1	EXHIBIT 1
2	(661-010-0015)
3	DEFORE THE LAND LICE DOADD OF ADDEAL C
4 5	BEFORE THE LAND USE BOARD OF APPEALS OF THE STATE OF OREGON
6	
7	Jane Smith,
8)
9	Petitioner,)
10 11) LUDA No
11	vs.) LUBA No
13	Willamette County,)
14)
15	Respondent.)
16	NOTICE OF INTENT TO APPEAL
17	I.
18	Notice is hereby given that petitioner intends to appeal that land use
19	decision or limited land use decision of respondent entitled [INDICATE TITLE
20	OF LAND USE DECISION OR LIMITED LAND USE DECISION], which
21	became final on [INDICATE DATE] and which involves [SET FORTH A
22	BRIEF STATEMENT OF THE NATURE OF THE DECISION OR,
23	PREFERABLY, ATTACH A COPY OF THE DECISION].
24	Π .
25	(a) Petitioner, Jane Smith, has as their mailing address and telephone
26	number: [INDICATE MAILING ADDRESS AND TELEPHONE NUMBER OF
27	PETITIONER].
28	(b) Petitioner, Jane Smith, is represented by: [INDICATE NAME,

- 1 ADDRESS, AND TELEPHONE NUMBER OF PETITIONER'S ATTORNEY].
- 2 [IF MORE THAN ONE ATTORNEY IDENTIFIED] Attorney, Taylor Doe, is
- 3 designated as lead counsel.

4 or

- 5 (b) Petitioner, Jane Smith, represents themselves. [IF MORE THAN ONE
- 6 SELF-REPRESENTED PETITIONER] Petitioner, Jane Smith, is designated as
- 7 lead petitioner.
- 8 III.
- 9 (a) Respondent, Willamette County, has as its mailing address and
- 10 telephone number: [INDICATE MAILING ADDRESS AND TELEPHONE
- 11 NUMBER OF GOVERNING BODY].
- 12 (b) Respondent, Willamette County, has as its legal counsel: [INDICATE
- 13 NAME, ADDRESS, AND TELEPHONE NUMBER OF GOVERNING
- 14 BODY'S ATTORNEY].
- 15 IV.
- 16 (a) Applicant, John Developer, has as its mailing address and telephone
- 17 number: [INDICATE MAILING ADDRESS AND TELEPHONE NUMBER OF
- 18 APPLICANT].
- 19 (b) Applicant, John Developer, was represented in the proceeding below
- 20 by: [INDICATE NAME, ADDRESS AND TELEPHONE NUMBER OF
- 21 APPLICANT'S ATTORNEY].
- (c) Other persons mailed written notice of the land use decision or limited

1	land use decision by Willamette County, as indicated by its records in this matter,
2	include: [INDICATE NAMES AND ADDRESSES OF ALL PERSONS WHOM
3	THE GOVERNING BODY'S RECORDS INDICATE WERE MAILED OR
4	EMAILED WRITTEN NOTICE OF THE LAND USE DECISION OR
5	LIMITED LAND USE DECISION].
6	NOTICE:
7	Anyone designated in paragraph IV of this Notice who desires to
8	participate as a party in this case before the Land Use Board of Appeals must file
9	with the Board a Motion to Intervene in this proceeding as required by OAR 661-
10	010-0050.
11 12	Dated this day of
13 14	Petitioner (each petitioner must sign)
15 16	or
17 18	Attorney for Petitioner(s)

1	CERTIFICATE OF FILING OF NOTICE OF INTENT TO APPEAL
2 3	I haraby contify that an INDICATE DATE! I filed the original of this Nation of
3 4	I hereby certify that, on [INDICATE DATE], I filed the original of this Notice of
5	Intent to Appeal, together with two copies, with the Land Use Board of Appeals, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283, by [INDICATE
6	MANNER OF FILING, E.G., CERTIFIED, PRIORITY, OR FIRST-CLASS
7	MAIL, OR COMMERCIAL DELIVERY SERVICE].
8	While, OR COMMERCIAL DELIVERT SERVICEJ.
9	Dated this day of
10	
11	
12	Signature
13	
14	CERTIFICATE OF SERVICE OF NOTICE OF INTENT TO APPEAL
15	
16	I hereby certify that, on [INDICATE DATE], I served a true and correct copy of
17	this Notice of Intent to Appeal on all persons listed in paragraphs III and IV of
18	this Notice pursuant to OAR 661-010-0015(2) by [INDICATE MANNER OF
19	SERVICE, E.G., IN-PERSON DELIVERY, FIRST-CLASS OR PRIORITY
20	MAIL, OR COMMERCIAL DELIVERY SERVICE].
21	
22	Dated this day of, 20
23	
24	<u>a.</u>
25	Signature
26	

