

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

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2
3 KEITH R. EDDY,)
4) Petitioner,)
5) vs.)
6 MULTNOMAH COUNTY,)
7) Respondent,)
8) and)
9 CBH COMPANY,)
10) Intervenor-Respondent.)

LUBA No. 89-122

FINAL OPINION
& AND ORDER

11 Appeal from Multnomah County.

12 Edward J. Sullivan, Portland, represented petitioner.

13 John L. DuBay, Portland, represented respondent.

14 William A. Monahan, Portland, represented intervenor-
15 respondent.

16 KELLINGTON, Referee, SHERTON, Chief Referee; HOLSTUN,
17 Referee; participated in the decision.

18 DISMISSED 11/30/89

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

1 Kellington, Referee.

2 Petitioner moves for dismissal of this appeal proceeding.
3 Petitioner represents that the parties agree that respondent
4 shall be awarded the cost of preparation of the record at \$.10
5 per page, and that the balance of the deposit for costs shall be
6 returned to petitioners. The record transmitted by respondent
7 consists of 138 pages.

8 Respondent and intervenor-respondent do not object to
9 petitioner's motion.

10 Accordingly, this appeal is dismissed. Respondent is
11 awarded \$13.80 as cost of preparation of the record. The
12 balance of petitioner's deposit for costs shall be returned to
13 petitioner.