

BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

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2 IN-N-OUT BURGER,

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v.

WASHINGTON COUNTY,

Respondent.

LUBA No. 2022-083

MOTION TO RESUME APPEAL

On September 23, 2022, the parties in the above captioned appeal submitted a stipulated motion to suspend the deadline to transmit the record to LUBA. On September 28, 2022, LUBA ordered the local government record stayed and provided that “the deadline for transmitting the record is suspended until either county or petitioner files a motion with LUBA to resume the appeal.” As a result, Petitioner hereby moves LUBA for an order lifting the stay of local government record and resuming the appeal.

Pursuant to LUBA’s September 28, 2022 Order, LUBA shall issue an order setting the due date for transmittal of the record.

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1 Dated this 12th day of May, 2023.

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3 SCHWABE, WILLIAMSON & WYATT, P.C.

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11 *Of Attorneys for Petitioner In-N-Out Burger*

1 IT IS SO ORDERED:

2 Dated _____.

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Board Member

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CERTIFICATE OF FILING AND SERVICE

I hereby certify that on May 12, 2023, I filed the original and one copy of the foregoing **MOTION TO RESUME APPEAL** with the Land Use Board of Appeals, Department of State Lands Building, 775 Summer Street NE, Suite 330, Salem, Oregon 97301-1283, by first-class U.S. mail.

I hereby certify that on May 12, 2023, I served a copy of this **MOTION TO RESUME APPEAL** on all persons below pursuant to OAR 661-010-0115(2) by first class mail. Their addresses are as follows:

Rob Bovett
Washington County Counsel
155 N First Avenue, #340, MS 24
Hillsboro, OR 97124
Of Attorneys for Washington County

DATED this 12th day of May, 2023.

SCHWABE WILLIAMSON & WYATT, P.C.



Garrett H. Stephenson, OSB 136356