

#### DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

# **NOTICE OF HEARING**

May 1, 2024

Justin So 26600 SE Hwy 224 Eagle Creek, OR 97022

RE:: County of Clackamas v. Justin So

**File:** V0008623

Hearing Date: May 29, 2024

**Time:** This item will not begin before 11:30am 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 <a href="https://www.clackamas.us/codeenforcement/hearings">https://www.clackamas.us/codeenforcement/hearings</a>

You may contact Shane Potter, Code Compliance Specialist for Clackamas County at (503) 742-4465, 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 Officers 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 20<sup>th</sup> 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. <u>Right to Appeal</u>. 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.



#### DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

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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 Shane Potter at 150 Beavercreek 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 Shane Potter at 503-742-4465 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.

If you experience difficulties connecting to the Zoom hearing <u>before</u> 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/88611726911?pwd=UGRuaDZJV3R2bzJqa0JTSDVSWXIKQT09

Passcode: 132589

#### Or One tap mobile:

+17193594580,,88611726911# US

+12532050468,,88611726911# US

#### Or join by phone:

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

US: +1 719 359 4580 or +1 253 205 0468 or +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 +1 564 217 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 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847

Webinar ID: 886 1172 6911

# **Department of Transportation and Development**

# **Nondiscrimination Policy:**

The Department of Transportation and Development is committed to nondiscrimination. For more information go to:

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

# **ILE DAMOS LA BIENVENIDA!** Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: <a href="www.clackamas.us/transportation/nondiscrimination">www.clackamas.us/transportation/nondiscrimination</a>, 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: <a href="www.clackamas.us/transportation/nondiscrimination">www.clackamas.us/transportation/nondiscrimination</a>, отправьте письмо на адрес эл. почты <a href="mailto:JKauppi@clackamas.us">JKauppi@clackamas.us</a> или позвоните по телефону 503-742-4452.

#### 欢迎! Chinese (Manderin)

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 MỬNG! 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:

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

# 환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 <u>www.clackamas.us/transportation/nondiscrimination</u>을 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, FILE NO: V0008623

Petitioner,

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JUSTIN C SO,

Respondent. | COMPLAINT AND REQUEST FOR HEARING

I Shane Potter, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondents' mailing address is: 26600 SE Hwy 224, Eagle Creek, OR 97022.

2.

The address or location of the violation(s) of law alleged in this complaint is: 26600 SE Hwy 224, Eagle Creek, OR 97022, also known as T2S, R3, Section 24, Tax Lot 01604, and is located in Clackamas County, Oregon.

3.

On or about the 17<sup>th</sup> day of July, 2023, and on or about the 6<sup>th</sup> day of November, 2023, the Respondent violated the following laws, in the following ways:

Title 12 of the Clackamas County Zoning and Development Ordinance (ZDO) Code Section 12.316.030, operating a commercial business in a residentially zoned district without land use approval. The property is zoned RRFF-5 (Rural Residential Farm Forest 5 Acre). This violation is a Priority 2 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 dated July 17, 2023 and Citation and Complaint #2300086 - 1 on

November 6, 2023. A copy of the notice documents are attached to this Complaint as

Exhibits E and G, 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 violations 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 Commissions. Said range for a Priority 2 for a Zoning Code violation being \$500.00 to \$2,500.00 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; and
- 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.
- 5. Ordering any other relief deemed reasonably necessary to correct the violations.

DATED THIS 26th day of April, 2024

Shane Potter

Code Enforcement Specialist

FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner, File No.: V0008623

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JUSTIN C SO,

Respondent. STATEMENT OF PROOF

# History of Events and Exhibits:

March 13, 2023 & April 3, 2023 Exhibit A	Clackamas County received complaints of a roadside towing and mechanic business operating from this site without land use approval and inoperable vehicles.
April 26, 2023 Exhibit B	Correspondence was mailed first class mail to the owner. The correspondence requested contact within 10 days. The mail was not returned.
June 26, 2023 Exhibit C	Code Enforcement Specialist (CES) Shane Potter performed a site visit. Traffic conditions did not make it safe to take photos. CES Potter identified several commercial type vehicles on site mostly box vans. CES Potter also downloaded an aerial taken in April 2023 and found it was similar to what was seen on the ground in relation to the commercial vehicles on site.
July 7, 2023 Exhibit D	Research shows a business name of Mosqueda Transport LLC., registered to the address at this location.

July 17, 2023

Exhibit E

Facts of the alleged violation were reviewed, the violation verified, and Notice of Violation mailed containing a statement of the facts that support the finding a violation exists on the property. The Notice of Violation was mailed first class mail. The mail was not returned.

November 2, 2023 Exhibit F CES Potter performed a site visit. Traffic conditions did not make it safe to take photos. CES Potter identified numerous commercial type vehicles, again mostly box trucks were located on site. CES Potter downloaded an updated September 2023 Aerial that shows numerous commercial vehicles on site.

November 6, 2023 Exhibit G	Citation #2300086 – 1 was issued for \$400.00 for a Priority 2 Zoning Code violation. The Citation was mailed first class mail. The mail was not returned. The Citation has not been paid.
March 14, 2024 Exhibit H	CES Potter performed a site visit and took photos. There are numerous commercial vehicles on site.
April 1, 2024	The County referred this matter to the Code Enforcement Hearings Officer.

