



## NOTICE OF HEARING

March 6, 2024

Aleksandr & Lyubov Zhogan  
8610 SE 65<sup>th</sup> Ave.  
Portland, OR 97206

**RE::** County of Clackamas v. Aleksandr & Lyubov Zhogan  
**File:** V0016623

**Hearing Date:** March 27, 2024

**Time:** This item will not begin before 11:00am 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 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 Officer's Order is the final decision of the County, and may be appealed pursuant to Oregon law. The Hearings Officer for Clackamas County is:

**Carl Cox**  
**Attorney at Law**  
**14725 NE 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.



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 Beaver Creek Rd, Oregon City, Oregon 97045, **no later than 4 working days prior to the hearing**. Staff will number your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for reference.

If you are unable to participate in a hearing through the Zoom platform please contact 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 before your scheduled start time, please call 503-830-9960 for assistance.**

#### Zoom invite

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

Please click this URL to join.

<https://clackamascounty.zoom.us/j/83721999732?pwd=ZkVUb3RGMk9lQ0ljU3hTMUcvMWljZz09>

Passcode: 159826

Or One tap mobile:

+12532050468,,83721999732# US

+12532158782,,83721999732# US (Tacoma)

Or join by phone:

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

US: +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 +1 719 359 4580 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325

Webinar ID: 837 2199 9732

## 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

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

### **欢迎!** Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 [www.clackamas.us/transportation/nondiscrimination](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 the  
CLACKAMAS COUNTY BOARD OF COMMISSIONERS

COUNTY OF CLACKAMAS,

FILE NO:

V0016623

Petitioner,

v.

ZHOGAN EXPRESS LLC.

Respondent,

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondents' mailing address is: 8610 SE 65<sup>th</sup> Ave., Portland, OR 97206.

2.

The address or location of the violations of law alleged in this complaint is: 6428 SE Clatsop St., Portland, OR 97206 and no situs, also known as T1S, R2, Section 29BB, Tax Lots 02300, 04600 and 04700, and is located in Clackamas County, Oregon.

3.

On or about the 29<sup>th</sup> day of August, 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 10 of the Clackamas County Code Section 10.03.060. This violation is a Priority 2 violation pursuant to the Clackamas County Violation Priorities.

Title 12 of the Clackamas County Zoning and Development Ordinance (ZDO) Code Section 12.315.03, zoned Urban Low Density Residential (R-7). 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 Respondents in the following manner: Violation notice dated August 29, 2023 and Citation and Complaint #2300166 - 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 Solid Waste Violation being \$500.00 to \$2,500.00 per occurrence as provided by Appendix B to the Clackamas County Code; and said range for a Priority 2 for a Zoning 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 28<sup>th</sup> day of February, 2024



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Shane Potter  
Code Enforcement Specialist  
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

ZHOGAN EXPRESS LLC.

Respondent,

File No.: V0016623

STATEMENT OF PROOF

### History of Events and Exhibits:

June 5, 2023 Exhibit A	Clackamas County received a complaint regarding operating a trucking repair business in violation of the code.
June 7, 2023 Exhibit B	A letter of allegation was mailed first class mail. The mail was not returned.
June 26, 2023 Exhibit C	Code Enforcement Specialist (CES) Shane Potter performed a site visit and identified solid waste throughout the site, vehicles stored throughout the site in all stages of disrepair, access to the site visually without barriers, gates were open, and heavy vehicles parked in the right of way.
July 6, 2023 Exhibit D	CES Potter researched Clackamas County Circuit Court order addressing the allowed uses of the site with conditions of approval.
August 29, 2023 Exhibit E	Facts of the alleged violation were reviewed, the violation verified, and Notice of the 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 and found numerous vehicles in different states of repair on site, parts and solid waste throughout the site. The gates were open at both entrances and no barrier between the road and the property. Heavy vehicles were parked along the right of way in front of the parcels.



November 6, 2023  
Exhibit G      Citation #2300166 – 1 for \$800.00 was issued for a Priority 2 Solid Waste violation and a Priority 2 Zoning code for violations of conditions of approval. The citation was mailed first class. The mail was not returned. The citation has not been paid.

January 4, 2024  
Exhibit H      CES Potter performed a site visit and there is even more solid waste on site. There is also no change to the vehicles on site or barriers on site. The gates were open. Heavy vehicles were also still parked in the right of way along these lots.

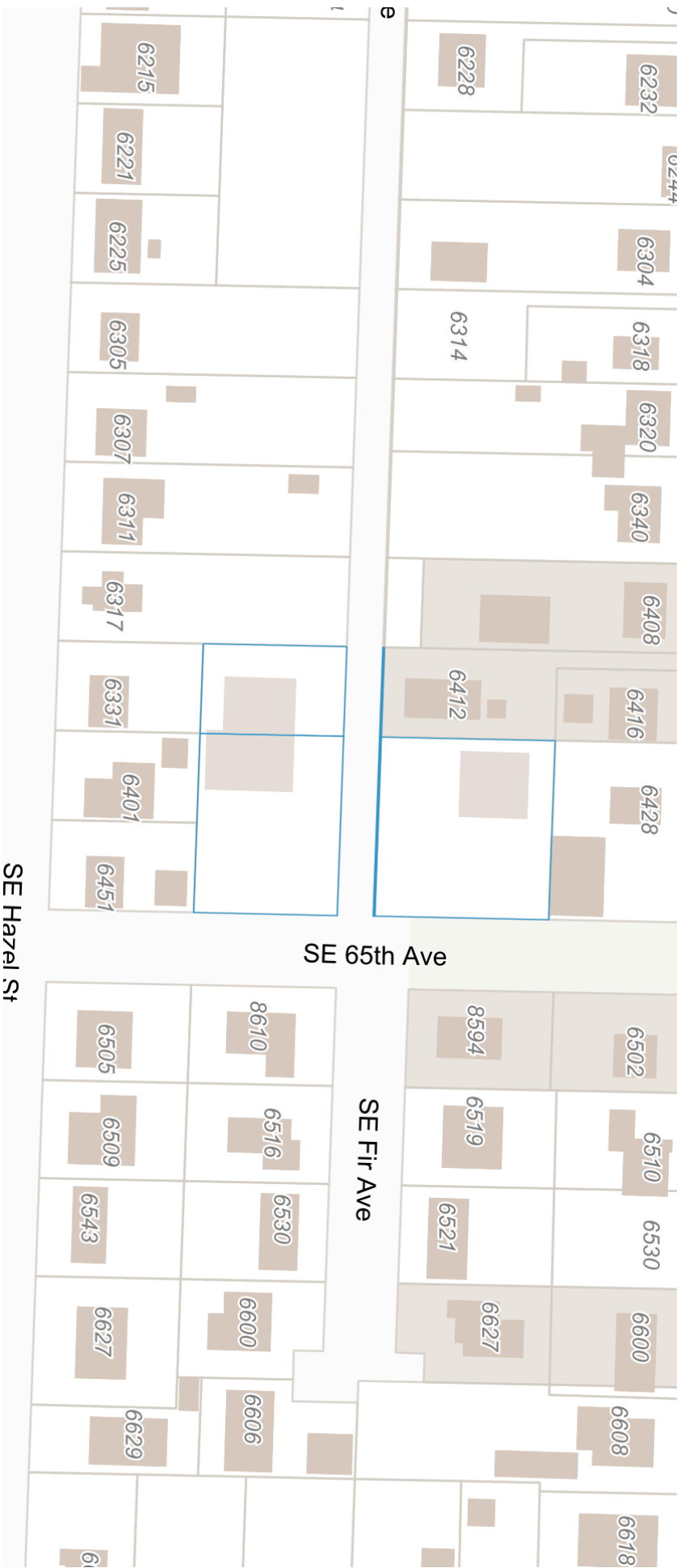
February 28, 2024      This violation was referred to the Hearings Officer.

