1 BEFORE THE LAND USE BOARD OF APPEALS 2 OF THE STATE OF OREGON 3 4 TERRACE LAKE HOMEOWNERS' ) 5 ASSOCIATION, and DIANNE SCHOENING,) 6 ) 7 Petitioners, ) 8 ) 9 vs. ) 10 LUBA No. 94-049 ) 11 CITY OF SALEM, ) 12 FINAL OPINION ) 13 Respondent, AND ORDER ) 14 ) 15 and ) 16 ) 17 LARRY TOKARSKI, ) 18 ) 19 Intervenor-Respondent. ) 20 21 22 Appeal from City of Salem. 23 24 Daniel Kearns, Portland, represented petitioners. 25 26 Stephanie Smythe and Paul Lee, Salem, represented 27 respondent. 28 29 Kris Jon Gorsuch, Salem, represented intervenor-30 respondent. 31 HOLSTUN, Referee; KELLINGTON, Chief Referee; SHERTON, 32 33 Referee, participated in the decision. 34 35 DISMISSED 05/10/94 36 37 You are entitled to judicial review of this Order. Judicial review is governed by the provisions of ORS 38 197.850. 39

1 Holstun, Referee.

2 Petitioners withdraw their notice of intent to appeal3 and move to dismiss this appeal. The motion is granted.

4 This appeal is dismissed.