BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

ELMER HENRY and PAT HENRY,)	
)	
Petitioners,)	
)	
VS.)	
)	LUBA No. 90-039
SHERMAN COUNTY,)	
)	FINAL OPINION
Respondent,)	AND ORDER
)	
and)	
)	
JACK GRAY TRANSPORT,)	
)	
Intervenor-Respondent.)

Appeal from Sherman County.

Daniel Kearns, Portland, represented petitioners.

Ray English, Moro, represented respondent.

David Douthwaite, Portland, represented intervenor-respondent.

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

DISMISSED 08/20/90

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' \$150 deposit for costs be returned to them.

Accordingly, this appeal is dismissed. The Board will return petitioners' \$150 deposit for costs.