee auction pursuant to Section 2924m of the California Civil Code. If you are an "eligible tenant buyer," you can purchase the property if you match the last and highest bid placed at the trustee auction. If you are an "eligible bidder," you may be able to purchase the property if you exceed the last and highest bid placed at the trustee auction. There are three steps to exercising this right of purchase. First, 48 hours after the date of the trustee sale, you can call 800.280.2832, or visit this internet website [www.Auction.com](http://www.Auction.com), using the file number assigned to this case CA08000378-19-1F-T to find the date on which the trustee's sale was held, the amount of the last and highest bid, and the address of the trustee. Second, you must send a written notice of intent to place a bid so that the trustee receives it no more than 15 days after the trustee's sale. Third, you must submit a bid so that the trustee receives it no more than 45 days after the trustee's sale. If you think you may qualify as an "eligible tenant buyer" or "eligible bidder," you should consider contacting an attorney or appropriate real estate professional immediately for advice regarding this potential right to purchase. Date: February 27, 2023 MTC Financial Inc. dba Trustee Corps TS No. CA08000378-19-1F-T 1700 Gillette Ave Irvine, CA 92614 Phone: 949-252-8300 TDD: 711 949.252.8300 By: Loan Quema, Authorized Signatory SALE INFORMATION CAN BE OBTAINED ONLINE AT [www.Auction.com](http://www.Auction.com) FOR AUTOMATED SALES INFORMATION PLEASE CALL: Auction.com at 800.280.2832 NPP0421935 To: NEWPORT HARBOR NEWS PRESS COMBINED WITH DAILY PILOT 03/10/2023, 03/17/2023, 03/24/2023

# Sewage spill closes Doheny State Beach in Dana Point

BY NATHAN SOLIS

Health officials have closed access to parts of Doheny State Beach after roughly 4,000 gallons of sewage spilled onto the beach in Dana Point on Wednesday.

The spill came from a main city sewer line in San Juan Capistrano, according to the Orange County Health Care Agency. The closure extends 3,000 feet around the spill site at the mouth of San Juan Creek at the beach in Dana Point, according to officials.

The area will remain closed to swimming, surfing and diving until follow-up tests show the water meets acceptable standards.

Orange County Supervi-

sor Katrina Foley's office is monitoring the situation and asked the community to stay clear of the area. Due to the recent rainfall, landslides closed a section of Pacific Coast Highway in Dana Point and an area behind four apartment buildings in San Clemente, Foley said in a written statement.

"We remain ready to mobilize our resources to make our waters safe for our communities and wildlife," Foley said.

For information regarding Orange County's ocean, bay or harbor closures, call (714) 433-6400 or visit the HCA website. To report a sewage spill, call (714) 433-6419.

Nathan Solis is a reporter for the Los Angeles Times.



**A SURFER** stands on the breakwater at Doheny State Beach in 2022. The beach is currently closed following a sewage spill.

Allen J. Schaben  
Los Angeles Times

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## BRIEFLY IN PUBLIC SAFETY

# Extra patrols expected to be on the lookout for drivers celebrating St. Patrick's Day

Police this week urge those who want to celebrate St. Patrick's Day with a drink or two to let someone else give them a ride to and from festivities and will be fielding extra patrols on the lookout for drunk drivers.

Between 2016 and 2020, 287 people were killed in crashes involving drunk drivers on or around St. Patrick's Day, according to the National Highway Transportation Safety Administration.

In 2020, 11,654 people died in DUI-related crashes. That averages to one person killed every 45 minutes.

"Leave your keys at home and plan ahead before you celebrate St. Patrick's Day," Seal Beach Police Chief Michael Henderson said. "Designate a sober driver, schedule a ride share or make other plans to get home safely if you plan to consume alcohol."

Each year, police in Costa Mesa, Huntington Beach, Newport Beach, Seal Beach



Jared Gase

**SEAL BEACH** Police Chief Michael Henderson advises St. Patrick's Day observers to leave their car keys at home.

and communities throughout the country increase their presence on the street in hopes of deterring drunk drivers or getting them off the road before a potential tragedy.

About one-third of all fatal crashes reported on St. Patrick's Day in 2020 involved alcohol.