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

- Within 30 days of the Continuing Order comply with the following conditions of approval on Circuit Court Order 89-12-49:
  - Condition #2 – Keep the gates closed except when using to allow access into the site as stated in the condition of approval.
  - Condition #4 – Comply with the street parking allowance in both the amount of time allowed and the weight of the vehicles as identified in the order.
  - Condition #5 – Remove all solid waste and vehicles and maintain the access way as approved in the order.
  - Condition #8 – Solid waste is not allowed to accumulate. There is solid waste throughout the site. The solid waste must be removed and kept in compliance with the existing solid waste code as detailed in Chapter 10.03.060 of the Clackamas County Solid Waste code. This would also include junk vehicles and parts along with the other debris that exist on site as seen from the right of way and neighboring properties.
- Within 60 days of the Continuing Order comply with the following conditions of approval on Circuit Court Order 89-12-49:
  - Condition #1 - Exhibit A of Circuit Court Order 89-12-49 shows a 6 foot tall wood fence around the perimeter with plantings. Currently there is a see through chain link fence. Provide a wood fence and plantings as shown in Exhibit A of this order.

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 #2300166 - 1 for \$800.00.
- The imposition of civil penalties of up to \$2,500.00 for Solid Waste violations and civil penalties of up to \$2,500.00 for the Zoning code violations for a total civil penalties amount of up to 5,000.00.
- The administrative compliance fee to be imposed from August 2023. As of the date of this report the administrative compliance fee was \$450.00.
- 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.



**EXHIBIT A PAGE 1 OF 23**



Property Account Summary

**Account Number** 00056753 **Property Address** 6428 SE CLATSOP ST , PORTLAND, OR 97206

**General Information**

Alternate Property #	12E29BB02300
Property Description	PARTITION PLAT 2019-090 PARCEL 2
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	012-230
Remarks	

**Tax Rate**

Description	Rate
Total Rate	18.7391

**Property Characteristics**

Neighborhood	30010: Area 01 industrial
Land Class Category	300: Industrial land, vacant
Acreage	0.00
Change property ratio	CIC

**Related Properties**

No Related Properties Found

**Parties**

Role	Percent	Name	Address
Taxpayer	100	ZHOGAN EXPRESS LLC	8610 SE 65TH AVE, PORTLAND, OR 97206
Owner	100	ZHOGAN EXPRESS LLC	8610 SE 65TH AVE, PORTLAND, OR 97206

**Property Values**

Value Type	Tax Year 2023	Tax Year 2022	Tax Year 2021	Tax Year 2020	Tax Year 2019
AVR Total	\$63,217	\$61,376	\$59,589	\$57,854	\$104,230
Exempt					
TVR Total	\$63,217	\$61,376	\$59,589	\$57,854	\$104,230
Real Mkt Land	\$140,723	\$125,786	\$118,710	\$113,993	\$149,556
Real Mkt Bldg					\$61,940
Real Mkt Total	\$140,723	\$125,786	\$118,710	\$113,993	\$211,496

M5 Mkt Land	\$140,723	\$125,786	\$118,710	\$113,993	\$149,556
M5 Mkt Bldg					\$61,940
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$63,217	\$61,376	\$59,589	\$57,854	\$104,230
Mkt Exception					
AV Exception					

### Active Exemptions

No Exemptions Found

### Events

Effective Date	Entry Date-Time	Type	Remarks
03/30/2020	04/13/2020 17:20:00	Recording Processed	Property Transfer Filing No.: 368867, Warranty Deed, Recording No.: 2020-022599 03/30/2020 by CINDYSIM
03/30/2020	04/13/2020 17:20:00	Taxpayer Changed	Property Transfer Filing No.: 368867 03/30/2020 by CINDYSIM
03/02/2020	03/02/2020 15:01:00	Seg/Merge Completed	Parent in Seg/Merge SM200152, Effective: 01/02/2019 by DROME
03/02/2020	03/02/2020 14:59:00	Seg/Merge Initiated	SEG/MERGE BEGUN ON SM200152 PT TL 02300 (.15 AC) TO TL 02400 BY PP 2019-090 by DROME
01/16/2020	02/24/2020 10:39:00	Taxpayer Changed	Property Transfer Filing No.: 367019 01/16/2020 by KARLYNW
01/16/2020	02/24/2020 10:39:00	Recording Processed	Property Transfer Filing No.: 367019, Bargain & Sale, Recording No.: 2020-003604 01/16/2020 by KARLYNW
03/23/2010	03/23/2010 16:16:00	Annexation Completed For Property	ANNEX CNTY SVC DIST 1, ORD 2008-136-added to annexation by batch process 19,065. by DEENAMEH
09/10/2007	09/10/2007 10:55:00	Annexation Completed For Property	Form NClack Revit UR Area, Ord 01-2006 pt2-added to annexation by batch process 11,695. by JENMAYO
09/08/2000	09/08/2000 15:37:00	The situs address has changed	
02/29/2000	02/29/2000 09:14:00	Taxpayer Changed	Party/Property Relationship
02/10/2000	02/29/2000 09:40:00	Taxpayer Changed	Property Transfer Filing No.: 9654
02/10/2000	02/29/2000 09:40:00	Recording Processed	Property Transfer Filing No.: 9654, Bargain & Sale
02/10/2000	02/29/2000 09:22:00	Taxpayer Changed	Property Transfer Filing No.: 9652
02/10/2000	02/29/2000 09:22:00	Recording Processed	Property Transfer Filing No.: 9652, Bargain & Sale, Recording No.: 2000-008681, Recording No.: 2000-008682
07/01/1999	07/01/1999 12:00:00	Ownership at Conversion	Conversion deed: 491-440 , , \$ 0

**Tax Balance****Installments Payable**

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

[Installments Payable/Paid for Tax Year\(Enter 4-digit Year, then Click-Here\):](#) 2023
**Receipts**

Date	Receipt No.	Amount Applied to Parcel	Total Amount Due	Receipt Total	Change
11/21/2023 00:00:00	<a href="#">5522710</a>	\$1,231.63	\$1,231.63	\$1,194.68	\$0.00
11/22/2022 00:00:00	<a href="#">5346427</a>	\$1,167.51	\$1,167.51	\$1,132.48	\$0.00
05/18/2022 00:00:00	<a href="#">5193766</a>	\$37.02	\$37.02	\$37.02	\$0.00
11/22/2021 08:54:00	<a href="#">5156246</a>	\$1,046.83	\$1,084.01	\$1,046.83	\$0.00
11/24/2020 00:00:00	<a href="#">4970550</a>	\$1,044.49	\$1,044.49	\$1,013.16	\$0.00
11/05/2019 14:09:00	<a href="#">4650902</a>	\$1,931.59	\$4,193.51	\$4,069.11	\$0.00
10/16/2019 14:10:00	<a href="#">4627972</a>	\$1,847.34	\$3,779.72	\$1,847.34	\$0.00

**Sales History**

Sale Date	Entry Date	Recording Date	Recording Number	Sale Amount	Excise Number	Deed Type	Grantee(Buyer)	Other Parcels
03/16/2020	04/13/2020	03/30/2020	2020-022599	\$500,000.00	368867		ZHOGAN EXPRESS LLC	No
01/16/2020	02/24/2020	01/16/2020	2020-003604	\$0.00	367019		DAVIS MICHAEL S	No

**Property Details**

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths

## Property Account Summary



<b>Account Number</b>	00056995	<b>Property Address</b>	6428 SE CLATSOP ST , PORTLAND, OR 97206
<b>General Information</b>			
Alternate Property #	12E29BB04600		
Property Description	516 LAMBERT ACRES PT LT 15 BLK 1		
Property Category	Land &/or Buildings		
Status	Active, Locally Assessed		
Tax Code Area	012-230		
Remarks			
<b>Tax Rate</b>			
<b>Description</b>	<b>Rate</b>		
Total Rate	18.7391		
<b>Property Characteristics</b>			
Neighborhood	30010: Area 01 industrial		
Land Class Category	301: Industrial land improved		
Building Class Category	490: Warehouse Manufacturing		
Year Built	1974		
Change property ratio	CIC		
<b>Related Properties</b>			
No Related Properties Found			
<b>Parties</b>			
<b>Role</b>	<b>Percent</b>	<b>Name</b>	<b>Address</b>
Taxpayer	100	ZHOGAN EXPRESS LLC	8610 SE 65TH AVE, PORTLAND, OR 97206

