```
1
                BEFORE THE LAND USE BOARD OF APPEALS
 2.
                       OF THE STATE OF OREGON
 3
 4
   KENT DAHLKE, SARA DAHLKE, MARVIN
                                                   )
 5
   UHLENHAKE and ELAINE UHLENHAKE, )
 6
 7
             Petitioners,
                                    )
 8
 9
         vs.
10
                                            LUBA No. 94-257
                                    )
11
   CITY OF NEWPORT,
                                    )
12
                                             FINAL OPINION
13
             Respondent,
                                               AND ORDER
                                    )
14
15
         and
16
17
   GARY L. STEVENS,
                                    )
18
19
             Intervenor-Respondent.
                                                   )
20
21
22
        Appeal from City of Newport.
23
24
        Dennis L. Bartoldus, Newport, represented petitioners.
25
26
         J.
              Christopher Minor, City Attorney, Newport,
27
    represented respondent.
28
29
              Carstens, Newport, represented intervenor-
         Kurt
30
    respondent.
31
    HANNA, Referee; LIVINGSTON, Chief Referee; GUSTAFSON,
32
33
    Referee, participated in the decision.
34
35
             DISMISSED
                                   08/16/95
36
37
         You are entitled to judicial review of this Order.
    Judicial review is governed by the provisions of ORS
38
39
    197.850.
```

- 1 Hanna, Referee.
- 2 The parties move for dismissal of this appeal.
- Accordingly, this appeal is dismissed. The Board will
- 4 return petitioner's \$150 deposit for costs.