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

OREGON DEPARTMENT OF TRANSPORTATION,  
*Petitioner,*

vs.

CITY OF PHILOMATH,  
*Respondent.*

LUBA No. 2009-099

FINAL OPINION  
AND ORDER

Appeal from City of Philomath.

Kathryn A. Lincoln, Senior Assistant Attorney General, Salem, represented petitioner.

David E. Coulombe, Corvallis, represented respondent.

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

DISMISSED 09/29/2009

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

1 Ryan, Board Member.

2 Petitioner requests that this appeal be dismissed. Accordingly, this appeal is

3 dismissed.