

LAND USE
BOARD OF APPEALS

BEFORE THE LAND USE BOARD OF APPEALS

AUG 25 3 07 PM '81

OF THE STATE OF OREGON

3 DAVID SOLBERG and KATHY)
4 SOLBERG, husband and wife,)
5 and WILLIAM GREGORY and)
6 MARIE GREGORY, husband and)
7 wife,)

LUBA NO. 80-175

8 Petitioners,)

FINAL OPINION
AND ORDER

9 v.)

10 CITY OF NEWBERG,)

11 Respondent.)

12 Appeal from City of Newberg.

13 Richard Sadler, David N. Goudler, Portland, filed the
14 petition for review and argued the cause for Petitioners. With
15 them on the brief were Keane, Harper, Pearlman and Copeland.

16 Richard D. Faus, Newberg, filed a brief and argued the
17 cause for Respondent.

18 Bagg, Referee; Reynolds, Chief Referee; Cox, Referee;
19 participated in the decision.

20 Dismissed

8/25/81

21 You are entitled to judicial review of this Order.
22 Judicial review is governed by the provisions of Oregon Laws
23 1979, ch 772, sec 6(a).
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1 BAGG, Referee.

2 Based upon a stipulation filed herein, a copy of which is
3 attached hereto, it is ordered that the above captioned appeal
4 is dismissed. It is also ordered that petitioners shall have
5 their \$150 deposit for costs returned to them.

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AUG 20 1 20 PM '81

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

DAVID SOLBERG and KATHY SOLBERG, Husband and Wife, and WILLIAM GREGORY and MARIE GREGORY, Husband and Wife, Petitioners, vs. CITY OF NEWBERG, Respondent. LUBA NO. 80-175 LUBA NO. 81-049 STIPULATED ORDER DISMISSING LUBA NO. 80-175

WHEREAS, Petitioners served Respondent a Notice of Intent to Appeal in Case No. 80-175 on December 31, 1980 and whereas Case No. 80-175 and Case No. 81-049 were consolidated for the purposes of submittal of the record.

NOW, THEREFORE, the Petitioners hereto stipulate as follows:

- 1. Case No. 80-175 is hereby dismissed.
2. This dismissal of Case No. 80-175 is without prejudice to and does not affect consolidated record submitted in LUBA No. 80-175 and LUBA No. 81-049.
3. This dismissal of Case No. 80-175 is without prejudice to and does not affect the issues raised in LUBA No. 81-049.
4. Petitioner and Respondent agree to the return of filing fees for Case No. 80-175 to Petitioners.

Richard L. Sadler Attorney for Petitioners

Richard D. Faus Attorney for Respondent

IT IS HEREBY ORDERED.

DATED this ___ day of ___, 1981.

Referee, Land Use Board of Appeals

Richard D. Faus Newberg City Attorney 414 E. First Street Newberg, Oregon 97132 538-9421, Ext. 34