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

CITY OF WENATCHEE,

Petitioners,

Case No. 08-1-0012

v.

ORDER GRANTING STIPULATED
MOTION FOR DISMISSAL

CHELAN COUNTY,

Respondent.

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I. PROCEDURAL HISTORY

On May 1, 2008, CITY OF WENATCHEE, by and through their representative, Rick Smith, filed a Petition for Review.

On May 6, 2008, the Board received BRIAN NELSON'S and KEVIN GATES' Motion to Intervene.

On May 30, 2008, the Board commenced the telephonic Prehearing conference. Present were, Joyce Mulliken, Presiding Officer, and Board Members, John Roskelley and Dennis Dellwo. Present for the Petitioners was Rick Smith. Present for the Respondent was Susan Hinkle. Present for proposed Interveners was Donald Dimmitt. The parties advised the Board they would provide a Stipulated Motion for Continuance requesting a thirty (30) day extension for the purpose of potential resolve of the alleged violations, and to allow Chelan County time to conduct new hearings on the challenged comprehensive plan amendments, in order to correctly adhere to public participation requirements. The Board agreed to the continuance. The Motion to Intervene was withdrawn based on the Parties' Stipulated Motion for Continuance being approved by the Board.

1 On June 6, 2008, the Board issued its Order Granting Stipulated Motion for
2 Continuance.

3 On July 7, 2008, the Board held the continued telephonic prehearing conference.
4 Present were, Joyce Mulliken, Presiding Officer, and Board Members, John Roskelley and
5 Ray Paoella. Present for the Petitioners was Rick Smith. Present for the Respondent was
6 Susan Hinkle.

7 On July 14, 2008, the Board received a Stipulated Joint Motion for Dismissal signed
8 by the parties.

9 II. DISCUSSION

10 The parties agree that adoption by the Chelan County Board of Commissioners of
11 Resolution 2008-94 on June 10, 2008, render the Petition for Review moot. The resolution
12 rescinded the comprehensive plan amendments that were the subject matter of the Petition
13 for Review filed on May 1, 2008.

14 III. ORDER

15 Based on the discussions during the continued Prehearing conference and Stipulated
16 Motion for Dismissal, the Board hereby grants the Motion for Dismissal. The Petition for
17 Review is **DISMISSED** with prejudice.

18 **SO ORDERED** this 17th day of July 2008.

19 EASTERN WASHINGTON GROWTH MANAGEMENT
20 HEARINGS BOARD

21 _____
22 Joyce Mulliken, Board Member

23 _____
24 John Roskelley, Board Member

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26 Raymond L. Paoella, Board Member