

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

3
4 JANE GRAYBILL and FRIENDS OF)
5 BLUE AND FAIRVIEW LAKES,)
6)
7 Petitioners,)
8)
9 vs.)
10)
11 CITY OF FAIRVIEW,)
12)
13 Respondent,)
14)
15 and)
16)
17 ROSS INVESTMENTS, INC.,)
18)
19 Intervenor-Respondent.)

LUBA No. 95-150
FINAL OPINION
AND ORDER

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21
22 Appeal from City of Fairview.

23
24 Neil S. Kagan,, Gresham, represented petitioners.

25
26 William L. Brunner, Portland, represented respondent.

27
28 Gregory S. Hathaway, Portland, represented intervenor-
29 respondent.

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

33
34 DISMISSED 09/20/95

35
36 You are entitled to judicial review of this Order.
37 Judicial review is governed by the provisions of ORS
38 197.850.

1 Hanna, Referee.

2 Petitioners move to dismiss this appeal with prejudice
3 and requests return of their deposit for costs. There is no
4 objection by respondent.

5 This appeal is dismissed and the Board shall return
6 petitioners' \$150 deposit for costs.