

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

DAVID E. CARMICHAEL, BONNIE G.)
CARMICHAEL, RALPH A. FILLINGAME,)
BONNIE L. FILLINGAME, PAUL H.)
HARRIS, RONDA M. HARRIS,)
DARREL JOE JENSON, KATHLEEN L.)
JENSON, RONALD D. SMITH and) LUBA No. 90-063
BRENDA A. SMITH,)
) FINAL OPINION
Petitioners,) AND ORDER
)
vs.)
)
CITY OF EUGENE,)
)
Respondent.)

Appeal from City of Eugene.

David E. Carmichael, Eugene, represented petitioners.

Timothy J. Sercombe, Eugene, represented respondent.

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

DISMISSED 05/11/90

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

Kellington, Referee.

The parties stipulate that this appeal be dismissed, and that petitioners' deposit for costs be refunded.¹

This appeal is dismissed. The Board shall return petitioners' deposit for costs to them.

¹While petitioners' attorney, David E. Carmichael, advised, by letter dated May 4, 1990, that he was not serving in a representative capacity in this appeal, but rather only as lead petitioner, the letter of transmittal accompanying the stipulation of dismissal states that Carmichael is serving as attorney for petitioners, and is requesting dismissal on petitioners' behalf.