

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 NOVASTAR DEVELOPMENT INC.,

5 *Petitioner,*

6
7 vs.

8
9 CITY OF ESTACADA,

10 *Respondent.*

11
12 LUBA No. 2009-133

13
14 FINAL OPINION

15 AND ORDER

16
17 Appeal from City of Estacada.

18
19 Tom Barghausen, Kent, Washington, represented petitioner.

20
21 William Monahan, Lake Oswego, represented respondent.

22
23 BASSHAM, Board Member; HOLSTUN, Board Chair; RYAN, Board Member,
24 participated in the decision.

25
26 DISMISSED

06/06/2013

27
28 You are entitled to judicial review of this Order. Judicial review is governed by the
29 provisions of ORS 197.850.

Opinion by Bassham.

1
2 On December 3, 2009, the Board issued an order requiring that petitioner file within
3 seven days of the order an amended notice of intent to appeal that identifies an active member
4 of the Oregon State Bar to represent petitioner, a corporation, pursuant to OAR 661-010-
5 0076(6). The order stated that failure to file the amended notice would result in dismissal.
6 No amended notice of intent to appeal was filed prior to the expiration of the seven day
7 period, or thereafter.

8 For unknown reasons, LUBA did not calendar the matter and no further action was
9 taken. We now do so.

10 This appeal is dismissed.