

1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON
3

4 GREG HENDRIX, KEN BRINICH, SUSAN)
5 CROSBY, SUSAN DRAGOVICH, ERNEST)
6 MAZOROL, ALTA BRADY, CINDY ROSS,)
7 SUSAN BREWSTER and SHELLY JOHNSON,)

8)
9 Petitioners,)
10)
11 vs.)
12)
13 CITY OF BEND,)
14)
15 Respondent,)
16)
17 and)
18)
19 BEND METROPOLITAN PARK &)
20 RECREATION DISTRICT,)
21)
22 Intervenor-Respondent.)
23

LUBA No. 96-096

FINAL OPINION
AND ORDER

24
25 Appeal from City of Bend.

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27 Corinne C. Sherton, Salem, represented petitioners.

28
29 Ronald L. Marceau, City Attorney, Bend, represented
30 respondent.

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32 E. Andrew Jordan, Portland, represented intervenor-
33 respondent.

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

37
38 DISMISSED 12/30/96

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40 You are entitled to judicial review of this Order.
41 Judicial review is governed by the provisions of ORS
42 197.850.

1 Gustafson, Referee.

2 Pursuant to an agreement between the parties,
3 petitioners move to dismiss this appeal. The parties
4 further agree that petitioners' deposit for costs, in the
5 amount of \$150, be returned to petitioners.

6 Accordingly, this appeal is dismissed. The Board will
7 return petitioners' \$150 deposit for costs.