1 BEFORE THE LAND USE BOARD OF APPEALS OF THE STATE OF OREGON 2 3 4 DALE MARSHALL, ) 5 ) б Petitioner, ) 7 ) 8 vs. 9 ) 10 TILLAMOOK COUNTY, ) 11 ) LUBA No. 92-220 12 Respondent, ) 13 ) 14 and ) FINAL OPINION 15 AND ORDER ) JEROME BEIER, PRISCILLA NUNEZ, ) 16 ROBERT REED, TERRIE GOBEL, CARL ) 17 18 YOUNG, LINDA YOUNG, BILL FUNK, ) 19 SUE FUNK, JIM STATE, BETTY STATE, ) RON REDMAN, PAULA REDMAN, 20 ) 21 ELKI POWERS, ARTIS VAN RASSEL, ) 22 ALLISON ASBJORNSEN and ) 23 RUTHANN MOGEN, ) 24 ) 25 Intervenors-Respondent. ) 26 27 28 Appeal from Tillamook County. 29 30 Jeanyse R. Snow, Astoria, represented petitioner. 31 32 William Sargent, County Counsel, Tillamook, Κ. 33 represented respondent. 34 35 Lois Albright, Tillamook, represented intervenors-36 respondent. 37 KELLINGTON, Referee; SHERTON, Chief Referee; HOLSTUN, 38 39 Referee, participated in the decision. 40 41 DISMISSED 02/24/93 42 43 You are entitled to judicial review of this Order. 44 Judicial review is governed by the provisions of ORS 45 197.850.

1 Kellington, Referee.

2 Petitioner moves to dismiss this appeal and requests 3 return of his \$150 deposit for costs. Respondent and 4 intervenors do not object to the motion.

5 This appeal is dismissed. Petitioner's \$150 deposit 6 for costs shall be returned by the Board.