

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

3  
4 FRED ELSASSER,                               )  
5    )  
6                               Petitioner,                               )  
7    )  
8                               vs.    )  
9    )  
10 CITY OF PORTLAND,                               )  
11    )  
12                               Respondent.                                )  
13

LUBA No. 97-003

FINAL OPINION  
AND ORDER

14  
15               Appeal from City of Portland.

16  
17               Jeffrey L. Kleinman, Portland, represented petitioner.

18  
19               Adrienne Brockman, Deputy City Attorney, Portland,  
20 represented respondent.

21  
22               GUSTAFSON, Referee; HANNA, Chief Referee; LIVINGSTON,  
23 Referee, participated in the decision.

24  
25                       DISMISSED                               05/01/97

26  
27               You are entitled to judicial review of this Order.  
28 Judicial review is governed by the provisions of ORS  
29 197.850.

1           Gustafson, Referee.

2           Petitioner moves to dismiss this appeal. The parties  
3 stipulate to return of petitioner's \$150 deposit for costs.  
4 Accordingly this appeal is dismissed, and petitioner's  
5 deposit for costs will be returned.