

1 BEFORE THE WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

2
3 City of Vancouver,

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5 Petitioner,

6 v.

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8 Clark County,

9 Respondent,

10 Building Industry Association of Clark County;
11 Columbia Rim Construction, Inc., Gramor Oregon,
12 Inc., Ralston Investments, Inc., and Gary
13 Rademacher; Quadrant Homes, Inc., Holt Homes,
14 Inc., Rock Creek Homes, LLC, Joe Sturtevant,
15 Vista Construction, Inc. and Killian Pacific LLC

16 Intervenor.

Case No. 06-2-0013

ORDER OF DISMISSAL

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18 This matter comes before the Board on a Stipulated Order of Dismissal filed with the Board
19 on November 3, 2006 and signed by both Petitioner City of Vancouver and Respondent
20 Clark County. The draft order states that the City is willing to dismiss its Petition for Review
21 filed on August 14, 2006 with regard to Resolution No. 2006-25A. Resolution 2006-25 A is
22 the last remaining matter in this case according to the Board's September 29, 2006 Order
23 on Motion to Dismiss.
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26 The City is willing to dismiss its petition "so long as such dismissal is neither construed as a
27 waiver for the City's right to file petition(s) challenging the removal of Urban Holding on
28 other properties within the Vancouver Urban Growth Boundary, nor as implied approval of
29 the basis for lifting Urban Holding as set forth in said resolution".¹ The County agrees to this
30 stipulation.
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¹ Stipulated Order of Dismissal at 2.

1 Under the terms of WAC 242-02-720(1), any matter may be dismissed by the Board when
2 all parties stipulate to dismissal. The Stipulated Order of Dismissal fulfills that requirement.
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4 **ORDER**

5 Based on the foregoing and the Stipulated Order of Dismissal, the Petition for Review is
6 DISMISSED.
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9 Done this 7th day of November 2006.
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12 _____
13 Holly Gadbaw, Board Member
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16 _____
17 Margery Hite, Board Member
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19 Pursuant to RCW 36.70A.300 this is a final order of the Board.
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21 **Reconsideration.** Pursuant to WAC 242-02-832, you have ten (10) days from the
22 mailing of this Order to file a petition for reconsideration. Petitions for
23 reconsideration shall follow the format set out in WAC 242-02-832. The original and
24 three copies of the petition for reconsideration, together with any argument in
25 support thereof, should be filed by mailing, faxing or delivering the document directly
26 to the Board, with a copy to all other parties of record and their representatives.
27 **Filing means actual receipt of the document at the Board office.** RCW 34.05.010(6),
WAC 242-02-330. The filing of a petition for reconsideration is not a prerequisite for
filing a petition for judicial review.

28 **Judicial Review.** Any party aggrieved by a final decision of the Board may appeal the
29 decision to superior court as provided by RCW 36.70A.300(5). Proceedings for
30 judicial review may be instituted by filing a petition in superior court according to the
31 procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil
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1 **Enforcement.** The petition for judicial review of this Order shall be filed with the
2 appropriate court and served on the Board, the Office of the Attorney General, and all
3 parties within thirty days after service of the final order, as provided in RCW
4 34.05.542. Service on the Board may be accomplished in person, by fax or by mail,
5 but service on the Board means actual receipt of the document at the Board office
6 within thirty days after service of the final order.

7 **Service.** This Order was served on you the day it was deposited in the United States
8 mail. RCW 34.05.010(19)

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