

LAND USE  
BOARD OF APPEALS

BEFORE THE LAND USE BOARD OF APPEALS | 43 PM '80  
OF THE STATE OF OREGON

WILLAMETTE PACIFIC LAND CO., )  
an Oregon corporation, )  
Petitioner, )  
vs. )  
WASHINGTON COUNTY, )  
Respondent. )

LUBA NO. 79-037

FINAL ORDER AND OPINION  
OF DISMISSAL AND AWARDING  
OF COSTS

Appeal from Washington County.

Gregory S. Hathaway  
County Counsel  
Washington County  
150 N. 1st Avenue  
Hillsboro, OR 97123

Peter G. Voorhies  
Attorney at Law  
1505 Standard Plaza  
Portland, Oregon 97204

Attorney for Respondent

Attorney for Petitioner

Cox, Referee; Reynolds, Chief Referee; Bagg, Referee;  
participated in the decision.

Dismissed.

5/6/80

You are entitled to judicial review of this Order.  
Judicial Review is governed by the provisions of Oregon  
Laws, ch 772, § 772, § 6(a).

1 Cox, Referee

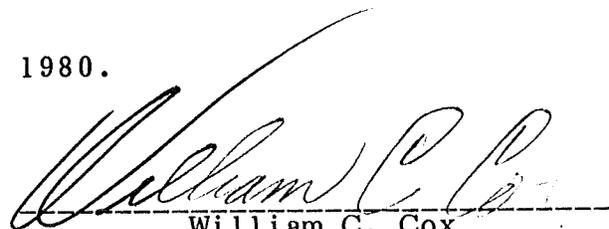
2 Petitioner, in the above entitled case, filed its Notice of  
3 Intent to Appeal with this Board on December 31, 1979.

4 Respondent submitted the required record to this Board on  
5 January 22, 1980. On March 25, 1980, the Board received a  
6 letter from petitioner's attorney indicating that petitioner  
7 had determined to drop its appeal and, therefore, not file a  
8 petition for review. On April 18, 1980, respondent filed a  
9 motion to recover costs. Petitioner did not respond to  
10 respondent's motion.

11 It is ordered that this matter be dismissed and pursuant to  
12 LUBA Rule of Procedure 7(A) which requires that in situations  
13 where petitioners fail to file a petition for review within the  
14 time required after transmittal of the record by respondent,  
15 will cause forfeiture of the deposit for costs to the governing  
16 body. Respondent Washington County, the governing body herein,  
17 shall be awarded \$150.00, now in the possession of the Board as  
18 petitioner's deposit for costs.

19 It is so ordered.

20 Dated this 6th day of May, 1980.

21  
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23 William C. Cox  
24 Hearings Referee  
25  
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