If the Hearings Officer affirms the County's position that a violation of the Zoning Code exists on the subject property, the County would request a Continuing Order be issued requiring the Respondent:

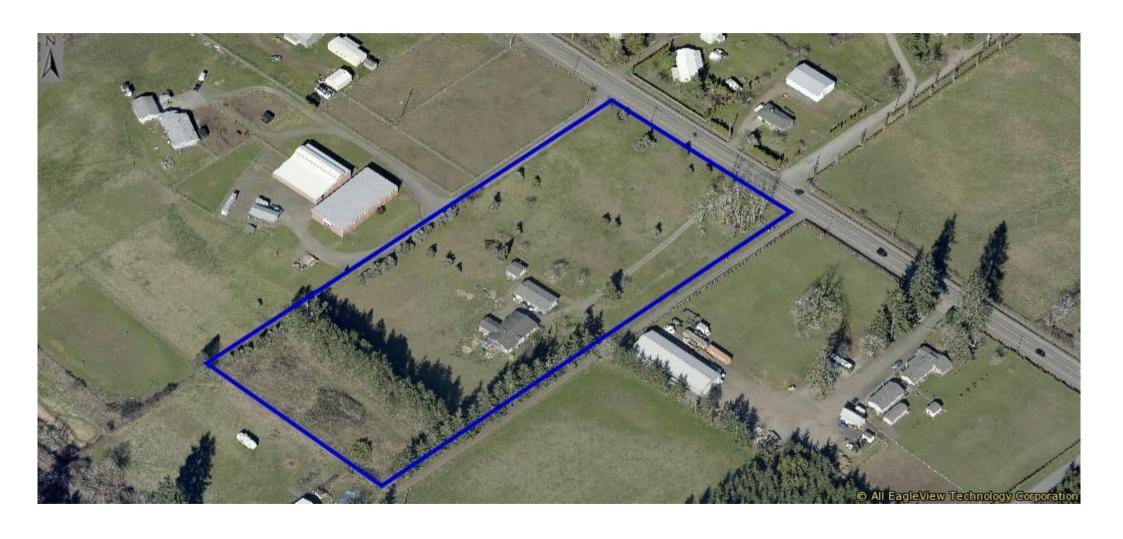
- Cease operating the commercial business at the site and remove all unlicensed, inoperable, and commercial vehicles from the site; or,
- Within 30 days submit the appropriate Land Use application(s) to the Clackamas County Planning and Zoning Division and obtain approval to allow for the commercial activities occurring on the site.
  - If a land use application is submitted and the application is deemed incomplete the applicant must obtain a completed application within 30 days of such incomplete notice.
  - The applicant shall not "toll the clock" or delay the hearing/decision more than 30 days during the land use process.
  - The owner shall abide by all conditions of approval before closure of the file will occur.

The County will submit a Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondent. The report may include the following recommendations:

- Payment of Citation #2300086 1 for \$400.00.
- The imposition of civil penalties of up to \$2,500.00.
- The Administrative Compliance fee calculated at \$75.00 per month from July 2023 totals \$675.00. The County is requesting a reduction of Administrative Compliance Fees in the amount of \$300.00 for a total amount due of \$375.00. This is a reasonable estimate of the cost of this enforcement matter.
- If the violations are not abated the County may request authorization for further enforcement action including to proceed to Circuit Court.
- The County requests the Hearing's Officer to permanently enjoin the Respondent from violating these laws in the future.
- The County would also ask that reimbursement be ordered for any expense the County incurs in collection of these monies.



# 2/12/22 - Aerial Photo



# 1/31/23 Photo





Property Account Summary Barcode

	Account Number	00635147	Property A	ddress 2	6600 SE	HWY 224 .	FAGLE CREEK.	OR 97022
III *	tocount itallibei	C C C C T	opc.c, A	1441 C55 -		,		0.10,000

General Information				
Alternate Property #	23E24 01604			
Property Description Section 24 Township 2S Range 3E TAX LOT 01604				
Property Category	Land &/or Buildings			
Status	Active, Locally Assessed			
Tax Code Area	108-009			
Remarks				

Tax Rate				
Description	Rate			
Total Rate	13.52			

Property Characteristics				
Neighborhood	12054: Estacada rural all other			
Land Class Category	401: Tract Land Improved			
Building Class Category	16: Single family res, class 6			
Acreage	6.34			
Change property ratio	4XX			
Manf Structure Exempt	Exempt from Ownership Document			

# **Related Properties**

No Related Properties Found

Parties						
Role	Percent	Name	Address			
Taxpayer	100	SO JUSTIN C	26600 SE HWY 224, EAGLE CREEK, OR 97022			
Tax Service Co.	100	CORELOGIC TAX SERVICES	UNKNOWN, MILWAUKIE, OR 00000			
Owner	100	SO JUSTIN C	26600 SE HWY 224, EAGLE CREEK, OR 97022			
Mortgage Company	100	SERVICEMAC LLC	NO MAILING ADDRESS, AVAILABLE,			

Property Values						
Value Type	Tax Year 2023	Tax Year 2022	Tax Year 2021	Tax Year 2020	Tax Year 2019	
AVR Total	\$349,691	\$339,506	\$329,618	\$320,018	\$310,698	
Exempt				\$27,228		

