

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

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4 OPUS DEVELOPMENT CORPORATION, )  
5 THOMAS R. SLOCUM, CHARLES F. )  
6 LARSON, JR., DOWNTOWN MINI-STORAGE, )  
7 LYNN KLINGENSMITH, DONALD C. McRAE, )  
8 SAYLOR PAINTING, CO., RONALD D. )  
9 SAYLOR, JOHN P. HAMMER, BELL )  
10 HARDWARE, RODNEY L. BELL, JERRY )  
11 DAVIS, BUILDERS ELECTRIC, FREDERICK )  
12 WITTKOP, STARWOOD PRODUCTS, and )  
13 GARY KAYSER, )  
14 ) LUBA No. 97-101  
15 Petitioners, )  
16 ) FINAL OPINION  
17 vs. ) AND ORDER  
18 )  
19 CITY OF EUGENE, )  
20 )  
21 Respondent, )  
22 )  
23 and )  
24 )  
25 AIMEE ALLEN, MAIDA BELOVE, SHAWN )  
26 BOLES, BART CARROLL, TAMARA CRAFTS, )  
27 JOANNA DEFELICE, DOUG EBBITT, )  
28 ROBERT EMMONS, RAIMON FRANCK, )  
29 JUDITH GRANATSTEIN, GORDON GRIFFIN, )  
30 CHERYLE HAWKINS, KEN HERRIN, KENT )  
31 HOWE, JOHN HUBBIRD, JEFF LAKE, NENA )  
32 LOVINGER, LAURIE MCCLAIN, LYNN )  
33 MCDUGAL, DENNIS SANDOW, MATT )  
34 SCHAEFER, FRED TEPFER, LINA VAN )  
35 BRUNT, JAN VANDERTUIN, RAKAR WEST )  
36 and KATHI WIEDERHOLD, )  
37 )  
38 Intervenors-Respondent. )

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41 Appeal from City of Eugene.

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43 Daniel J. Stotter, Eugene, represented petitioners.

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45 Glenn Klein, Eugene, represented respondent.

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Intervenors-respondent represented themselves.

LIVINGSTON, Referee; HANNA, Chief Referee, participated in the decision.

DISMISSED 07/10/97

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

1           Livingston, Referee.

2           Petitioners and respondent move to dismiss this appeal,  
3 with an award of costs to respondent, in the amount of \$150,  
4 for preparation of the record. Accordingly, this appeal is  
5 dismissed. Respondent is awarded the cost of preparation of  
6 the record, in the amount of \$150, to be paid from  
7 petitioners' deposit for costs.