

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

3
4 GREG ALAND,)
5)
6 Petitioner,)
7)
8 and)
9)
10 LARRY JOHNSON and ROBYN JOHNSON,)
11)
12 Intervenors-Petitioner,)
13) LUBA No. 94-040
14 vs.)
15) FINAL OPINION
16 CITY OF DETROIT) AND ORDER
17)
18 Respondent,)
19)
20 and)
21)
22 GENE HURLEY,)
23)
24 Intervenor-Respondent.)

25
26
27 Appeal from City of Detroit.

28
29 W. Scott Phinney, Salem, represented petitioner.

30
31 Larry Johnson and Robyn Johnson, Detroit, represented
32 themselves.

33
34 John H. Beckfield, Salem, represented respondent and
35 intervenor-respondent.

36
37 KELLINGTON, Chief Referee; HOLSTUN, Referee; SHERTON,
38 Referee, participated in the decision.

39
40 DISMISSED 05/18/94

41
42 You are entitled to judicial review of this Order.
43 Judicial review is governed by the provisions of ORS
44 197.850.

1 Kellington, Chief Referee.

2 Petitioner withdraws his notice of intent to appeal in
3 this case. The parties agree this appeal should be
4 dismissed. The parties further agree to the return of
5 petitioner's deposit for costs, in the amount of \$150.

6 This appeal is dismissed, and petitioner's \$150 deposit
7 for costs shall be returned by the Board.