

1                           BEFORE THE LAND USE BOARD OF APPEALS  
2                           OF THE STATE OF OREGON  
3

4 NYBERG LIMITED PARTNERSHIP,           )  
5    )  
6                    Petitioner,           )  
7    )                   LUBA No. 93-089  
8            vs.                            )  
9    )                   FINAL OPINION  
10 CITY OF TUALATIN,                    )  
11    )                   AND ORDER  
12                    Respondent.         )  
13

14  
15            Appeal from City of Tualatin.

16  
17            E. Andrew Jordan, Portland, represented petitioner.

18  
19            Mark Pilliod, City Attorney, Tualatin, represented  
20 respondent.

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

24  
25                    DISMISSED                           07/27/93  
26

27            You are entitled to judicial review of this Order.  
28 Judicial review is governed by the provisions of ORS  
29 197.850.

1 Kellington, Referee.

2 The parties agree this appeal should be dismissed and  
3 petitioner's deposit for costs should be awarded to  
4 respondent.

5 It is so ordered. This appeal is dismissed.  
6 Petitioner's \$150 deposit for costs is awarded to  
7 respondent.