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

DEPARTMENT OF LAND CONSERVATION )  
AND DEVELOPMENT, )  
Petitioner, )  
vs. )  
YAMHILL COUNTY, )  
Respondent. )

LUBA No. 91-144  
FINAL OPINION  
AND ORDER

Appeal from Yamhill County.

Jane Ard, Salem, represented petitioner.

John M. Gray, McMinnville, represented respondent.

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

REMANDED 09/18/92

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

1           Holstun, Referee.

2           The parties stipulate to a remand of the decision  
3 challenged in this appeal proceeding. The parties further  
4 stipulate that petitioner be awarded costs in the amount of  
5 its filing fee.

6           The county's decision is remanded. Petitioner is  
7 awarded the cost of its filing fee, in the amount of \$50, to  
8 be paid by respondent. Petitioner's \$150 deposit for costs  
9 shall be returned by the Board.