

LAND USE  
BOARD OF APPEALS

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

GORHAM NICOL, ROBIN NICOL, )  
FRANK BATTAGLIA and CAROL )  
BATTAGLIA, )  
 )  
Petitioners, )  
 )  
vs. )  
 )  
CITY OF WEST LINN, )  
 )  
Respondent. )

LUBA No. 87-021  
FINAL OPINION  
AND ORDER OF DISMISSAL

Corinne C. Sherton  
Mitchell, Lang & Smith  
240 Equitable Center  
530 Center Street, NE  
Attorney for  
Petitioners

John H. Hammond, Jr.  
City Attorney  
PO Box 648  
West Linn, OR 97068  
Attorney for  
Respondent City

BAGG, Referee; DuBAY, Chief Referee; participated in the  
decision.

DISMISSED 05/06/87

You are entitled to judicial review of this Order.  
Judicial review is governed by the provisions of ORS 197.850.

1           Bagg, Referee.

2           Petitioners have filed a Motion to Dismiss this appeal and  
3 further request return of their deposit for costs. Respondents  
4 concur in this motion and have no objection to petitioners'  
5 reimbursement of costs.

6           Accordingly, the appeal is dismissed and petitioners' \$150  
7 deposit for costs shall be returned by the Board.

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