

1 RICHARDS, WATSON & GERSHON  
A Professional Corporation  
2 DAVID M. FLEISHMAN, City Attorney (BAR NO. 156695)  
TAYLOR K. FOLAND (BAR NO. 333673)  
3 dfleishman@rwglaw.com  
847 Monterey Street  
4 San Luis Obispo, California 93401  
Telephone: 805.706.0962  
5 Facsimile: 213.626.0078

6 Attorneys for Real Party in Interest,  
CITY OF ATASCADERO  
7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF SAN LUIS OBISPO**

10  
11 IN THE MATTER OF THE  
APPLICATION OF THE CITY OF  
12 ATASCADERO FOR A WARRANT TO  
ABATE A PUBLIC NUISANCE AT  
13 4543 YERBA AVENUE, ASSESSOR'S  
PARCEL NUMBER 028-151-017,  
14 ATASCADERO, CALIFORNIA,

15 Real Party in Interest.

Case No. 25CVP-0313

**RETURN OF ABATEMENT WARRANT  
TO ENTER PROPERTY TO ABATE A  
PUBLIC NUISANCE**

[Report of Ayla Tomac and Warrant filed  
concurrently herewith]

[Exempt from filing fees pursuant to Govt. Code § 6103]

16  
17 **TO THIS HONORABLE COURT:**


18 The City of Atascadero (“City”) makes its return of the Abatement Warrant  
19 authorizing entry onto the real property at 4543 Yerba Avenue, Atascadero, California,  
20 Assessor’s Parcel No. 028-151-017, in the City of Atascadero, California for the purpose of  
21 abating nuisances thereon. The warrant is attached hereto as **Exhibit A**.

22 On August 20, 2025, the Court granted the abatement warrant in this matter. As  
23 detailed in the attached report of City Code Enforcement Officer Ayla Tomac, under the  
24 authority of the warrant and after proper notice, and during the fourteen (14) day period that  
25 the warrant was valid, employees of the City and contractors entered the Property for the  
26 purpose of abating violations of the City of Atascadero Municipal Code.  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: September 4, 2025

RICHARDS, WATSON & GERSHON  
A Professional Corporation

By:   
DAVID M. FLEISHMAN, City Attorney  
Attorneys for Real Party in Interest,  
CITY OF ATASCADERO



REPORT OF AYL A TOMAC

I, Ayla Tomac, hereby declare:

1. I am employed by the City of Atascadero (the "City") as a Code Enforcement Officer. I offer this report in connection with the return of the Abatement Warrant (the "Warrant") attached hereto as Exhibit A and incorporated by reference.

2. On August 20, 2025, the Court granted the Warrant in this matter. On August 21, 2025, I caused to be posted a copy of the Warrant at the Property. I also caused to be mailed by first class mail a copy of the Warrant to the Property owner's last known address. Under authority of the Warrant, City employees and contractors entered the Property and engaged in the abatement of nuisances on the Property. The abatement activities were executed on September 2 and 3, 2025. The abatement consisted of removing nuisance debris and waste, and combustible materials in the front driveway, side yards and back yard of the Property for the purpose of abating the public nuisance, as described in the Warrant application. Photographs depicting the abatement work are attached as Exhibit B.

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

Executed this 4<sup>th</sup> day of September, 2025 in Atascadero, California.

Ayla Tomac  
AYLA TOMAC

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# EXHIBIT A

**FILED: 8/20/2025**  
**San Luis Obispo Superior Court**  
By: Reavey, Jaudean

1 RICHARDS, WATSON & GERSHON  
A Professional Corporation  
2 DAVID M. FLEISHMAN, City Attorney (BAR NO. 156695)  
TAYLOR K. FOLAND (BAR NO. 333673)  
3 dfleishman@rwglaw.com  
847 Monterey Street  
4 San Luis Obispo, California 93401  
Telephone: 805.706.0962  
5 Facsimile: 213.626.0078

6 Attorneys for Real Party in Interest,  
CITY OF ATASCADERO

7  
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF SAN LUIS OBISPO**

10  
11 IN THE MATTER OF THE  
APPLICATION OF THE CITY OF  
12 ATASCADERO FOR A WARRANT TO  
ABATE A PUBLIC NUISANCE AT  
13 4543 YERBA AVENUE, ASSESSOR'S  
PARCEL NUMBER 028-151-017,  
14 ATASCADERO, CALIFORNIA,

15 Real Party in Interest.

Case No. 25CVP-0313

**[PROPOSED] ABATEMENT  
WARRANT**

[Filed concurrently with Application for  
Abatement Warrant; Declarations of David  
M. Fleishman and Ayla Tomac in support  
thereof]

[Exempt from filing fees pursuant to Govt. Code § 6103]

16  
17  
18 **TO THE PEOPLE OF CALIFORNIA, CITY OF ATASCADERO, AND**  
19 **THEIR AGENTS:**

20 Upon application of the City of Atascadero (“City”) and for good cause shown:

21 YOU AND YOUR AGENTS ARE HEREBY AUTHORIZED to enter on the real  
22 property at 4543 Yerba Avenue, Atascadero, Assessor’s Parcel Number 028-151-017 in  
23 Atascadero, California (the “Property”), to remove debris and waste, inoperative vehicles,  
24 and combustible material in the front driveway, front yard and porch, side yards and back  
25 yard located on the parcel for the purpose of abating a public nuisance.

26 You may execute this warrant after posting a copy of the warrant at the Property at  
27 least twenty-four (24) hours before execution of the warrant **and** after a copy of the warrant  
28 is sent to the owner of the Property by first class mail to the owner’s mailing address at

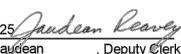
1 least four calendar days in advance of the warrant’s execution. After notice is provided as  
2 set forth herein, you may execute this warrant at any time between the hours of 8:00 a.m.  
3 and 6:00 p.m. The Property owner and any occupants of the Property need not be present  
4 when you execute this warrant. If present, they may not interfere with your abatement  
5 activities.

6 This warrant is valid for fourteen (14) days following its issuance, unless extended  
7 or renewed by the judge whose signature is affixed below, based on the judge’s finding that  
8 such extension or renewal is in the public interest. The warrant shall be returned to the  
9 signing judge.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated 8/20/2025, 2025

  
\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

I certify that this is a correct copy of the original on file with the Clerk of Superior Court of California, County of San Luis Obispo. Attest my hand and seal of said court on  
Date August 20, 2025   
by, Reavey, Jaydean, Deputy Clerk  
Court Executive Officer Michael Powell



 RICHARDSON WATSON GERSHON  
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

# EXHIBIT B

Ayla Tomac  
CODE ENFORCEMENT OFFICER  
909-478-8100  
codeenforcement@atascadero.org  
City of Atascadero  
3005 O'Connell Road, Atascadero, CA 93422

SON & GERSON  
Corporation  
SHMAN, City Attorney (BAR NO. 156695)  
AND (BAR NO. 333673)

FILED: 8/20/25  
San Luis Obispo Superior Court  
By: Reaney, Judson

1847 Monterey Street  
San Luis Obispo, California 93401  
Telephone: 805.706.0962  
Facsimile: 213.626.0078

Attorneys for Real Party in Interest,  
CITY OF ATASCADERO

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN LUIS OBISPO

IN THE MATTER OF THE  
APPLICATION OF THE CITY OF  
ATASCADERO FOR A WARRANT TO  
ABATE A PUBLIC NUISANCE AT  
4543 YERBA AVENUE, ASSESSOR'S  
PARCEL NUMBER 028-151-017,  
ATASCADERO, CALIFORNIA,

Case No. 25CV-0313  
~~PROPOSED~~ ABATEMENT  
WARRANT

[Filed concurrently with Application for  
Abatement Warrant; Declarations of David  
M. Fleishman and Ayla Tomac in support  
thereof]

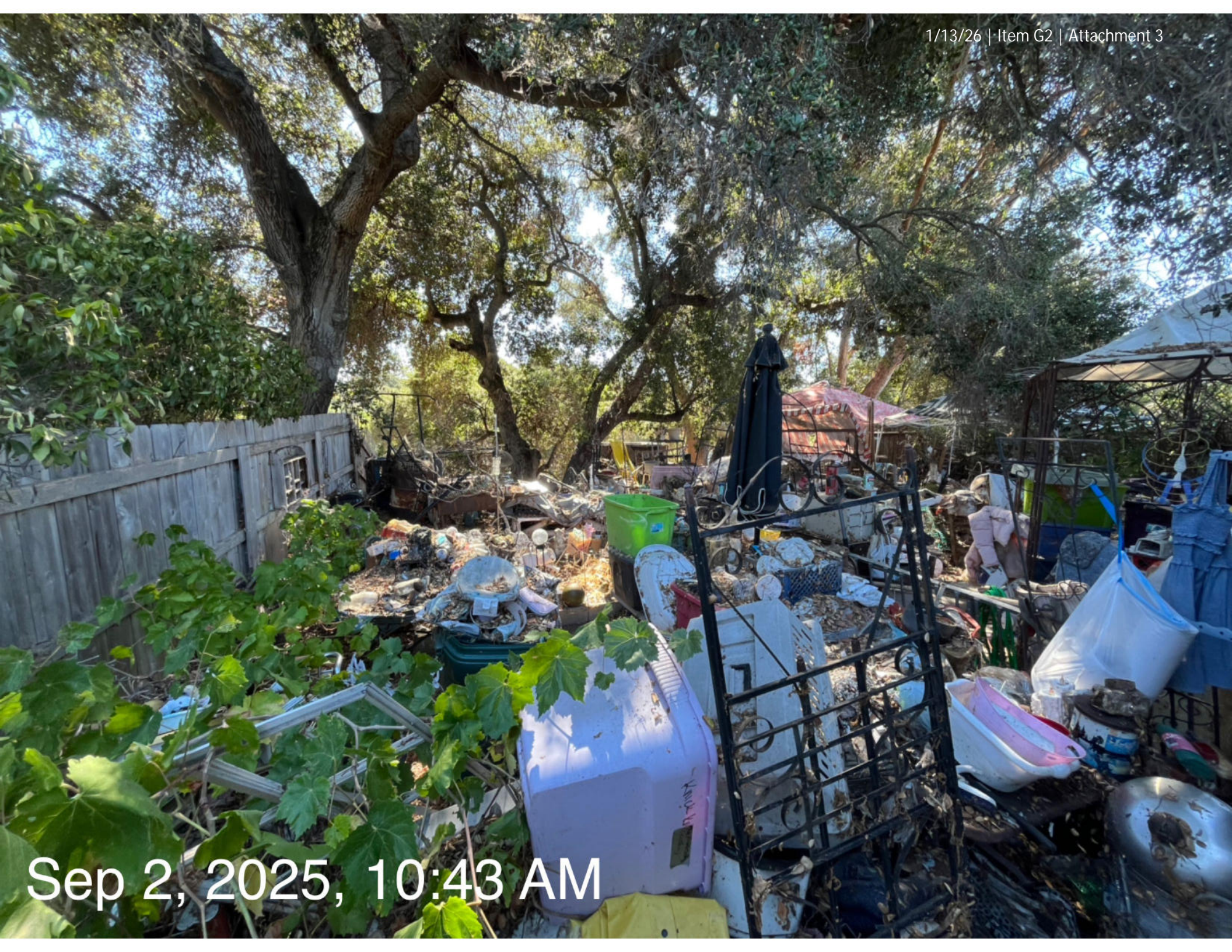
[Exempt from filing fees pursuant to Govt. Code § 68001]

Real Party in Interest.

TO THE PEOPLE OF CALIFORNIA, CITY OF ATASCADERO, AND  
THEIR AGENTS:

Upon application of the City of Atascadero ("City") and for good cause shown:  
YOU AND YOUR AGENTS ARE HEREBY AUTHORIZED to enter on the real  
property at 4543 Yerba Avenue, Atascadero, Assessor's Parcel Number 028-151-017 in  
Atascadero, California (the "Property"), to remove debris and waste, inoperative vehicles,  
and combustible material in the front driveway, front yard and porch, side yards and back  
yard located on the parcel for the purpose of abating a public nuisance.

You may execute this warrant after posting a copy of the warrant at the Property at  
least twenty-four (24) hours before execution of the warrant and after a copy of the warrant  
is sent to the owner of the Property by first class mail to the owner's mailing address at:



Sep 2, 2025, 10:43 AM





Sep 2, 2025, 12:52 PM



Sep 2, 2025, 1:19 PM



Sep 3, 2025, 4:07 PM



Sep 3, 2025, 4:07 PM



Sep 3, 2025, 4:12 PM



Sep 3, 2025, 4:13 PM



Sep 3, 2025, 4:19 PM