

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

3 METROPOLITAN SERVICE DISTRICT,)
4 Petitioner,) LUBA NO. 80-011
5 vs.)
6 CLACKAMAS COUNTY,) ORDER OF DISMISSAL
7 Respondent.)

8 This matter is before the Board on motion of Respondent
9 Clackamas County. Clackamas County moves to dismiss the Notice
10 of Intent to Appeal on file in this case because the county has
11 voided Order No. 79-2634, the basis of the appeal, and will
12 reconsider the matter. The motion was filed with the Board on
13 March 24, 1980. More than ten days has passed since that
14 filing and no motion or memorandum in opposition thereto has
15 been received.

16 It appears to the Board that Clackamas County Order No.
17 80-547 attached to the motion to dismiss does in fact void
18 order no. 79-2634. There is, as respondent notes, no longer a
19 "decision" that this Board may review.

20 The matter of Metropolitan Service District vs. Clackamas
21 County, LUBA No. 80-011 is dismissed. As no record has been
22 prepared by respondent, the \$150.00 deposit for costs shall be
23 returned to petitioner, Metropolitan Service District.

24 Dated this 14th day of April, 1980.
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