

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

OLYMPIC PIPE LINE COMPANY	)	
	)	
Petitioner	)	
	)	
CITY OF KITTITAS,	)	
	)	
Petitioner	)	Case No. 97-1-0004c
	)	
vs.	)	
	)	<b>ORDER OF DISMISSAL</b>
KITTITAS COUNTY,	)	
	)	
Respondent	)	
	)	
CASCADE COLUMBIA ALLIANCE and )		
CITIZENS AGAINST THE PIPELINE, )		
	)	
Intervenors	)	
_____	)	

On February 6, 1997, Olympic Pipe Line Company, by and through its attorney, Elaine L. Spencer, of Bogle & Gates, filed a Petition for Review appealing from the adoption of Kittitas County Ordinance 96-20. This petition was assigned Case No. 97-1-0002.

On February 14, 1997, the City of Kittitas, by and through its attorney, James C. Carmody of Velikanje, Moore & Shore, Inc., filed a petition appealing the same issues and county ordinance. This petition was numbered 97-1-0004. The cases were subsequently consolidated as 97-1-0004c.

On May 1, 1997, Olympic Pipe Line Company filed its Motion to Dismiss Appeal. This motion was based on the grounds the appeal was moot. On March 24, 1997, an Agreed Summary Judgment was entered in the Kittitas County Superior Court declaring that, among other things:

1. Ordinance 96-20 is invalid, null and void insofar as it reduced the urban growth boundary of the City of Kittitas to the city limits.

2. Until such time as there may be further amendments to the urban growth area of the City of Kittitas in conformance with both the Planning Enabling Act and the Growth Management Act the urban growth area for the City of Kittitas shall be as established in the Kittitas County Comprehensive Plan adopted in July 1996. The Summary Judgment was signed by the City of Kittitas, the Olympic Pipeline Company and Kittitas County.

On May 15, 1997, the City of Kittitas filed its Withdrawal of Petition for Review declaring this appeal to be moot.

The Board grants the motion to dismiss appeal and withdrawal of petition for review. CASE NO. 97-1-0004c is DISMISSED.

SO ORDERED this 16<sup>th</sup> day of May, 1997.

EASTERN WASHINGTON  
GROWTH MANAGEMENT HEARINGS BOARD

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D. E. "Skip" Chilberg, Presiding Officer