



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: _____
Agenda Item #: _____
Est. Start Time: _____
Date Submitted: _____

Agenda Title: Approval of Auto Wrecker Certificate Renewal for Rex M. and June J. Davis of Orient Auto Parts, Inc, 28425 SE Orient Drive, Gresham

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date:	June 4, 2009	Amount of Time Needed:	Consent Calendar
Department:	Community Services	Division:	Land Use & Transportation
Contact(s):	Lisa Estrin		
Phone:	503.988.3043	Ext.	22597
I/O Address:	455/116		
Presenter(s):	Consent Calendar		

General Information

1. What action are you requesting from the Board?

Approval of the renewal of an auto wrecking yard certificate for Orient Auto Parts, Inc. at 28425 SE Orient Drive. The renewed license would be valid from date of issuance to March 31, 2012.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Orient Auto Parts is currently operating at 28425 SE Orient Drive. The most recent wrecker certificate expired March 31, 2009. In order to renew the license for 2009 through March 2012, the wrecking yard must apply for a business certificate through the Department of Motor Vehicles. In order for the business certificate to be approved, the local governing body must authorize the business pursuant to ORS 822.140. Orient Auto Parts has been authorized by Multnomah County since 1977. The current proposal complies with County and State regulations for wrecking yard certificate renewal (Case No. T1-09-006). Multnomah County's approval is required on the attached DMV Application for Business Certificate as a Dismantler of Motor Vehicles or Salvage Pool Operator. The original DMV Application for Business Certificate and the enclosed original surety bond must be returned to the business owner after a decision has been rendered.

3. Explain the fiscal impact (current year and ongoing).

None.

4. Explain any legal and/or policy issues involved.

The most recent certificate under which Orient Auto Parts, Inc. operated expired March 31, 2009. In order to lawfully continue operation, the renewal must be approved.

5. Explain any citizen and/or other government participation that has or will take place.

Orient Auto Parts, Inc. has submitted all the materials necessary for the renewal application. Land Use Planning staff has contacted both the Multnomah County Sheriff's Office and the County's Assessment and Taxation Office to obtain information required by MCC 15.202. No other participation by citizens or governments has taken place. To date, no complaints have been received regarding Orient Auto Parts, Inc. in calendar years 2006 through April 2009.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date:



**Staff Report
Determination of Compliance
2009 Wrecker Certificate Renewal
Orient Auto Parts, Inc.
28425 SE Orient Drive**

Case# T1-09-006

This Staff Report and Determination of Compliance is made pursuant to the requirements specified by Multnomah County Code (MCC) Section 15.200-15.207 Wrecker Certificates. An application for renewal of a Wrecker Certificate as required by the State of Oregon Department of Motor Vehicles was submitted on April 7, 2009 by Rex Davis of Orient Auto Parts, Inc., 28425 SE Orient Drive.

I. Conditions of Approval:

1. The applicant shall obtain a Business Certificate as a wrecker of motor vehicles from the Oregon Department of Transportation. Applications for future Wrecker Certificate renewals shall include a copy of the Wrecker Certificate issued by the Oregon Department of Transportation the prior year.
2. If there are any changes to the property during the year prior to renewal of Wrecker Certificate, applications for future Wrecker Certificate renewals shall include submittal of a site plan, drawn to scale, showing the revisions. Expansion of the dimensions of the wrecking yard shall not occur without prior approval of the County.
3. Taxes shall be kept current prior to approval of future Wrecker Certificate renewals.
4. Any application for a Wrecker Certificate or renewal must be reviewed by staff and presented to the Board of County Commissioners as required under MCC 15.200 et. seq.

II. Applicable Zoning Considerations:

The applicable zoning considerations as specified in MCC 15.202(B)(3), (4) and (5) are addressed below:

A. Compliance with the requirements of Oregon Revised Statutes (ORS) 822.110 (MCC 15.202(B)(3)):

822.110 Dismantler certificate; refusal to issue; duplicate certificate.

(1) Except as provided in subsection (2) of this section, the Department of Transportation shall issue a dismantler certificate to any person if the person meets all of the following requirements:

- (a) The person establishes that the area in which the business is located and the place of business to be approved under the dismantler certificate for use in the motor vehicle dismantling business are zoned for industrial use or subject to another zoning classification that permits the type of business conducted by the dismantler.
- (b) The person pays the fee required under ORS 822.700 for issuance of a dismantler certificate.
- (c) The person completes the application for a dismantler certificate described under ORS 822.115.
- (d) The person delivers to the department any approvals by local governments required under ORS 822.140.
- (e) The person delivers to the department a bond or letter of credit that meets the requirements of ORS 822.120.
- (2) The department may refuse to issue a dismantler certificate to a person if:
 - (a) The person has previously had a dismantler certificate or identification card revoked, canceled or suspended under ORS 822.145; or
 - (b) The department determines that the application contains false or misleading information.
- (3) The department may issue a duplicate dismantler certificate to a person who has lost or destroyed an original dismantler certificate if the person:
 - (a) Has complied with the requirements of this section for issuance of a certificate; and
 - (b) Is within the renewal period of the original dismantler certificate.