NHTSA officials advised

partygoers to make arrangements for a sober ride home and to look out for others who might not be fit to drive. They also reminded designated drivers that it's their responsibility to get people home safely and noted that alcohol is not the only substance that can impair a driver.

— Eric Licas

## ESCAPE

Continued from page A3

the "muscle."

The three took Ma along with them after the escape because they needed to use his ID to check in to motels and had him fetch money wired to them, McMurrin said.

The prosecutors said Nayeri "couldn't let Ma go and call police. He didn't consent. He wasn't a willing participant."

Ma testified during the trial that he did not take advantage of multiple opportunities to ask for help because he was afraid of the men.

Nayeri's attorney, Michael Goldfeder, tried to portray Duong as the mastermind of the escape, saying he roped in his longtime friend, Loc Ba Nguyen, to help the three smuggle in materials used in the escape and then pick them up when they broke out.

"That's who the mastermind is. Bac Duong," Goldfeder said.

Ma was contacted because he was known in the Vietnamese community for his cab driving services, Goldfeder said.

Goldfeder emphasized Ma's "inconsistent" testimony in the trials of Duong and Nayeri. When Ma testified two years ago in

Duong's trial he had an immunity agreement with prosecutors that shielded him from implicating himself, Goldfeder noted.

"When you're not telling the truth it's hard to remember what you said," Goldfeder said. "That's why things are all over the map."

The defense attorney said Ma has told investiga-

tors he was threatened with the gun in the car and later testified it was outside the car.

Goldfeder claimed Ma got \$5,500 from the escapees.

"Not bad for a few days of work," the attorney said.

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## Daily Pilot

A Times Community News publication.

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### CITY OF COSTA MESA NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the Costa Mesa Planning Commission will hold a public hearing at City Hall Council Chambers, 77 Fair Drive, Costa Mesa, California and virtual locations on **Monday, March 27, 2023 at 6:00 PM**, or as soon as possible thereafter, to consider the following item:

**Application No.:** PA-21-39  
**Applicant/Agent:** Glynis Ablon/Brandon Banks  
**Site Address:** 770 W 19th Street  
**Zone:** Local Business District (C1)

**Description:** Planning Application 21-39 is a request for a Conditional Use Permit to allow a retail cannabis storefront and delivery use within an existing 1,933 square-foot single-story commercial building located at 770 W 19th Street. The proposed use would be subject to Costa Mesa's Cannabis regulations, conditions of approval, and State Cannabis regulations. For additional information, please visit the City's website at [www.costamesaca.gov/cannabis](http://www.costamesaca.gov/cannabis).

**Environmental Determination:** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

**Additional Information:** For more information, call (714) 754-5245, or email [planninginfo@costamesaca.gov](mailto:planninginfo@costamesaca.gov). Planning Division staff are available from 8:00 AM to 5:00 PM Monday through Thursday and alternating Fridays, except specified holidays. All interested parties may submit comments to the Planning Commission in regard to this application. Please refer to the Planning Commission meeting agenda for instructions regarding how to participate in the meeting. The Planning Commission meeting agenda and staff report will be posted online 72 hours prior to the meeting at: <https://costamesa.legistar.com/Calendar.aspx>.

Members of the public may submit comments via email to [PCPublicComments@costamesaca.gov](mailto:PCPublicComments@costamesaca.gov). Comments received by **12:00 PM** on the date of the meeting will be provided to the Planning Commission, made available to the public, and will be part of the meeting record. Any written communications, photos, PowerPoints or other materials for distribution to the Planning Commission must be 10 pages or less and submitted to the City **NO LATER THAN 12:00 PM** on the day of the hearing via email or submitted to the Planning Department on a flash drive, or mailed to the Planning Department. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted. A direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats: .mp4, .mov, or .wmv. Only one file may be included per speaker for public comments. Please note that materials submitted by the public that are deemed appropriate for general audiences will not be redacted in any way and will be posted online as submitted, including any personal contact information. If you challenge this project in court, you may be limited to raising only those issues you, or someone else raised, during the public hearing or in written correspondence submitted to the City, during or prior to, the public hearing.

