

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

3  
4 SMR NETWORK, INC.,                   )  
5    )  
6                   Petitioner,                    )  
7    )  
8                   vs.                                    )  
9    )  
10 POLK COUNTY,                                    )  
11    )  
12                   Respondent.                    )  
13    )  
14                   and                                    )  
15    )  
16 LAURA HARRIS,                                    )  
17    )  
18                   Intervenor-Respondent.        )

FINAL OPINION  
AND ORDER

LUBA No. 91-197

19  
20  
21                   Appeal from Polk County.

22  
23                   David Herman, Portland, represented petitioner.

24  
25                   Robert W. Oliver, Dallas, represented respondent.

26  
27                   Wallace W. Lien and Robert Simon, Salem, represented  
28 intervenor-respondent.

29  
30                   HOLSTUN, Chief Referee; SHERTON, Referee; KELLINGTON,  
31 Referee, participated in the decision.

32  
33                   DISMISSED                                    04/17/92

34  
35                   You are entitled to judicial review of this Order.  
36 Judicial review is governed by the provisions of ORS  
37 197.850.

1           Holstun, Referee.

2           This appeal previously was consolidated with LUBA No.  
3 91-196, which challenges the same land use decision. Our  
4 decision in LUBA No. 91-196 is issued this date. Petitioner  
5 in LUBA No. 91-197 moves to withdraw its appeal, and no  
6 party objects.

7           This appeal is dismissed.