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

LEON FUNKE,)	
)	
Petitioner,)	LUBA NO. 81-032
)	
v.)	
)	FINAL OPINION
LANE COUNTY,)	AND ORDER
)	
Respondent.)	

Appeal from Lane County.

James W. Spickerman, Eugene, attorney for Petitioner Funke.

William A. Van Vactor, Eugene, attorney for Respondent Lane County.

Cox, Referee; Reynolds, Chief Referee; Bagg, Referee; participated in the decision.

Remanded. 6/10/81

You are entitled to judicial review of this Order. Judicial review is governed by the provisions of Oregon Laws 1979, ch 772, sec 6(a).

1 COX, Referee.

2 This matter is before the Board on motion of Respondent
3 Lane County requesting a remand so it may reconsider its
4 findings and order. It is assumed that Lane County is
5 admitting that its findings are inadequate. Petitioners do not
6 oppose the motion but merely request that their deposit for
7 costs be refunded and their filing fee reimbursed by Respondent
8 Lane County.

9 It is the Board's decision that based upon respondent's
10 motion and petitioner's concurrence therein that the matter
11 shall be remanded to Lane County. Laudahl v. Polk County, 2 Or
12 LUBA 149 (1980). It is also ordered petitioners shall be
13 returned their deposit for costs in the amount of \$150 and that
14 Respondent Lane County pay petitioner his filing fee of \$50.

15 Remanded.

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