1		EXHIBIT 2
2		(661-010-0025)
3 4		TABLE OF CONTENTS
5		OF RECORD
6		Of RECORD
7	ITEM	PAGE
8		
9	1.	DLCD Notice of Adoption for Ordinance 13-01, mailed June 5, 20131
10		
11	2.	Notice of Decision mailed to participants June 5, 2013,
12		with mailing list5
13	2	0.1:
14 15	3.	Ordinance 13-01, adopted June 1, 2013, with attached Findings and Conclusions of Law
16		1 manigs and Conclusions of Law
17	4.	Final Minutes of the City Council Meeting June 1, 201325
18	••	Timer transacts of the City Council Processing Valle 1, 2015
19	5.	Testimony of John Doe, Chamber of Commerce, submitted
20		June 1, 2013, with attachments40
21		
22		A. Economic Conditions Report, dated February 10, 200055
23		B. Article: Smart Growth is an Oxymoron61
24		C. Employment Report, dated July 1, 2005
25		D. RETAINED EXHIBIT: City Map on posterboard99
26 27	6	Staff Depart dated May 24, 2012, with attachments
28	6.	Staff Report dated May 24, 2013, with attachments
29		A. Revised Traffic Study dated March 1, 2013120
30		B. Revised Goal 10 Analysis dated April 1, 2013
31		
32	7.	Publication notice of June 1, 2013 City Council Meeting, published
33		in the Oregonian May 25, 2013, and May 28, 2013201
34		
35	Etc.	
36		

1		Exhibits Retained by City Until Time of
2		Oral Argument Under OAR 661-010-0025(2)
3		
4	A.	DVD recording of City Council meeting June 1, 2013.
5	B.	City Map on posterboard; see Record 99.
6	C.	Audio Recording of Planning Commission hearing November 1,
7		2012.
8	D.	The local record in the prior LUBA appeal, Younger v. City of
9		Portland, LUBA No. XXXX-XXX. [NOTE: LUBA DOES NOT
10		RETAIN ITS RECORD COPIES. IF THE COPY THAT WAS
11		ON FILE WITH LUBA WAS DISCARDED OR PICKED UP
12		BY THE RESPONDENT, THEN THE RESPONDENT MUST
13		RETRANSMIT TO LUBA THE LOCAL GOVERNMENT
14		RECORD IN THE PRIOR APPEAL.]
15		

1 2 3	EXHIBIT 3 (661-010-0050)
4 5 6	BEFORE THE LAND USE BOARD OF APPEALS OF THE STATE OF OREGON
7 8	Jane Smith,
9	Petitioner,)
10 11 12	vs. LUBA No
13 14	Willamette County,)
15	Respondent.
16	MOTION TO INTERVENE
17	I.
18	(a) John Davis moves to intervene on the side of [PETITIONER OR
19	RESPONDENT] in the above-captioned appeal.
20	(b) John Davis has as their mailing address and telephone number:
21	[INDICATE MAILING ADDRESS AND TELEPHONE NUMBER OF
22	MOVANT].
23	(c) John Davis is represented by: [INDICATE NAME, ADDRESS, AND
24	TELEPHONE NUMBER OF MOVANT'S ATTORNEY]. [IF MORE THAN
25	ONE ATTORNEY IDENTIFIED] Attorney, Denise Neil, is designated as lead
26	counsel.
27	or

1	(c) John Davis represents themselves. [IF MORE THAN ONE SELF-
2	REPRESENTED MOVANT] John Davis is designated as lead intervenor.
3	II.
4	The appealed decision is that land use decision or limited land use decision
5	of respondent entitled [INDICATE TITLE OF LAND USE DECISION OR
6	LIMITED LAND USE DECISION], which became final on [INDICATE DATE]
7	and which involves [SET FORTH A BRIEF STATEMENT OF THE NATURE
8	OF THE DECISION OR, PREFERABLY, ATTACH A COPY OF THE
9	DECISION].
10	III.
11	The facts establishing movant's right to intervene are as follows: [SET
12	FORTH STATEMENT OF FACTS WITH REFERENCES TO THE RECORD
13	OR ATTACH AFFIDAVITS OR OTHER PROOF].
14	IV. [OPTIONAL]
15	In support of this motion, John Davis relies on the attached [affidavit
16	memorandum of law, or both].
17 18 19	Dated this day of
20 21 22	John Davis or
23	Denise Neil, Attorney for John Davis
242526	[Add Certificates of Filing and Service on separate page. See Exhibits 5 & 6.]