Owner	100	ZHOGAN EXPRESS LLC	8610 SE 65TH AVE, PORTLAND, OR 97206
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### Property Values

Value Type	Tax Year 2023	Tax Year 2022	Tax Year 2021	Tax Year 2020	Tax Year 2019
AVR Total	\$63,057	\$61,221	\$59,438	\$57,707	\$56,027
Exempt					
TVR Total	\$63,057	\$61,221	\$59,438	\$57,707	\$56,027
Real Mkt Land	\$51,230	\$45,792	\$43,216	\$41,499	\$37,778
Real Mkt Bldg	\$89,760	\$80,150	\$75,490	\$72,470	\$65,880
Real Mkt Total	\$140,990	\$125,942	\$118,706	\$113,969	\$103,658
M5 Mkt Land	\$51,230	\$45,792	\$43,216	\$41,499	\$37,778
M5 Mkt Bldg	\$89,760	\$80,150	\$75,490	\$72,470	\$65,880
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$63,057	\$61,221	\$59,438	\$57,707	\$56,027
Mkt Exception					
AV Exception					

### Active Exemptions

No Exemptions Found

### Events

Effective Date	Entry Date-Time	Type	Remarks
03/30/2020	04/13/2020 17:20:00	Recording Processed	Property Transfer Filing No.: 368867, Warranty Deed, Recording No.: 2020-022599 03/30/2020 by CINDYSIM
03/30/2020	04/13/2020 17:20:00	Taxpayer Changed	Property Transfer Filing No.: 368867 03/30/2020 by CINDYSIM
01/16/2020	02/24/2020 10:39:00	Recording Processed	Property Transfer Filing No.: 367019, Bargain & Sale, Recording No.: 2020-003604 01/16/2020 by KARLYNW
01/16/2020	02/24/2020 10:39:00	Taxpayer Changed	Property Transfer Filing No.: 367019 01/16/2020 by KARLYNW
07/10/2019	07/10/2019 08:45:00	Removed from Foreclosure or Warrant	2015 TAXES PAID IN FULL by LESLIESOS



06/24/2019	06/24/2019 11:48:00	Initiated Foreclosure or Warrant	Initiated Delinquency Process by LESLIESOS
03/23/2010	03/23/2010 16:16:00	Annexation Completed For Property	ANNEX CNTY SVC DIST 1, ORD 2008-136- added to annexation by batch process 19,065. by DEENAMEH
09/10/2007	09/10/2007 10:55:00	Annexation Completed For Property	Form NClack Revit UR Area, Ord 01-2006 pt2-added to annexation by batch process 11,695. by JENMAYO
02/28/2000	02/28/2000 13:57:00	Taxpayer Changed	Party/Property Relationship
02/10/2000	02/29/2000 09:40:00	Taxpayer Changed	Property Transfer Filing No.: 9654
02/10/2000	02/29/2000 09:40:00	Recording Processed	Property Transfer Filing No.: 9654, Bargain & Sale, Recording No. 2000-008682
02/10/2000	02/29/2000 09:22:00	Taxpayer Changed	Property Transfer Filing No.: 9652
02/10/2000	02/29/2000 09:22:00	Recording Processed	Property Transfer Filing No.: 9652, Bargain & Sale, Recording No.: 2000-008681
07/01/1999	07/01/1999 12:00:00	Ownership at Conversion	Conversion deed: 73-33937, , \$ 0

**Tax Balance**

**Installments Payable**

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

View Detailed Statement (statement.aspx) Click for information about taxes, other charges, and recalculating tax amounts for future interest dates.

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

**Receipts**

Date	Receipt No.	Amount Applied to Parcel	Total Amount Due	Receipt Total	Change
11/21/2023 00:00:00	5522709 (ReceiptDetail.aspx? receiptnumber=5522709)	\$1,181.63	\$1,181.63	\$1,146.18	\$0.00
11/22/2022 00:00:00	5346428 (ReceiptDetail.aspx? receiptnumber=5346428)	\$1,117.68	\$1,117.68	\$1,084.15	\$0.00

05/18/2022 00:00:00	5193768 (ReceiptDetail.aspx? receiptnumber=5193768)	\$36.91	\$36.91	\$36.91	\$0.00
11/22/2021 08:55:00	5156247 (ReceiptDetail.aspx? receiptnumber=5156247)	\$1,044.19	\$1,081.26	\$1,044.19	\$0.00
11/24/2020 00:00:00	4970549 (ReceiptDetail.aspx? receiptnumber=4970549)	\$1,041.83	\$1,041.83	\$1,010.58	\$0.00
04/07/2020 09:29:00	4801797 (ReceiptDetail.aspx? receiptnumber=4801797)	\$4,552.86	\$4,552.86	\$4,552.86	\$0.00
07/09/2019 13:24:00	4624479 (ReceiptDetail.aspx? receiptnumber=4624479)	\$1,256.61	\$1,256.61	\$1,256.61	\$0.00

**Sales History**

Sale Date	Entry Date	Recording Date	Recording Number	Sale Amount	Excise Number	Deed Type	Grantee(Buyer)	Other Parcel
03/16/2020	04/13/2020	03/30/2020	2020-022599	\$500,000.00	368867		ZHOGAN EXPRESS LLC	No
01/16/2020	02/24/2020	01/16/2020	2020-003604	\$0.00	367019		DAVIS MICHAEL S	No

**Property Details**

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths

Printable Version

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Version 4.5.0.0

## Property Account Summary



<b>Account Number</b>	00057002	<b>Property Address</b>	6428 SE CLATSOP ST , PORTLAND, OR 97206
<b>General Information</b>			
Alternate Property #	12E29BB04700		
Property Description	516 LAMBERT ACRES PT LTS 13&14 BLK 1		
Property Category	Land &/or Buildings		
Status	Active, Locally Assessed		
Tax Code Area	012-230		
Remarks			
<b>Tax Rate</b>			
<b>Description</b>	<b>Rate</b>		
Total Rate	18.7391		
<b>Property Characteristics</b>			
Neighborhood	30010: Area 01 industrial		
Land Class Category	301: Industrial land improved		
Building Class Category	490: Warehouse Manufacturing		
Year Built	1974		
Change property ratio	CIC		
<b>Related Properties</b>			
No Related Properties Found			
<b>Parties</b>			
<b>Role</b>	<b>Percent</b>	<b>Name</b>	<b>Address</b>
Taxpayer	100	ZHOGAN EXPRESS LLC	8610 SE 65TH AVE, PORTLAND, OR 97206

Owner	100	ZHOGAN EXPRESS LLC	8610 SE 65TH AVE, PORTLAND, OR 97206
-------	-----	--------------------	---

### Property Values

Value Type	Tax Year 2023	Tax Year 2022	Tax Year 2021	Tax Year 2020	Tax Year 2019
AVR Total	\$109,445	\$106,258	\$103,164	\$100,160	\$97,243
Exempt					
TVR Total	\$109,445	\$106,258	\$103,164	\$100,160	\$97,243
Real Mkt Land	\$129,703	\$115,936	\$109,415	\$105,067	\$95,647
Real Mkt Bldg	\$124,420	\$111,110	\$104,640	\$100,450	\$91,320
Real Mkt Total	\$254,123	\$227,046	\$214,055	\$205,517	\$186,967
M5 Mkt Land	\$129,703	\$115,936	\$109,415	\$105,067	\$95,647
M5 Mkt Bldg	\$124,420	\$111,110	\$104,640	\$100,450	\$91,320
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$109,445	\$106,258	\$103,164	\$100,160	\$97,243
Mkt Exception					
AV Exception					

### Active Exemptions

No Exemptions Found

### Events

Effective Date	Entry Date-Time	Type	Remarks
03/30/2020	04/13/2020 17:20:00	Taxpayer Changed	Property Transfer Filing No.: 368867 03/30/2020 by CINDYSIM
03/30/2020	04/13/2020 17:20:00	Recording Processed	Property Transfer Filing No.: 368867, Warranty Deed, Recording No.: 2020- 022599 03/30/2020 by CINDYSIM
01/16/2020	02/24/2020 10:39:00	Taxpayer Changed	Property Transfer Filing No.: 367019 01/16/2020 by KARLYNW
01/16/2020	02/24/2020 10:39:00	Recording Processed	Property Transfer Filing No.: 367019, Bargain & Sale, Recording No.: 2020- 003604 01/16/2020 by KARLYNW
03/23/2010	03/23/2010 16:16:00	Annexation Completed For Property	ANNEX CNTY SVC DIST 1, ORD 2008-136- added to annexation by batch process 19,065. by DEENAMEH

