EXHIBIT l
(661-010-0015)

BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

Jane Smith,	)	
	)	
Petitioner,	)	
	)	
vs.	)	LUBA No. _____
	)	
Willamette County,	)	
	)	
Respondent.	)	

NOTICE OF INTENT TO APPEAL

I.

Notice is hereby given that petitioner intends to appeal that land use decision or limited land use decision of respondent entitled [INDICATE TITLE OF LAND USE DECISION OR LIMITED LAND USE DECISION], which became final on [INDICATE DATE] and which involves [SET FORTH A BRIEF STATEMENT OF THE NATURE OF THE DECISION; OR, PREFERABLY, ATTACH A COPY OF THE DECISION]

II.

(a) Petitioner, Jane Smith, is represented by: [INDICATE NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY].

or

(b) Petitioner, Jane Smith, represents herself: [INDICATE ADDRESS AND TELEPHONE NUMBER]. [IF APPLICABLE] Petitioner, Jane Smith, is designated lead petitioner.

III.

Respondent, Willamette County, has as its mailing address and telephone number: [INDICATE MAILING ADDRESS AND TELEPHONE NUMBER] and has, as its legal counsel: [INDICATE NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY].

IV.

Applicant, John Developer, was represented in the proceeding below by: [INDICATE NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY].

Other persons mailed written notice of the land use decision or limited land use decision by Willamette County, as indicated by its records in this matter, include: [INDICATE NAMES, ADDRESSES AND TELEPHONE NUMBERS OF ALL PERSONS WHOM THE GOVERNING BODY'S RECORDS INDICATE WERE MAILED WRITTEN NOTICE OF THE LAND USE DECISION OR LIMITED LAND USE DECISION. THE TELEPHONE NUMBERS OF SUCH PERSONS MAY BE OMITTED].

NOTICE:

Anyone designated in paragraph IV of this Notice who desires to participate as a party in this case before the Land Use Board of Appeals must file with the Board a Motion to Intervene in this proceeding as required by OAR 661-010-0050.

_____

Petitioner (each petitioner must sign)

or

_____

Attorney for Petitioner(s)

CERTIFICATE OF SERVICE

I hereby certify that on [INDICATE DATE], I served a true and correct copy of this Notice of Intent to Appeal on all persons listed in paragraphs III and IV of this Notice pursuant to OAR 661-010-0015(2) by (a) first class mail or (b) personal delivery [INDICATE WHICH].

Dated:

_____

_____

Signature

EXHIBIT 2
(661-010-0025)

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Etc.

Exhibits Retained by City Until Time of
Oral Argument Under OAR 661-010-0025(2)

A. DVD recording of City Council meeting June 1, 2013.

B. City Map on posterboard; see Record 99.

C. Audio Recording of Planning Commission hearing November 1, 2012.

D. The local record in the prior LUBA appeal, Younger v. City of Portland, LUBA No. XXXX-XXX. **[NOTE: LUBA DOES NOT RETAIN ITS RECORD COPIES. IF THE COPY THAT WAS ON FILE WITH LUBA WAS RECYCLED OR PICKED UP BY THE RESPONDENT, THE PRIOR RECORD MUST BE TRANSMITTED TO LUBA AGAIN.]**

EXHIBIT 3
(OAR 661-010-0050)

BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

Jane Smith,	)	
Petitioner,	)	
	)	
vs.	)	LUBA No. _____
	)	
Willamette County,	)	
Respondent.	)	

MOTION TO INTERVENE

I.

John Davis moves to intervene on the side of (a) Petitioner or (b) Respondent [INDICATE WHICH] in the above-captioned appeal. Mr. Davis' (or his attorney's) address and phone number are as follows: [INDICATE ADDRESS AND PHONE NUMBER].

II.

The facts establishing movant's right to intervene are as follows: [SET FORTH STATEMENT OF FACTS WITH REFERENCES TO THE RECORD OR ATTACH AFFIDAVITS OR OTHER PROOF].

III. [OPTIONAL]

In support of this motion, John Davis relies on the attached [affidavit,] Memorandum of Law [or both].

_____ _____

Date John Davis

or

_____

Denise Neil, Attorney for John Davis

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

EXHIBIT 4
(661-010-0068)

BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

Jane Smith,	)	
	)	
Petitioner,	)	
	)	
vs.	)	LUBA No. _____
	)	
Willamette County,	)	
	)	
Respondent.	)	

UNDERTAKING ON STAY

I.

Whereas, Jane Smith, the petitioner above named, has applied to the Land Use Board of Appeals for an order staying execution of that land use decision or limited land use decision described as [DESCRIBE LAND USE DECISION OR LIMITED LAND USE DECISION]; and

II.

Whereas, the Land Use Board of Appeals entered an order dated [INDICATE DATE] staying said land use decision or limited land use decision pursuant to ORS 197.845, subject to filing an undertaking with the Land Use Board of Appeals in the principal amount of $_____.

III.

Now, therefore, we [INDICATE PETITIONER'S NAME(S)], the above-named petitioner, as principal, and [INDICATE SURETY NAME], a [INDICATE STATE OF INCORPORATION] corporation qualified by law to issue surety insurance as defined in ORS 731.186, as surety, hereby undertake

that petitioner will pay all reasonable attorney's fees and actual damages which may be awarded by the Land Use Board of Appeals in the event the land use decision or limited land use decision above described shall be affirmed, but not to exceed the sum of $_____.

IV.

The condition of this obligation is that if the land use decision or limited land use decision above described is not affirmed, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

Dated this ___ day of _____, 20__.

_____
Principal

By:
_____
Surety

[Add Certificates of Filing and Service on separate page. See Exhibits 5 and 6.]

(Exhibit 5)
(661-010-0075)

Certificate of Filing

I hereby certify that on [DATE], I filed the original of this [NAME OF DOCUMENT], together with [INDICATE NUMBER OF COPIES] copies, with the Land Use Board of Appeals, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283, by [CERTIFIED OR FIRST CLASS MAIL OR PERSONAL DELIVERY (indicate which)].

Dated this ____ day of _____, 20___

_____
SIGNATURE

(Exhibit 6)
(661-010-0075)

Certificate of Service

I hereby certify that I served the foregoing [NAME OF DOCUMENT] for LUBA No. _____ on [DATE] by mailing to said parties or their attorney a true copy thereof contained in a sealed envelope with postage prepaid addressed to said parties or their attorney as follows:

NAME	NAME
ADDRESS	ADDRESS
CITY/STATE/ZIP	CITY/STATE/ZIP

Dated this ____ day of _____, 20___

_____
SIGNATURE

Exhibit 7
(661-010-0030)
Certificate of Compliance with Brief Length and Type Size Requirements

Brief Length

I certify that (1) this brief complies with the word-count limitation in OAR 661-010-0030(2) and (2) the word count of this brief as described in OAR 661-010-0030(2) is _____ words.

[or]

I certify that (1) I do not have access to a word-processing system that provides a word count; (2) this brief complies with the page limitation in OAR 661-010-0030(2); and (3) the number of pages in this brief is _____ pages.

[or]

The board granted a motion to exceed the length limit for this brief. The order granting that motion was dated _____ and permits a brief of up to _____. I certify that (1) this brief complies with that order and (2) the word count of this brief (as described in OAR 661-010-0030(2)) is _____ words [OR] the number of pages in this brief is _____ pages.

Type Size

I certify that the size of the type in this brief is not smaller than 14 point for both the text of the brief and footnotes as required by OAR 661-010-0030(2).

Dated this ____ day of _____, 20___

_____
SIGNATURE