



## NOTICE OF HEARING

April 9, 2025

Leslie & Cathleen Johnson  
35501 SE Gunderson Rd  
Sandy, OR 97055

**RE::** County of Clackamas v. Leslie and Cathleen Johnson  
**File:** V0044024

**Hearing Date:** May 8, 2025

**Time:** This item will not begin before 11:30 am 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 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. **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.



**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

You must have access to the internet or to a telephone line to use the Zoom platform. A Zoom invite has been sent to LUXARYACCOMMODATIONSINC@GMAIL.COM. A copy of the link is provided below. Once you have joined the meeting, please allow the moderator to promote you to a panelist. **Closed captioning is available for the zoom platform upon request.**

If you would like to present evidence at the Hearing please email or mail your evidence to Code Enforcement 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 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 PC, Mac, iPad, or Android:

<https://clackamascounty.zoom.us/j/83621957526?pwd=W6mbXJldBGBbax4uzkO1mtyNdOxATL.1>

Passcode:876117

Phone one-tap:

+16699006833,,83621957526#,,,,\*876117# US (San Jose)

+17193594580,,83621957526#,,,,\*876117# US

Join via audio:

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+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 444 9171 US



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Passcode: 876117

## 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](http://www.clackamas.us/transportation/nondiscrimination), email [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), envíe un correo electrónico a [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) o llame al 503-742-4452.

**ДОБРО ПОЖАЛОВАТЬ!** Russian

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**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](http://www.clackamas.us/transportation/nondiscrimination)，发送电子邮件至 [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), gửi email đến [JKauppi@clackamas.us](mailto: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/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination)을 참조하거나 이메일 [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us), 또는 전화 503-742-4452번으로 연락 주십시오.

BEFORE THE COMPLIANCE HEARINGS OFFICER  
for  
COUNTY OF CLACKAMAS

COUNTY OF CLACKAMAS,

Petitioner,

v.

LESLIE AND CATHLEEN JOHNSON,

Respondents.

File No: V0044024

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 35501 SE Gunderson Rd., Sandy, OR 97055.

2.

The Respondent(s) own/owns or occupies the address or location of the violation(s) of law alleged in this Complaint is 35501 SE Gunderson Rd., Sandy, OR 97055 also known as T2S, R4E, Section 22, Tax Lot 00301, and is located in Clackamas County, Oregon. The property is zoned RRFF5 and is the location of violation(s) asserted by the County.

3.

On or about the 30<sup>th</sup> day of October, 2024 and on the 10<sup>th</sup> day of February, 2025 the Respondents violated the following law, in the following way:

- a. Respondents violated the Clackamas County Solid Waste and Wastes Management Code, Chapter 10.03 by accumulating inoperable and/or non-currently licensed vehicles. This violation is a Priority 3 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 Respondents in the following manner: Violation Notice and Amended Citation and Complaint 2400440 in the amount of \$300.00 was mailed via first class mail on April 2, 2025. A copy of the notice document is attached to this Complaint as Exhibit D and I, 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 Respondents to immediately abate the violation and bring the property at issue into compliance with all laws, and permanently enjoining Respondents from violating these laws in the future;

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents for each violation, within the range established by the Board of County Commissioners. Said range for a Solid Waste and Waste Management Code Priority 3 violation being \$250.00 to \$1,500.00 per occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents 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 Respondents 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 2<sup>nd</sup> day of April, 2025.



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Jennifer Kauppi  
Code Enforcement Specialist  
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

LESIE AND CATHLEEN JOHNSON

Respondents.

File No.: V0044024

STATEMENT OF PROOF

History of Events and Exhibits:

October 15, 2024	Clackamas County received several complaints regarding an accumulation of miscellaneous debris and inoperable or non-currently licensed vehicles on the subject property.
October 16, 2024 Exhibit A	Correspondence was mailed to the Respondents regarding the alleged violation.
October 16, 2024 Exhibit B	A review of an aerial image taken October 11, 2024 showed the back of the property had many boats and vehicles in the field that could be seen by neighboring properties.
October 28, 2024 Exhibit C	I conducted a site inspection and confirmed the solid waste code violation.
October 28, 2024	I spoke with Cathy on the phone. Cathy and I discussed the accumulation of vehicles on the property. Cathy stated that some of the vehicles had been abandoned but the majority of the vehicles belonged to them. She admitted that most of the vehicles were not currently licensed and were project cars. I explained the requirements of abating the solid waste violation. Because of the number of vehicles that would have to be addressed, Cathy had requested more than 30 days to abate the code violation.
October 30, 2024 Exhibit D	A Notice of Violation was mailed to the Respondents providing them with a deadline date of January 6, 2025 to abate the violation. The notice was sent first class mail and was not returned to the County.
January 28, 2025	I called Cathy and left a voicemail requesting an update on the progress they have made on the property. I did not receive a return call.
February 10, 2025 Exhibit E	I conducted a site inspection and confirmed the property remained in violation.
February 11, 2025 Exhibit F	I emailed Cathy regarding the February 10 <sup>th</sup> site inspection and requested a response regarding the plans for abating the violation. I did not receive a response from Cathy.