09/10/2007	09/10/2007 10:55:00	Annexation Completed For Property	Form NClack Revit UR Area, Ord 01-2006 pt2-added to annexation by batch process 11,695. by JENMAYO
02/29/2000	02/29/2000 09:12:00	Taxpayer Changed	Party/Property Relationship
02/10/2000	02/29/2000 09:40:00	Recording Processed	Property Transfer Filing No.: 9654, Bargain & Sale
02/10/2000	02/29/2000 09:40:00	Taxpayer Changed	Property Transfer Filing No.: 9654
02/10/2000	02/29/2000 09:22:00	Recording Processed	Property Transfer Filing No.: 9652, Bargain & Sale, Recording No.: 2000-008681, Recording No.: 2000-008682
02/10/2000	02/29/2000 09:22:00	Taxpayer Changed	Property Transfer Filing No.: 9652
07/01/1999	07/01/1999 12:00:00	Ownership at Conversion	Conversion deed: 73-33937, , \$ 0

**Tax Balance**

**Installments Payable**

Tax Year	Category	TCA/District	Charged	Minimum	Balance Due	Due Date
----------	----------	--------------	---------	---------	-------------	----------

No Records Found

View Detailed Statement (statement.aspx) Click for information about taxes, other charges, and recalculating tax amounts for future interest dates.

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

**Receipts**

Date	Receipt No.	Amount Applied to Parcel	Total Amount Due	Receipt Total	Change
11/21/2023 00:00:00	5522708 (ReceiptDetail.aspx? receiptnumber=5522708)	\$2,097.90	\$2,097.90	\$2,034.96	\$0.00
11/28/2022 00:00:00	5351361 (ReceiptDetail.aspx? receiptnumber=5351361)	\$1,986.89	\$1,986.89	\$1,927.28	\$0.00
05/18/2022 00:00:00	5193767 (ReceiptDetail.aspx? receiptnumber=5193767)	\$65.68	\$65.68	\$65.68	\$0.00
11/22/2021 08:56:00	5156248 (ReceiptDetail.aspx? receiptnumber=5156248)	\$1,857.95	\$1,923.92	\$1,857.95	\$0.00

11/24/2020 00:00:00	4970548 (ReceiptDetail.aspx? receiptnumber=4970548)	\$1,857.28	\$1,857.28	\$1,801.56	\$0.00
04/07/2020 09:24:00	4801754 (ReceiptDetail.aspx? receiptnumber=4801754)	\$8,155.10	\$8,155.10	\$8,155.10	\$0.00

**Sales History**

Sale Date	Entry Date	Recording Date	Recording Number	Sale Amount	Excise Number	Deed Type	Grantee(Buyer)	Other Parcel
03/16/2020	04/13/2020	03/30/2020	2020-022599	\$500,000.00	368867		ZHOGAN EXPRESS LLC	No
01/16/2020	02/24/2020	01/16/2020	2020-003604	\$0.00	367019		DAVIS MICHAEL S	No

**Property Details**

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths

Printable Version

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RECORDING REQUESTED BY:



1211 SW Fifth Ave., Ste 2130  
Portland, OR 97204

Clackamas County Official Records  
Sherry Hall, County Clerk

2020-022599

03/30/2020 03:48:02 PM

D-D Cnt=1 Stn=76 CONNIE  
\$20.00 \$16.00 \$10.00 \$62.00

\$108.00

**AFTER RECORDING RETURN TO:**

Order No.: 472520001180-WG  
Aleksandr Zhogan  
Zhogan Express LLC  
8610 SE 65th Ave  
Portland, OR 97206

**SEND TAX STATEMENTS TO:**

Zhogan Express LLC  
8610 SE 65th Ave  
Portland, OR 97206

APN: 00057002  
00056753  
00056995

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

**Michael S. Davis**, Grantor, conveys and warrants to **Zhogan Express LLC**, an Oregon limited liability company, 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:

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

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$500,000.00). (See ORS 93.030).

**Subject to:**

SEE EXHIBIT "B" 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 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.

CHICAGO TITLE 472520001180-50 Conn

**STATUTORY WARRANTY DEED**

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 3-16-2020

*Michael S. Davis*

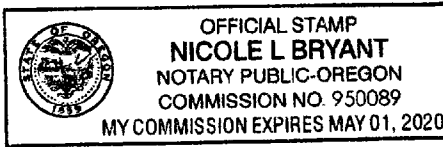
Michael S. Davis

State of Oregon  
County of MULTNOMAH

This instrument was acknowledged before me on 3/16/2020 - by Michael S. Davis.

*Nicole L Bryant*  
Notary Public - State of Oregon

My Commission Expires: 5/1/2020





**EXHIBIT "A"**  
Legal Description

**PARCEL I:** - [Intentionally Deleted]

**PARCEL II:**

Parcel 2, PARTITION PLAT NO. 2019-090, in the County of Clackamas and State of Oregon.

**PARCEL III:**

The North 125 feet of Lot 15, Block 1, LAMBERT ACRES, in the County of Clackamas and State of Oregon.

EXCEPTING THEREFROM the South 25 feet of the North 26 feet thereof conveyed to Clackamas County for road purposes by Deed recorded October 24, 1958 in Book 518, Page 102, Deed Records.

**PARCEL IV:**

The North 125 feet of Lots 13 and 14, Block 1, LAMBERT ACRES, in the County of Clackamas and State of Oregon.

EXCEPTING THEREFROM the South 25 feet of the North 26 feet thereof conveyed to Clackamas County for road purposes by Deed recorded October 24, 1958 in Book 518, Page 102, Deed Records.

**EXHIBIT "B"**  
Exceptions

**Subject to:**

Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on recorded

PARTITION PLAT NO. 2019-090:

Recording Date: November 14, 2019

Recording No.: 2019-072300

(Affects Parcel II)

# Business Registry Business Name Search

[New Search](#)

## Business Entity Data

06-07-2023  
13:12

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1100894-97	DLLC	ACT	OREGON	04-01-2015	04-01-2024	
<b>Entity Name</b> ZHOGAN EXPRESS LLC						
<b>Foreign Name</b>						

[New Search](#)

## Associated Names

Type						
PPB	PRINCIPAL PLACE OF BUSINESS					
<b>Addr 1</b>	8610 SE 65TH AVE					
<b>Addr 2</b>						
<b>CSZ</b>	PORTLAND	OR	97206		<b>Country</b>	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type				Start Date	Resign Date		
AGT	REGISTERED AGENT			04-01-2015			
<b>Name</b>	ALEKSANDR		ZHOGAN				
<b>Addr 1</b>	8610 SE 65TH AVE						
<b>Addr 2</b>							
<b>CSZ</b>	PORTLAND	OR	97206		<b>Country</b>	UNITED STATES OF AMERICA	

Type							
MAL	MAILING ADDRESS						
<b>Addr 1</b>	8610 SE 65TH AVE						
<b>Addr 2</b>							
<b>CSZ</b>	PORTLAND	OR	97206		<b>Country</b>	UNITED STATES OF AMERICA	

Type				Resign Date			
MGR	MANAGER						
<b>Name</b>	ALEKSANDR		ZHOGAN				
<b>Addr 1</b>	8610 SE 65TH AVE						
<b>Addr 2</b>							
<b>CSZ</b>	PORTLAND	OR	97206		<b>Country</b>	UNITED STATES OF AMERICA	






[New Search](#)

## Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
ZHOGAN EXPRESS LLC	EN	CUR	04-01-2015	

