1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
3	
4	ROBERT E. REED
5	and THOMAS RIORDAN,
6	Petitioners,
7	
8	VS.
9	
10	CITY OF SALEM,
11	Respondent,
12	
13	and
14	
15	MRB ENTERPRISES, INC.
16	and MICHAEL R. BARNES,
17	Intervenors-Respondent.
18	
19	LUBA No. 2000-020
20	
21	FINAL OPINION
22	AND ORDER
23	
24	Appeal from City of Salem.
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26	Wallace W. Lien, Salem, represented petitioners.
27	
28	Stephanie A. Smythe, Salem, represented respondent.
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30	James D. Vick, Salem, represented intervenors-respondent.
31	
32	BASSHAM, Board Member; BRIGGS, Board Chair; HOLSTUN, Board Member,
33	participated in the decision.
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35	DISMISSED 05/31/2001
36	
37	You are entitled to judicial review of this Order. Judicial review is governed by the
38	provisions of ORS 197.850.
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Opinion	by Bassham.
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2	Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, the City of Salem
3	withdrew the decision challenged in this appeal for reconsideration on March 1, 2000. On
4	May 12, 2000, the Board received the City of Salem's decision on reconsideration. Pursuant
5	to OAR 661-010-0021(5)(a), petitioner had until June 2, 2000, to either refile its original
6	notice of intent to appeal in this matter, or file an amended notice of intent to appeal. The
7	Board has not received a refiled original notice of intent to appeal or an amended notice of
8	intent to appeal in accordance with OAR 661-010-0021(5)(a).
9	OAR 661-010-0021(5)(e) provides "[i]f no amended notice of intent to appeal is filed

- OAR 661-010-0021(5)(e) provides "[i]f no amended notice of intent to appeal is filed or no original notice of intent to appeal is refiled, as provided in [OAR 661-010-0021(5)(a)], the appeal will be dismissed."
- 12 Accordingly, this appeal is dismissed. *Matrix Development v. City of Tigard*, 25 Or 13 LUBA 557 (1993).