Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development
Measure 49 Development Services Division
635 Capitol Street, Suite 150
Salem, Oregon 97301-2540
Phone: (503) 373-0050
Fax: (503) 378-5318
http://www.oregon.gov/LCD/MEASURE49

April 5, 2010

David C. Allen, Attorney at Law, LLC
P.O. Box 577
Madras, OR 97741

RE: State Measure 37/49 Claim E134477 - Binder

Dear Mr. Allen:

On 10/27/2009, the Department of Land Conservation and Development (the department) mailed the claimant a House Bill 3225 notification packet. This packet included a notice explaining that while the claimant did not meet one of the original requirements of Measure 49, the 2009 Legislative Assembly had revised that requirement through House Bill 3225 (Chapter 855 (2009 Laws)). The packet also included a payment form. As explained in the notice, to be eligible for additional supplemental review under Measure 49 as amended, the claimant was required, by House Bill 3225 and OAR 660-0410-0080, to return the payment form and $175 payment to the department within 56 days of the date of the notice.

The 56-day response period ended on 12/22/2009. The department did not receive a completed payment form, payment or a request for an extension of time from you or the claimant by that date. Therefore, the claimant is not eligible for additional supplemental review of claim number E134477 under Measure 49.

Claim E134477 will be closed and the department will take no further action regarding the review of the claim. If you believe you have received this letter in error or have any questions, please contact this office at (503) 373-0050 ext. 324 or via e-mail at measure49.info@state.or.us.

This correspondence concerning claim E134477 is a Final Order from the department in other than a contested case. Please note that you have the right to petition for agency reconsideration or judicial review of this Final Order under ORS 183.484.

Sincerely,

Judith Moore

Judith Moore
Division Manager

c: Darlene M. Binder
2250 N. Adams Dr.
Madras, OR 97741