



City of Hesperia

Gateway to the High Desert

January 6, 2020

Supreme Smoke Shop
Magid Ali Abdelhadi
14276 Ranchero Rd.
Hesperia, CA 92345

RE: Revocation of Business License Number BL-45284

Dear Mr. Abdelhadi,

Pursuant to Hesperia Municipal Code Section 5.04.200, this letter is to notify you that the City of Hesperia intends to revoke Business License Number BL-45284 for Supreme Smoke Shop, located at 17153 Bear Valley Unit 2, Hesperia, CA 92345

The reason for this revocation is due to an incident that occurred on October 21, 2019. On this date, Supreme Smoke Shop was inspected by Code Enforcement and cannabis products were being sold.

Pursuant to Hesperia Municipal Code Section 16.16.450 the sale of non-medical commercial cannabis is prohibited within the City of Hesperia.

Pursuant to Hesperia Municipal Code Section 16.16.460 the sale of medical commercial cannabis is prohibited without a valid permit from the City of Hesperia and is limited in zoning and type of license.

Per Hesperia Municipal Code Section 5.04.140 (A)(5) a license may be revoked by the City if "The revocation is necessary to protect the health, safety, or welfare of the public". Additionally per the Hesperia Municipal Code Section 5.04.140(A)(1) a license may be revoked if state or federal laws are being violated.

Per Hesperia Municipal Code Section 5.04.150 you may appeal this revocation by filing a written appeal request with the Hesperia City Clerk at the address listed below within fifteen days of the date of this letter. Should you request a hearing in a timely manner, the City shall schedule a hearing before the City Council at a regularly scheduled City Council meeting and you will be allowed to present evidence as to why your license should not be revoked.

Please be reminded, it is unlawful to carry out business within the City without a valid business license.

Should you choose to not appeal this ruling or should you appeal this ruling and the City's determination is upheld, you may no longer conduct business within the City of Hesperia related to the business name and type noted above at this location for a period of at least one year. Additionally because Hesperia Municipal Code Section 16.16.074 prohibits smoke shops, this location is no longer eligible for a smoke shop.

Larry Bird, Mayor
Cameron Gregg, Mayor Pro Tem
Britt Bennington, Council Member
Rebekah Swanson, Council Member
Bill Holland, Council Member

Nils Bentsen, City Manager

9700 Seventh Avenue
Hesperia, CA 92345
760-947-1000
TD 760-947-1119

www.cityofhesperia.us



City of Hesperia

City of Hesperia
City Clerk
9700 Seventh Avenue
Hesperia, CA 92345

If you have any questions, please feel free to contact me at (760) 947-1901.

Sincerely,

Michael Blay
Assistant City Manager

Appeal Letter
1/15/2020
Magid Abdelhadi
Supreme Smoke Shop
License #BL-45284
17153 bear valley Rd.
Hesperia, CA 92345
Incident date 10/21/2019

Dear City Council Members

I want to start by saying I am sorry for any inconvenience I caused the city of Hesperia, the Code Enforcement and the Sheriff's department. I am not a bad guy just lack of knowledge in the business and stupidity of not researching the matter. I am human we all make mistakes and I am responsible for mine, I have a family that does not deserve what I did in this matter. I have let down a lot of people including myself and I ask the city council to be sympathetic and understand to my situation. The owner of the property was fined \$15,000.00 so was I. I have made agreements that I would pay the balance back from the business and signed documents that the owner can come once a month and observe the property, if any marijuana is found she would have the right to evict me and change my locks.

The day code enforcement officer Montes walked in to the smoke Shop he said "what you are doing here is wrong is wrong" from that point I complied with code enforcement and the sheriffs. I ceased all cannabis activities and turned over everything I had to the officers for destruction. I am not saying I should be let go easy and I understand everyone has a job to do, But I would like to have the chance to sell the business and pay back my loans. I understand the city of Hesperia and sheriffs don't want to keep checking up on the smoke shop that's why for the past 2 months I have posted the business on the internet for sale. I have a buyer and he is ready I was just waiting to see what the city of Hesperia response was to this matter. So if the city council could just let me short sale the business that would be appreciated. That would let me pay off my fines to the code enforcement, my debt to the owner and pay My loans on the business. Whatever the city of Hesperia's city council decision is, I do appreciate all of you taking the time to hear me out. I am very sorry for this inconvenience I cause you all.