### BSC 222859 NOTICE OF PETITION TO ADMINISTER ESTATE OF: NORMAN R. SELLERS

**30-2023-01305279-PR-LA-CJC**  
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of **NORMAN R. SELLERS**.

**A PETITION FOR PROBATE** has been filed by **TREANA ANN HANSEN** in the Superior Court of California, County of **ORANGE**. **THE PETITION FOR PROBATE** requests that **TREANA ANN HANSEN** be appointed as personal representative to administer the estate of the decedent.

**THE PETITION** requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

**A HEARING** on the petition will be held on **March 08, 2023 at 1:30 p.m. in Dept. C10** located at **700 CIVIC CENTER DRIVE WEST, SANTA ANA, CA 92701**

**The court is providing the convenience to appear for hearing by video using the court's designated video platform. This is a no cost service to the public. Go to the Court's website at The Superior Court of California - County of Orange ([courts.org](http://courts.org)) to appear remotely for Probate hearings and for remote hearing instructions. If you have difficulty connecting or are unable to connect to your remote hearing, call 657-622-8278 for assistance. If you prefer to appear in-person, you can appear in the department on the day/time set for your hearing.**

**IF YOU OBJECT** to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

**IF YOU ARE A CREDITOR** or contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code. Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

**YOU MAY EXAMINE** the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for the Petitioner:  
**NICOLE Y. NEWMAN, ESQ**  
**NEWMAN LAW GROUP, APC**  
242 WEST MAIN STREET, STE 101  
TUSTIN, CA 92780  
Published in the ORANGE COAST DAILY PILOT on:  
2/10, 2/16& 2/17/2023

### NOTICE OF ADOPTION OF ORDINANCE NO. 1685 BY THE CITY OF LAGUNA BEACH CITY COUNCIL

**NOTICE IS HEREBY GIVEN** that on March 7, 2023, the City Council of the City of Laguna Beach adopted Ordinance 1685:

**AN ORDINANCE OF THE CITY OF LAGUNA BEACH FOR EXTENSION OF AN URGENCY ORDINANCE OF THE CITY OF LAGUNA BEACH, CALIFORNIA, ADDING CHAPTER 25.95 TO THE LAGUNA BEACH MUNICIPAL CODE REGULATING SINGLE FAMILY RESIDENTIAL ONE AND TWO-UNIT DEVELOPMENTS AND URBAN LOT SPLITS PURSUANT TO CALIFORNIA SENATE BILL 9 (SB 9)**

WHEREAS, signed on September 16, 2021, Governor Gavin Newsom signed into law Senate Bill 9 (SB 9), which became effective on January 1, 2022, adding Government Code Sections 65852.21 and 66411.7, and amending Government Code Section 66452.6; and

WHEREAS, SB 9 requires jurisdictions allow for certain one- or two-unit housing developments and urban lot splits to be approved ministerially in single-family residential zones;

WHEREAS, SB 9 allows local agencies to impose objective zoning, subdivision, and design review standards in compliance with Government Code Sections 65852.21 and 66411.7;

WHEREAS, the City of Laguna Beach, pursuant to the provisions of the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.) and State CEQA Guidelines (Title 14 of the California Code of Regulations, Sections 15000 et seq.) has determined that this Ordinance is exempt from the provisions of CEQA because this Ordinance is not considered a "project" pursuant to Government Code Section 65852.21(j) and Government Code Section 66411.7(n);

WHEREAS, the City desires to amend its local regulatory scheme to comply with Government Code Sections 65852.21, 66411.7, and 66452.6 to appropriately regulate projects governed by SB 9;

WHEREAS, on March 15, 2022, the City Council unanimously adopted an urgency ordinance for a term of 45 days (Ordinance No. 1668) adding Chapter 25.95 to the Laguna Beach Municipal Code regulating residential one- and two-unit developments and urban lot splits in single-family residential zones pursuant to SB 9, as identified in Exhibit A attached to Ordinance No. 1668;

WHEREAS, on April 26, 2022, the City Council unanimously adopted an extension of the urgency ordinance for a term of 10 months and 15 days (Ordinance No. 1671);

WHEREAS, on February 21, 2023, the City Council adopted and issued the 10-Day Report regarding

Ordinance No. 1668 in accordance with the City Council of the City of Laguna Beach adopted Government Code Section 65858(d); and

WHEREAS, the City Council wishes to extend the term of the Urgency Ordinance by 12 months as allowed by Government Code Section 65858.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH DOES ORDAIN, as follows:

**SECTION 1.** The foregoing recitals are true and correct and are incorporated herein as though set forth in full.

**SECTION 2.** Pursuant to California Government Code Section 65858, the Urgency Ordinance (Ordinance No. 1668) is extended for 12 months by a four-fifths vote based upon the finding set forth in Section 3.

