

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3 UNIVERSITY OF OREGON,
4 *Petitioner,*

5
6 vs.

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8 CITY OF EUGENE,
9 *Respondent,*

10 and

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12 FAIRMOUNT NEIGHBORS ASSOCIATION,
13 and JEFF NELSON,
14 *Intervenors-Respondents.*

15 LUBA No. 2008-093

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17 FINAL OPINION
18 AND ORDER

19 Appeal from City of Eugene.

20 Steven E. Shipsey, Assistant Attorney General, Salem, represented petitioner.

21 Emily N. Jerome, Eugene, represented respondent.

22 Meg E. Kieran, Eugene, represented intervenors-respondents Fairmount Neighbors
23 Association.

24 Jeff Nelson, Eugene, represented himself.

25 HOLSTUN, Board Member; BASSHAM, Board Chair, participated in the decision.

26 RYAN, Board Member, did not participate in the decision.

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28 DISMISSED

29 01/07/2009

30 You are entitled to judicial review of this Order. Judicial review is governed by the
31 provisions of ORS 197.850.
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Holstun, Board Member.

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2 **MOTION TO INTERVENE**

3 Fairmount Neighbors Association and Jeff Nelson both move to intervene on the side
4 of the respondent in this appeal. There is no opposition to the motions and they granted.

5 **MOTION TO DISMISS**

6 Petitioner requests that this appeal be dismissed. Accordingly, this appeal is
7 dismissed.