Finding: The subject property is zoned Orient Commercial-Industrial, but wrecking yards are not a listed use in the zone. The wrecking yard was determined to be a non-conforming use on April 5, 1977 and January 15, 1987 and remains so. Evidence within the Multnomah County file labeled Auto Wrecking – 28425 SE Orient Drive, contains a record that an auto wrecker business has occupied the site continuously and in compliance with zoning regulations since 1977. Examination of Department land use inventory maps and zoning maps indicates that the business was in existence on the property prior to 1977. The land use map shows the site with a case file MC1-62 listed for the subject parcel. All evidence suggests the business is in compliance with zoning regulations.

The applicant has provided a Surety Bond by Contractors Bonding and Insurance Company (CBIC) with a dated effectiveness of April 1, 2009 to March 31, 2012 which has met the requirements of ORS 822.110(1)(e). Compliance with the requirements of ORS 822.110 (1)(b-e), (2), and (3) will be ensured by obtaining a Wrecker Certificate issued by the Oregon Department of Transportation.

B. Compliance with the business locational provisions of ORS 822.135 (MCC 15.202(B)(4)):

822.135 Improperly conducting motor vehicle dismantling business; penalty.

- (1) A person commits the offense of improperly conducting a motor vehicle dismantling business if the person holds a dismantler certificate issued under ORS 822.110 and the person does any of the following:
 - (b) Expands the dimensions of or moves any of the person's places of business or opens any additional places of business without obtaining a supplemental dismantler certificate by the procedure under ORS 822.125.

Finding: Staff has found no evidence or indication that the dimensions of the wrecking yard have been expanded beyond that of the existing Wrecker Certificate. The applicant has submitted a site plan clearly identifying the dimensional boundaries of the wrecking yard (fenced and/or screened

areas) in relation to property lines and setbacks. A site visit conducted by land use staff on May 13, 2009 confirmed the existing dimensions of the wrecking yard. Expansion of the dimensions of the wrecking yard shall not occur without prior approval of the County.

(g) Fails to keep the premises on the outside of the establishment clear and clean at all times.

Finding: The Land Use Planning Section took photos on May 13, 2009 demonstrating the area outside the establishment is clear and clean. Photos are contained in the permanent case file. There has been no indication since that time of the establishment not being kept clear and clean.

(h) Conducts any wrecking, dismantling or altering of vehicles outside the building, enclosure or barrier on the premises of the business.

Finding: Based on staff's field inspection on May 13, 2009, no dismantling or altering of vehicles outside the fenced area of the business was evident.

(i) Stores or displays any motor vehicles or major component parts or conducts the motor vehicle dismantling business outside of the building, enclosure or barrier of the place of business.

Finding: Based on staff's field inspection on May 13, 2009, no activities related to the business were evident outside of the fenced area.

(k) Except as otherwise provided in this paragraph, fails to keep the business hidden or adequately screened by the terrain or other natural objects or by plantings, fences or other appropriate means so as not to be visible from the main traveled way of the highway in accordance with the rules of the Director of Transportation. This paragraph does not apply to a business that is:

(A) Located in an area zoned for industrial use under authority of the laws of this state; or

(B) A business established before June 30, 1967.

(L) Expands or moves any place of business approved under a dismantler certificate or opens any additional locations for the business without obtaining a supplemental certificate under ORS 822.125 or obtaining an additional dismantler certificate.

Finding: The site visit conducted by staff on May 13, 2009 confirmed that an arborvitae hedge and a site obscuring fence screen vehicles from adjacent roads and properties.

C. Compliance with zoning regulations (MCC 15.202(B)(5)):

Finding: The subject property is zoned Orient Commercial-Industrial, but wrecking yards are not a listed use in the zone. The wrecking yard was determined to be a non-conforming use on April 5, 1977 and January 15, 1987 and remains so. Evidence within the Multnomah County file labeled Auto Wrecking – 28425 SE Orient Drive, contains a record that an auto wrecker business has occupied the site continuously and in compliance with zoning regulations since 1977. Examination of Department land use inventory maps and zoning maps indicates that the business was in existence on the property prior to 1977. The land use map shows the site with a case file MC1-62 listed for the subject parcel. All evidence suggests the business is in compliance with zoning regulations.

III. Notification:

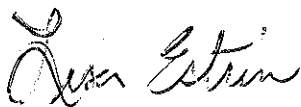
Notice of this application was sent to the Multnomah County Sheriff on April 15, 2009. A recommendation of approval from the County Sheriff's Office was received on May 8, 2009 based upon a clean background check. A copy of the Sheriff's recommendation is contained in the permanent case file.

