

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

CITY OF SPOKANE,

Petitioner,

v.

SPOKANE COUNTY,

Respondent,

CITY OF AIRWAY HEIGHTS

Intervenor.

Case No. 02-1-0001

STIPULATED ORDER OF  
DISMISSAL

**I. MOTION**

The parties hereby stipulate and move for an order of dismissal of the Petition for Review filed by the City of Spokane on January 4, 2002, subject to the conditions set forth below.

**II. BACKGROUND**

The Board conducted a status conference on June 27, 2003, at which the parties indicated that the mediation they have been engaged in beginning in November of 2002, has resulted in a settlement agreement. The respective legislative bodies of the City of Spokane and Spokane County have signed the settlement agreement which is attached and incorporated as part of this order.

**III. ORDER**

**IT IS ORDERED THAT:**

1. The Settlement Agreement, including the preserved rights of appeal to the EWGMHB set forth therein, is attached to this order, incorporated herein.
  
2. Failure to comply with the conditions of the settlement agreement will be considered an action appealable to the Eastern Washington Growth Management Hearings Board pursuant to RCW 36.70A.280(1).

3. Based upon the Stipulated Order of Dismissal and subject to the conditions of the Settlement Agreement in Paragraph 1 above, the Respondent SPOKANE COUNTY is found to be in compliance with the Growth Management Act with respect to the issues raised in this Petition.

4. Nothing in this order shall constitute a revision or revocation of the Board's findings and conclusions in its Final Decision and Order issued on July 3, 2002, with the exception of the final conclusion regarding non-compliance.

5. The Petition for Review is hereby dismissed.

**SO ORDERED** this 14<sup>th</sup> day of August 2003.

EASTERN WASHINGTON GROWTH MANAGEMENT HEARINGS  
BOARD

---

Judy Wall, Board Member

---

Dennis Dellwo, Board Member

---

D.E. "Skip" Chilberg, Board Member

MICHAEL F. CONNELLY  
City Attorney

STEVEN J. TUCKER  
Prosecuting Atttorney

By: \_\_\_\_\_  
Michael F. Connelly  
WSBA # 12448  
City Attorney  
Attorney for City of Spokane, Petitioner

By: \_\_\_\_\_  
Martin Rollins  
WSBA # 14676  
Deputy Prosecuting Attorney  
Attorneys for Spokane County,

Respondent