



NOTICE OF HEARING

November 12, 2024

Hertrich LLC
PO Box 97
Boring, OR 97009

RE:: County of Clackamas v. Hertrich LLC
File: V0000724

Hearing Date: December 12, 2024

Time: This item will not begin before 9:30am however it may begin later depending on the length of preceding items.

Location: Hearing will be held by virtual Zoom meeting. Please see attached information regarding the process for the Zoom meeting.

Enclosed you will find the following:

1. Notice of Rights
2. Copy of Complaint and Request for Hearing

You **must** appear at the time set forth in this Notice of Hearing or the relief requested in the **Complaint** may be **granted against you by default**.

You can access the complete hearing packet at <https://www.clackamas.us/codeenforcement/hearings>

You may contact Jennifer Kauppi, Code Compliance Specialist for Clackamas County at (503) 742-4759, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures
CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

1. **Prior to the Hearing.** You have the right to make the following requests:
 - (A) You can request the opportunity to review public records and to talk to County staff about the violations or request a subpoena for that purpose if the County does not allow you to do so.
 - (B) You can request that the Hearings Officer postpone the hearing for good cause by writing the Hearings Officer at least 7 calendar days prior to the scheduled hearing date.
 - (C) You can request that the Hearings Officer decide the matter based exclusively on written materials from the parties or conduct the hearing by phone.
2. **Procedure.** The hearing will be governed by general rules of procedure designed to allow you to hear and confront the evidence against you, and for you to present evidence favorable to you. You are not required to present any evidence, the burden is on the County to establish by a preponderance of the evidence that a violation exists, or existed. Either party may, at their own expense, obtain an attorney to represent them at the hearing. If you wish to be represented by an attorney they need only notify the County and the Hearings Officer in writing of their intent to appear on your behalf. The County will present evidence first, and then you may question that evidence. You may then present your own evidence, if you wish, and the County may question your evidence. Testimony by witnesses is evidence. The Hearings Officer may inquire into any facts that are relevant to the hearing and may question the parties or witnesses about the case. Evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible.
3. **Record of Proceedings.** An audio record will be made of the proceedings when a hearing is conducted. The audio record is available through the Clackamas County Code Enforcement Section and is available to you upon request.
4. **Hearings Officer.** The Hearings Officer is an independent contractor paid by the County to conduct hearings and render decisions. He/she is not a County employee. His/her function is to preside over the hearing, make a record of proceedings, consider admissible evidence, and interpret and apply the law. After the hearing is closed the Hearings Officer will enter written findings of fact, conclusions of law, and any Order deemed proper. If a violation is proven, then the Order may include civil penalties, fines, administrative fees, or may require the respondent to take certain actions, or refrain from certain actions. An Order issued by the Hearings Officer may be a Final Order or Continuing Order. The Hearings Officer's Order is the final decision of the County, and may be appealed pursuant to Oregon law. The Hearings Officer for Clackamas County is:

Carl Cox
Attorney at Law
14725 NE 20th Street, #D-5
Bellevue, WA 98007
5. **Right to Recess.** If, during the course of the hearing, Respondent or the County requests a recess or postponement, or additional time to present crucial evidence, the Hearings Officer may allow a continuance of the hearing for good cause. The Respondent may also request that the proceeding be continued after the end of the hearing if the Respondent determines that additional evidence should be brought to the attention of the Hearings Officer.
6. **Right to Appeal.** The Final Order of the Hearings Officer shall set forth the right of the respondent to appeal any adverse Order. Appeal may be taken pursuant to Section 2.07.130 of the Clackamas County Hearings Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, appellant is responsible for all costs of appeal including preparation of transcript.



You must have access to the internet or to a telephone line to use the Zoom platform, a copy of the link is provided below.

If you would like to present evidence at the Hearing please email or mail your evidence to Jennifer Kauppi at 150 Beaver Creek Rd, Oregon City, Oregon 97045, **no later than 4 working days prior to the hearing**. Staff will number your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for reference.

If you are unable to participate in a hearing through the Zoom platform please contact Jennifer Kauppi at 503-742-4759 **within 3 calendar days of receipt of the Notice of Hearing**.

