

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

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4	LEE WILLEMAN, and EAST LANCASTER)
5	NEIGHBORHOOD ASSOCIATION,)
6)
7	Petitioners,)
8)
9	vs.)
10)
11	CITY OF SALEM,)
12)
13	Respondent,)
14)
15	and)
16)
17	KEITH KUENZI, WESTECH ENGINEERING,)
18	and TRAN CO. INC.,)
19)
20	Intervenors-Respondent.)
21		
22		
23	Appeal from City of Salem.	
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25	Lee Willeman, Salem, represented himself. Wallace W.	
26	Lien, Salem, represented petitioner East Lancaster	
27	Neighborhood Association.	
28		
29	Paul Lee, Salem, represented respondent.	
30		
31	Kris Jon Gorsuch, Salem, represented intervenors-	
32	respondent.	
33		
34	SHERTON, Chief Referee; HOLSTUN, Referee; KELLINGTON,	
35	Referee, participated in the decision.	
36		
37	DISMISSED	11/30/92
38		
39	You are entitled to judicial review of this Order.	
40	Judicial review is governed by the provisions of ORS	
41	197.850.	

1 Sheraton, Chief Referee.

2 Petitioners move that this appeal be dismissed.
3 Petitioners also move that the unused portion of their
4 deposit for costs be returned to them. Respondent and
5 intervenors-respondent do not object to petitioners' motion.

6 Respondent is a prevailing party in this appeal. Under
7 OAR 661-10-075(1)(b)(B), we may award respondent copying
8 costs for the required number of copies of the local record,
9 at \$.10 per page. In this case, the required number of
10 copies is three (one copy for the Board and one copy for
11 each petitioner), and the record includes 240 pages.
12 Accordingly, we award respondent \$72.00, to be paid from
13 petitioners' deposit for costs. The remainder of
14 petitioners' deposit for costs, in the amount of \$78.00,
15 shall be returned to petitioners.

16 This appeal is dismissed.