

**CENTRAL PUGET SOUND
GROWTH MANAGEMENT HEARINGS BOARD
STATE OF WASHINGTON**

SOOS CREEK PLATEAU RURAL)	
NEIGHBORS ASSOCIATION; SASHA)	CPSGMHB Case No. 04-3-0029
REBKIN; SHEVANTHI DANIEL; NYLA)	<i>(Soos Creek)</i>
ROSEN; LAI-LANI OVALLES; ROY)	
WILSON; KAREN BOHLKE; BARBARA)	
HOLT; FREELON HUNTER and GREG)	
WINGARD,)	ORDER OF DISMISSAL
)	
Petitioner,)	
)	
v.)	

KING COUNTY,

Respondent,

I. BACKGROUND

On December 3, 2004, the Board received a Petition for Review (**PFR**) from Soos Creek Plateau Rural Neighbors Association, *et al.*, (**Petitioners** or **Soos Creek**). The matter was assigned Case No. 04-3-0029, and is hereafter referred to as *Soos Creek*. Board member Bruce Laing was assigned as the Presiding Officer (**PO**) for this matter. Upon the retirement of Mr. Laing, David O. Earling assumed the role of PO. Petitioners challenged the County’s adoption of Ordinance No. 15028 amending the Comprehensive Plan. The basis for the challenge was noncompliance with various provisions of the Growth Management Act (**GMA** or **Act**) and the State Environmental Policy Act (**SEPA**).

On December 6, 2004, the Board received Petitioners’ first Amended Petition.

On December 10, 2004, the Board issued a “Notice of Hearing and Potential Consolidation” (the **Notice**) in the above captioned case and three other related cases. The notice set a date for a prehearing conference (**PHC**) and established a tentative schedule for the case.

On January 3, 2005, the Board conducted the prehearing conference, which involved numerous parties all challenging the same or similar ordinances adopted by the County.

On January 7, 2005, the Board issued its Prehearing Order (**PHO**) setting forth the schedule for this case and the legal issues to be addressed.

On January 26, 2005, the Board received correspondence from petitioners and concurrence from Respondent requesting a modification to the schedule for Motions to Supplement (**Stipulated Request for Schedule Change**). On the same day, the Board issued its Order Amending Case Schedule granting the Stipulated Request for Schedule Change.

Beginning February 28th, 2005, and continuing through August 9th, 2006, Petitioner and Respondent requested a series of seven Settlement Extensions, all of which were granted by Board Order.

On October 31, 2006, the Board received a request from Petitioner and Respondent for an Eighth Settlement Extension. The request was denied due to the absence of any demonstrated progress in resolving the dispute. The Board Order of Denial was issued November 2, 2006.

On November 29, 2006, the Board received Stipulated Motion of Dismissal (**Stipulated Dismissal**), indicating that Petitioners and King County had reached agreement on their dispute. Petitioner states, "Petitioners appeal to the Central Puget Sound Growth Management Hearings Board under the above caption should be dismissed with prejudice. The parties respectfully request that the hearing date, and all related dates, be stricken from the Boards calendar" Stipulated Dismissal at 18.

II. ORDER

Having considered the request of the Petitioners as contained in the November 29, 2006 Stipulated Motion of Dismissal, the Board ORDERS

- Petitioners Soos Creek Plateau Rural Neighbors Association, *et al.*, and King County have resolved their dispute through settlement negotiations and have reached agreement. The terms of the agreement have been met to the satisfaction of the Petitioner.
- Petitioners have **withdrawn** their Petition for Review
- The matter of *Soos Creek Plateau Rural Neighbors Association, et. al, v. King County*,, CPSGMHB Case No. 04-3-0029, is **dismissed without prejudice** and the case is **closed**.

So ORDERED this 7th day of December, 2006.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

David O. Earling, Presiding Officer

Edward G. McGuire, Board Member

Margaret A. Pageler, Board Member