The previous Wrecker Certificate renewal was approved with a condition that taxes shall be kept current prior to approval of future Wrecker Certificate renewals. No outstanding taxes are associated with the property according to Assessment & Taxation Property Information records dated May 13, 2009.

IV. Recommendation:

The staff of the Land Use Planning Section respectfully recommends that the above Wrecker Certificate renewal be approved, based upon findings that the business satisfies the applicable requirements contained in MCC 15.200-15.207, ORS 822.110, and ORS 822.135 and continues to retain a non-conforming status.

Dated this 14th Day of May, 2009.



By: Lisa Estrin, *Planner*

For: Karen Schilling, *Planning Director*



INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR A DISMANTLER CERTIFICATE (Originals and Renewals)

OFFICE HOURS for Business License Unit, in the Salem DMV Headquarters office,
in person are 8:00 – 4:30 p.m., Monday through Friday excluding holidays.

Read the entire application before completing it. This application will be returned to you if incomplete.

Submit your completed application and fees to:

DMV Business License Unit
1905 Lana Ave NE
SALEM OR 97314
Phone: 503-945-5052
Website: www.oregondmv.com

When submitting your application and fees at the customer service counter:

- If paying in cash, please have correct amount since Business License Unit has no way to make change.
- Make copies of your application for your records and copies of photo ID before you come to the counter.

Legal Name – If your business is a sole proprietorship, list your full name as the legal name. If your business is a partnership, list the full names of each partner or the partnership name. If your business is an LLC, list the name of the limited liability company (includes "LLC") registered with The Secretary of State Corporation Division. If your business is a corporation, list the name of the corporation (includes: Inc, Corp, etc.) registered with The Secretary of State Corporation Division.

Business Name – If using an assumed business name or trade name, list the business name registered with The Secretary of State Corporation Division. Otherwise, your dismantler certificate will be issued using the legal name.

Oregon Registry Numbers – If you do not know your Oregon registry number(s), contact The Secretary of State Corporation Division at 503-986-2200

Main Business Location – Business location where dismantling business is (or will be) being conducted.

Type of Organization – Check your organization type and if a corporation, list the state under whose law the business is incorporated.

Description of the location of the dismantling business – To verify compliance with ORS 822.115 and 822.135, submit a plat map or other acceptable documentation that clearly shows compliance with all of these requirements. The dimensions of the property on which the business is located is also required.

Local Government Approval – An applicant must comply with any regulation established by a city or county under ORS 822.140 and must obtain the approval of the governing body of the city or county. Take this application to the applicable city or county office for their approval. Local listings may be found in the phone book under "zoning," "land use" or "permits." Some cities and counties charge a fee for signing the application.

Registered Agent – If your business is an LLC or a corporation, the registered agent's name, street address and mailing address is required. Contact The Secretary of State Corporation Division for this information at 503-986-2200.

Ownership/Applicant's Certification Signature – Provide the name, residence address, mailing address and signature of owner, partners, LLC members or corporate officers on Page 2 (do not list CEOs, Chairs of the Board, General Managers, Directors, etc.). Every applicant listed on the application must provide a certifying signature.

Photo ID – Staple copies of each applicant's official photo ID to this application. The copy must be legible. If the residence address on the photo ID and on Page 2 are not the same, attach a statement explaining why they do not match.

Bond – The bond required for a dismantler certificate is for \$10,000 and must be completed, signed and sealed by your bonding company. The owner, a partner, an LLC member or a corporate officer must sign the bond. The legal name, business name and business location on the bond must match the dismantler application. The bond must expire on the last day of the month.

Supplemental Location Using the Same Business Name – A separate supplemental application (Form 735-373A) must be completed for each additional location from which you operate dismantler business. You must conduct business at each supplemental location under the same name as the primary location.

If you have any questions, please contact Business License Unit at (503) 945-5052.



DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES
1005 LAWA AVENUE, SALEM OREGON 97314

APPLICATION FOR BUSINESS CERTIFICATE

AS A DISMANTLER OF MOTOR VEHICLES OR
SALVAGE POOL OPERATOR

FEE: \$450

CERTIFICATE NUMBER

WR4005

EFFECTIVE DATE

EXPIRATION DATE

- PLEASE TYPE OR PRINT LEGIBLY WITH INK.
- SEE PAGE 4 FOR INSTRUCTIONS FOR COMPLETING A DISMANTLER APPLICATION.
- ANY ALTERATION OF LINE 3 VOIDS LOCATION APPROVAL.

