1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
4	OREGON DEPARTMENT OF TRANSPORTATION,)
5 6 7	Petitioner, )
, 8 9	vs. ) LUBA No. 94-115
10	CLATSOP COUNTY, )
11 12	) FINAL OPINION
13	Respondent, ) AND ORDER )
14	and )
15 16	JOHN TERDINA, )
17	
18 19	Intervenor-Respondent. )
20	
21 22	Appeal from Clatsop County.
23	Lucinda D. Moyano, Assistant Attorney General, Salem,
24 25	represented petitioner.
26	Kenneth S. Eiler, County Counsel, Seaside, represented
27 28	respondent.
29	John Terdina, Cannon Beach, represented himself.
30 31	HOLCEUN Defence: CHEDEON Defence perticipated in the
32	HOLSTUN, Referee; SHERTON, Referee, participated in the decision.
33	DIGMIGGED 10/05/04
34 35	DISMISSED 10/05/94
36	You are entitled to judicial review of this Order.
37 38	Judicial review is governed by the provisions of ORS 197.850.

- 1 Holstun, Referee.
- 2 Petitioner moves to dismiss this appeal and for return
- 3 of its \$150 deposit for costs. No party objects.
- 4 This appeal is dismissed. The Board shall return
- 5 petitioner's \$150 deposit for costs.