1	EXHIBIT 4
2 3	(661-010-0068)
4	BEFORE THE LAND USE BOARD OF APPEALS
5	OF THE STATE OF OREGON
6	I C '41.
7 8	Jane Smith,
9	Petitioner,)
10)
11	vs.) LUBA No
12	
13 14	Willamette County,)
15	Respondent.)
16	UNDERTAKING ON STAY
17	I.
18	Whereas, Jane Smith, the petitioner above named, has applied to the Land
19	Use Board of Appeals for an order staying execution of that land use decision or
20	limited land use decision described as [DESCRIBE LAND USE DECISION OR
21	LIMITED LAND USE DECISION]; and
22	II.
23	Whereas, the Land Use Board of Appeals entered an order dated
24	[INDICATE DATE] staying said land use decision or limited land use decision
25	pursuant to ORS 197.845, subject to filing an undertaking with the Land Use
26	Board of Appeals in the principal amount of \$
27	III.
28	Now, therefore, we [INDICATE PETITIONER'S NAME(S)], the above-

1	named petitioner, as principal, and [INDICATE SURETY NAME], a
2	[INDICATE STATE OF INCORPORATION] corporation qualified by law to
3	issue surety insurance as defined in ORS 731.186, as surety, hereby undertake
4	that petitioner will pay all reasonable attorney's fees and actual damages which
5	may be awarded by the Land Use Board of Appeals in the event the land use
6	decision or limited land use decision above described shall be affirmed, but not
7	to exceed the sum of \$
8	IV.
9	The condition of this obligation is that if the land use decision or limited
10	land use decision above described is not affirmed, then this obligation shall be
11	null and void; otherwise it shall remain in full force and effect.
12 13	Dated this day of
14 15 16	Principal
17 18 19	Surety
20 21	[Add Certificates of Filing and Service on separate page. See Exhibits 5 & 6.]

	EXHIBIT 5 (661-010-0075)
CERTIFICA	TE OF FILING (GENERAL)
OF DOCUMENT], together wi with the Land Use Board of Ap OR 97301-1283, by [INDICA]	ATE DATE], I filed the original of this [NAME th [INDICATE NUMBER OF COPIES] copies, peals, 775 Summer Street NE, Suite 330, Salem, TE MANNER OF FILING, <i>E.G.</i> , CERTIFIED, SS MAIL, OR COMMERCIAL DELIVERY
Dated this day of	, 20
Signature	
	EXHIBIT 6
	(661-010-0075)
CERTIFICAT	TE OF SERVICE (GENERAL)
this [NAME OF DOCUMENT SERVICE, E.G., IN-PERSON	ATE DATE], I served a true and correct copy of on all parties by [INDICATE MANNER OF DELIVERY, FIRST-CLASS OR PRIORITY CLIVERY SERVICE] to the following names and
NAME ADDRESS CITY/STATE/ZIP	NAME ADDRESS CITY/STATE/ZIP
Dated this day of	20
	I hereby certify that, on [INDIC OF DOCUMENT], together wi with the Land Use Board of App OR 97301-1283, by [INDICAT PRIORITY, OR FIRST-CLASSERVICE]. Dated this day of Signature CERTIFICAT I hereby certify that, on [INDIC this [NAME OF DOCUMENT SERVICE, E.G., IN-PERSON MAIL, OR COMMERCIAL DE addresses: NAME ADDRESS

1	EXHIBIT 7
2	(661-010-0030)
3	
4	Certificate of Compliance with Brief Length, Type Size,
5	and Copy of Decision Requirements
6	
7	Brief Length
8	
9	I certify that (1) this brief complies with the word-count limitation in OAR 661-
10	010-0030(2) and (2) the word count of this brief as described in OAR 661-010-
11	0030(2) is words. [OR]
12	
13	I certify that (1) I do not have access to a word-processing system that provides
14	a word count; (2) this brief complies with the page limitation in OAR 661-010-
15	0030(2); and (3) the number of pages in this brief is pages. [OR]
16	
17	The board granted a motion to exceed the length limit for this brief. The order
18	granting that motion was dated and permits a brief of up to
19	I certify that (1) this brief complies with that order and (2) the word count of this
20	brief (as described in OAR 661-010-0030(2)) is words [OR] the
21	number of pages in this brief is pages.
22	
23	Type Size
24	
25	I certify that the size of the type in this brief is not smaller than 14 point for both
26	the text of the brief and footnotes as required by OAR 661-010-0030(2).
27	
28	Copy of Decision [FOR PETITION FOR REVIEW]
29	
30	I certify that the petition for review contains a copy of the challenged decision,
31	including any adopted findings of fact and conclusions of law as required by
32	OAR 661-010-0030(4)(e).
33	
34	Dated this day of, 20
35	
36	
37	Signature
38	