☐ ORIGINAL ☒ RENEWAL

LEGAL NAME OF APPLICANT (OWNER, PARTNERSHIP, LLC OR CORPORATION NAME)

OREGON REGISTRY NUMBER (IF LLC OR CORPORATION)

1 ORIENT AUTO PARTS INC

495683-89

BUSINESS NAME OF APPLICANT (IF ASSUMED BUSINESS NAME OR TRADE NAME)

OREGON REGISTRY NUMBER
(IF USING ASSUMED BUSINESS NAME OR TRADE NAME)

BUSINESS TELEPHONE

2

() (503) 663-1909

3 MAIN BUSINESS LOCATION (STREET AND NUMBER)

CITY

ZIP CODE

COUNTY

38425 SE Orient Dr.

Gresham

97080

Mult.

MAILING ADDRESS

CITY

STATE

ZIP CODE

4

CHECK ORGANIZATION TYPE:



Individual



Partnership



LLC



Corporation:

If corporation, list the state under
whose law business is incorporated:

5 a) THE DIMENSIONS OF THE PROPERTY ON WHICH THE BUSINESS IS LOCATED ARE 500 ft. X 1150 ft.

6 b) ORS 822.115(4) requires applicants to file a **description of the location** of the dismantling yard. Accordingly, please file a plat map or other description of the location of the premises..

7 By signing this application you are also certifying that:

1. The right of way of any highway adjacent to the area proposed for approval to conduct the dismantling business is used for access to the premises and public parking;
2. You maintain a building or enclosure or other barrier at least six feet high for the purpose of conducting the dismantling business;
3. You will not store any vehicles or vehicle parts or conduct the dismantling business outside of the building, enclosure or barrier;
4. The business is hidden and adequately screened by the terrain or other natural objects or by plants, fences or other appropriate means so as not to be visible from the main traveled way or the highway except as permitted by ORS 822.135.

8 LOCAL GOVERNMENT APPROVAL (CITY / COUNTY)

By signing this application you are authorizing a dismantler business to be conducted at the location listed on Line 3 of this application. If a dismantler business cannot be conducted at that location, or if any of the conditions below are not met, do not sign this approval.

I CERTIFY THAT THE GOVERNING BODY OF THE ☐ CITY ☐ COUNTY OF _____ HAS:

- A) APPROVED THE APPLICANT AS BEING SUITABLE TO ESTABLISH, MAINTAIN OR OPERATE A MOTOR VEHICLE DISMANTLING BUSINESS (ORIGINAL APPLICATIONS ONLY).
- B) DETERMINED THAT THE LOCATION OR PROPOSED LOCATION MEETS THE REQUIREMENTS FOR THAT LOCATION UNDER ORS 822.110.
- C) DETERMINED THAT THE LOCATION DOES NOT VIOLATE ANY APPLICABLE PROVISION OF ORS 822.135.
- D) APPROVED THE LOCATION AND DETERMINED THAT THE LOCATION COMPLIES WITH ANY REGULATIONS ADOPTED BY THE JURISDICTION UNDER ORS 822.140.

▼ PLACE STAMP OR SEAL HERE ▼

I ALSO CERTIFY THAT I AM AUTHORIZED TO SIGN THIS APPLICATION AND AS EVIDENCE OF SUCH AUTHORITY DO AFFIX HEREON THE SEAL OR STAMP OF THE CITY OR COUNTY.

9 NAME

TITLE

PHONE NUMBER

10 X SIGNATURE

DATE

Complete the section(s) below and sign.

(Be sure to attach a separate sheet to show additional owners.)

- List the primary owner, partners, LLC members or corporate officers below.
- If a member of a limited liability company (LLC) is a corporation, the president must provide information below.
- If a partner of a partnership is a corporation, the president must provide information below.
- If corporation or LLC, then Oregon registered agent name and address required below.

11	OREGON REGISTERED AGENT NAME Frank H. Hilton Jr.		TELEPHONE NUMBER (503) 224-6440	
12	OREGON REGISTERED AGENT STREET ADDRESS 851 SW Sixth Ave Suite 1500		CITY Portland	STATE Or
13	OREGON REGISTERED AGENT MAILING ADDRESS (IF DIFFERENT)		CITY	STATE ZIP CODE

