



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

Measure 49 Development Services Division

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<http://www.oregon.gov/LCD/MEASURE49>

June 9, 2009



Donald M. Kelley, Agent  
110 N Second Street  
Silverton, OR 97381

RE: State Measure 37 Claim M118628 - Baker

Dear Mr. Kelley,

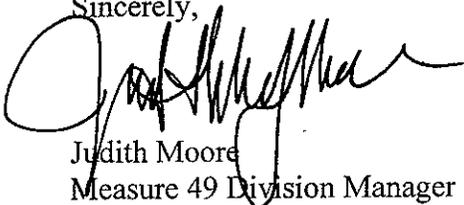
The Department of Land Conservation and Development (the department) has received an election form requesting Supplemental Review of claim M118628 under Measure 49. According to our records, the claimant Gordon S. Baker passed away on August 28, 2007, and his heirs are not authorized to pursue the claim under Measure 49.

Requirements for Supplemental Review under such circumstances are stated in section 11(9) of Measure 49 and the Extension Bill, section 2(3) (House Bill 3546 (2007)). If the claimant filed the Measure 37 claim before November 1, 2006, and the claimant died before December 6, 2007, no relief is available for the claimant's heirs under Measure 49. According to our records Gordon S. Baker filed claim M118628 on June 17, 2005. Therefore, the request for Supplemental Review of the claim is denied.

Claim M118628 will be closed and the department will take no further action regarding the review of the claim. If you believe you have received this letter in error or have any questions, please contact this office at (503) 373-0050 ext. 324 or via e-mail at [measure49.info@state.or.us](mailto:measure49.info@state.or.us).

This correspondence concerning claim M118628 is a Final Order from the department in other than a contested case. Please note that you have the right to petition for agency reconsideration or judicial review of this Final Order under ORS 183.484.

Sincerely,



Judith Moore  
Measure 49 Division Manager

Cc: Dale W. Baker, Personal Representative  
Marion County Planning