February 25, 2025 Exhibit G	Citation 2400440 in the amount of \$250.00 for the Priority 3 Solid Waste and Wastes Management Code violation was mailed first class mail and was not returned to the County. The citation has been voided.
March 24, 2025 Exhibit H	I conducted a site inspection, and the property remains in violation.
April 2, 2025 Exhibit I	Amended Citation 2400440 in the amount of \$300.00 for the Priority 3 Solid Waste and Wastes Management Code violation was sent first class mail and was not returned. The citation remains unpaid.
April 9, 2025	This matter was referred to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Solid Waste and Waste Management Code, Chapter 10.03.060(A)(B) exists, the County is requesting a Final Order in this matter recommending the following:

- The imposition of civil penalties for the Solid Waste and Wastes Management Code violation of up to \$1,500.00 for date cited February 10, 2025.
- Payment for Amended Citation No. 2400440 issued on April 2, 2025 for \$300.00.
- The administrative compliance fee to be imposed from October, 2024 until the violation is abated. As of this report the total is \$375.00.
- The County requests the Hearings Officer to permanently prohibit the Respondents 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.



October 16, 2024

Leslie & Cathleen Johnson  
35501 SE Gunderson Rd.  
Sandy, OR 97055

**Subject: Alleged Violation of the Solid Waste Code, Title 10.03.060  
of the Clackamas County Code**

Site Address: 35501 SE Gunderson Rd., Sandy, OR 97055  
Legal Description: T2S, R4E, Section 22, Tax Lot 301

It has come to the attention of Clackamas County Code Enforcement that there may be an accumulation of solid waste on the above referenced property, including but not limited to furniture, auto parts, inoperable and/or non-currently licensed vehicles and other miscellaneous debris.

This may constitute a violation of the Solid Waste Code, Title 10.03.060 of the Clackamas County Code.

Please contact me within ten (10) days of the date of this letter in order to discuss this matter. My e-mail address is [jkauppi@clackamas.us](mailto:jkauppi@clackamas.us) and my telephone number is 503-742-4759.

Jennifer Kauppi  
Code Enforcement Specialist  
Clackamas County Code Enforcement

*\*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.*

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35501 se gunderson

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35501 SE Gunderson Rd, Sandy, OR 97055









**NOTICE OF VIOLATION**

October 30, 2024

Leslie and Cathleen Johnson  
35501 SE Gunderson Rd  
Sandy, OR 97055

**SUBJECT: Violation of Clackamas County Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B)**

**VIOLATION FILE:** V0044024

**SITE ADDRESS:** 35501 SE Gunderson Rd., Sandy, OR 97055

**LEGAL DESCRIPTION:** T2S, R4E, Section22 , Tax Lot 00301

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

- Accumulation of miscellaneous debris
- Inoperable and/or non-currently licensed vehicles

**VIOLATIONS & HOW TO RESOLVE**

**Solid Waste**

The accumulation of solid waste causes a condition of unsightliness and is a safety and health hazard and constitutes a violation of Clackamas County Code Title 10.03.060 (A) and (B). In order to abate the violations, you must complete the following **on later than January 6, 2025**

- Remove all solid waste, including but not limited to 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 to an authorized disposal facility and store out of sight all articles and solid waste that you wish to keep.

### **Inoperable and/or Non-Currently Licensed Vehicles**

- Remove the inoperable and/or not currently licensed vehicles from the subject property, **and/or**;
- Render the inoperable and/or currently licensed vehicles, operable and licensed to persons currently residing on the subject property, **and/or**;
- Place the inoperable and/or not currently licensed vehicles that are owned by person currently residing on the subject property inside a permitted structure, **and/or**;
- **Screen no more than two (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 vehicles under tarps or tarp structures does not remedy the violation.**

### **CONTACT INFORMATION**

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beavercreek 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](mailto:JKauppi@Clackamas.us)

*Jennifer Kauppi*

Code Enforcement 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 Beaver Creek Rd., Oregon City, OR 97045, or at [codeenforcement@clackamas.us](mailto: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.