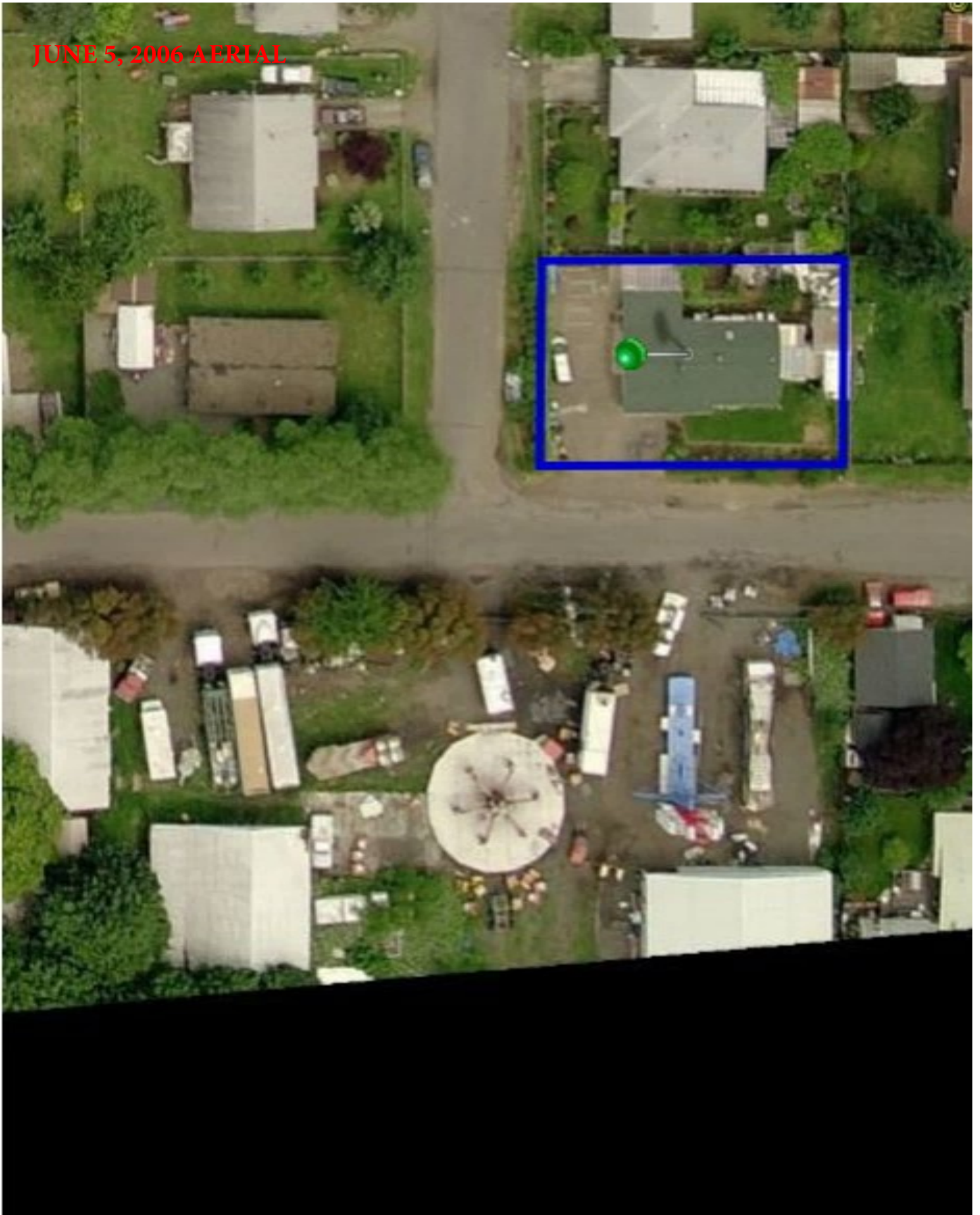
Please [read](#) before ordering [Copies](#).

## Summary History

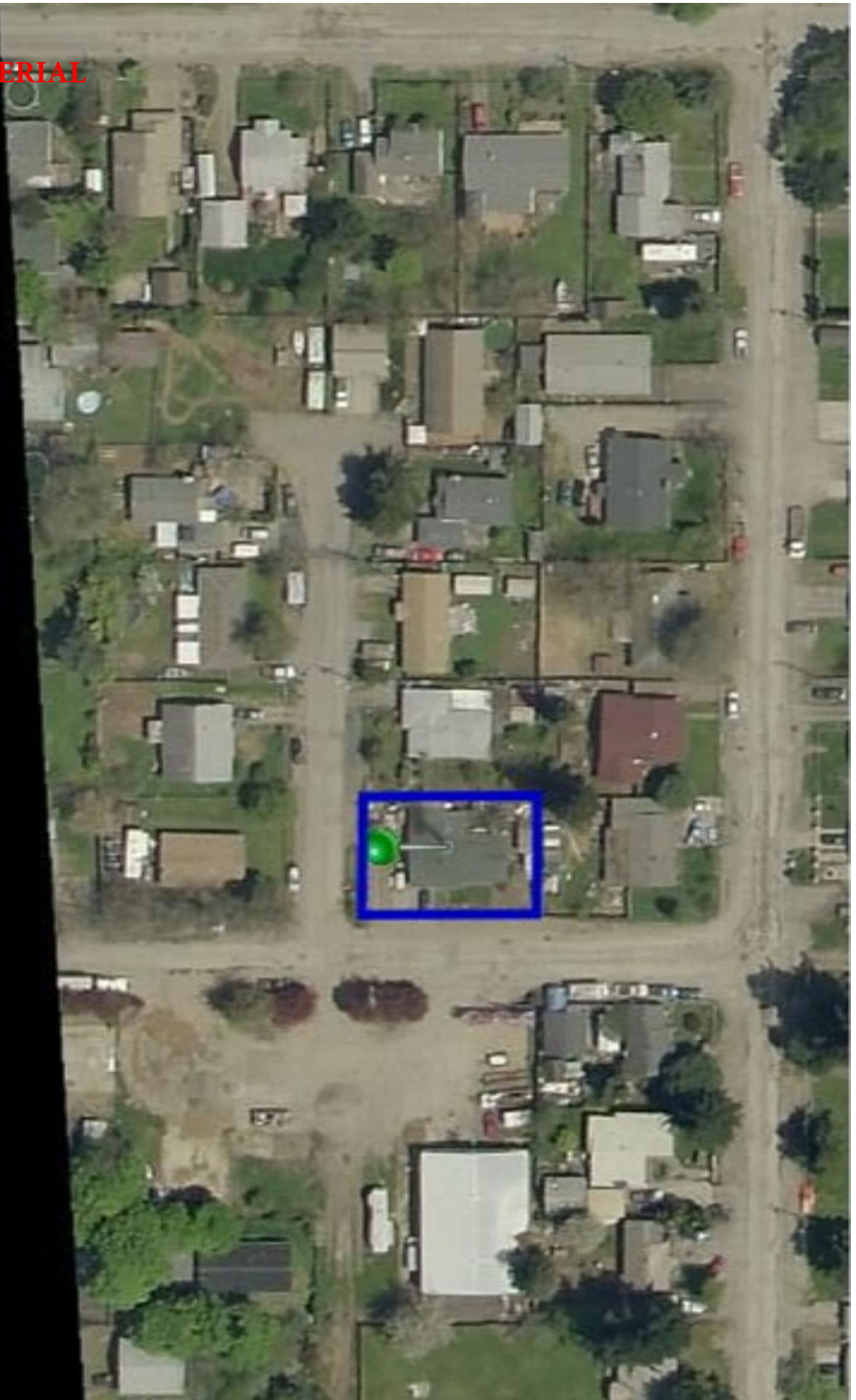
Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ANNUAL REPORT	03-20-2023		FI		
	ANNUAL REPORT	04-26-2022		FI		
	ANNUAL REPORT	03-09-2021		FI		
	AMENDED ANNUAL REPORT	04-10-2020		FI		
	ANNUAL REPORT	03-26-2019		FI		
	AMENDED ANNUAL REPORT	03-28-2018		FI		
	AMENDED ANNUAL REPORT	02-13-2017		FI		
	AMENDED ANNUAL REPORT	03-03-2016		FI		
	ARTICLES OF ORGANIZATION	04-01-2015		FI	Agent	

