1 BEFORE THE LAND USE BOARD OF APPEALS 2 OF THE STATE OF OREGON 3 4 LYNN KLINGENSMITH, ) 5 ) 6 Petitioner, ) 7 LUBA No. 95-019 ) 8 vs. ) FINAL OPINION 9 ) 10 CITY OF EUGENE, ) AND ORDER 11 ) 12 Respondent. ) 13 14 15 Appeal from City of Eugene. 16 17 Bill Kloos, Eugene, represented petitioner. 18 Glenn Klein, Eugene, represented respondent. 19 20 21 KELLINGTON, Referee; HOLSTUN, Chief Referee; SHERTON, 22 Referee, participated in the decision. 23 24 DISMISSED 02/10/95 25 26 You are entitled to judicial review of this Order. 27 Judicial review is governed by the provisions of ORS 197.850. 28

1 Kellington, Referee.

2 Petitioner requests that her appeal be withdrawn and 3 that the Board return her \$150 deposit for costs. No record 4 was filed in this appeal proceeding. This appeal is 5 dismissed and petitioner's \$150 deposit for costs shall be 6 returned to her by the Board.