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BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

MARGARET I. CALLANDER,)
)
Petitioner,)
)
vs.)
)
YAMHILL COUNTY,)
)
Respondent,)

LUBA No. 97-082

FINAL OPINION
AND ORDER

Appeal from Yamhill County.

Michael C. Robinson, Portland, represented petitioner.

John C. Pinkstaff, McMinnville, represented respondent.

HOLSTUN, Board Member; GUSTAFSON, Board Chair; HANNA, Board Member,
participated in the decision.

DISMISSED 10/14/98

You are entitled to judicial review of this Order. Judicial review is governed by the
provisions of ORS 197.850.

1 Opinion by Holstun.

2 Pursuant to ORS 197.830(12)(b) and OAR 661-10-021, the county withdrew the
3 decision challenged in this appeal. On May 1, 1998, the Board received the county's decision
4 on reconsideration. Pursuant to OAR 661-10-021(5)(a), petitioner had until May 22, 1998,
5 to (1) refile its original notice of intent to appeal in this matter, or (2) file an amended notice
6 of intent to appeal. The Board has not received a refiled original notice of intent to appeal or
7 an amended notice of intent to appeal in accordance with OAR 661-10-021(5)(a).

8 OAR 661-10-021(5)(d) provides "[i]f no amended notice of intent to appeal is filed or
9 no original notice of intent to appeal is refiled, as provided in [OAR 661-10-021(5)(a)], the
10 appeal will be dismissed."

11 This appeal is dismissed. Matrix Development v. City of Tigard, 25 Or LUBA 557
12 (1993).