**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 sight 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  $\frac{1}{4}$  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  $\frac{3}{8}$  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

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11  
190

Until a change is requested all tax statements shall be sent to the following address.

EquiFirst Corporation  
500 Forest Point Circle  
Charlotte, NC 28273  
WHEN RECORDED MAIL TO  
EquiFirst Corporation  
Attn: Collateral M  
500 Forest Point Circle  
Charlotte, NC 28273

Clackamas County Official Records  
Sherry Hall, County Clerk

2004-037996



\$116.00

00672533200400379960190196

04/30/2004 10:36:12 AM

M-TD Cnt=1 Stn=7 AMIEE  
\$95.00 \$11.00 \$10.00

TAX ACCOUNT NUMBER  
00674853

[Space Above This Line For Recording Data]

## DEED OF TRUST

Mortgage Electronic Registration Systems, Inc. (MERS) is the Grantee of this Security Instrument  
MIN 100200100048959518

### DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated April 26, 2004, together with all Riders to this document.

(B) "Borrower" is Leslie Paul Johnson and Cathleen M Johnson, as tenants by the entirety

Borrower is the trustor under this Security Instrument.

(C) "Lender" is EquiFirst Corporation

Lender is a Corporation  
organized and existing under the laws of North Carolina  
489595

OREGON-Single Family-Fannie Mae/Freddie Mac UNIFORM INSTRUMENT WITH MERS

Form 3038 1/01

VMP-6A(OR) (0201)

Page 1 of 15

Initials: *LP*

VMP MORTGAGE FORMS - (800)521-7291

Lender's address is 500 Forest Point Circle, Charlotte, NC 28273

(D) "Trustee" is Fidelity National Title Company of Orego

(E) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. **MERS is the beneficiary under this Security Instrument.** MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.

(F) "Note" means the promissory note signed by Borrower and dated April 26, 2004

The Note states that Borrower owes Lender two hundred twenty thousand and 00/100 Dollars

(U.S. \$220,000.00 ) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than May 1, 2034

(G) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(H) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(I) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Adjustable Rate Rider | <input type="checkbox"/> Condominium Rider              | <input type="checkbox"/> Second Home Rider             |
| <input type="checkbox"/> Balloon Rider                    | <input type="checkbox"/> Planned Unit Development Rider | <input type="checkbox"/> 1-4 Family Rider              |
| <input type="checkbox"/> VA Rider                         | <input type="checkbox"/> Biweekly Payment Rider         | <input checked="" type="checkbox"/> Other(s) [specify] |
| Arbitration/ ARM Floor/<br>Prepay Rider                   |   |  |

(J) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(K) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(L) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.


(M) "Escrow Items" means those items that are described in Section 3.

(N) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

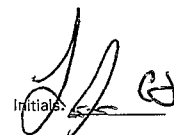
(O) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(P) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

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(Q) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(R) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

#### TRANSFER OF RIGHTS IN THE PROPERTY

The beneficiary of this Security Instrument is MERS (solely as nominee for Lender and Lender's successors and assigns) and the successors and assigns of MERS. This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the

County

of

Clackamas

:

[Type of Recording Jurisdiction]

[Name of Recording Jurisdiction]

See Attached Exhibit A

35501 S.E. Gunderson Rd  
Sandy  
("Property Address"):

which currently has the address of  
[Street]  
[City], Oregon 97055 [Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for Lender and Lender's successors and assigns) has the right: to exercise any or all of those interests, including, but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing and canceling this Security Instrument.

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You are responsible for the cost of any insurance purchased by us. The cost of this insurance may be added to your contract or loan balance. If the cost is added to your contract or loan balance, the interest rate on the underlying contract or loan will apply to this added amount. The effective date of coverage may be the date your prior coverage lapsed or the date you failed to provide proof of coverage.

The coverage we purchase may be considerably more expensive than insurance you can obtain on your own and may not satisfy any need for property damage coverage or any mandatory liability insurance requirements imposed by Applicable Law.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it.