If you do not know how to use Zoom, please Google "how to use Zoom" and there are many interactive guides on the internet. **When joining the webinar please accept the request to join as a panelist.**

If you experience difficulties connecting to the Zoom hearing **before** your scheduled start time, please call 503-830-9960 for assistance.

Zoom invite

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://clackamascounty.zoom.us/j/83436067084?pwd=EwgN9qPXIAfUFufjfGcN8tGLgaPzYI.1>

Passcode: 527098

Or One tap mobile:

+12532158782,,83436067084# US (Tacoma)

+13462487799,,83436067084# US (Houston)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 408 638 0968 or +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 205 0468 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799

Webinar ID: 834 3606 7084

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to:

www.clackamas.us/transportation/nondiscrimination, email JKauppi@clackamas.us or call (503) 742-4452.

¡LE DAMOS LA BIENVENIDA! Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: www.clackamas.us/transportation/nondiscrimination, envíe un correo electrónico a JKauppi@clackamas.us o llame al 503-742-4452.

ДОБРО ПОЖАЛОВАТЬ! Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: www.clackamas.us/transportation/nondiscrimination, отправьте письмо на адрес эл. почты JKauppi@clackamas.us или позвоните по телефону 503-742-4452.

欢迎! Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 www.clackamas.us/transportation/nondiscrimination，发送电子邮件至 JKauppi@clackamas.us 或致电 503-742-4452。

CHÀO MỪNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng:

www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination을 참조하거나 이메일 JKauppi@clackamas.us, 또는 전화 503-742-4452번으로 연락 주십시오.

BEFORE THE COMPLIANCE HEARINGS OFFICER
for the
CLACKAMAS COUNTY BOARD OF COMMISSIONERS

COUNTY OF CLACKAMAS,

Petitioner,

v.

HERTRICH LLC,

Respondent.

File No: V0000724

COMPLAINT AND REQUEST FOR HEARING

I, Jennifer Kauppi, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent's mailing address is: PO Box 97, Boring, OR 97009.

2.

The address or location of the violation(s) of law alleged in this Complaint is:

28320 SE Wally Rd., Boring, OR 97009 also known as T2S, R4E, Section 06BB, Tax Lot 01900,
and is located in Clackamas County, Oregon.

3.

On or about the 10th day of January, 2024 and on the 20th day of May, 2024 the
Respondent violated the following law, in the following way:

- a. Respondent violated the Clackamas County Building Code, Chapter 9.02.040 by failing to obtain approved permits and approved final inspections for an accessory structure built without permits. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

4.

The Department initiating this procedure is the Code Enforcement Section of the Department of Transportation and Development.

5.

Notice of the violation was given to Respondent in the following manner: Violation Notice mailed January 10, 2024 and Citation and Complaint 2400007 was mailed via first class mail on May 20th, 2024. A copy of the notice document is attached to this Complaint as Exhibit B and C, and incorporated by this reference.

6.

Based on these allegations, petitioner requests that a hearing be set in this matter.

Petitioner seeks an Order from the Hearings Officer granting the following relief:

1. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to immediately abate the violation and bring the property at issue into compliance with all laws, and permanently enjoining Respondent from violating these laws in the future;
2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for a Building Code Priority 1 violation being \$750.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code;
3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code;

4. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to reimburse the County for any expense the County may incur in collection of any penalties, fines or fees that may be imposed:

and

5. Ordering any other relief deemed reasonably necessary to correct the violations.

DATED THIS 7 day of November, 2024.



Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

HERTRICH LLC,

Respondent.

File No.: V0000724

STATEMENT OF PROOF

History of Events and Exhibits:

January 8, 2024
Exhibit A

Clackamas County received a complaint regarding commercial pole building built between 2015 and 2023 without permits.

January 10, 2024
Exhibit B

A Notice of Violation was sent first class mail to the Respondent and a copy to the Registered Agent with a deadline of February 10, 2024 to abate the Building Code violation. The first class mail was not returned.

