

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 1000 FRIENDS OF OREGON,

5 *Petitioner,*

6
7 vs.

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9 DESCHUTES COUNTY,

10 *Respondent,*

11
12 and

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14 CENTRAL OREGON ASSOCIATION
15 OF REALTORS, CITY OF BEND,
16 CITY OF LA PINE, CITY OF MADRAS,
17 CITY OF PRINEVILLE, CITY OF REDMOND,
18 CROOK COUNTY, DEPARTMENT OF LAND
19 CONSERVATION AND DEVELOPMENT and ECONOMIC
20 DEVELOPMENT FOR CENTRAL OREGON,

21 *Intervenors-Respondents.*

22
23 LUBA No. 2011-121

24
25 FINAL OPINION
26 AND ORDER

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28 Appeal from Deschutes County.

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30 Pamela Hardy, Bend, represented petitioner.

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32 Laurie E. Craghead, Assistant County Counsel, Bend, represented respondent.

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34 Liz Fancher, Bend, represented intervenor-respondent Central Oregon Association of
35 Realtors.

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37 Mary A. Winters, Bend, represented intervenor-respondent City of Bend.

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39 Sharon R. Smith, Bend, represented intervenors-respondents City of La Pine and City
40 of Madras.

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42 Carl Dutli, Prineville, represented intervenor-respondent City of Prineville.

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44 Lisa D.T. Klemp, Redmond, represented intervenor-respondent City of Redmond.

1 Eric Blaine, County Counsel, Prineville, represented intervenor-respondent Crook
2 County.

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4 Steven E. Shipsey, Assistant Attorney General, Salem, represented intervenor-
5 respondent Depart of Land Conservation and Development.

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7 Steven P. Hultberg, Bend, represented intervenor-respondent Economic Development
8 for Central Oregon.

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10 HOLSTUN, Board Chair; BASSHAM, Board Member, participated in the decision.

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12 DISMISSED 08/27/2013

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

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MOTIONS TO INTERVENE

Central Oregon Association of Realtors, City of Bend, City of La Pine, City of Madras, City of Prineville, City of Redmond, Crook County, Department of Land Conservation and Development and Economic Development for Central Oregon, each separately move to intervene on the side of respondent. No party opposes the motions, and they are granted.

DECISION

Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, Deschutes County withdrew the decision challenged in this appeal for reconsideration on December 21, 2012. On March 8, 2013, the Board received Deschutes County’s decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until March 29, 2013 to either refile its original notice of intent to appeal in this matter, or file an amended notice of intent to appeal. The Board has not received a refiled original notice of intent to appeal or an amended notice of intent to appeal in accordance with OAR 661-010-0021(5)(a).

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.”

This appeal is dismissed. *Matrix Development v. City of Tigard*, 25 Or LUBA 557 (1993).