OWNERSHIP INFORMATION

14	PRINT NAME OF OWNER / PARTNER / LLC MEMBER / CORPORATE OFFICER DAVIS, JUNE J		TITLE VICE PRES		RESIDENCE TELEPHONE NUMBER () (503) 637-6851	
15	DATE OF BIRTH 6/22/37	DRIVER LICENSE NUMBER 984691	STATE OF ISSUANCE OR			
16	RESIDENCE ADDRESS 40860 SE KITZMILLER		CITY EAGLE CREEK	STATE	ZIP CODE 97022	
17	MAILING ADDRESS (IF DIFFERENT)		CITY	STATE	ZIP CODE	
18	CERTIFYING SIGNATURE OF OWNER SHOWN ON LINE 14 ABOVE X June J. Davis				DATE 4/6/09	
19	PRINT NAME OF OWNER / PARTNER / LLC MEMBER / CORPORATE OFFICER DAVIS, REX M		TITLE PRESIDENT		RESIDENCE TELEPHONE NUMBER () (503) 663-7466	
20	DATE OF BIRTH 5/25/55	DRIVER LICENSE NUMBER 1784307	STATE OF ISSUANCE OR			
21	RESIDENCE ADDRESS 39131 SE HUDSON RD		CITY SANDY	STATE	ZIP CODE 97055	
22	MAILING ADDRESS (IF DIFFERENT)		CITY	STATE	ZIP CODE	
23	CERTIFYING SIGNATURE OF OWNER SHOWN ON LINE 19 ABOVE X Rex M. Davis				DATE 4/6/09	
24	PRINT NAME OF OWNER / PARTNER / LLC MEMBER / CORPORATE OFFICER		TITLE		RESIDENCE TELEPHONE NUMBER ()	
25	DATE OF BIRTH	DRIVER LICENSE NUMBER	STATE OF ISSUANCE			
26	RESIDENCE ADDRESS		CITY	STATE	ZIP CODE	
27	MAILING ADDRESS (IF DIFFERENT)		CITY	STATE	ZIP CODE	
28	CERTIFYING SIGNATURE OF OWNER SHOWN ON LINE 24 ABOVE X				DATE	

29 Please attach (staple) copies of ALL owners, partners, LLC members or corporate officers official photo ID's (driver license or state issued identification card ONLY). If the residence address on the photo ID is different than the residence address listed on Page 2, submit a statement explaining why the addresses do not match.

Copy must be legible.

False certification is a Class B misdemeanor under ORS 162.085 and is punishable by six months in jail, a fine of up to \$1,000 or both. In addition, DMV sanctions against you or your dismantler certificate may be imposed. With this in mind... I certify that I am the owner, a partner, an LLC member, or a corporate officer of this business and that all information on this application is accurate and true. I certify that the right of way of any highway adjacent to the location listed above is used for access to the premises and public parking.

ADDITIONAL INFORMATION

CHANGING YOUR BUSINESS NAME – You need to file a correction application (Form 735-373B) with DMV **before** you conduct dismantler business using a new name. The correction application needs to be signed by an owner, partner, LLC member, or corporate officer and include:

- A rider from your bonding company;
- Contact Business Registry at 503-986-2200 to change your business name; and
- A fee of \$30.

CHANGING YOUR BUSINESS LOCATION – If you move your yard, you need to file a correction application (Form 735-373B) with DMV **before** you conduct dismantler business. The correction application needs to be signed by an owner, partner, LLC member, or corporate officer and include:

- Location approval from the city or county;
- A rider from your bonding company;
- A plat map or description of the location of the premises; and
- A fee of \$30.

CHANGING YOUR BUSINESS NAME AND LOCATION – You need to file a correction application (Form 735-373B) with DMV if you change your business name **AND** location. The correction application needs to be signed by an owner, partner, LLC member, or corporate officer and include:

- A rider from your bonding company;
- Location approval from the city or county;
- A plat map or description of the location of the premises;
- Contact Business Registry at 503-986-2200 to change your business name; and
- A fee of \$30.

OTHER CHANGES – You need to file a correction application (Form 735-373B) with DMV if you add or remove a partner, LLC member or corporate officer or change your ownership structure (e.g.; individual to partners, partners to corporation, LLC to corporation, etc.). The correction application needs to be signed by an owner, partner, LLC member, or corporate officer (including all new owners, partners, LLC members or corporate officers being added or removed) and include:

- A rider from your bonding company;
- Photo ID; and
- A fee of \$30.

SUPPLEMENTAL LICENSE – You need supplemental business certificate for each additional location where you conduct dismantler business. The supplemental location **must** use the same business name as the primary location. A supplemental application must be filed with DMV **before** you conduct dismantler business at the additional location. The supplemental application (Form 735-373A) needs to be signed by an owner, partner, LLC member, or corporate officer and include:

- Location approval from the city or county;
- A plat map or description of the location of the premises;
- An endorsement from your bonding company (you may attach a rider); and
- A fee of \$90.

DUPLICATE LICENSE – If you need a duplicate dismantler certificate issued, you need to contact our office and pay a fee of \$30.

If you have any questions, please contact the Business License Unit at 503-945-5052.

SURETY BOND▼ **BOND NUMBER** ▼

NOTE: TO BE COMPLETED BY BONDING COMPANY. FAILURE TO ACCURATELY COMPLETE THIS FORM WILL CAUSE DELAY. PLEASE TYPE OR PRINT LEGIBLY WITH INK.