February 6, 2024

I spoke with Martin Hertrich who is the Registered Agent for Hertrich LLC. Martin stated he had hired Gabe with Cascade Building Concepts to submit plans for the building.

May 20, 2024
Exhibit C

I reviewed the County permitting system and no permits were applied for. Citation 2400007 was issued and sent first class mail to the Respondent and a copy was sent to the Registered Agent. The citation was not returned to the County.

November 7, 2024

A review of County records found no permits had been submitted for the commercial pole building. This matter was referred to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Building Code, Title 9.02.040 (A) exists, the County is requesting a Final Order in this matter recommending the following:

- The imposition of civil penalties for the Building Code violation of up to \$1,000.00 for date cited May 20, 2024.
- The Administrative Compliance fee calculated at \$75.00 per month from January, 2024 totals \$675.00. The County is reducing the Administrative Compliance fee in the amount of \$225.00 for a total amount due of \$450.00. This is a reasonable estimate of the cost of this enforcement matter.
- The County requests the Hearings Officer to permanently prohibit the Respondent from violating this law in the future.
- The County is requesting the Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.



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January 10, 2024

Hertrich LLC
PO Box 97
Boring, OR 97009

Martin Hertrich - Registered Agent
28590 SE Wally Rd
Boring, OR 97009

SUBJECT: Violation of the Clackamas County Building Code, Title 9.02.040 (A)(C)(E)

VIOLATION: V0000724

SITE ADDRESS: 28320 SE Wally Rd., Boring, OR 97009

LEGAL DESCRIPTION: T2S, R4E, Section 06BB, Tax Lot 01900

This letter serves as notice of a violation of the Clackamas County Code. The violations include:

- Commercial pole building built without approved permits or approved final inspections

VIOLATIONS & HOW TO RESOLVE

On January 8, 2024, County staff reviewed permit submittal B0448617 that remained in an incomplete status. Aerial imaging of the property found that between May 2017 and July 2018 the proposed building was built without approved permits or approved final inspections. The construction of this pole building without approved permits constitutes a violation of Clackamas County Code, Title 9.02.040 (A)(C)(E). In order to abate the violation(s), you must complete the following **no later than February 10, 2024:**

Pole Building

- Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s). ****Please note – The County does have a copy of the original plans that were submitted for review, however, they can only be used as a guide and not a submittal because the commercial codes have changed. The new plans submittal will be required to be stamped by an Architect or Engineer licensed with the State of Oregon along with complete calculations. If you have further questions, please contact a Commercial Plans Examiner to discuss further.****

- Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>
 - All requests for additional information in order to complete plan review must be responded to within 10 days of being notified.
 - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
 - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).

CONTACT INFORMATION

Building – If you have questions concerning permitting requirements please contact the building department at 503-742-4240 or on-line at bldservice@clackamas.us.

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beaver Creek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday through Thursday. Our office is closed to the public on Fridays.

If you have any questions my direct telephone number is 503-742-4759 and my email is jkauppi@clackamas.us.

Jennifer Kauppi

Code Enforcement Permit Specialist
Clackamas County Code Enforcement

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beavercreek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.

7/7

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That VANPORT MANUFACTURING, INC., an Oregon Corporation, hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto HERTRICH, LLC, an Oregon Limited Liability Company, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title, and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described in attached EXHIBIT A. To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$2,102,000.00.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 24th day of July, 2003; it has caused its name to be signed by its officer, duly authorized thereto by order of its board of directors.

J.A. Hertrich Pres.

STATE OF OREGON, County of Clackamas

Date July 24, 2003

Personally appeared G.A. Hertrich who, being duly sworn the company president of Vanport Manufacturing, Inc., a corporation, and that said instrument was signed on behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

Debe Proudfit
Notary Public for Oregon
My commission expires: 5/4/2004



Grantor's Address
Vanport Manufacturing, Inc.
P.O. Box 97
Boring, OR 97009

Grantee's Address
Hertrich, LLC
P.O. Box 97
Boring, OR 97009

After recording return to:
Hertrich, LLC
P.O. Box 97
Boring, OR 97009

Until a change is requested all tax statements shall be sent to the following address:
Hertrich, LLC
P.O. Box 97
Boring, OR 97009

