BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

TCB CONSTRUCTION, INC.,)	
Petitioner,)	LUBA No. 90-085
)	
vs.)	FINAL OPINION
)	AND ORDER
CITY OF MONMOUTH,)	
)	
Respondent.)	

Appeal from City of Monmouth.

Wallace W. Lien, Salem, represented petitioner.

Mark Irick, Dallas, represented respondent.

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

DISMISSED 08/09/90

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

Petitioner moves that the Board dismiss this appeal. Respondent does not object to petitioner's motion. The parties further agree that the Board may return petitioner's deposit for costs to petitioner.

This appeal is dismissed. The Board shall return petitioner's \$150.00 deposit for costs to petitioner.