Exhibit A Page 4 of 9

TVR Total	\$349,691	\$339,506	\$329,618	\$292,790	\$284,263
Real Mkt Land	\$401,420	\$389,536	\$319,551	\$277,297	\$264,092
Real Mkt Bldg	\$362,770	\$359,920	\$303,920	\$271,590	\$264,300
Real Mkt Total	\$764,190	\$749,456	\$623,471	\$548,887	\$528,392
M5 Mkt Land	\$401,420	\$389,536	\$319,551	\$277,297	\$264,092
M5 Mkt Bldg	\$362,770	\$359,920	\$303,920	\$271,590	\$264,300
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$349,691	\$339,506	\$329,618	\$320,018	\$310,698
Mkt Exception					
AV Exception					

# **Active Exemptions**

No Exemptions Found

Events	Events					
Effective Date	Entry Date- Time	Туре	Remarks			
09/28/2020	10/13/2020 08:23:00	Taxpayer Changed	Property Transfer Filing No.: 379296 09/28/2020 by SHAMMOND			
09/28/2020	10/13/2020 08:23:00	Recording Processed	Property Transfer Filing No.: 379296, Warranty Deed, Recording No.: 2020-079796 09/28/2020 by SHAMMOND			
03/31/2017	04/04/2017 09:06:00	Taxpayer Changed	Property Transfer Filing No.: 313846 03/31/2017 by VPEARSON			
03/31/2017	04/04/2017 09:06:00	Recording Processed	Property Transfer Filing No.: 313846, Warranty Deed, Recording No.: 2017-021973 03/31/2013 by VPEARSON			
07/19/2016	07/19/2016 15:45:00	Removed from Foreclosure or Warrant	2012-13 TAX PAID by SHARONS			
06/21/2016	06/21/2016 12:52:00	Initiated Foreclosure or Warrant	Initiated Delinquency Process by SHARONS			
03/07/2011	03/07/2011 16:29:00	Property Characteristic Changed	2010 Manf Structure 1 changed from X046024 to L135829 by KATHYSWA			
03/07/2011	03/07/2011 16:28:00	Property Characteristic Changed	2011 Manf Structure 1 changed from X046024 to L135829 by KATHYSWA			
04/19/2005	04/19/2005 13:13:00	Annexation Completed For Property	Form Estacada Library Svc, Ord 172-2004 Pt 6 for 2005-Revise TCA Membership by JENMAYO			
06/04/2003	06/10/2003 14:30:00	Taxpayer Changed	Property Transfer Filing No.: 76767 06/04/2003 by MARYHAN			
06/04/2003	06/10/2003 14:30:00	Recording Processed	Property Transfer Filing No.: 76767, Bargain & Sale, Recording No.: 2003-071239 06/04/2003 by MARYHAN			

# **Exhibit A Page 5 of 9**

02/14/2002 16:50:00	Property Characteristic Changed	Manf Struct License 1 changed from X111733 to X046024 by KATHYSWA
03/12/2001 16:52:00	Property Characteristic Changed	Manf Struct License 1 changed from X111733P & X166566 to X111733 by KATHYSWA
06/28/2000 15:08:00	Taxpayer Changed	Property Transfer Filing No.: 14979
06/28/2000 15:08:00	Recording Processed	Property Transfer Filing No.: 14979, Paid Up Contract, Recording No.: 2000-034587
06/28/2000 15:04:00	Taxpayer Changed	Property Transfer Filing No.: 14977
06/28/2000 15:04:00	Recording Processed	Property Transfer Filing No.: 14977, Paid Up Contract, Recording No.: 2000-034586
06/28/2000 15:02:00	Recording Processed	Property Transfer Filing No.: 14976, Death Certificate, Recording No.: 2000-034585
07/01/1999 12:00:00	Ownership at Conversion	Contract: 95-17410, 3/1/95, \$ 75000
	16:50:00  03/12/2001 16:52:00  06/28/2000 15:08:00  06/28/2000 15:04:00  06/28/2000 15:04:00  06/28/2000 15:04:00  06/28/2000 06/28/2000 07/01/1999	02/14/2002       Characteristic         16:50:00       Characteristic         03/12/2001       Property         16:52:00       Characteristic         Changed       Characteristic         06/28/2000       Taxpayer Changed         06/28/2000       Recording Processed         06/28/2000       Taxpayer Changed         06/28/2000       Recording Processed         06/28/2000       Recording Processed         06/28/2000       Recording Processed         07/01/1999       Ownership at

# Tax Balance

Installments Payable								
Tax Year	Category	TCA/District	Charged	Minimum	Balance Due Due Date			
No Records Found								

<u>Installments Payable/Paid for Tax Year(Enter 4-digit Year, then Click-Here):</u> 2023

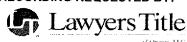
Receipts										
Date	Receipt No.	Amount Applied to Parcel	Total Amount Due	Receipt Total	Change					
11/13/2023 00:00:00	<u>5447741</u>	\$4,727.83	\$4,727.83	\$4,586.00	\$0.00					
11/10/2022 00:00:00	5261919	\$4,417.45	\$4,417.45	\$4,284.93	\$0.00					
11/08/2021 00:00:00	5076518	\$4,296.57	\$4,296.57	\$4,167.67	\$0.00					
10/19/2020 15:17:00	4821158	\$3,776.64	\$3,776.64	\$3,663.34	\$0.00					
11/15/2019 00:00:00	<u>4708458</u>	\$3,732.43	\$3,732.43	\$3,620.46	\$0.00					

