1 BEFORE THE LAND USE BOARD OF APPEALS 2 OF THE STATE OF OREGON 3 4 GEORGE DAVIS,) 5) 6 Petitioner,) 7 LUBA No. 97-013) 8 vs.) 9 FINAL OPINION) 10 CITY OF EUGENE,) AND ORDER 11) 12 Respondent.) 13 14 15 Appeal from City of Eugene. 16 17 Edward E. Hill, Eugene, represented petitioner. 18 Glenn Klein and Emily K. Newton, Eugene, represented 19 20 respondent. 21 HANNA, Chief Referee; GUSTAFSON, Referee; LIVINGSTON, 22 Referee, participated in the decision. 23 24 25 03/04/97 DISMISSED 26 27 You are entitled to judicial review of this Order. 28 Judicial review is governed by the provisions of ORS 29 197.850.

1 Hanna, Chief Referee.

2 The parties move to dismiss this appeal without 3 assessment of costs. Accordingly, this appeal is dismissed. 4 The Board will return petitioner's \$150 deposit for costs.