

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

JAN 14 3 28 PM '82

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3 T & G ENTERPRISES, INC., )  
4                   Petitioner,        )  
5                   v.                    )  
6 JACKSON COUNTY,                    )  
7                   Respondent.        )

LUBA NO. 81-059  
FINAL OPINION  
AND ORDER

8 Appeal from Jackson County.

9 Frank G. Patrick  
10 Tollefsen, LeChevallier  
11 & Patrick  
12 1500 One Main Place  
13 Portland, OR 97204  
14 Attorney for Petitioner

John L. Dubay  
Legal Counsel  
County Courthouse  
Medford, OR 97501  
Attorney for Respondent

15 Cox, Referee; Reynolds, Chief Referee; Bagg, Referee;  
16 participated in the decision.

17 Dismissed.                           1/14/82

18 You are entitled to judicial review of this Order.  
19 Judicial review is governed by the provisions of Oregon Laws  
20 1979, ch 772, sec 6(a).  
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1 COX, Referee.

2 This matter is before the Board on Respondent Jackson  
3 County's Motion to Dismiss for failure of petitioner to file  
4 its petition for review within the time limits set by Oregon  
5 Laws 1979, ch 772, sec 4(6). The pertinent facts are that  
6 petitioner and respondent entered into a stipulation whereby  
7 the record was to be deemed settled on October 1, 1981, and the  
8 petition for review would be due October 21, 1981. Petitioner  
9 has not filed its petition for review as of the date of this  
10 order and, therefore, respondent's motion is granted. See  
11 Gordon v. Beaverton, (LUBA No. 80-078, 1980), aff'd \_\_\_\_  
12 Or \_\_\_\_ (1981).

13 Pursuant to Oregon Laws 1979, ch 772, sec 4(4), the filing  
14 fee of \$50 and the deposit for costs of \$150 shall be awarded  
15 to Jackson County as costs for preparation of the record.

16 Dismissed.  
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