Sales History											
Sale Date	Entry Date	Recording Date	Recording Number		Excise Number	Deed Type	Grantee(Buyer)	Other Parce			
08/26/2020	10/13/2020	09/28/2020	2020- 079796	\$625,000.00	379296		SO JUSTIN C	No			
03/30/2017	04/04/2017	03/31/2017	2017- 021973	\$434,000.00	313846		KNOWLES RICHARD W & ROSEANNE	No			

Property Details										
Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths			
	42 X 67	2000	65	1.0	0	0	0			

**Exhibit A Page 6 of 9** 

#### RECORDING REQUESTED BY:



825 NE Multnomah St, Ste 1175 Portland, OR 97232

AFTER RECORDING RETURN TO:

Order No.: 262001347-ET Justin C So 26600 SE Highway 224 Eagle Creek, OR 97022

SEND TAX STATEMENTS TO:

Justin C So 26600 SE Highway 224 Eagle Creek, OR 97022 Clackamas County Official Records Sherry Hall, County Clerk

2020-079796

09/28/2020 11:53:01 AM

D-D Cnt=1 Stn=73 LESLIE \$15.00 \$16.00 \$10.00 \$62.00

\$103.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

# STATUTORY WARRANTY DEED

Roseanne Knowles and Richard W. Knowles, Grantor, conveys and warrants to Justin C So, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

A tract of land being a portion of Sections 23 and 24, Township 2 South, Range 3 East in the T.H. Forrester Donation Land Claim No. 50, in the County of Clackamas and State of Oregon,

BEGINNING at the Southeasterly corner of that tract of land as described by Deed Book 116, page 206, Clackamas County Deed Records, which point bears South 48° 30' East 46.18 chains along the centerline of the Foster-Milwaukie Road from where the said centerline intersects the Northwest boundary of the said Donation Land Claim; thence South 45° 15' west parallel with the Northwest boundary of the Forrester Donation Land Claim, 30.0 feet to an iron rod; thence North 48° 52' 23" West 20.0 feet to an iron rod; thence in a Northwesterly direction along the Southwesterly right-of-way line of the Foster-Milwaukie Road, 581.56 feet more or less to an iron rod; thence North 50° 10' 51" West 20.09 feet to an iron rod at the true point of beginning of the tract herein described; from the true point of beginning; thence continuing North 50° 10' 51" West 347.14 feet to an iron rod on the Southeasterly line of that tract as described by affidavit on file in the Clackamas County Film Records 74-11099; thence along the Southeasterly line, South 45° 15' west 795.53 feet to an iron rod; thence South 48° 53' 01" East 346.47 feet to an iron rod; thence North 45° 15' East 803.41 feet to an iron rod at the true point of beginning of the tract herein described.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SIX HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$625,000.00). (See ORS 93.030).

## Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON

Deed (Statutory Warranty) ORD1293.doc / Updated: 04.26.19

# STATUTORY WARRANTY DEED

(continued)

LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth be	elow.
Dated: 8/24/2000	
Ruseanne Browles	
Røseanne Knøwles	
Richard W. Knowles	
State of <u>Olec Famos</u> County of <u>Olec Famos</u>	
This instrument was acknowledged before me on $8/24/2020$ by Roseanne Knowles a Knowles.	ind Richard W.
Notary Public - State of Oregon  OFFICIAL STAMP  DANIELLE L PARCEL	7
My Commission Expires: 11 12033 NOTARY PUBLIC-OREGON COMMISSION NO. 987 193	
MY COMMISSION EXPIRES MAY 05, 202	31

# **EXHIBIT "A"**

# Exceptions

# Subject to:

- Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2020-2021.
- 2. A manufactured home situated on the subject land is classified as real property, as disclosed by document:

Recording Date: June 26, 2017 Recording No: 2017-042379



#### DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

**DEVELOPMENT SERVICES BUILDING** 

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

April 6, 2023

Justin So 26600 SE Hwy 224 Eagle Creek, OR 97022

Subject: Alleged Violations of the Zoning and Development Ordinance,

> Title 12 Section 316 and the Solid Waste Code, Title 10, Section 10.030.060 of the Clackamas County Code

Site Address: 26600 SE Hwy 224

Legal Description: T2S, R3E, Section 24, Tax Lot 01604

It has come to the attention of Clackamas County Code Enforcement that a commercial roadside service, towing and maintenance business may be operating from the above referenced property without land use approval.

This may constitute a violation of the Zoning and Development Ordinance, Title 12 Section 316 of the Clackamas County Code.

Additionally, there may be numerous inoperable or non-currently licensed vehicles and other putrescible or miscellaneous solid waste on the above referenced property.

This may constitute a violation of the Solid Waste Code, Title 10 of the Clackamas County Code.

Please contact Shane Potter, Code Enforcement Specialist, within ten (10) days of the date of this letter in order to discuss this matter.

E-mail address is SPotter@clackamas.us Telephone number is 503-742-4465

\*Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that a \$75.00 monthly Administrative Compliance Fee will be assessed if a violation has been determined and has not been abated. When a property owner works cooperatively with the County to resolve a confirmed code violation, the County may waive all or part of that fee.

# **Department of Transportation and Development**

# **Nondiscrimination Policy:**

The Department of Transportation and Development is committed to non-discrimination. For more information go to: <a href="www.clackamas.us/transportation/nondiscrimination">www.clackamas.us/transportation/nondiscrimination</a>, email <a href="mailto:JKauppi@clackamas.us">JKauppi@clackamas.us</a> or call (503) 742-4452.