LET IT BE KNOWN:

THAT _____
(OWNER, PARTNERS, LLC OR CORPORATION NAME)

DOING BUSINESS AS _____
(ASSUMED BUSINESS NAME, IF ANY)

HAVING PRINCIPAL PLACE OF BUSINESS AT _____
(ADDRESS, CITY, STATE, ZIP CODE)

WITH ADDITIONAL PLACES OF BUSINESS AT _____
(ADDRESS, CITY, STATE, ZIP CODE)

_____ (ADDRESS, CITY, STATE, ZIP CODE)

STATE OF OREGON, AS PRINCIPAL(S), AND _____
(SURETY NAME)

_____ ()
(ADDRESS, CITY, STATE, ZIP CODE) TELEPHONE NUMBER

A CORPORATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF _____, AND AUTHORIZED TO TRANSACT A SURETY BUSINESS IN THE STATE OF OREGON, AS SURETY, ARE HELD AND FIRMLY BOUND UNTO THE STATE OF OREGON IN THE PENAL SUM OF \$10,000 FOR THE PAYMENT OF WHICH THE PRINCIPAL(S) AND SURETY JOINTLY AND SEVERALLY BIND THEMSELVES, THEIR RESPECTIVE SUCCESSORS, AND ASSIGNS.

WHEREAS, THE PRINCIPAL(S) IS APPLYING FOR A DISMANTLER CERTIFICATE ISSUED BY THE OREGON DEPARTMENT OF TRANSPORTATION.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT, WHEN THE ABOVE NAMED PRINCIPAL(S) IS ISSUED A DISMANTLER CERTIFICATE TO CONDUCT A MOTOR VEHICLE DISMANTLING BUSINESS IN THIS STATE, SAID PRINCIPAL(S) MUST CONDUCT SUCH BUSINESS WITHOUT FRAUD OR FRAUDULENT REPRESENTATION, AND WITHOUT VIOLATION OF ANY OF THE PROVISIONS OF THE OREGON VEHICLE CODE SPECIFIED IN ORS 822.120, THEN AND IN THAT EVENT THIS OBLIGATION TO BE VOID, OTHERWISE TO REMAIN IN FULL FORCE AND EFFECT UNLESS CANCELED PURSUANT TO ORS 742.366(2).

THIS BOND IS EFFECTIVE AS OF THE DATE THE PRINCIPAL(S) IS ISSUED A DISMANTLER CERTIFICATE BY THE OREGON DEPARTMENT OF TRANSPORTATION UNTIL DEPLETED BY CLAIMS PAID, UNLESS THE SURETY SOONER CANCELS THE BOND. THIS BOND MAY BE CANCELED BY THE SURETY GIVING WRITTEN NOTICE OF SUCH CANCELLATION TO THE DRIVER AND MOTOR VEHICLES DIVISION OF THE OREGON DEPARTMENT OF TRANSPORTATION. THIS BOND SHALL EXPIRE UPON EXPIRATION OF THE DISMANTLER CERTIFICATE, BUT MAY BE RENEWED UPON THE RENEWAL OF THE CERTIFICATE.

THIS BOND SHALL BE ONE CONTINUOUS OBLIGATION AND THE LIABILITY OF THE SURETY SHALL BE LIMITED TO THE AMOUNT OF THE PENALTY OF THIS BOND REGARDLESS OF WHETHER THIS BOND IS RENEWED OR OTHERWISE CONTINUED IN EFFECT UPON ITS ORIGINAL TERM,

THIS BOND IS EFFECTIVE _____ AND EXPIRES _____ (BOND MUST EXPIRE ON THE LAST DAY OF THE MONTH.)
(MONTH, DAY, YEAR) (MONTH, DAY, YEAR)

-- ANY ALTERATION VOIDS THIS BOND --

IN WITNESS WHEREOF, THE SAID PRINCIPAL AND SAID SURETY HAVE EACH CAUSED THESE PRESENTS TO BE EXECUTED BY ITS AUTHORIZED REPRESENTATIVE OR REPRESENTATIVES AND THE SURETY CORPORATE SEAL TO BE HEREUNTO AFFIXED

THIS _____ DAY OF _____
(DAY) (MONTH) (YEAR)

SIGNATURE OF OWNER, PARTNER OR CORPORATE OFFICER

TITLE

X

SIGNATURE OF SURETY (AUTHORIZED REPRESENTATIVE)

TITLE

X

SURETY'S AGENT OR REPRESENTATIVE MUST COMPLETE THIS SECTION:**PLACE SURETY SEAL BELOW**

IN THE EVENT A PROBLEM ARISES CONCERNING THIS BOND, CONTACT:

NAME

TELEPHONE NUMBER

ADDRESS

CITY, STATE, ZIP CODE

APPROVED BY ATTORNEY GENERAL'S OFFICE

SURETY BOND

▼ BOND NUMBER ▼

804327

NOTE: TO BE COMPLETED BY BONDING COMPANY. FAILURE TO ACCURATELY COMPLETE THIS FORM WILL CAUSE DELAY. PLEASE TYPE OR PRINT LEGIBLY WITH INK.

09 APR -7 PM 12:42
HULI MOHAI COUNTY
PLANNING SECTION

LET IT BE KNOWN:

THAT ORIENT AUTO PARTS, INC.

