

1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON
3

4 BARRY DAVIS, MELANIE DAVIS and)
5 DERRIL SIMPSON,)
6)
7 Petitioners,)
8)

9 vs.)

10 CITY OF EUGENE,)
11)
12)
13 Respondent,)
14)

15 and)

16)
17 STEVEN A. WENDELL, SHARON)
18 WENDELL, THOMAS J. WILSON and)
19 BARBARA K. WILSON,)
20)
21 Intervenors-Respondent.)

LUBA No. 97-144

FINAL OPINION
AND ORDER

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23
24 Appeal from City of Eugene.

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26 Barry Davis, Eugene, represented petitioners.

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28 Emily K. Newton, Eugene, represented respondent.

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30 Allen L. Johnson, Eugene, represented intervenors-
31 respondent.

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33 GUSTAFSON, Chief Administrative Law Judge; HANNA,
34 Administrative Law Judge; LIVINGSTON, Administrative Law
35 Judge, participated in the decision.

36
37 DISMISSED 12/02/97

38
39 You are entitled to judicial review of this Order.
40 Judicial review is governed by the provisions of ORS
41 197.850.

1 Gustafson, Administrative Law Judge.

2 The parties stipulate to dismissal of this appeal with
3 costs to neither party. Accordingly, this appeal is
4 dismissed. The Board will return petitioners' \$150 deposit
5 for costs.