

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

J.C. REEVES, an individual, and)	
J.C. REEVES CORPORATION, an)	
Oregon corporation,)	
)	LUBA No. 90-45
Petitioners,)	
)	FINAL OPINION
vs.)	AND ORDER
)	
CITY OF TUALATIN,)	
)	
Respondent.)	

Appeal from City of Tualatin.

Gregory J. Frank, Portland, represented petitioners.

Mark Pilliod, Tualatin, represented respondent.

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

DISMISSED 05/30/90

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

Opinion by Kellington.

Respondent City of Tualatin moves to dismiss this appeal under ORS 197.830(1) and OAR 661-10-030(1), on the basis that the time for filing the petition for review has expired and no petition for review has been filed. Respondent also requests award of petitioners' deposit for costs and filing fee pursuant to ORS 197.830(8) and OAR 661-10-075(1)(c).

Petitioners have filed no objection or other response to respondent's motion.

The record in this appeal was filed on April 9, 1990. The petition for review was due 21 days thereafter. To date no petition for review has been filed. Furthermore, no motion for extension of time or stipulation for extension of time to file the petition for review has been filed.

Accordingly, this case is dismissed. Respondent is awarded petitioners' \$50 filing fee and \$150 deposit for costs.

Dated this 30th day of May, 1990.

Wendie L. Kellington
Referee