Thank you

Sincerely,
Magid Abdelhadi





City of Hesperia
Code Enforcement Department
15840 Smoke Tree St. Hesperia, CA 92345

CITATION NUMBER: ADM-1717

ADMINISTRATIVE CITATION

☐ Warning

☐ Order to Remedy

☒ Order to Pay

Date: 10/21/2019

Time: 4:21 PM

Name: MAGID ALI ABDELHADI

Address: 14276 RANCHERO RD

City: OAK HILLS

State: CA

Zip: 92344

CDL/ID: _____

DOB: _____

Location of Violation: 17153 BEAR VALLEY RD
Case Number: CE19-04051

Parcel Number: 041503211

Occurrence: 1ST

Municipal Code Section, Description of Violation and Correction(s)/Action(s) Required:

| Description | Corrective Action | Fine Amt |
|---|--|------------------------------|
| HMC 16.16.460 PROHIBITION OF MEDICAL COMMERCIAL CANNABIS ACTIVITIES | Cease operation of marijuana dispensary located inside the smoke shop. | \$ 15,000.00 |
| | | Fine Amount \$ 15,000.00 |
| | | Administrative Fee \$ 0.00 |
| | | Total Penalty: \$ 15,000.00* |

A Corrective Action Date will only be assigned for an Order to Remedy

Date Corrective Action to be completed:

Receipt Acknowledged By: MAILED

Date: 10/21/2019

ERNESTO MONTES
Code Enforcement Officer

760-947-1074
Phone Number

EMONTES@CITYOFHESPERIA.US
Email

Payment must be made no later than 30 days from the date of the citation. A request for hearing must be made no later than 15 days from the date of this citation. Please see attachment - Options Available to Satisfy This Citation, for additional information.

OPTIONS AVAILABLE TO SATISFY THIS CITATION

ORDER TO REMEDY

If the citation indicates that the violation can be remedied by corrective action, you must correct the violation within the time limit prescribed on the citation. As soon as you have corrected the violation, you must contact the City to make arrangements with the Enforcement Officer to provide proof of the correction. To make arrangements to provide proof of the correction, call the phone number to the issuing agency located on the front side of this citation. You must pay all of the administrative portion of the penalty before the specified date.

If you fail to correct the violation by the specified date on the citation, you will be required to pay the full amount of the penalty. (See ORDER TO PAY, below). However, payment does not excuse the failure to correct the violation. If you fail to correct the violation, you will be subject to further enforcement action and additional penalties imposed by the City.

ORDER TO PAY

If you have been ordered to pay a penalty, payment must be made within thirty (30) days of issuance of this citation.

NOTE: Unless you request an administrative hearing to contest the citation (see below) payment of this penalty waives your right to contest the citation. If the citation indicates that corrective action is required, payment of the penalty does not excuse the failure to correct the violation. If you fail to pay the total penalty of an uncontested citation, the City may pursue any legal remedy to recover the amount of the penalty.

TO CONTEST THE CITATION

To contest the citation, you must complete a hearing application in person, within fifteen (15) days of issuance of this citation. You may obtain an application for hearing at the Code Enforcement Office at 15840 Smoke Tree St., Hesperia, CA 92345. You must state in writing your reasons for contesting the citation, and pay a non-refundable \$25 filing fee. The hearing will be scheduled no less than fifteen (15) days and no more than sixty (60) days after receipt of the written request.

MAKE PAYMENTS TO:

City of Hesperia
15840 Smoke Tree St.
Hesperia, CA 92345

Write the citation number on the check. Make checks payable to City of Hesperia. Do not send cash.

Pursuant to Sections 1.12.280A and 1.12.270B of the Hesperia Municipal Code, administrative citations may be issued for Municipal Code violations. The penalties for each violation are progressive. The total penalty includes a non-refundable administrative fee. Any person who continues to maintain a violation may be charged with a misdemeanor complaint in criminal court.



