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

PRESTIGE CARE, INC., )  
 )  
Petitioner, ) LUBA NO. 94-184  
 )  
vs. ) FINAL OPINION  
 ) AND ORDER  
CLACKAMAS COUNTY, )  
 )  
Respondent. )

Appeal from Clackamas County.

Nicholas R. Knapp, Oregon City, represented petitioner.

Michael E. Judd, Chief Assistant County Counsel, Oregon City, represented respondent.

LIVINGSTON, Chief Referee; HANNA, Referee; GUSTAFSON, Referee, participated in the decision.

DISMISSED 09/28/95

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

1           Livingston, Referee.

2           Petitioner moves to dismiss this appeal and requests  
3 return of its \$150 deposit for costs. The parties have  
4 resolved the issues pending on appeal, and respondent has no  
5 objection to petitioner's motion.

6           This appeal is dismissed. The Board shall return  
7 petitioner's \$150 deposit for costs.