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1
               BEFORE THE LAND USE BOARD OF APPEALS
 2
                      OF THE STATE OF OREGON
 3
 4
   PATRICK D. MELENDY,
                                   )
 5
                                   )
 6
             Petitioner,
 7
 8
        VS.
                                           LUBA No. 95-239
 9
10
   CITY OF INDEPENDENCE,
11
                                           FINAL OPINION
12
                                              AND ORDER
             Respondent,
13
14
        and
15
16
   RIC MCNALL CONSTRUCTION, INC., )
17
18
             Intervenor-Respondent.
                                                  )
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20
21
        Appeal from City of Independence.
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23
        Patrick D. Melendy, Independence, represented himself.
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                    Poole, City Attorney, Independence,
        Kathleen
26
    represented respondent.
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        George M. Jennings, Salem, represented intervenor-
29
    respondent.
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31
        GUSTAFSON,
                     Referee; LIVINGSTON, Chief Referee,
    participated in the decision.
32
33
34
                                   03/29/96
             DISMISSED
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36
        You are entitled to judicial review of this Order.
37
    Judicial review is governed by the provisions of ORS
38
   197.850.
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- 1 Gustafson, Referee.
- 2 Upon petitioner's motion, this appeal is dismissed.