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BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

PDC INVESTORS II, LLC and JOHN)
HANCOCK,)
)
Petitioners,)
)
vs.)
)
DESCHUTES COUNTY,)
)
Respondent,)
)
and)
)
HOME DEPOT U.S.A and MBK)
NORTHWEST, LTD,)
)
Intervenors-respondent.)

LUBA Nos. 97-228 and 97-229

FINAL OPINION
AND ORDER

Appeal from Deschutes County.

Liz Fancher, Bend, represented petitioners.

Bruce W. White, Bend, represented respondent.

Frank Parisi, Portland, represented intervenor-respondent
Home Depot U.S.A.

Robert S. Lovlien, Bend, represented intervenor-
respondent MBK Northwest, Ltd.

GUSTAFSON, Board Chair; HANNA, Board Member, participated
in the decision.

REMANDED

9/03/98

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

1 Opinion by Gustafson.

2 **MOTION TO INTERVENE**

3 Home Depot U.S.A and MBK Northwest Ltd., the applicants
4 below, move to intervene on the side of the respondent. There
5 is no opposition to their motions, and they are granted.

6 **MOTION FOR VOLUNTARY REMAND**

7 On August 17, 1998, the parties submitted a stipulated
8 motion to enter an order remanding the decisions at issue in
9 these consolidated appeals, and directing entry of a
10 stipulated decision pursuant to ORS 197.860. We granted the
11 motion August 18, 1998, by signing the stipulated order, but
12 we did not issue a final opinion and order to that effect, as
13 required by OAR 661-10-070(1). Pursuant to that rule and our
14 August 18, 1998 order, we now remand the county's decisions in
15 these appeals and direct entry of the stipulated decision.

16 The county's decisions are remanded.