1	EXHIBIT 8
2 3	(661-010-0012)
	DEFORE THE LAND LIGE DOADD OF ADDEALG
4	BEFORE THE LAND USE BOARD OF APPEALS
5	OF THE STATE OF OREGON
6	Lana Conith
7 8	Jane Smith,
9	Petitioner,)
10)
11	vs. LUBA No.
12)
13	Willamette County,)
14)
15	Respondent.)
16	•
17	NOTICE OF REPRESENTATION
18	
19	Notice is hereby given that [PETITIONER, INTERVENOR, OR
20	RESPONDENT] is represented by: [INDICATE NAME, ADDRESS, AND
21	TELEPHONE NUMBER OF ATTORNEY]. [IF MORE THAN ONE
22	ATTORNEY IDENTIFIED] Attorney, Taylor Doe, is designated as lead counsel.
23	[DETITIONED INTERVENIOD OF DECRONDENT] 1 41 ' '1'
24	[PETITIONER, INTERVENOR, OR RESPONDENT] has as their mailing address and telephone number: [INDICATE MAILING ADDRESS AND
2526	TELEPHONE NUMBER].
27	TELETHONE NOWIBER].
28	Dated this day of, 20
29	
30	
31	Signature
32	
33	[Add Certificates of Filing and Service on separate page. See Exhibits 5 & 6.]
3/1	

1	EXHIBIT 9
2	(661-010-0012)
3	
4	BEFORE THE LAND USE BOARD OF APPEALS
5	OF THE STATE OF OREGON
6	
7	Jane Smith,
8)
9	Petitioner,)
10)
11	vs.) LUBA No
12)
13	Willamette County,
14)
15	Respondent.
16	1
17	NOTICE OF WITHDRAWAL
18	
19	Notice is hereby given that [PETITIONER'S, INTERVENOR'S, OR
20	RESPONDENT'S] attorney, [INDICATE NAME OF ATTORNEY], is
21	withdrawing as counsel in this appeal.
22	
23	[PETITIONER, INTERVENOR, OR RESPONDENT] has as their mailing
24	address and telephone number: [INDICATE MAILING ADDRESS AND
25	TELEPHONE NUMBER].
26	
27	[PETITIONER, INTERVENOR, OR RESPONDENT] will proceed pro se [OR]
28	will be represented by: [INDICATE NAME, ADDRESS, AND TELEPHONE
29	NUMBER OF ATTORNEY]. [IF MORE THAN ONE ATTORNEY
30	IDENTIFIED] Attorney, Taylor Doe, is designated as lead counsel.
31	
32	[INDICATE APPEAL STATUS AND NEXT PENDING DEADLINE.] This
33	appeal is currently suspended. [OR] This appeal is in briefing. The response brief
34	is due [DATE].
35	
36	
37	
38	
39	Dated this day of , 20 .

1	
3	Signature
4 5	[Add Certificates of Filing and Service on separate page. See Exhibits 5 & 6.]
6	

1	EXHIBIT 10
2	(661-010-0012)
3	
4	BEFORE THE LAND USE BOARD OF APPEALS
5	OF THE STATE OF OREGON
6	
7	Jane Smith,
8	
9	Petitioner,
10	
11	vs. LUBA No
12	
13	Willamette County,)
14	
15	Respondent.
16	
17	NOTICE OF RELATED MATTERS
18	
19	Notice is hereby given that [PETITIONER, INTERVENOR, OR
20	RESPONDENT] is aware of the following related matters:
21	
22	SMITH v. CITY OF WILLAMETTE
23	LUBA No. 2022-000
24	Filed: 01/01/2022
25	Status: Pending Record
26	Relation to current matter: [PETITIONER, INTERVENOR, OR
27	RESPONDENT] is the same party appealing a permit contingent on this
28	pending appeal.
29	
30	SMITH v. CITY OF WILLAMETTE
31	A220000 Fit 1 01/01/2022
32	Filed: 01/01/2022
33	Status: Pending Briefing
34	Relation to current matter: [PETITIONER, INTERVENOR, OR
35	RESPONDENT] has appealed a related LUBA decision regarding a
36 27	previous stage of a subdivision plan.
37	[DETITIONED INTEDVENOD OF DECRONDENT] will £10 on walstal
38	[PETITIONER, INTERVENOR, OR RESPONDENT] will file an updated
39	notice if [PETITIONER, INTERVENOR, OR RESPONDENT] becomes aware

1	of or initiates any related matters of which [PETITIONER, INTERVENOR, OR
2	RESPONDENT] has not already notified the Board.
3	
4	Dated this day of
5	
6	
7	Signature
8	
9	[Add Certificates of Filing and Service on separate page. See Exhibits 5 & 6.]
10	