**SECTION 3.** Urgency Findings. The adoption of this Ordinance is necessary to preserve the public health, safety, and welfare to facilitate the orderly implementation of Senate Bill 9 related to housing developments and urban lot splits by ensuring that objective local zoning, subdivision and design standards are in place to implement the new state law in order to preserve the single-family character of neighborhoods in the City to the greatest extent allowable under the new state law.

**SECTION 4.** The City Council does hereby determine or find that Zoning Code Amendment 22-0286 is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Government Code Section 65852.21(j) and Section 66411.7(n) because it is not considered a "project" under Division 13 (commencing with Section 21000) of the Public Resources Code. The City Council directs staff to prepare and file with the County of Orange Clerk a notice of exemption within five (5) working days of the adoption of this ordinance.

**SECTION 5.** Severability. If any portion of this Ordinance is found to be unenforceable, each such provision shall be severable, and all remaining portions of this Ordinance shall be enforced to the maximum extent legally permissible.

**SECTION 6.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in the manner required by law in the City of Laguna Beach.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Laguna Beach on this 7th day of March, 2023, by the following vote, to wit:  
**AYES:** COUNCILMEMBER(S):  
Ogelli, Rounaghi, Weiss, Kempf, Whalen

**NOES:** COUNCILMEMBER(S): None  
**ABSENT:** COUNCILMEMBER(S): None  
/s/ Bob Whalen, Mayor  
**ATTEST:**  
/s/ Ann Marie McKay, City Clerk

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## CROSSWORD AND SUDOKU ANSWERS

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# LANDSLIDE

Continued from page A1

The hillside behind a home at 1930 Galaxy had completely deteriorated, leaving one corner of the structure unsupported, causing it to be red-tagged as too dangerous to enter. On Thursday, under still-cloudy skies, a hulking excavator began the work of tearing down the property, its steel tracks crushing over wood and roofing tiles.

Houses on either side of the demolished property, whose occupants were also forced to evacuate after the landslide, were yellow-tagged following the incident, meaning homeowners could enter to collect belongings but could not stay on the premises.

"I'm concerned if we don't get resources in here to build up that hillside, we could see a catastrophe," Foley said Tuesday of the remaining properties on Galaxy Drive.

"If these three homes fall, a cascading effect may happen to the 50 other homes on the bluff, and we must be prepared in case that happens."

## HISTORIC HILLSIDE TROUBLES

Developed for residential use by the Irvine Co. in the 1960s, Dover Shores and the surrounding acreage that skirts the bay are places where homeowners, with help from civic engineers and state agencies, have long battled the elements.

One Galaxy Drive resident, who lives a few houses up from the scene and declined to give her name, said the land around her home and two others on the street was previously stabilized by caissons drilled deep into the hillside. She expressed cautious optimism that those efforts would provide some security following the landslide.

"I think we're fortunate," the resident said. "We feel bad for our



Susan Hoffman

**THE FIVE** homes to the right of 1930 Galaxy Drive, left, are part of a geological slope failure investigation being conducted by Newport Beach.

neighbors. It's the last thing you'd want to happen to anyone."

Stabilization improvements are not uncommon for residents living on the bluff. Records provided by the city indicate that the homeowner at 1950 Galaxy submitted a request in 1992 for a geotechnical report as the result of a backyard "bluff failure." A neighbor living at 1942 Galaxy was included in the investigation after having reported a similar failure.

The report that was later issued referenced early geotechnical work done in 1982 to respond to the "slumping" of the slope sometime shortly after the houses were built. One year later, multiple permits were pulled for the installation of "minipiles" — high-strength steel bars drilled into bedrock to provide additional foundation stability — on both properties as well as 1958 Galaxy Drive.

