

1 Opinion by Gustafson.

2 Pursuant to the instructions of the Court of Appeals,
3 the city's approval of the tentative subdivision plat is
4 remanded to the city for further proceedings consistent with
5 the Court of Appeals' opinion.

6 Petitioner is awarded the cost of his filing fee, in
7 the amount of \$50, to be paid by respondent. The Board
8 shall return petitioner's \$150 deposit for costs.