Clackamas County Official Records 2003-121421
Sherry Hall, County Clerk



\$56.00

09/09/2003 03:10:46 PM

D-D Cnt=1 Stn=1 ELIZABETH
\$35.00 \$11.00 \$10.00

Exhibit A

LEGAL DESCRIPTION

PARCEL I:

A portion of Lot 1, VALBERG'S SUBDIVISION OF A PART OF TRACT 4, BORING JUNCTION, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point in the East line of said Lot 1 that bears South 00°07'00" East a distance of 49.11 feet from the Northeast corner thereof; thence South 00°07'00" East, along said East line, a distance of 50.89 feet to the Southeast corner of said Lot 1; thence North 83°53'00" West along the South line thereof a distance of 19.00 feet to an iron rod; thence North 21°02'00" East a distance of 52.35 feet to the point of beginning.

PARCEL II:

Lot 2, VALBERG'S SUBDIVISION OF A PART OF TRACT 4, BORING JUNCTION, in the County of Clackamas and State of Oregon.

EXCEPTING THEREFROM the following described tract of land:

Beginning at a point in the West line of said Lot 2 that bears South 00°07'00" East a distance of 49.11 feet from the Northwest corner thereof; thence North 00°07'00" West, along said West line, a distance of 49.11 feet to the Northwest corner of said Lot 2; thence North 89°53'00" East along the North line thereof a distance of 19.00 feet to an iron rod; thence South 21°02'00" West a distance of 52.65 feet to the point of beginning.

PARCEL III:

Lot 3, VALBERG'S SUBDIVISION OF A PART OF TRACT 4, BORING JUNCTION, in the County of Clackamas and State of Oregon.

TOGETHER WITH that portion of vacated Wally Road which inured thereto.

PARCEL IV:

Lot 4, VALBERG'S SUBDIVISION OF A PART OF BLOCK 4, BORING JUNCTION, in the County of Clackamas and State of Oregon.

TOGETHER WITH those portions of vacated First Street and vacated Wally Road which inured thereto.

PARCEL V:

A tract of land located in the Northwest one-quarter of Section 6, Township 2 South, Range 4 East of the Willamette Meridian in the County of Clackamas and State of Oregon, described as follows:

Beginning at an iron pipe set in the West line of Section 6, Township 2 South, Rang 4 East of the Willamette Meridian, the initial point of VALBERG'S SUBDIVISION OF A PART OF TRACT 4, BORING JUNCTION, said pipe being located also at the intersection of the South line of B Street extended and the West line of said Section 6; thence North 89°53' East, along the South line of B

Street extended, a distance of 100.00 feet to an iron pipe; thence South, parallel with the West line of said Section 6, a distance of 100.00 feet to an iron pipe; thence South 89°53' West, parallel to the South line of B Street extended, a distance of 100.00 feet to an iron pipe set in the West line of said Section 6; thence North, along the West line of said Section 6, a distance of 100.00 feet to the point of beginning.

TOGETHER WITH those portions of vacated First Street and vacated Wally Road which inured thereto.

PARCEL VI:

Part of Lot 5, VALBERG'S SUBDIVISION OF A PART OF BLOCK 4, BORING JUNCTION, in the County of Clackamas and State of Oregon described as follows:

Beginning at the Southeast corner of Lot 4 of said subdivision; thence West 101.20 feet to the Southwest corner of Lot 4; thence North 100 feet to the Northwest corner of said Lot 4; thence West 20 feet to the Northeast corner of Lot 3 of said subdivision; thence South 100 feet to the Southeast corner of said Lot 3; thence West along the South lines of said Lot 3 and of Lot 2 of said subdivision, 158.91 feet to the Southwest corner of said Lot 2; thence South parallel with the most Easterly line of said Lot 5 to the Southwesterly line of said Lot 5; thence Easterly and East, along the Southwesterly and South lines of said Lot 5, to the Southeast corner of said Lot 5; thence North 184.7 feet to the point of beginning.

TOGETHER WITH those portions of vacated First Street and vacated Wally Road which inured thereto.