Those installations were followed up with retaining walls, hillside grading and slope repair,

soil engineering and construction permits in a stabilization effort that took three years to complete.

## CITY CREWS SURVEY THE DAMAGE

During a March 8 inspection of the scene, Newport Beach geologist and engineer Sergio Gutierrez explored the hillside encompassing the five homes between 1930 and 1958 Galaxy Drive as part of the geological investigation into the collapse.

"I'm looking for tension cracks and surficial slope failures — surface slumps that are characteristic that the soil is creeping," he said, adding that V-ditches running along the bottom of the hillside needed to be maintained. "What's problematic is to see water running through cracks, like tension cracks."

Newport Beach Councilman Erik Weigand, who lives nearby and visited the site multiple times following the March 3 incident, watched firsthand as generator-

powered pumps diverted storm water away from a nearby storm drain, which was not fully operational during the slide, and directly into the Back Bay.

"Utilities staff has been there 24/7, ensuring that the pumps were working properly," Weigand said, praising the city's swift response.

"From sourcing the equipment necessary to have staff present [day and night] shows dedication to the community."

## PROTECTING RESOURCES, SECURING RESOURCES

The hillside beneath Galaxy Drive, part of the Upper Newport Beach Ecological Reserve, falls under the jurisdiction of the California Department of Fish & Wildlife and runs right up to the property lines of the homes built there, according to CDFW spokesman Tim Daly.

Daly said the department was monitoring potentially shifting soil on the slope, in part, by em-

ploying a drone to get a clearer picture of how far debris has moved.

"We're working with the homeowner and any contractor brought in to allow emergency access to our property as needed and with CDFW's prior review," he said in a March 9 interview.

Foley was hopeful the county's inclusion in the governor's storm state of emergency would free up resources that could help in the rebuilding process in Newport Beach and other impacted municipalities.

"A city in crisis cannot declare an emergency and get resources from the governor's office. The county has to make that request," she said Tuesday. "I just hope we can get some resources out here, rebuild the hill and help save these families' homes."

Staff writer Sara Cardine contributed to this report.

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# SAFETY

Continued from page A1

"I think it's a lot of pedestrians getting hit, from my perspective," Councilman Alex Rounaghi said. "I think one is almost too many. ... I think Glenneyre should be a place that's really accessible for pedestrians because the alternative is PCH. It's way better there. ... I feel like I kind of want us to

almost have a paradigm shift in how we're thinking about this road."

With the exception of Forest Avenue, the remaining intersections in the report were deemed not to have met the city standard for lighting. Mayor Bob Whalen asked about the possibility of adding lighting on the side of the road.

"That is an option we could look at," Director of Public Works

Mark McAvoy said. "We would just need to look for electrification, which could be through solar. ... Those signs that light up, there's a little more to the signs and the posts that they sit on. We would have to analyze that and make sure they would fit."

"That's certainly an option, though it does add another light source at night, which may or may not be received well, but they are pretty effective."

A traffic engineer recommended the installation of crosswalks parallel to Glenneyre Street at four intersections: St. Ann's Drive, Anita Drive, Oak Street and Brooks Street. Additional pedestrian warning signage was also suggested at all two-way stop intersections along the route.

"That's actually the main recommendation from the report is that there's consistency to the driver, so that you recognize, 'Oh,

this is a stop sign intersection,'" McAvoy said. "Then you get to one today that looks very similar, and you feel like you need to stop. That's based on the characteristics, so by us being consistent and making these modifications, that should improve because the driver should recognize [when to stop]."

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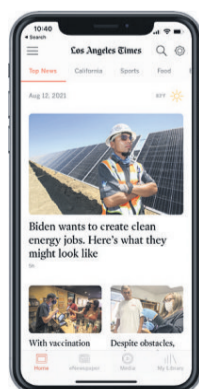
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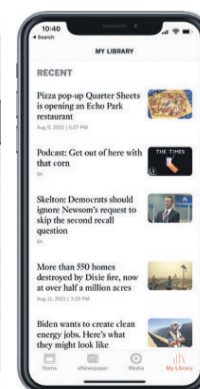
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