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

ALAN L. RUTHERFORD and JANINE M. )  
RUTHERFORD, )  
 )  
Petitioners, )  
 )  
vs. )  
 )  
BENTON COUNTY, )  
 )  
Respondent. )

LUBA No. 98-134  
  
FINAL OPINION  
AND ORDER

Appeal from Benton County.  
  
Corinne C. Sherton, Salem, represented petitioners.  
  
Vance M. Croney, Corvallis, represented respondent.

GUSTAFSON, Board Chair; HANNA, Board Member; HOLSTUN, Board Member,  
participated in the decision.

DISMISSED 2/02/99

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

1           Gustafson, Board Chair.

2           Petitioners move for dismissal of its appeal and for return of deposit for costs.

3   Accordingly, this appeal is dismissed and the Board shall return petitioners' \$150 deposit for

4   costs.