(OWNER, PARTNERS, LLC OR CORPORATION NAME)

DOING BUSINESS AS _____

(ASSUMED BUSINESS NAME, IF ANY)

HAVING PRINCIPAL PLACE OF BUSINESS AT 28425 SE ORIENT DR., GRESHAM, OREGON 97080

(ADDRESS, CITY, STATE, ZIP CODE)

WITH ADDITIONAL PLACES OF BUSINESS AT _____

(ADDRESS, CITY, STATE, ZIP CODE)

(ADDRESS, CITY, STATE, ZIP CODE)

STATE OF OREGON, AS PRINCIPAL(S), AND CONTRACTORS BONDING AND INSURANCE COMPANY

(SURETY NAME)

1201 NE Lloyd Blvd., SUITE 360 PORTLAND, OR 97232

(ADDRESS, CITY, STATE, ZIP CODE)

(503) 287-6000

TELEPHONE NUMBER

A CORPORATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF Washington, AND AUTHORIZED TO TRANSACT A SURETY BUSINESS IN THE STATE OF OREGON, AS SURETY, ARE HELD AND FIRMLY BOUND UNTO THE STATE OF OREGON IN THE PENAL SUM OF \$10,000 FOR THE PAYMENT OF WHICH THE PRINCIPAL(S) AND SURETY JOINTLY AND SEVERALLY BIND THEMSELVES, THEIR RESPECTIVE SUCCESSORS, AND ASSIGNS.

WHEREAS, THE PRINCIPAL(S) IS APPLYING FOR A DISMANTLER CERTIFICATE ISSUED BY THE OREGON DEPARTMENT OF TRANSPORTATION.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT, WHEN THE ABOVE NAMED PRINCIPAL(S) IS ISSUED A DISMANTLER CERTIFICATE TO CONDUCT A MOTOR VEHICLE DISMANTLING BUSINESS IN THIS STATE, SAID PRINCIPAL(S) MUST CONDUCT SUCH BUSINESS WITHOUT FRAUD OR FRAUDULENT REPRESENTATION, AND WITHOUT VIOLATION OF ANY OF THE PROVISIONS OF THE OREGON VEHICLE CODE SPECIFIED IN ORS 822.120, THEN AND IN THAT EVENT THIS OBLIGATION TO BE VOID, OTHERWISE TO REMAIN IN FULL FORCE AND EFFECT UNLESS CANCELED PURSUANT TO ORS 742.366(2).

THIS BOND IS EFFECTIVE AS OF THE DATE THE PRINCIPAL(S) IS ISSUED A DISMANTLER CERTIFICATE BY THE OREGON DEPARTMENT OF TRANSPORTATION UNTIL DEPLETED BY CLAIMS PAID, UNLESS THE SURETY SOONER CANCELS THE BOND. THIS BOND MAY BE CANCELED BY THE SURETY GIVING WRITTEN NOTICE OF SUCH CANCELLATION TO THE DRIVER AND MOTOR VEHICLES DIVISION OF THE OREGON DEPARTMENT OF TRANSPORTATION. THIS BOND SHALL EXPIRE UPON EXPIRATION OF THE DISMANTLER CERTIFICATE, BUT MAY BE RENEWED UPON THE RENEWAL OF THE CERTIFICATE.

THIS BOND SHALL BE ONE CONTINUOUS OBLIGATION AND THE LIABILITY OF THE SURETY SHALL BE LIMITED TO THE AMOUNT OF THE PENALTY OF THIS BOND REGARDLESS OF WHETHER THIS BOND IS RENEWED OR OTHERWISE CONTINUED IN EFFECT UPON ITS ORIGINAL TERM,

THIS BOND IS EFFECTIVE APRIL 1ST, 2009

(MONTH, DAY, YEAR)

AND EXPIRES MARCH 31ST, 2012

(MONTH, DAY, YEAR)

(BOND MUST EXPIRE ON THE LAST DAY OF THE MONTH.)

-- ANY ALTERATION VOIDS THIS BOND --

IN WITNESS WHEREOF, THE SAID PRINCIPAL AND SAID SURETY HAVE EACH CAUSED THESE PRESENTS TO BE EXECUTED BY ITS AUTHORIZED REPRESENTATIVE OR REPRESENTATIVES AND THE SURETY CORPORATE SEAL TO BE HEREUNTO AFFIXED

THIS 5TH

(DAY)

DAY OF JANUARY

(MONTH)

, 2009

(YEAR)

SIGNATURE OF OWNER, PARTNER OR CORPORATE OFFICER

X [Signature]

TITLE

SIGNATURE OF SURETY (AUTHORIZED REPRESENTATIVE)

X [Signature]

TITLE

ATTORNEY IN FACT

SURETY'S AGENT OR REPRESENTATIVE MUST COMPLETE THIS SECTION:

