

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

3
4 AWBG ALEXANDER COURT, LLC,
5 *Petitioner,*

6
7 vs.

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9 CITY OF BEND,
10 *Respondent,*

11 and

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13 ROY WILLY and MOUNTAIN GATE
14 HOMEOWNER'S ASSOCIATION,
15 *Intervenors-Respondents.*

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17 LUBA No. 2007-139

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20 FINAL OPINION
21 AND ORDER

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23 Appeal from City of Bend.

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25 Tia M. Lewis, Bend, represented petitioner.

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27 Mary A. Winters, Bend, represented respondent.

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29 Bruce W. White, Bend, represented intervenors-respondents.

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

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34 DISMISSED

10/20/2009

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

Ryan, Board Member.

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2 **MOTION TO INTERVENE**

3 Roy Willy and Mountain Gate Homeowner's Association move to intervene on the
4 side of the respondent in this appeal. There is no opposition to the motion and it is granted.

5 **MOTION TO DISMISS**

6 The parties request that this appeal be dismissed. Accordingly, this appeal is
7 dismissed.