PARCEL VII:

Part of Lot 6, VALBERG'S SUBDIVISION of a part of Block 4, of Boring Junction, in Clackamas County, Oregon, described as follows:

Beginning at the most Easterly corner of said Lot 6; thence North 63°26' West along the Northeasterly line of said Lot 6 to a point thereon 280.11 feet West of the most Easterly line of Lot 5 of said subdivision, when measured at right angles to said most Easterly line; thence South, parallel with said most Easterly line, and its Southerly extension, to the South line of said Lot 6; thence North 89°42' East along said South line to the point of beginning.

PARCEL VIII:

All that portion of the West half of the Northwest quarter of the Northwest quarter of Section 6, Township 2 South, Range 4 East of the Willamette Meridian in the County of Clackamas and State of Oregon lying South and West of the South and West lines of County Road No. 934, as described in Deeds recorded in Deed Book 348, page 344, and in page 347.

TOGETHER WITH those portions of vacated First Street, vacated Wally Road and vacated 285th Avenue (Frank Road) which inured thereto.

EXCEPTING THEREFROM a 100.00 foot by 100.0 foot tract and building in the Northwest corner thereof, as excepted in Deed recorded March 27, 1953, in Deed Book 467, page 104.

PARCEL IX:

A tract of land located in the Northeast one-quarter of Section 1, Township 2 South, Range 3 East of the Willamette Meridian in the County of Clackamas and State of Oregon, described as follows:

Beginning at an iron pipe, the Southwest corner of Lot 6, VALBERG'S SUBDIVISION OF A PART OF TRACT 4, BORING JUNCTION, set in the Easterly right of way line of Bradley & Richey County Road No. 351; thence South 82°11' East, along the Southerly line of said Lot 6, VALBERG'S SUBDIVISION OF A PART OF TRACT 4, BORING JUNCTION, a distance of 25.91 feet to an iron pipe and the true point of beginning; thence along the arc of a 338.27 foot radius curve right, the long chord of which bears North 82°31' East 170.93 feet, a distance of 171.18 feet to an iron pipe set in the South line of said Lot 6; thence along the arc of 199.70 foot radius curve left, the long chord of which bears South 82°31' West 170.93 feet a distance of 172.71 feet to the point of beginning.

PARCEL X:

A tract of land located in the Northeast one-quarter of Section 1, Township 2 South, Range 3 East of the Willamette Meridian in the County of Clackamas and State of Oregon, described as follows:

Beginning at an iron pipe in the East side line of Tract 4, BORING JUNCTION, 284.7 feet South of the Northeast corner thereof; thence South 89°42' West 290.38 feet to a point; thence on a 17° curve to the left, the tangent of which at this point bears North 82°19' West through an angle of 29°10' a distance of 172.19 feet to a point; thence North 82°11' West a distance of 25.91 feet to a point in the Westerly side line of Tract 4, BORING JUNCTION; thence tracing the Westerly side line of Tract 4, BORING JUNCTION, South 7°49' West a distance of 190.48 feet to the Southwest corner of the said Tract 4, BORING JUNCTION, the said Southwest corner being also the Northwest corner of the triangular tract of land owned by O.A. Palmer; thence tracing the Westerly side line of said triangular tract South 7°49' West 5.07 feet to a point; thence South 10°58' West 122.93 feet to a point; thence North 58°16' East tracing the center line of Deep Creek and the dividing line between tract marked "O.W.P. & Ry. Co." BORING JUNCTION and property of O.A. Palmer 195.22 feet to a point marked O.W.P. & Ry. Co., BORING JUNCTION; thence North 29°47' East a distance of 27.27 feet to a point in the Southerly side line of Tract 4, BORING JUNCTION North 89°46' East a distance of 155.51 feet from the Southwest corner of said Tract 4, BORING JUNCTION; thence North 29°47' East 130.51 feet to a point; thence North 86°46' East 291 feet to a point in the Westerly side line of First Street; thence North, tracing the said West side line of the said First Street, 76.64 feet to the point of beginning.

TOGETHER WITH that portion of vacated First Street which inured thereto.

