

IN THE COURT OF APPEALS OF THE STATE OF OREGON

BARKERS FIVE, LLC; SANDY BAKER; CITY OF TUALATIN; CITY OF WEST LINN;
CAROL CHESAREK; CHERRY AMABISCA; SAVE HELVETIA; ROBERT BAILEY;
1000 FRIENDS OF OREGON; DAVE VANASCHE; BOB VANDERZANDEN;
LARRY DUYCK; SPRINGVILLE INVESTORS, LLC; KATHERINE BLUMENKRON;
DAVID BLUMENKRON; METROPOLITAN LAND GROUP; CHRIS MALETIS;
TOM MALETIS; EXIT 282A DEVELOPMENT COMPANY, LLC; LFGC, LLC;
ELIZABETH GRASER-LINDSEY; and SUSAN MCKENNA,
Petitioners,

v.

LAND CONSERVATION AND DEVELOPMENT COMMISSION, METRO,
WASHINGTON COUNTY, CLACKAMAS COUNTY, MULTNOMAH COUNTY,
STATE OF OREGON, and CITY OF HILLSBORO,
Respondents.

Land Conservation and Development Commission
12ACK001819

A152351

APPELLATE JUDGMENT

Argued and submitted on January 16, 2013.

Wendie L. Kellington argued the cause for petitioners Barkers Five, LLC, and Sandy Baker.

Jeffrey G. Condit argued the cause for petitioners City of Tualatin and City of West Linn.

Michael F. Sheehan argued the cause for petitioners Carol Chesarek and Cherry Amabisca.

Carrie A. Richter argued the cause for petitioners Save Helvetia and Robert Bailey.

Mary Kyle McCurdy argued the cause for petitioners 1000 Friends of Oregon, Dave Vanasche, Bob VanderZanden, and Larry Duyck.

Christopher James argued the cause for petitioners Springville Investors, LLC, Katherine Blumenkron, and David Blumenkron.

APPELLATE JUDGMENT

Steven L. Pfeiffer argued the cause for petitioner Metropolitan Land Group and petitioners Chris Maletis, Tom Maletis, Exit 282A Development Company, LLC, and LFGC, LLC.

Elizabeth Graser-Lindsey and Susan McKenna filed the brief *pro se*.

Patrick M. Ebbett, Assistant Attorney General, argued the cause for respondents Land Conservation and Development Commission and State of Oregon.

Roger A. Alfred argued the cause for respondent Metro.

Alan A. Rappleyea, County Counsel, argued the cause for respondent Washington County.

Rhett C. Tatum, Assistant County Counsel, argued the cause for respondent Clackamas County.

Jed Tomkins argued the cause for respondent Multnomah County.

Christopher D. Crean argued the cause for respondent City of Hillsboro.

Before Haselton, Chief Judge, Sercombe, Judge, and Deits, Senior Judge.

Reversed and remanded for further action consistent with the principles expressed in this opinion.

DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS

Prevailing party: Petitioners

No costs allowed.

Appellate Judgment
Effective Date: July 30, 2014

COURT OF APPEALS
(seal)

fmc

APPELLATE JUDGMENT

REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section
Supreme Court Building, 1163 State Street, Salem OR 97301-2563
Page 2 of 2