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**JUNE 5, 2006 AERIAL**



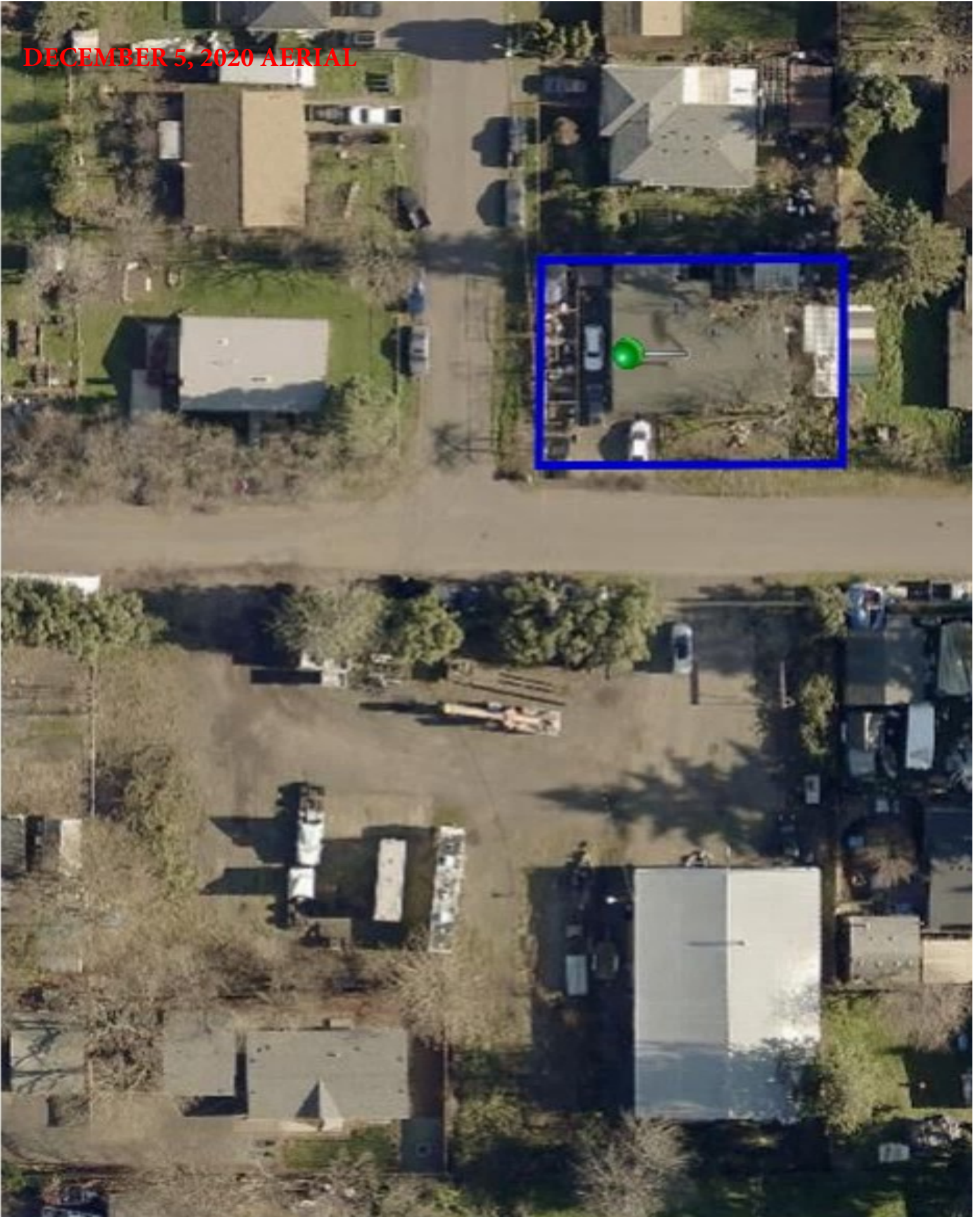
**MAY 4, 2011 AERIAL**



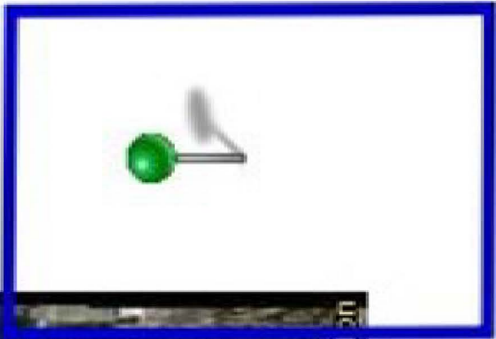
OCTOBER 13, 2018 AERIAL



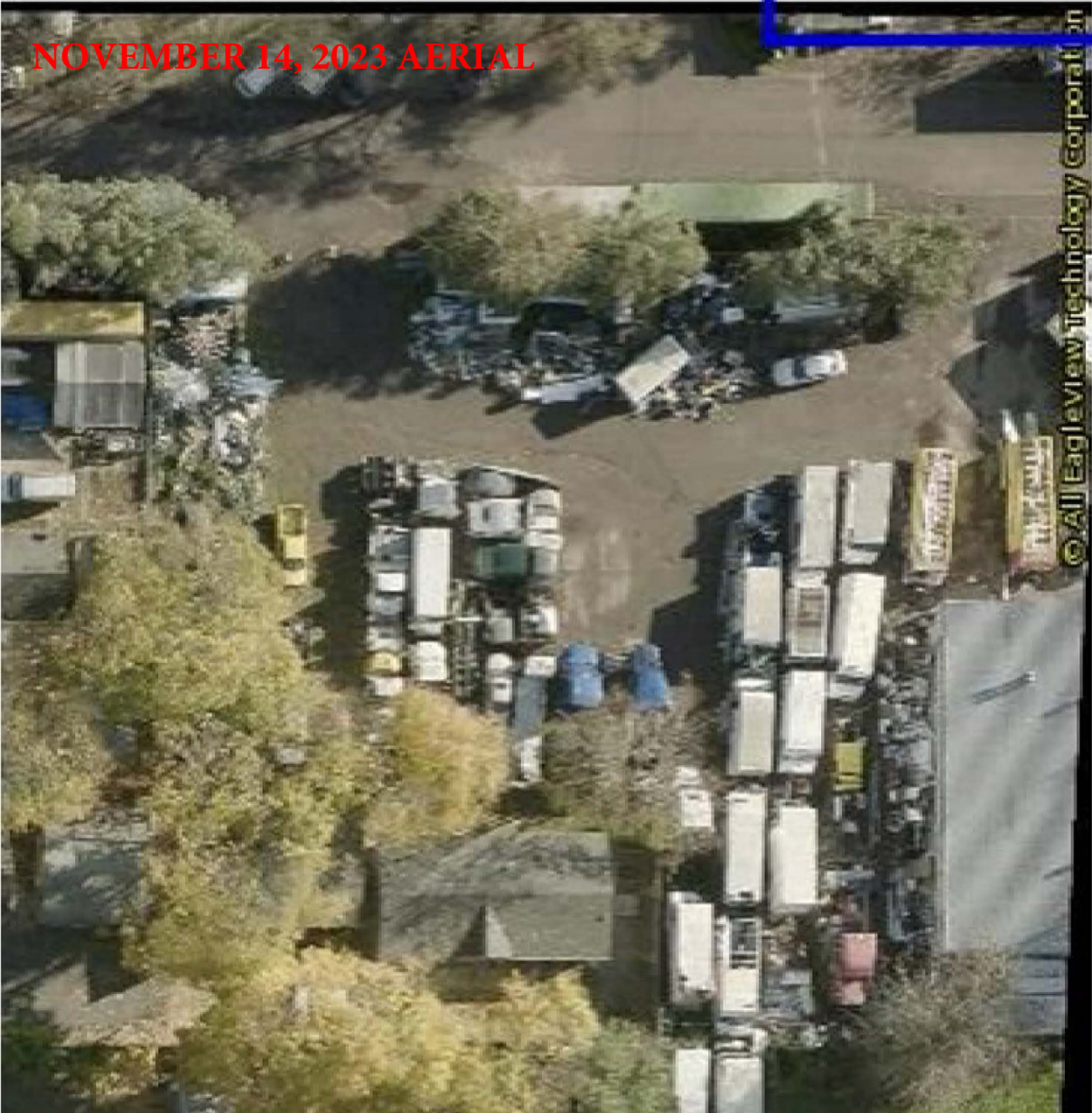
**DECEMBER 5, 2020 AERIAL**







**NOVEMBER 14, 2023 AERIAL**





June 7, 2023

Lyubov & Aleksander Lyubov  
8610 SE 65<sup>th</sup> Ave  
Portland, OR 97206

**Subject: Alleged Violations of the Zoning and Development Ordinance,  
Title 12, Section 315 of the Clackamas County Code**

Site Address: 8610 SE 65<sup>th</sup> Ave Portland, OR 97206  
Legal Description: T1S, R2E, Section 29BB, Tax Lot 02100

It has come to the attention of Clackamas County Code Enforcement that a commercial trucking business and storing of commercial trucks 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 315 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](mailto: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: [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

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

**欢迎!** Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 [www.clackamas.us/transportation/nondiscrimination](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.



























