



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development Measure 49 Development Services Division

635 Capitol Street, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5318

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

March 3, 2009



Paul Lodine
Churchill Leonard Lawyers
PO Box 804
Salem, Oregon 97308

RE: State Measure 37 Claim M119704 (Baghdanov)

Dear Mr. Lodine:

The Department of Land Conservation and Development (the department) has received an election form requesting Supplemental Review of claim M119704 under Measure 49. According to our records, the claimant Maria Baghdanov passed away on February 3, 2007, and her 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 Maria Baghdanov filed claim M119704 on February 10, 2005. Therefore, the request for Supplemental Review of the claim is denied.

Claim M119704 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.

This correspondence concerning claim M119704 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,

/S/
Richard Whitman
Director

Cc: Marion County Planning