Witnesses:

\_\_\_\_\_  
Leslie P. Johnson (Seal)  
-Borrower

\_\_\_\_\_  
Cathleen M Johnson (Seal)  
-Borrower

\_\_\_\_\_(Seal)  
-Borrower

\_\_\_\_\_(Seal)  
-Borrower


\_\_\_\_\_(Seal)  
-Borrower

\_\_\_\_\_(Seal)  
-Borrower

\_\_\_\_\_(Seal)  
-Borrower

\_\_\_\_\_(Seal)  
-Borrower

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STATE OF OREGON, Multnomah County ss:  
On this 26 day of April 2004, personally appeared the above named  
Leslie P Johnson & Cathleen M Johnson

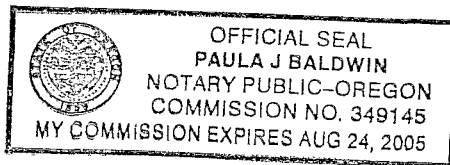
and acknowledged the foregoing instrument to be his/her/their voluntary act and deed.

My Commission Expires:

(Official Seal)

Before me:

Notary Public for Oregon



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Initials: ALC

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**From:** [Kauppi, Jennifer](#)  
**To:** ["LUXURYACCOMMODATIONSINC@GMAIL.COM"](mailto:LUXURYACCOMMODATIONSINC@GMAIL.COM)  
**Subject:** V0044024 - 35501 SE Gunderson Rd  
**Date:** Tuesday, February 11, 2025 11:34:45 AM  
**Attachments:** [image001.jpg](#)

---

Cathleen,

Hello. This is Jennifer with Clackamas County Code Enforcement following up with you regarding the violation at 35501 SE Gunderson Rd.

On October 30, 2024 I mailed the Notice of Violation to you after we talked on the phone. I provided you a deadline of January 6, 2025 to abate the violation on the property. On January 28, 2025 I left you a voicemail on your progress and requested a call back. I did not hear back from you so I conducted a site visit on February 10<sup>th</sup> and confirmed the violation has not been abated.

Please contact me to discuss this file further and plans for abatement. I will be out of the office Friday February 14<sup>th</sup> – Tuesday February 18<sup>th</sup> but I'm available any other time.

If I'm unable to make contact with you, my next step in the enforcement process is to issue a citation. If a citation is issued the \$75.00 admin fee can no longer be voided and will continue to accrue every month until the violation is abated.

I hope to hear from you soon.

Thank you

Jennifer Kauppi – Code Enforcement Specialist  
Code Enforcement  
Department of Transportation and Development  
150 Beaver Creek Rd.

Primary Phone: [503-742-4759](tel:503-742-4759)

[www.clackamas.us](http://www.clackamas.us)

Hours: M-F from 7:30 a.m. until 4:00 p.m.

Lobby hours 8:00 a.m. until 4:00 p.m. Monday – Thursday. Offices are closed to the public on Fridays.





Citation No. 2400440

Case No. V0040024

# ADMINISTRATIVE CITATION

Date Issued: February 25, 2025

**Name and Address of Person(s) Cited:**

Name: Leslie and Cathleen Johnson  
Mailing Address: 35501 SE Gunderson Rd  
City, State, Zip: Sandy, OR 97055

VOIDED

Date Violation(s) Confirmed: On the 10th day of February, 2025, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 35501 SE Gunderson Rd., Sandy, OR 97055

Legal Description: T2S, R4E Section 22, Tax Lot(s) 00301

**Law(s) Violated:**

☒ Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.060

**Description of the violation(s):**

- 1) Accumulation of inoperable or non-currently licensed vehicles.

Maximum Civil Penalty \$1,500.00

Fine \$250.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$250.00. 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 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: February 25, 2025  
Department Initiating Enforcement Action: Code Enforcement











Oct 2024 - Jan 2025 ▾

10/11/2024 - 01/28/2025



Search





Citation No. 2400440

Case No. V0040024

# ADMINISTRATIVE CITATION AMENDED

Date Issued: April 2, 2025

**Name and Address of Person(s) Cited:**

Name: Leslie and Cathleen Johnson  
Mailing Address: 35501 SE Gunderson Rd  
City, State, Zip: Sandy, OR 97055

Date Violation(s) Confirmed: On the 10th day of February, 2025, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 35501 SE Gunderson Rd., Sandy, OR 97055

Legal Description: T2S, R4E Section 22, Tax Lot(s) 00301

**Law(s) Violated:**

☒ Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.060

**Description of the violation(s):**

- 1) Accumulation of inoperable or non-currently licensed vehicles.

Maximum Civil Penalty \$1,500.00

Fine \$300.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$300.00. 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 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: April 2, 2025  
Department Initiating Enforcement Action: Code Enforcement

**PLEASE READ CAREFULLY!**

You have been cited for the violation(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 Beaver Creek 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 [codeenforcement@clackamas.us](mailto:codeenforcement@clackamas.us).

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: \_\_\_\_\_