PARCEL XI:

Blocks 2 and 3, BORING JUNCTION, in the County of Clackamas and State of Oregon.

TOGETHER WITH those portions of vacated First Street and vacated Water Street which inured thereto.

EXCEPTING THEREFROM the following described portion of said Block 3:

Beginning at an iron pipe on the Southeast corner of said Tract 3; thence North along the East line of said Tract 3 a distance of 100 feet to an iron pipe at the Northeast corner of said Tract 3; thence South 80°24' West along the North line of said Tract 3 a distance of 101.35 feet to an iron

pipe; thence South a distance of 83.50 feet to an iron pipe set in the South line of said Tract 3; thence North 89°46' East along the South line of said Tract 3 a distance of 100 feet to the point of beginning.

PARCEL XII:

A portion of Tract 3, BORING JUNCTION, in the County of Clackamas and State of Oregon, described as follows:

Beginning at an iron pipe on the Southeast corner of said Tract 3; thence North along the East line of said Tract 3 a distance of 100 feet to an iron pipe at the Northeast corner of said Tract 3; thence South 80°24' West along the North line of said Tract 3 a distance of 101.35 feet to an iron pipe; thence South a distance of 83.50 feet to an iron pipe set in the South line of said Tract 3; thence North 89°46' East along the South line of said Tract 3 a distance of 100 feet to the point of beginning.

TOGETHER WITH that portion of vacated First Street which inured thereto.

PARCEL XIII:

Block 1, BORING JUNCTION, in the County of Clackamas and State of Oregon.

TOGETHER WITH that portion of vacated Water Street which inured thereto.

PARCEL XIV:

Part of the South one-half of the Northwest quarter of Section 6, Township 2 South, Range 4 East of the Willamette Meridian in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point 60 feet North of the Northwest corner of Tract A, ROOTS ADDITION OF BORING JUNCTION and 60 feet East of the Southeast corner of Tract 2, BORING JUNCTION, said point being in the North boundary line of Water Street; running thence East along the North boundary line of Water Street, 577 feet to a point on the Westerly boundary line of a tract of land conveyed to George D. Cunningham et ux recorded December 12, 1947, in Deed Book 400, page 418, Records of Clackamas County, Oregon; thence North along said Westerly line 374.60 feet to a point on the South line of the North one-half of the Northwest quarter of said Section 6; thence West along said South line 577 feet to a point in the Easterly boundary line of First Street, in the Plat of BORING JUNCTION, now vacated; thence South along said Easterly line 374.60 feet to the place of beginning.

TOGETHER WITH those portions of vacated First Street and vacated 285th Avenue (Frank Road) which inured thereto.

PARCEL XV:

The West 105 feet of the following described tract of land:

All that part of the West half of the East half of the Northwest quarter of the Northwest quarter of Section 6, Township 2 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, lying Northerly of the Easterly extension of the North line of B Street.

TOGETHER WITH that portion of vacated Wally Road which inured thereto.

EXCEPTING THEREFROM the North 462 feet.

PARCEL XVI:

All that part of the West half of the East half of the Northwest quarter of the Northwest quarter of Section 6, Township 2 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, lying Northerly of the Easterly extension of the North line of B Street.

TOGETHER WITH that portion of vacated Wally Road which inured thereto.

EXCEPTING THEREFROM the North 462 feet and the West 105 feet.

PARCEL XVII:

All that portion of the West half of the East half of the Northwest quarter of the Northwest quarter of Section 6, Township 2 South, Range 4 East of the Willamette Meridian in the County of Clackamas and State of Oregon, lying South of the Easterly extension of the North line of B street.

TOGETHER WITH that portion of vacated 285th Avenue (Frank Road) which inured thereto.

PARCEL XVIII:

Part of the Northwest quarter of the Northwest quarter of Section 6, Township 2 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 6; thence West 330 feet to the Southwest corner of the East half of the East half of the Northwest quarter of the Northwest quarter of said Section; thence North 1320 feet to the North Section line; thence East 30 feet to the Northwest corner of that tract conveyed to Loren J. Plumondore and wife by deed recorded February 27, 1964 in Book 636, page 292, records of Clackamas County, Oregon; thence South 660 feet; thence East 300 feet to the Southeast corner of said Plumondore tract; thence South 660 feet to the point of beginning.

