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BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

CURTIS HUNTER and JEFFREY)
SEYMOUR,)
)
Petitioner,)
)
vs.)
)
METROPOLITAN SERVICE DISTRICT,)
)
Respondent,)
)
and)
)
CITY OF WEST LINN,)
)
Intervenor-Respondent.)

LUBA No. 97-212

FINAL OPINION
AND ORDER

Appeal from City of West Linn.
Jophn W. Shonkwiler, Tigard, represented petitioner.
Daniel B. Cooper, Portland, represented respondent.
Pamela J. Berry, Portland, represented intervenor-respondent.

HANNA, Adminstrative Law Judge; GUSTAFSON, Chief Adminstrative Law Judge, participated in the decision.

DISMISSED 02/11/98

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

1 Hanna, Administrative Law Judge.

2 The petition for review in the appeal was due November
3 27, 1998. The petition for review has not been filed, nor has
4 an extension of time to file the petition for review been
5 granted.

6 ORS 197.830(10) requires that a petition for review be
7 filed within the deadlines established by Board rule. OAR
8 661-10-030(1) provides, in relevant part:

9 "* * * The petition for review together with four
10 copies shall be filed with the Board within 21 days
11 after the date the record is received by the Board.
12 * * * Failure to file a petition for review within
13 the time required by this section, and any
14 extensions of that time under * * * OAR 661-10-
15 067(2), shall result in dismissal of the appeal * *
16 *."

17 OAR 661-10-067(2) provides that the time limit for filing the
18 petition for review may be extended only by written consent of
19 all the parties.

20 The deadline for filing the petition for review is
21 strictly enforced. See Terrace Lakes Homeowners Assn. v. City
22 of Salem, 29 Or LUBA 532, aff'd 138 Or App 188 (1995);
23 Bongiovanni v. Klamath County, 29 Or LUBA 351 (1995).

24 Because a petition for review was not filed within the
25 time required by our rules, and petitioner did not obtain
26 written consent to extend the time for filing the petition for
27 review under OAR-661-10-067(2) beyond November 27, 1998,
28 ORS 197.830(10) and OAR 661-10-030(1) require that we dismiss
29 this appeal.

30 This appeal is dismissed.