

**CIRCUIT COURT OF OREGON**

**FIFTH JUDICIAL DISTRICT
CLACKAMAS COUNTY COURTHOUSE
807 MAIN STREET - ROOM 205
OREGON CITY, OREGON 97045**

STEVEN L. MAURER
CLACKAMAS COUNTY CIRCUIT COURT

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Date: September 21, 2011

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RE: Winters v Board of County Commissioners
Clackamas County Case CV11090510

Pages: 3; including cover letter

NOTE: Attached please find Judge Maurer's ruling regarding the petition filed in the case referenced above. Copies will not be mailed and the original will be filed, entered and placed in the court file. Thank you.

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
COUNTY OF CLACKAMAS

ERIC WINTERS,

Plaintiff,

vs

BOARD OF COUNTY COMMISSIONERS,
CLACKAMAS COUNTY,

Defendant.

Case No. CV11090510

GENERAL JUDGMENT
on Ballot Title Review

THIS MATTER having come before the Court on A Petition for Ballot Title Review, pursuant to ORS 250.195, and the Court having reviewed the challenged Ballot Title Caption and Ballot Title Question, the alternative Ballot Title Captions and Ballot Title Question submitted by the Petitioner, and the Memoranda of Law submitted by the parties;

THE COURT HEREBY FINDS that;

The current Ballot Title Caption for Measure 3-388 does not meet the requirements, or substantially comply with ORS 250.035(1), in that it does not reasonably identify the subject matter of the measure with sufficient particularity to represent an accurate description of the import of the measure, is potentially confusing and misleading to voters, and therefore cannot be certified to the County Clerk pursuant to ORS 250.195(1).

The current Ballot Title Question suffers from similar shortcomings and does not "plainly phrase the chief purpose of the measure," therefore;

IT IS HEREBY ORDERED and ADJUDGED that the following Ballot Title Caption for Measure 3-388 is certified to the Clackamas County Clerk for use in the conduct of the November 8, 2011 election:

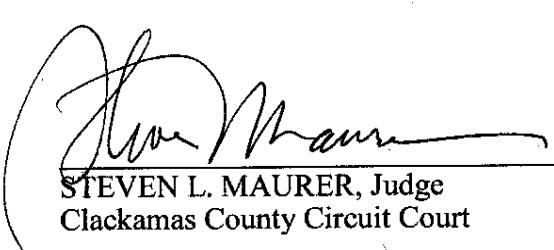
***"Plan Area Voter Approval of Urban
Renewal in Clackamas County"***

IT IS FURTHER ORDERED and ADJUDGED that the following Ballot Title Question for Measure 3-388 is certified to the Clackamas County Clerk for use in the conduct of the November 8, 2011 election:

***"Shall new or substantially amended urban renewal plans
require the approval of those voters residing within the plan area
boundaries?"***

And Petitioner shall also have judgment for his costs and disbursements.

Dated this 21st day of September, 2011.



STEVEN L. MAURER, Judge
Clackamas County Circuit Court