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1
                BEFORE THE LAND USE BOARD OF APPEALS
 2
                       OF THE STATE OF OREGON
 3
 4 CHERYL MACPHERSON WALKER,
 5
 6
              Petitioner,
 7
 8
         and
 9
10
   THOR A. BERG,
11
12
              Intervenor-Petitioner,
                                                    )
13
                                    )
                                            LUBA No. 92-037
14
                                    )
         vs.
15
                                    )
                                            FINAL OPINION
16
   LINN COUNTY,
                                               AND ORDER
17
18
             Respondent,
19
20
         and
21
22
   JAMES SCOTT and JULIA SCOTT,
23
24
              Intervenors-Respondent.
                                                    )
25
26
27
        Appeal from Linn County.
28
29
        Cheryl MacPherson Walker, Albany, represented herself.
30
31
        Thor A. Berg, Sweet Home, represented himself.
32
33
         John T. Gibbon, Albany, represented respondent.
34
35
         Edward
                  F.
                        Schultz, Jr., Albany, represented
36
    intervenors-respondent.
37
         SHERTON, Referee; HOLSTUN, Chief Referee; KELLINGTON,
38
39
    Referee, participated in the decision.
40
41
             DISMISSED
                                    05/11/92
42
43
         You are entitled to judicial review of this Order.
44
    Judicial review is governed by the provisions of ORS
    197.850.
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- 1 Opinion by Sherton.
- 2 Under the Board's rules, the petition for review in
- 3 this appeal was due April 10, 1992. No extension of time
- 4 for filing the petition for review was requested or granted.
- 5 No petition for review has been filed, and respondent moves
- 6 for an order dismissing the appeal and awarding petitioner's
- 7 filing fee and deposit for costs to respondent. ORS
- 8 197.830(8) and (10); OAR 661-10-030(1), 661-10-075(1)(c);
- 9 McCauley v. Jackson County, 20 Or LUBA 176 (1990); Piquette
- 10 v. City of Springfield, 16 Or LUBA 47 (1987).
- 11 This appeal is dismissed. Respondent is awarded
- 12 petitioner's filing fee and deposit for costs.