

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

3
4 GREG HENDRIX,)
5)
6 Petitioner,)
7)
8 vs.)
9)
10 CITY OF BEND,) LUBA No. 96-015
11)
12 Respondent,) FINAL OPINION
13) AND ORDER
14 and)
15)
16 BEND METROPOLITAN PARK &)
17 RECREATION DISTRICT,)
18)
19 Intervenor-Respondent.)

20
21
22 Appeal from City of Bend.

23
24 Corinne C. Sherton, Salem, represented petitioner.

25
26 Ronald L. Marceau, City Attorney, Bend, represented
27 respondent.

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29 E. Andrew Jordan, Portland, represented intervenor-
30 respondent.

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

34
35 DISMISSED 12/30/96

36
37 You are entitled to judicial review of this Order.
38 Judicial review is governed by the provisions of ORS
39 197.850.

1 Gustafson, Referee.

2 Pursuant to an agreement between the parties,
3 petitioner moves to dismiss this appeal. The parties
4 further agree that respondent be awarded \$80 as costs for
5 preparation of the record, and that the remainder of
6 petitioner's deposit for costs, in the amount of \$70, be
7 returned to petitioner.

8 Accordingly, this appeal is dismissed. Respondent is
9 awarded \$80 as costs for preparation of the record. The
10 remainder of the deposit for costs will be returned to
11 petitioner.