

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY, OREGON

In the matter of the dismissal of)
Finley and Meyers v. City of)
Portland, a Petition for Way of)
Necessity, No. 92-51-A.)

ORDER NO. 93-362

WHEREAS, the above-entitled matter came on regularly before the Board of County Commissioners at its regular meeting of October 28, 1993; and

WHEREAS, petitioners Finley and Meyers filed a petition for way of necessity October 21, 1991; and

WHEREAS, petitioners and respondent City of Portland filed a stipulated motion for stay dated August 17, 1992, which was granted by the Board; and

WHEREAS, the Board has undertaken no deliberation on the evidence or consideration of the merits in this proceeding; and

WHEREAS, after the stay was granted the Board adopted Ordinance No. 759 an ordinance transferring jurisdiction over Way of Necessity Proceedings to the Multnomah County Circuit Court; and

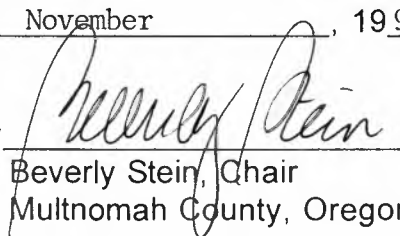
WHEREAS, Ordinance No. 759 does not address procedures for transferring pending petitions for ways of necessity to the Multnomah County Circuit Court; and

WHEREAS, it is now necessary for the petition filed in this matter to be dismissed in order for the parties to pursue this matter in the Circuit Court.

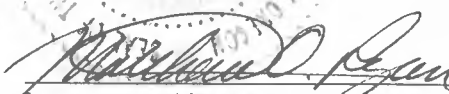
IT IS HEREBY ORDERED that Finley and Meyers v. City of Portland, Petition for Way of Necessity, No. 92-51-A be dismissed.

IT IS FURTHER ORDERED that certified copies of the record in this proceeding be released to the petitioners and the respondent.

ADOPTED this 4th day of November, 1993.

By 
Beverly Stein, Chair
Multnomah County, Oregon

REVIEWED:


Laurence Kressel, County Counsel
of Multnomah County, Oregon