## **ILE DAMOS LA BIENVENIDA!** Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: <a href="www.clackamas.us/transportation/nondiscrimination">www.clackamas.us/transportation/nondiscrimination</a>, envíe un correo electrónico a <a href="JKauppi@clackamas.us">JKauppi@clackamas.us</a> 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: <a href="www.clackamas.us/transportation/nondiscrimination">www.clackamas.us/transportation/nondiscrimination</a>, отправьте письмо на адрес эл. почты <a href="mailto:jKauppi@clackamas.us">JKauppi@clackamas.us</a> или позвоните по телефону 503-742-4452.

## 欢迎! Chinese (Manderin)

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 MÙNG! 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 <u>www.clackamas.us/transportation/nondiscrimination</u>을 참조하거나 이메일 <u>JKauppi@clackamas.us</u>, 또는 전화 503-742-4452번으로 연락 주십시오.





# **Business Name Search**

New Search	<u>Printer Friei</u>	<u>ndly</u>	Business Entity	y Data		07-07-2023 13:09
Registry Nbr	<b>Entity Type</b>	<b>Entity Status</b>	<u>Jurisdiction</u>	Registry Date	Next Renewal Date	Renewal Due?
1115611-97	DLLC	ACT	OREGON	05-26-2015	05-26-2024	
Entity Name	MOSQUEDA	TRANSPORT,	LLC			
Foreign Name						

New Search	<b>Printer Friendly</b>	Associated Names
------------	-------------------------	------------------

Туре	PPB PRINCIPAL PLACE OF BUSINESS
Addr 1	6600 OR 224
Addr 2	
CSZ	EAGLE CREEK OR 97022 Country UNITED STATES OF AMERICA

Please click <u>here</u> for general information about registered agents and service of process.

Туре	AGT REGISTERE	ED AGEN	VΤ	Start	Date	10-09-2020	Resign Date	
Name	FIDENCIO	MOSQUEI	DA VASQUEZ					
Addr 1	26600 OR 224							
Addr 2								
CSZ	EAGLE CREEK	OR	97022	Cou	ıntry	UNITED STATES	OF AMERICA	
		-						

	Туре	MAL MAILING A	DDRES	SS					
Α	\ddr 1	1324 NE 83RD DR							
Α	Addr 2								
	CSZ	VANCOUVER	WA	98665		Country	UNITED STATES	OF AMERICA	

Type MEM MEMBER	Resign Date	

Name	RAMON		MOSQ	UEDA VASQUEZ	Z	
Addr 1	1324 NE 83RD DR					
Addr 2						
CSZ	VANCOUVER	WA	98665		Country	UNITED STATES OF AMERICA

Туре	MEM MEMBER							Resign Date	
Name	FIDENCIO		MOSQUEDA VA	SQUEZ					
Addr 1	1324 NE 83RD DR								
Addr 2									
CSZ	VANCOUVER	WA	98665		Country	UN	ITED STATES (	OF AMERICA	

# New Search Printer Friendly Name History

Business Entity Name	<u>Name</u> <u>Type</u>	Name Status	Start Date	End Date
MOSQUEDA TRANSPORT, LLC	EN	CUR	05-26-2015	

# Please <u>read</u> before ordering <u>Copies</u>.

New Search Printer Friendly Summary History

Image Available	Action	Transaction Date	Effective Date	<u>Status</u>	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	04-21-2023		FI		
	AMENDED ANNUAL REPORT	08-11-2022		FI		
	AMENDED ANNUAL REPORT	06-03-2021		FI		
	REINSTATEMENT AMENDED	10-09-2020		FI	Agent	
	ADMINISTRATIVE DISSOLUTION	07-23-2020		SYS		
	AMENDED ANNUAL REPORT	05-21-2019		FI		
	AMENDED ANNUAL REPORT	06-13-2018		FI		
	AMENDED ANNUAL REPORT	05-09-2017		FI		
	REINSTATEMENT AMENDED	12-30-2016		FI		

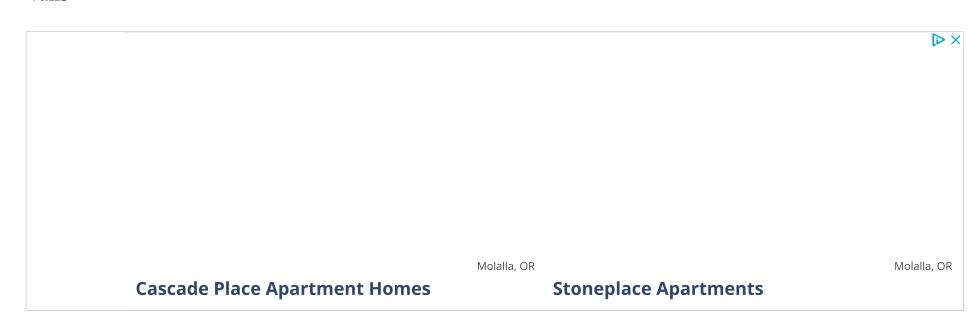
ADMINISTRATIVE DISSOLUTION	07-28-2016	SYS		
AMNDMT TO ANNUAL RPT/INFO STATEMENT	01-29-2016	FI		
ARTICLES OF ORGANIZATION	05-26-2015	FI	Agent	

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For comments or suggestions regarding the operation of this site, please contact : <a href="mailto:corporation.division@sos.oregon.gov">corporation.division@sos.oregon.gov</a>

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MOSQUEDA TRANSPORT LLC is a freight shipping Trucking Company from EAGLE CREEK, OR. Company USDOT number is 2639047 and docket number is 919475. Transportation Services provided: Vans



# MOSQUEDA TRANSPORT LLC

Do you operate this business? (/create-account/2639047)

**Pickup Location** 

City

**Delivery Location** 

City

# **Less than Truckload**

**GET A QUOTE** 

Get Freight Quotes from the best Trucking Companies and Brokers.