Verified Correct Copy of Original 6/5/2023

Clackamas  
County

MAR 20 PM 4:42

FILED  
ENTERED 3/23

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
 2 FOR THE COUNTY OF CLACKAMAS  
 3 CLACKAMAS COUNTY, a political )  
 4 subdivision of the State of ) No. 39-12-49  
 5 Oregon, )  
 6 Plaintiff, )  
 6 -vs- ) STIPULATED JUDGMENT  
 7 MELBA T. DAVIS, WILLIAM P. DAVIS, )  
 8 and MICHAEL S. DAVIS, )  
 9 Defendants. )

10 Plaintiff Clackamas County alleges that defendants are  
 11 using their property, described as T1S, R2E, of the W.M., Section  
 12 29BB, Tax Lots 2300, 2400, 4600 and 4700, in violation of the  
 13 County Zoning and Development Ordinance and Solid Waste and Waste  
 14 Management Ordinance. Defendants deny any such violation. In  
 15 order to resolve this matter, and with no admission of wrongdoing  
 16 by the defendants, the parties STIPULATE TO JUDGMENT as follows:

- 17 1. Defendants shall install (where necessary) and maintain
- 18 fences, gates and plantings as shown on attached Exhibit A.
- 19 2. Defendants shall make a good faith effort to keep all gates
- 20 closed except when they must be opened to allow passage.
- 21 3. The portion of the property labeled "CLEAR AREA" on Exhibit A
- 22 shall be kept free of equipment and other material in excess
- 23 of 3' in height.
- 24 4. Defendants may use S.E. 65th Street for parking of
- 25 automobiles and pickup trucks (not to exceed one ton) used by
- 26 employees travelling to and from the property and by

Page - STIPULATED JUDGMENT

CLACKAMAS COUNTY COUNSEL  
 806 Main Street  
 Oregon City, OR 97045  
 (503) 655 8362

CCV8912049  
 JGSP  
 Judgment - Stipulated  
 16781977





1 defendants' invitees. Defendants will not park heavy  
2 equipment or larger trucks on the right-of-way of S.E. 65th  
3 Street except for temporary parking in conjunction with  
4 entering and exiting the property; what is contemplated by  
5 the foregoing is solely facilitation of the unloading and  
6 loading of equipment and vehicles on defendants' property  
7 itself. In no event shall defendants allow overnight parking  
8 of its own vehicles or equipment or those of its employees or  
9 invitees on the right-of-way.

10 5. Plaintiff will grant defendants a revocable license to use  
11 the 25' public right-of-way bisecting their property for  
12 parking vehicles. The only vehicles to be parked in that  
13 area are those which are fully operable and capable of being  
14 moved immediately in case of a need for emergency access. No  
15 vehicle shall be parked in this area for more than 36 hours  
16 in any 72 hour period. The license may only be revoked for  
17 good cause, which shall include violation of this order.

18 6. Tax Lot 2400 shall not be used for storage of equipment or  
19 any other purpose in connection with the commercial  
20 operation.

21 7. The existing four small recreational trailers within the  
22 northern building ("A" on Exhibit A) may be used for housing  
23 employees between October 15 and March 31 only, subject to  
24 any applicable health and safety regulations. This judgment  
25 will not prejudice defendants' right to apply for approval of  
26 quarters for a night watchman in the future.

CLACKAMAS COUNTY COUNSEL  
806 Main Street  
Oregon City, OR 97045  
(503) 655 8362

- 1 8. The property shall be maintained in a condition consistent
- 2 with the Clackamas County Solid Waste and Waste Management
- 3 Ordinance, with particular emphasis on avoiding accumulations
- 4 of household garbage and junk equipment/vehicles.
- 5 9. Defendants may use the building at the southern end of the
- 6 property ("D" on Exhibit A) for vehicle and equipment repair,
- 7 subject to any applicable fire code, building code or other
- 8 safety requirements, and the conditions of approval imposed
- 9 by the County Land Use Hearings Officer.
- 10 10. From October 1 to March 31, operations on the property shall
- 11 be limited to the hours between 6:00 a.m. and 9:00 p.m.; from
- 12 April 1 to September 30, operations shall be limited to
- 13 between 7:00 a.m. and 8:00 p.m. on week days; 9:00 a.m. and
- 14 5:00 p.m. on weekends. In this context, operations includes
- 15 the traffic of trucks and other equipment to and from the
- 16 property.
- 17 11. Defendants waive none of their legal rights with regard to
- 18 actions to enforce the provisions of this order, including
- 19 but not limited to procedural protections generally available
- 20 in contempt proceedings. Upon a complaint being filed with
- 21 plaintiff by a person or entity not a party to this judgment
- 22 and said complaint alleges a violation by defendants of this
- 23 order, and plaintiff finds sufficient cause exists to
- 24 initiate contempt proceedings, the hearing to show cause
- 25 shall be set not earlier than fourteen (14) days from the
- 26 date the order granting the show cause hearing is signed.

CLACKAMAS COUNTY COUNSEL  
906 Main Street  
Oregon City, OR 97045  
(503) 655-8382

1 12. Costs are awarded to neither party.

2

3  
4 Michael E. Judd  
5 Michael E. Judd, OSB #78265  
6 Chief Assistant County Counsel

