1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
3	
4	OREGON DEPARTMENT
5	OF TRANSPORTATION,
6	Petitioner,
7	
8	VS.
9	
10	CLATSOP COUNTY,
11	Respondent.
12	•
13	LUBA No. 2001-039
14	
15	FINAL OPINION
16	AND ORDER
17	
18	Appeal from Clatsop County.
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20	Bonnie E. Heitsch, Salem, represented petitioner.
21	
22	Blair Henningsgaard, Astoria, represented respondent.
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24	BRIGGS, Board Chair; BASSHAM, Board Member; HOLSTUN, Board Member,
25	participated in the decision.
26	
27	DISMISSED 03/29/2002
28	
29	You are entitled to judicial review of this Order. Judicial review is governed by the
30	provisions of ORS 197.850.
31	

1	Opinion by Briggs.
2	Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, the county withdrew the
3	decision challenged in this appeal for reconsideration on January 18, 2002. On March 4,
4	2002, the Board received the county's decision on reconsideration. Pursuant to OAR 661-
5	010-0021(5)(a), petitioner had until March 25, 2002 to either refile its original notice of
6	intent to appeal in this matter, or file an amended notice of intent to appeal. The Board has
7	not received a refiled original notice of intent to appeal or an amended notice of intent to
8	appeal in accordance with OAR 661-010-0021(5)(a).
9	OAR 661-010-0021(5)(e) provides
10 11 12	"If 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."
13	This appeal is dismissed. Matrix Development v. City of Tigard, 25 Or LUBA 557 (1993).