USDOT Number: 2639047 USDOT Registered: N/A MC Number: 919475

Trucks/Tractors: 4

Drivers: 3

# **Company Information**

Physical Address: 26600 OR-224 HWY, EAGLE CREEK, OR, 97022 (https://www.google.com/maps/place/26600 OR-224 HWY, EAGLE

CREEK, OR, 97022)

Mailing Address: 1324, 83RD AVE, VANCOUVER, WA, 98665

**Phone:** 510-684-6838 (tel:+1-510-684-6838)

**Cell Phone:** 510-684-6838 (tel:+1-510-684-6838)

Fax: N/A

Website: N/A

Hazardous Material ?		
No		
Carrier Operation		
Interstate		
Entity Type		
Carrier		
Service Type		
Vans		
Cargo Type		
General Freight		
Hiring Information		
Truck Driver Jobs available?		

Email: N/A

No

# **Contact us regarding Driver Jobs:**

Email: N/A Phone: N/A SMS: N/A Trailer Type

Double/Triples - N/A

Drop Deck - N/A

Dry Van - N/A

Flatbed - N/A

HHG - N/A

Reefer - N/A

Specialized - N/A

Tanker - N/A

# **Driver Type**

Company Driver - N/A

Lease Purchase - N/A

Owner Operator - N/A

Team - N/A

#### Disclaimer:

PartnerCarrier.com does not claim that MOSQUEDA TRANSPORT LLC is an actual trucking company or broker. MOSQUEDA TRANSPORT LLC information is sourced from the DOT and is public information available through the FOIA (https://www.foia.gov/).

Company Owner/Manager: If you see any incorrect information on this page, please contact the DOT directly to make changes (https://dataqs.fmcsa.dot.gov/) to correct your record.

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#### DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

**DEVELOPMENT SERVICES BUILDING** 

150 Beavercreek Road | Oregon City, OR 97045 Violation No.:V0008623

July 17, 2023

Justin C So 26600 SE Hwy 224 Eagle Creek, OR 97022

RE: VIOLATIONS OF CLACKAMAS COUNTY CODES: No.: V0008623

- CLACKAMAS COUNTY FRANCHISES SOLID WASTE OR WASTE
   ACCUMULATION PROHIBITED TITLE 10.03.060(A, B.7, B.8, B.9, B.10, & B.11)
   – SOLID WASTE OR WASTES ACCUMULATION PROHIBITED Solid waste
   and inoperable and/or not currently licensed vehicles on site
- 2. CLACKAMAS COUNTY ZONING AND DEVELOPMENT URBAN AND RURAL RESIDENTIAL DISTRICTS ORDINANCE 12.316.030 USES PERMITTED Operating a business and/or storage of commercial vehicles on site without Land Use Approval
- 3. CLACKAMAS COUNTY BUILDING CODE APPLICATION AND ENFORCEMENT OF THE BUILDING CODE TITLE 9.02.040(A & E) Accessory building being used for commercial purposes

SITE ADDRESS: 26600 SE Hwy 224, Eagle Creek, OR 97022 LEGAL DESCRIPTION T2S, R3E, SECTION 24, TAX LOT 01604

Dear Justin So,

There is a large amount of vehicles and a business operating on site. One of the businesses identified is Mosqueda Transport LLC. To abate these violations you must complete the following **NO LATER THAN: August 17, 2023** 

- 1. To abate the solid waste by the date listed above:
  - a. Remove all putrescible waste (such as food scraps, sewer, and other debris that create a health hazard), solid waste, including but not limited to, automotive parts, tires, appliances, equipment, furniture, scrap metal, and miscellaneous debris to an authorized disposal facility. All putrescible waste must be stored in a rodent proof container with tight-fitting lid and removed to an authorized disposal facility a minimum of once every 7 days. Covering solid waste with a tarp does not remove the items from violation. For a definition of solid waste please go to Title 10.03.030 (59), and/or;
  - b. Place the items that you wish to keep code compliant, by screening them from view or placed within a compliant structure for such use.
- 2. To abate the violation of inoperable and/or not currently licensed vehicles For inoperable and/or not currently licensed vehicles onsite. Inoperable and/or not

currently licensed vehicles that includes, but not limited to, motorcycles, boats, and/or boat trailers, and/or motor-homes, and travel trailers, etc.,:

- a. Remove the inoperable and/or not currently licensed vehicles from the subject property, and/or;
- b. Render the inoperable and/or not currently licensed vehicles, operable and licensed, and/or;
- c. Place the inoperable and/or not currently licensed vehicles inside a permitted structure, and/or;
- d. Screen no more than 2 vehicles from view of the road and surrounding properties, in accordance with the minimum screening requirements of the code (see Title 10.03.060 (c)). Please note: placing items under tarps or tarp like structures does not remedy the violation.
- 3. Operating a business(es) on site without Land Use Approval is a violation of the Zoning Code. You must abate the violation by addressing the following by the deadline listed in this letter:
  - a. Cease operating the business at this location or move the business to an approved location.
  - b. If you would like to continue to operate the business at this location you must contact the Clackamas County Planning and Zoning Division at 503-742-4500 or by email at <a href="mailto:zoninginfo@clackamas.us">zoninginfo@clackamas.us</a>. Submit the required land use applications by the date listed above. If the application is deemed incomplete you will need to provide a completed application within 30 days of receiving an incomplete application letter.
  - c. If you obtain Land Use Approval to continue the operations at this site you will need to obtain the appropriate permits for work in the accessory buildings.
    - i. Once Land Use Approval is obtained you will need to submit all technical plans, permits and pay all fees within 30 days of the final Land Use Approval/Appeal. If the application is deemed incomplete you will need to submit the missing materials within 30 days of the notice of the decision.
    - ii. Fees must be paid in full within 10 days of being notified by the Building Codes Division.
    - iii. 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), or;

Permits are accepted online only, for more information on this process please refer to the County's website at https://www.clackamas.us/building

If you have questions concerning permit requirements, online submittal process, or land use process, please contact the department listed above at the phone number or email listed, or stop by the offices located at 150 Beavercreek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. The offices are closed on Fridays

# **ITEMS INCLUDED IN THIS PACKET**

- Violation Letter
- Required Notice of Fines and Penalties
- Solid Waste Code

**Shane Potter** 

Code Enforcement Specialist

Clackamas County Code Enforcement

Phone: 503-742-4465 spotter@clackamas.us

# **Important Notices**

- 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 <a href="mailto:codeenforcement@clackamas.us">codeenforcement@clackamas.us</a>.
- 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.

# CLACKAMAS COUNTY CODE ORDINANCE TITLE 10.03 SOLID WASTE AND WASTE MANAGEMENT CODE (This is a portion of the code the remainder of the code can be found on the Clackamas County Website)

10.03.030 Definitions

- (33). INOPERABLE VEHICLE: For the purpose of the Nuisance Abatement provisions of this chapter, shall mean a vehicle designed for use on a public highway which has been left on public or private property thirty (30) days or more and is not currently licensed, or not in operating condition, or which has been extensively damaged, vandalized or stripped, including, but not limited to, missing wheels, tires, motor or transmission. An inoperable vehicle shall not mean an unlicensed operable vehicle or vehicles, which are used on private property for the production, propagation or harvesting of agricultural products grown or raised on such lands.
- (48). PUTRESCIBLE MATERIAL means solid waste or wastes, including: bones; meat and meat scraps; fat; grease; fish and fish scraps; food containers or products contaminated with food wastes, particles or residues; prepared vegetable and fruit food wastes or scraps; manure; feces; sewer sludge; dead animals or similar wastes which cause offensive odor to create a health hazard, or which are capable of attracting or providing food for potential disease carriers, such as birds, rodents, flies and other vectors.
- (59). SOLID WASTE OR WASTES shall include all putrescible and non-putrescible waste, including but not limited to, garbage; compost; organic waste; yard debris; brush and branches; land-clearing debris; sewer sludge; residential, commercial and industrial building demolition or construction waste; discarded residential, commercial and industrial appliances, equipment and furniture; discarded, inoperable or abandoned vehicles or vehicle parts and vehicle tires; special vehicles and equipment that are immobile and/or inoperable, mobile homes or trailer houses which are dilapidated, partially dismantled or fire damaged; manure; feces; vegetable or animal solid and semi-solid waste and dead animals; and infectious waste. Waste shall mean useless, unwanted or discarded materials. The fact that materials which would otherwise come within the definition of solid waste, may from time to time, have value and thus be utilized shall not remove them from the definition. There is a series of items identified in this section that are not included in this definition such as fertilizer for agricultural purposes. Please see the code for additional items.

#### 10.03.060 Solid Waste or Wastes Accumulation Prohibited

A. Except as provided in subsection D of this Section, no person shall store, collect, maintain, or display on private property, solid waste or wastes or recyclable material that is offensive or hazardous to the health and safety of the public, or which creates offensive odors, or a condition of unsightliness. Storage, collection, maintenance, or display of solid waste or wastes in violation of this section shall be considered to be a public nuisance, which may be abated as provided in 10.03.070 of this chapter.

- B. In addition to the provisions of subsection A, the following conditions or actions are also specifically identified as creating a public nuisance under this chapter.
- (1) Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes for purposes of keeping it out of sight from the road or surrounding properties.
- (2) Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes that is stored in a utility trailer, pickup truck, semitrailer or similar device for purposes of keeping it out of sight from the road or surrounding properties.
- (3) Constructing a tire fence for any purpose.
- (4) Storing waste tires except as permitted pursuant to OAR Chapter 340.
- (5) Storing putrescible waste, whether it is visible or not visible from the road or adjacent properties, that is not kept in a rodent proof container with a tight-fitting lid, and not removed from the property to an authorized disposal facilities within seven (7) days.
- (6) Composting which causes offensive odors, or creates a health hazard, or which is capable of attracting or providing food for potential disease carriers such as birds, rodents, flies and other vectors.
- (7) Storing, collecting, maintaining, or displaying any licensed or unlicensed special vehicle or equipment that is immobile, inoperable, partially dismantled or dismantled, dilapidated, or fire damaged and is visible from the road or surrounding properties.
- (8) Storing, collecting, maintaining, or displaying a mobile home or trailer house, which is dilapidated or partially dismantled, or fire damaged, and is visible from the road or surrounding properties.

