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BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

MATRIX DEVELOPMENT,)
)
Petitioner,) LUBA No. 92-167
)
vs.) FINAL OPINION
) AND ORDER
CITY OF TIGARD,)
)
Respondent.)

Appeal from City of Tigard.

Steven L. Pfeiffer, Portland, represented petitioner.

Timothy V. Ramis and Michael C. Robinson, Portland,
represented respondent.

HOLSTUN, Referee; SHERTON, Chief Referee; KELLINGTON,
Referee, participated in the decision.

DISMISSED 07/13/93

You are entitled to judicial review of this Order.
Judicial review is governed by the provisions of ORS
197.850.

1 Opinion by Holstun.

2 Pursuant to ORS 197.830(12)(b) and OAR 661-10-021, the
3 city withdrew the decision challenged in this appeal for
4 reconsideration. On May 4, 1993, the Board received the
5 city's decision on reconsideration. Pursuant to
6 OAR 661-10-021(5)(a), petitioner had until May 25, 1993 to
7 (1) refile its original notice of intent to appeal in this
8 matter, or (2) file an amended notice of intent to appeal.
9 The Board has not received a refiled original notice of
10 intent to appeal or an amended notice of intent to appeal in
11 accordance with OAR 661-10-021(5)(a).

12 OAR 661-10-021(5)(d) provides "[i]f no amended notice
13 of intent to appeal is filed or no original notice of intent
14 to appeal is refiled, as provided in [OAR 661-10-021(5)(a)],
15 the appeal will be dismissed."

16 This appeal is dismissed.