LAND BOT BOARD OF ALTERIES

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8		USE BOARD OF APPEALS	Jan 19 1 os PN 183
2	OF THE STATE OF OREGON		
3	STEVEN L. KRASIK,)	
4	Petitioner,) LUBA No. 82-083	
5	VS.) FINAL OPINION	
6	MARION COUNTY,) (ORDER OF DISMISSA	L)
7	Respondent.	;	
8	Appeal from Marion County.		
9		Robert Cannon	
10		Legal Counsel Marion County Courthouse	•
11	· Salem, OR 97301	Salem, OR 97301	
12	BAGG, Board Member; COX, Board Member.		
13	DISMISSED	1/19/83	
14			
15	You are entitled to judicial review of this Order. Judicial review is governed by the provisions of Oregon Laws		
16	1979, ch 772, sec 6(a), as amended by Oregon Laws 1981, ch 748.		
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- Bagg, Board Member. This matter is before the Board on repondent's motion for an award of the filing fee and deposit for costs on the ground that the time for filing the petition for review has expired. On September 23, 1982, petitioner filed a notice of intent to appeal. Marion County returned the record on October 12, 1982, and petitioner's petition for review was due on November The petition has not been filed and there has been no stipulation for any extension of time to file the petition. See LUBA Rule 16, Hoffman v City of Portland, 294 Or 150, P2d (1983). 1979 Or Laws, ch 772, sec 4(6), as amended, states: 12 "Within 20 days after the date of transmittal of the 13 record, a petition for review of the land use decision and supporting brief shall be filed with the board." 14 Sec 4(4) provides: "In the event a petition for review is not filed with 16 the board as required in subsection (6) of this section, then the filing fee and deposit shall be 17 awarded to the city, county, special district or state agency as cost of preparation of the record." 18 We believe this case must be dismissed and the fee and 19 deposit for costs awarded pursuant to 1979 Or Laws, ch 772, sec 4(4), as amended. Without agreement by all parties extending 22 the time for filing the petition for review, this Board will 23 not continue the matter.
- NOW THEREFORE, this matter is dismissed. It is further ordered respondent shall be awarded the \$50 filing fee and the \$150 deposit for costs for preparation of the record.