- (9) Storing, collecting, maintaining or displaying: residential, commercial and industrial appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste or wastes, that is visible from the road or surrounding properties.
- (10) Storing, collecting, maintaining or displaying any antique, classic, race care or collectible vehicle that is inoperable and is visible from the road or surrounding properties.
- (11) Storing any inoperable vehicles unless said vehicle or vehicles are housed within a permitted structure or development, except up to two vehicles per premise may be stored behind a sight obscuring screen, in accordance with 10.03.060 C, and shall not be visible from the road or surrounding properties. For purposes of Subsection 11, two or more contiguous tax lots that are under common ownership shall be considered one premise.
- (12) When commercial, industrial, multi-family or residential developments that use a compactor or compactors for on-site waste management, do not keep the areas around the compactor free of solid waste and debris, and washed down on a regular basis.
- C. Any sigh obscuring screen used to abate a solid waste nuisance shall consist of one of the following options:
- (1) Construct a wood fence unpainted or painted with neutral or earth tone colors of which the upright posts shall consist of a decay resistive material a minimum of four (4) inches in diameter and anchored a minimum of eight (8) feet. The railings shall be a minimum of 2 inch by 4 inch lumber with the 4 inch side attached vertically to the posts. The attached vertical or horizontal fence boards shall be set with a maximum separation ½ inch.
- (2) Construct a metal fence consisting of chain link or woven fabric with metal upright posts anchored a minimum of two (2) feet below ground level with metal railings and connectors. Water and insect resistive wood or plastic slats shall be inserted in the chain link or woven fabric, with a maximum separation of 3/8 inch between slats.
- (3) Construct a combination fence consisting of a metal sheeting attached to wood framing as defined in Section C-1 above, or durable metal framing, which is painted a neutral or earth tone color.
- (4) Construct a wall consisting of solid material, built of concrete, masonry, brick, stone, or other similar materials or combination thereof.
- (5) Construct an earthen berm consisting of dirt, soil, sand, clay or any combination thereof and shall be planted with grass and/or ornamental plantings and shall be maintained at all times.
- (6) Plant a hedge consisting of evergreen plantings or other ornamental plantings a minimum of six (6) feet in height, planted not more than two (2) feet on center and which is maintained at all times.

In addition to the minimum fencing requirements, wood, metal, masonry fences or combination thereof greater than six (6) feet in height are subject to County review pursuant to the Oregon State Uniform Building Code, and all earthen berms are subject to County review pursuant to the County's Grading and Excavation Chapter.

For the purposes of this chapter, no sight obscuring screen shall be located, placed, constructed or installed contrary to the Clackamas County Zoning Development Ordinance





Citation No.: 2300086 - 1

Case No.: V0008623

# ADMINISTRATIVE CITATION

Date Issued: November 6, 2023

# Name and Address of Person(s) Cited:

Name: Justin C So

Mailing Address: 26600 SE Hwy 224 City, State, Zip: Eagle Creek, OR 97022

Date Violation(s) Confirmed: November 2 & 6, 2023, 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): 26600 SE Hwy 224, Eagle Creek, OR 97022

Legal Description: T2S, R3E SECTION 24, Tax Lot 01604

#### Law(s) Violated

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 12.316.030

## Description of the violation(s):

1) Operating a business with numerous vehicles on site without land use approval

Maximum Civil Penalty \$2,500.00

Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$400.00. 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 \$75.00 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: Shane Potter Date: November 6, 2023

Telephone No.: 503-742-4465 Department Initiating Enforcement Action: Code Enforcement

# PLEASE READ CAREFULLY!

You have been cited for the violations(s) of law stated on the front of this form. You MUST exercise ONE of the following options within fifteen calendar days of the date of this citation.

If you fail to exercise one of these options within fifteen calendar days of the citation date, the County may request a hearing before the Code Enforcement Hearings Officer following which you may be ordered to pay the maximum civil penalty and abate the violation.

## Options:

1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:

Clackamas County Code Enforcement Section

150 Beavercreek Rd.

Oregon City, OR 97045

2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to <a href="mailto:codeenforcement@clackamas.us">codeenforcement@clackamas.us</a>.

A request for hearing must contain all of the following information:

- a. Your name and address;
- b. A copy of the citation or the Citation No. and Case No.; and,
- c. The description of the relief you are requesting.

At the hearing, an administrative fee may be assessed by the Hearings Officer in addition to civil penalty(ies) if the Hearings Officer concludes you are responsible for the violation. If a civil penalty is imposed the amount will likely exceed the fine amount on this citation.

#### STATEMENT OF UNDERSTANDING

I, the undersigned, do hereby acknowledge that I understand the following:

- 1. By paying the fine I admit the existence of the violation(s) alleged on this citation and my responsibility for it.
- 2. Paying the fine does not relieve me of my responsibility to correct the violation and to comply with all applicable laws.
- 3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature:	Date:			
Address:				
	City, State, Zip			
Contact Number:	Email:			



Exhibit H Page 1 of 6



Exhibit H Page 2 of 6



**Exhibit H Page 3 of 6** 



**Exhibit H Page 4 of 6** 



Exhibit H Page 5 of 6



Exhibit H Page 6 of 6