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

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JOHN ROBINSON, )  
 )  
Petitioner, )  
 )  
vs. )  
 )  
CITY OF ATHENA, )  
 )  
Respondent, )  
 )  
and )  
 )  
PENDLETON GRAIN GROWERS, )  
 )  
Intervenor- )  
Respondent. )

LUBA No. 88-026  
FINAL OPINION  
AND ORDER OF REMAND

Appeal from the City of Athena.

John Robinson  
Box 506  
Athena, OR 97813

Ray Williams  
Legal Counsel  
Box 502  
Milton-Freewater, OR 97862

Petitioner

Attorney for Respondent

Douglas E. Hojem  
Corey, Byler, Rew,  
Lorenzen & Hojem  
P.O. Box 218  
Pendleton, OR 97801

Attorney for Intervenor-Respondent

BAGG, Chief Referee; HOLSTUN, Referee; SHERTON, Referee.

REMANDED 07/26/88

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

1           Bagg, Referee.

2           The parties agree that the record in this appeal is  
3 insufficient for consideration before LUBA and agree the city's  
4 decision on review should be remanded to the City of Athena for  
5 further proceedings.

6           The city's decision is remanded.

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