PARCEL XIX:

Part of the South half of the Northwest quarter of Section 6, in Township 2 South, Range 4 East of the Willamette Meridian in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point 60 feet North and 330 feet East of the Northwest corner of Tract G ROOTS ADDITION TO BORING JUNCTION; thence North 666 feet; thence West 345.71 feet to the true place of beginning of the tract herein described; thence continuing West 609.70 feet; thence North 105.40 feet; thence North 36°30' West 187 feet, thence North 374.60 feet to the South line of the North half of the Northwest quarter of Section 6; thence East on said South line to a point due West 345.71 feet from the Northeast corner of a tract of land conveyed to Wallace M. Telford, by deed recorded in Deed Book 370, page 124; thence South 630.00 feet to the true place of beginning.

TOGETHER WITH that portion of vacated 285th Avenue (Frank Road) which inured thereto.

EXCEPTING THEREFROM a 70.0 foot by 70.0 foot tract in the Southwest corner thereof as conveyed to Chris Janshaw by deed recorded June 20, 1956, in Deed Book 512, page 381.

PARCEL XX:

A tract of land located in the Northwest one-quarter of the Northwest one-quarter of Section 6, Township 2 South, Range 4 East of the Willamette Meridian in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point which is 772 feet, more or less, South and 187.6 feet East of the Northwest corner of said Section 6 and which said point would be on the North line of B street if said B Street were extended Easterly, as shown on the original plat of BORING JUNCTION, and which said point is the beginning of the tract herein described; thence East, parallel with the North line of said Section 6, 157.6 feet to a point, which point would be on the North line of said B Street extended Easterly; thence North 370 feet on a line parallel with the West line of said Section 6 to a point; thence West 157.6 feet on a line parallel with the North line of said Section 6; thence South, parallel with the said West line of Section 6 370 feet, more or less, to the point of beginning.

TOGETHER WITH that portion of vacated Wally Road which inured thereto.

EXCEPTING THEREFROM the North 165 feet.

PARCEL XXI:

A part of the Northeast quarter of Section 1, Township 2 South, Range 3 East of the Willamette Meridian in the County of Clackamas and State of Oregon, being that tract shown and designated as "O.W.P. & Ry. Co." on the duly recorded plat of BORING JUNCTION, described as follows:

Beginning at the point of intersection of a Westerly projection of the North line of Water Street with the center line of the Richey Road on the Westerly side of said tract and running thence East for a distance of 329.44 feet; thence North for a distance of 245.68 feet to a point marked by an iron bolt; thence West a distance of 82 feet; thence North a distance of 99.27 feet to a point in the center of Deep Creek; thence South 57°26' West a distance of 236 feet, more or less, to a point in the center line of said County Road; thence Southerly, tracing said center line to the point of beginning.

EXCEPTING THEREFROM that portion lying within the boundaries of Richey Road.





Citation No. 2400007

Case No. V0000724

ADMINISTRATIVE CITATION

Date Issued: May 20, 2024

Name and Address of Person(s) Cited:

Name: Hertrich LLC
Mailing Address: PO Box 97
City, State, Zip: Boring, OR 97009

Date Violation(s) Confirmed: On the 20 day of May, 2024, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): 28320 SE Wally Rd, Boring, OR 97009

Legal Description: T2S, R4E Section 06BB, Tax Lot(s) 01900

Law(s) Violated:

Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A)

- 1) Failure to obtain approved permit and approved final inspection for a commercial pole building constructed without permits.

Maximum Civil Penalty \$1,000.00

Fine Not subject to a fine amount

You may avoid paying the civil penalty by abating the violation(s). If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

I hereby certify under penalties provided by ORS 153.990 that I have reasonable grounds to and do believe that the above person(s) committed or allowed to be committed the violation(s) described on this form.

Citation issued by: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: May 20, 2024
Department Initiating Enforcement Action: Code Enforcement