CALIFORNIA
ASSOCIATION
OF REALTORS®

AMENDMENT OF EXISTING AGREEMENT TERMS No. one

(C.A.R. Form AEA, 12/17)

This is a proposal to amend ("Amendment") the terms and conditions of the following existing Agreement: ☐ Purchase Agreement, ☐ Residential Lease or Month-to-Month Rental Agreement, ☒ Other Commical lease agreement ("Agreement"), dated December 6, 2018, on property known as 17153 Bear Valley Rd., Hesperia, CA 92345

in which Magid Ali Abdelhadi, /Spreme Smoke Shop is referred to as ("Buyer/Tenant") and Superpower Investment Inc. is referred to as ("Seller/Landlord").

1. Landlord agrees to dismiss eviction case #UDBS 1902424. In return tenant agrees to the following:

1. Tenant will pay landlord \$15,000. (This is compensation for a \$15,000 official administrative Citation Issued to the landlord by the City of Hesperia. the citation resulted from tenant's unauthorized sale of marijuana on the landlord's property.)

a. The \$15,000 will be paid in five consecutive installments of \$3,000.

b. Payment will submitted with the tenant's rent beginning on February 1, 2020

c. the rent, including the \$3,000 installment will be paid on or before the fourth day of the month.

e. Tenant will not participate in any unlawful activity on landlord's property. This includes but is not limited to the illegal sale of drugs.

2. if the tenant violates the the terms of this agreement the tenant agrees to following:

a. The tenant's lease will be terminated.

b. Tenant's inventory will be forfeited.

c. Landlord may immediately take possession of property and change locks without a court order.

e. Then Tenant will be responsible for any loss of revenue and/ or damage incurred by the landlord resulting from the tenant's failure to honor this agreement.

2. **OFFER/EXPIRATION:** ☐ Buyer/Tenant, ☐ Seller/Landlord proposes this Amendment Of Existing Agreement Terms (i) which may be withdrawn by the party initiating this proposed Amendment at any time prior to acceptance, and (ii) shall be deemed revoked unless by 5:00 pm on the third day after it is signed by the initiating party (or by ☐ AM ☐ PM on 1/08/2020 date) this proposed Amendment is Signed by the other party and a Copy of this Amendment is Delivered to the initiating party.

☐ Buyer/Tenant, ☐ Seller/Landlord

Date 1/08/2020

☐ Buyer/Tenant, ☐ Seller/Landlord

Date 1/13/2020

3. **ACCEPTANCE:** The foregoing terms and conditions amending the existing Agreement are hereby agreed to, and the undersigned acknowledge receipt of a copy of this Amendment Of Existing Agreement Terms. Upon acceptance, this Amendment shall be deemed an incorporated addendum to the Agreement.

☐ Buyer/Tenant, ☐ Seller/Landlord

Date 1/13/2020

☐ Buyer/Tenant, ☐ Seller/Landlord

Date

REJECTION OF AMENDMENT: () (). This amendment was rejected by Buyer/Tenant/Seller/Landlord on (date). Buyer/Tenant/Seller/Landlord Initials

/ Confirmation Of Acceptance: A copy of Signed Acceptance was personally received by initiating party or its authorized agent on (date)

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AEA 12/17 (PAGE 1 OF 1)

AMENDMENT OF EXISTING AGREEMENT TERMS (AEA PAGE 1 OF 1)

111 Desert International Realty, 17153 Bear Valley Rd. #3 Hesperia, CA 92345
Lee Chen

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com

Phone: 714-915-1599

Fax: 760-269-3415

bear valley 12/18



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

San Bernardino

On 1/13/2020
Date

before me,

Here Insert Name and Title of the Officer

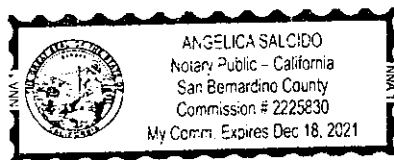
Angelica Salcido

personally appeared

Magid Ali Abgenadi

Name(s) of Signer(s)

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



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

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal and/or Stamp Above

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:

Amendment of Agreement

Document Date:

Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

Signer's Name:

☐ Corporate Officer – Title(s):

☐ Corporate Officer – Title(s):

☐ Partner – ☐ Limited ☐ General

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian of Conservator

☐ Trustee ☐ Guardian of Conservator

☐ Other:

☐ Other:

Signer is Representing:

Signer is Representing: