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**State of Washington  
GROWTH MANAGEMENT HEARINGS BOARD  
FOR EASTERN WASHINGTON**

CITY OF WENATCHEE,

Petitioner(s),

v.

CHELAN COUNTY,

Respondent.

Case No. 09-1-0007

ORDER OF DISMISSAL

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**I. PROCEDURAL HISTORY**

On March 5, 2009, CITY OF WENATCHEE, by and through its representative, Steve Smith, filed a Petition for Review.

On April 7, 2009, the Board held the telephonic Prehearing Conference. Present were, Raymond Paoella, Presiding Officer, and Board Members John Roskelley and Joyce Mulliken. Present for the Petitioners were Steve Smith and Amy Vira. Present for the Respondent was Susan Hinkle.

The legal issues, proposed schedule and other procedural matters were reviewed. The Board encouraged the parties to discuss settlement discussions.

On April 8, 2009, the Board received a Stipulated Request for Settlement Extension requesting a ninety (90) day continuance signed by the parties. The parties are currently involved in settlement negotiations.

On April 14, 2009, the Board issued its Prehearing Order.

On August 5, 2009, the Board received a Stipulated Joint Motion of Dismissal.

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**II. DISCUSSION AND ORDER**

Petitioner and Respondent have jointly stipulated to and requested dismissal of this case with prejudice. The parties agree that the challenged action, Chelan County Resolution 2008-185, has been rescinded by Chelan County. WAC 242-02-720 provides that an action may be dismissed by the Board when all parties stipulate, and the Board finds that dismissal of the case is appropriate under the Rules of Practice and Procedure. Accordingly, Case No. 09-1-0007 is hereby dismissed with prejudice.

**SO ORDERED** this 2<sup>nd</sup> day of September 2009.

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Raymond L. Paolella, Board Member

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Joyce Mulliken, Board Member

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John Roskelley, Board Member