PLACE SURETY SEAL BELOW

IN THE EVENT A PROBLEM ARISES CONCERNING THIS BOND, CONTACT:

NAME

CONTRACTORS BONDING AND INSURANCE COMPANY

TELEPHONE NUMBER

503 287-6000

ADDRESS

PO BOX 12053

CITY, STATE, ZIP CODE

PORTLAND, OR 97212-0053

APPROVED BY ATTORNEY GENERAL'S OFFICE





Limited Power of Attorney

Home Office:
1213 Valley Street
PO Box 9271
Seattle, WA 98109-0271
(206) 628-7200

KNOW ALL MEN BY THESE PRESENTS that CONTRACTORS BONDING AND INSURANCE COMPANY, a corporation duly organized and existing under the laws of the State of Washington, and having its principal office in Seattle, King County, Washington, does by these presents make, constitute and appoint KAREN J. ALGER, of Gresham, Oregon, its true and lawful Attorney-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver on behalf of the Company any and all bonds and undertakings of suretyship given for any purpose, provided, however, that no Attorney-in-Fact shall be authorized to execute and deliver any bond or undertaking that shall obligate the Company for any portion of the penal sum thereof in excess of \$6,000,000, and provided, further, that no Attorney-in-Fact shall have the authority to issue a bid or proposal bond for any project where, if a contract is awarded, any bond or undertaking would be required with a penal sum in excess of \$6,000,000; and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary; hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions adopted by the Board of Directors of the CONTRACTORS BONDING AND INSURANCE COMPANY on September 19, 2005:

RESOLVED that the President of the Company is authorized to appoint any person as the Company's true and lawful Attorney-in-Fact with power and authority to execute and deliver on behalf of the Company any and all bonds and undertakings of suretyship given for any purpose, subject to such limits as shall be determined by the President of the Company; provided, however, that no such person shall be authorized to execute and deliver any bond or undertaking that shall obligate the Company for any portion of the penal sum thereof in excess of \$10,000,000, and provided, further, that no Attorney-in-Fact shall have the authority to issue a bid or proposal bond for any project where, if a contract is awarded, any bond or undertaking would be required with penal sum in excess of \$10,000,000. Any Attorney-in-Fact authorized to execute a surety bond or undertaking may also be authorized to execute any consent or other documentation incidental to said bond or undertaking, provided such document does not obligate the Company in excess of the limit set forth above.

RESOLVED FURTHER that the authority of the Secretary of the Company to certify the authenticity and effectiveness of the foregoing resolution in any Limited Power of Attorney is hereby delegated to the following persons, the signature of any of the following to bind the Company with respect to the authenticity and effectiveness of the foregoing resolutions as if signed by the Secretary of the Company: Larry A. Byers, Michael D. Burns, Debbie Kidd, Ann Jones, Nancy M. Young, Marci A. Houts, Rose A. Thorstenson, Hans Rauth, Mark S. Hewitt, Theresa Smith, Tom Dymant, Pat Dorney, Deanna Wersch, JoAnn Johnson, Debi Lewis, James L. Neschke, Cheryl Neschke, Michael K. Neschke. Provided, however, that no such person shall have the authority to certify the authenticity of a resolution or Limited Power of Attorney document which serves to appoint himself as Attorney-in-Fact.

RESOLVED FURTHER that the signatures (including certification that the Power of Attorney is still in force and effect) of the President, Notary Public and person certifying authenticity and effectiveness, and the corporate and Notary seals appearing on any Limited Power of Attorney containing this and the foregoing resolutions as well as the Limited Power of Attorney itself and its transmission, may be by facsimile; and such Limited Power of Attorney shall be deemed an original in all aspects.

RESOLVED FURTHER that all resolutions adopted prior to today appointing the above named as Attorney-in-Fact for CONTRACTORS BONDING AND INSURANCE COMPANY are hereby superseded.

IN WITNESS WHEREOF, CONTRACTORS BONDING AND INSURANCE COMPANY has caused these presents to be signed by its President and its corporate seal to be hereto affixed this 21st day of August, 2008.

CONTRACTORS BONDING AND INSURANCE COMPANY

By: 
Don Sirkin, President

STATE OF WASHINGTON - COUNTY OF KING

On this 21st day of August, 2008, personally appeared DON SIRKIN, to me known to be the President of the corporation that executed the foregoing Limited Power of Attorney and acknowledged said Limited Power of Attorney to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said Limited Power of Attorney.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Notary Public in and for the State of Washington, residing at Seattle

The undersigned, acting under authority of the Board of Directors of CONTRACTORS BONDING AND INSURANCE COMPANY, hereby certifies, as or in lieu of Certificate of the Secretary of CONTRACTORS BONDING AND INSURANCE COMPANY, that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Company, and does hereby further certify that the said Power of Attorney is still in force and effect.

GIVEN under my hand at Portland, OR, this 5th day of January, 2009