Mark P. O'Donnell  
Mark P. O'Donnell, OSB #68119  
ATTORNEY FOR DEFENDANTS

6 OF ATTORNEYS FOR PLAINTIFF

7 DATE: March 19, 1990

DATE: January 12, 1990

8

9

10 IT IS SO ORDERED

[Signature]  
CIRCUIT COURT JUDGE

DATE: 3-20-90 <sup>7a</sup>

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CLATSOP

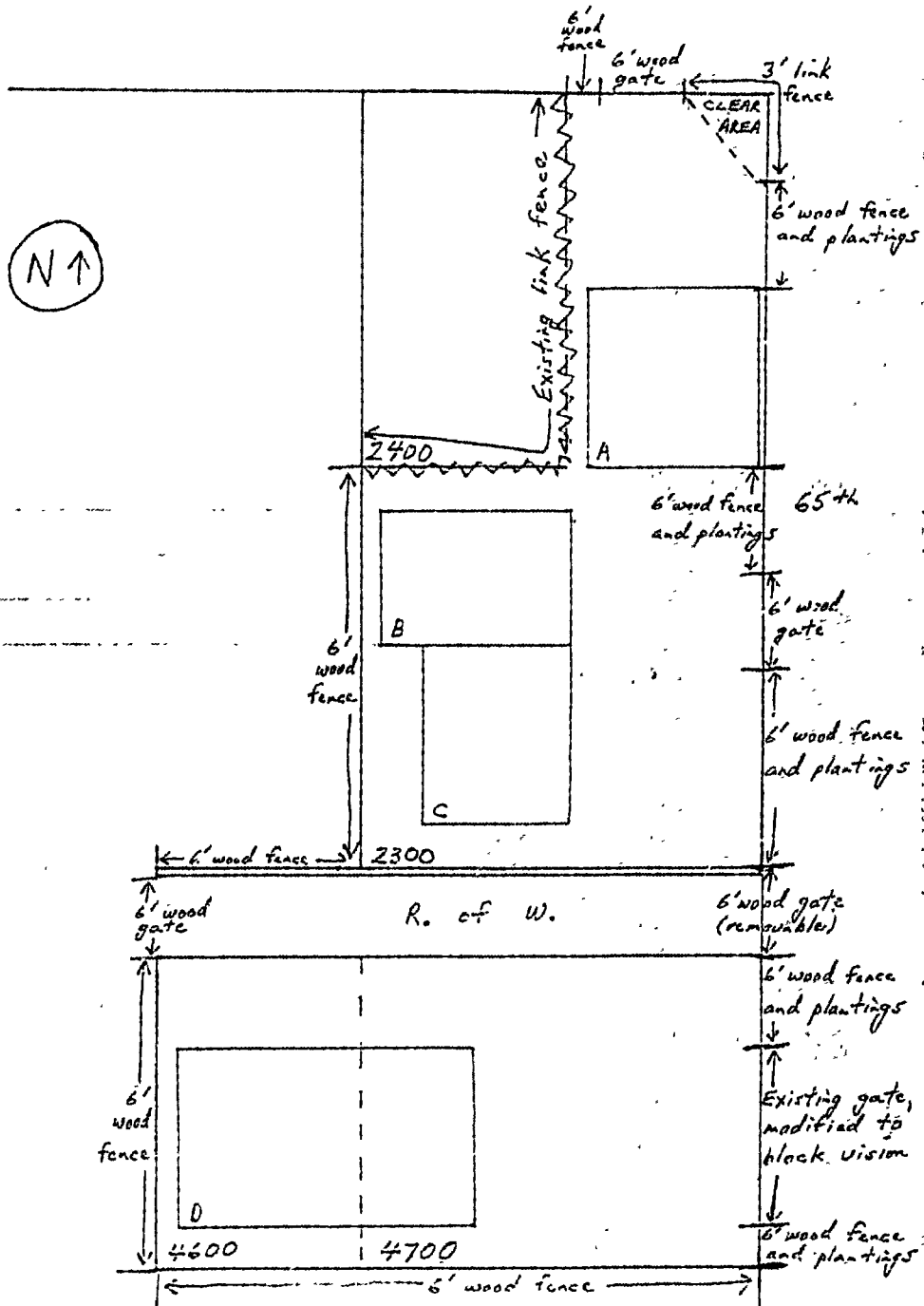


Exhibit A



**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

August 29, 2023

Violation No.:V0016623

Zhogan Express LLC.  
8610 SE 65<sup>th</sup> Ave.  
Portland, OR 97206

**RE: VIOLATIONS OF CLACKAMAS COUNTY CODES: No.: V0016623**

1. CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE TITLE 12 – SECTION 300 URBAN AND RURAL RESIDENTIAL DISTRICTS – 12.315.03 – USES PERMITTED
2. CLACKAMAS COUNTY CODE TITLE 10 – FRANCHES – CHAPTER 10.03 – SOLID WASTE AND WASTES MANAGEMENT – 10.03.060(A, B.7, B.9, & B.11) – SOLID WASTE OR WASTES ACCUMULATION PROHIBITED

SITE ADDRESS: 6428 SE Clatsop St, Portland, OR 97206 – Also No address tax lot

LEGAL DESCRIPTION T1S, R2E, SECTION 29BB, TAX LOTS 02300, 04600 and 04700

Dear Zhogan Express LLC.,

There is an existing file V0000722 at 6428 SE Clatsop St. After receiving some court documents showing uses allowed on the site staff will be closing that file. However the documents reviewed do show several violations of the approval. This letter serves as notice of violations on the site. There are Conditions of Approval that have not been implemented or are in violation of your current operations at your property identified above. The subject property received approval for operating a repair facility at the tax lots mentioned above. This file is found under Circuit Court of the State of Oregon for the County of Clackamas number 89-12-49. There is also solid waste on the property. To abate these violation(s) you must complete the following **NO LATER THAN: September 29, 2023**

**CONDITIONS OF APPROVAL OF CIRCUIT COURT ORDER 89-12-49**

1. Condition 1: Defendant's shall install (where necessary) and maintain fences, gates and plantings as shown on attached Exhibit A.
  - a. Exhibit A shows a 6 foot tall wood fence around the perimeter of the tax lots with 6 food tall wood gates. There currently is see through chain link fence around the perimeter, with gaps in the fencing, around the perimeter of the property.
  - b. To address this violation you must address the screening as stated in Exhibit A of the Circuit Court Document.
  - c. You also must place the plantings as identified in Exhibit A of the Circuit Court document.

2. Condition 2: Defendant's make a good faith effort to keep all gates closed except when they must be opened to allow passage.
  - a. During each site visit over the course of the two files the gates have never been seen to be closed. There has not been a sign of people moving vehicles in and out during this time. Also there is no gate on the section where a right-of-way is identified.
  - b. Gates shall be installed as required by the Exhibit A in the Circuit Court documents and shall remain closed except as spelled out in the approval above.
3. Condition 4: Defendant's may use S.E. 65<sup>th</sup> Street for parking of automobiles and pickup trucks (not to exceed one ton) used by employees travelling to and from the property and by the defendants' invitees. Defendant's will not park heavy equipment or larger trucks on the right of way of S.E. 65<sup>th</sup> Street except for temporary parking in conjunction with entering and exiting the property; what is contemplated by the foregoing is solely facilitation of unloading and loading of equipment and vehicles on defendants' property itself. In no event shall defendants allow overnight parking of its own vehicles or equipment or those of its employees or invitees on the right-of-way.
  - a. There are currently semi-tractors and semi-trailers parked along here as well as a couple of automobiles. It is clear most of these heavy vehicles have been parked her for extended periods of time (more than just overnight) in violation of this condition.
  - b. Remove the vehicles that are not in compliance with the criteria with the Court order above and keep in compliance with the stated condition.
4. Condition 5: Plaintiff will grant defendants a revocable license to use the 25' public right-of-way bisecting their property for parking vehicles. The only vehicles to be parked in this area those which are fully operable and capable of moving immediately in case of need for emergency access. No vehicle shall be parked in this area for more than 36 hours in any 72 hour period. The license may only be revoked for good cause, which shall include violation of this order.
  - a. There is currently several vehicles that appear to have been parked in this area for an extended period of time, longer than the 72 hour period identified above.
  - b. Clean this section up by removing the solid waste and complying with the Circuit Court condition stated above.
5. Condition 8: The property shall be maintained in a condition consistent with the Clackamas Solid Waste and Waste Management Ordinance, with particular emphasis on avoiding accumulations of household garbage and junk equipment/vehicles.
  - a. See violation below for solid waste for more details

**SOLID WASTE AND INOPERABLE AND/OR NOT CURRENTLY LICENSED VEHICLES**

1. Solid waste exists throughout the site in the form of all types of material including, but not limited to auto parts, shop debris, and miscellaneous other items. Abate the violation by the deadline listed above by:
  - 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. Inoperable and/or not currently licensed vehicles exist throughout the site. 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., Abate the violation by the deadline listed above by:
- 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.

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 Beaver Creek 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](mailto:spotter@clackamas.us)

## 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 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  $\frac{1}{4}$  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

























Citation No.: 2300166 - 1

Case No.: V0016623

# ADMINISTRATIVE CITATION

Date Issued: November 6, 2023

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

Name: Zhogan Express LLC.  
Mailing Address: 8610 SE 65<sup>th</sup> Ave.  
City, State, Zip: Portland, OR 97206

Date Violation(s) Confirmed: November 2, 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): 6428 SE Clatsop St., Portland, OR 97206 – Also No Address

Legal Description: T1S, R2E SECTION 29BB, Tax Lots 02300, 04600 and 04700

**Law(s) Violated**

- Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.060 (A, B.7, B.9, & B.11)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section 12.315.03

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

- 1) There is solid waste throughout the site, including piles of debris and parts in several spots throughout the 3 tax lots.

Maximum Civil Penalty \$2,500.00 Fine \$400.00

- 2) Violations of several conditions of approval approved through Circuit Court Order 89-12-49 most notably condition numbers 1, 2, 4, 5, & 8

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 \$800.00. 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

V0016623

# 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: \_\_\_\_\_





























