

1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON

3
4 GREAT AMERICAN DEVELOPMENT CO.,)
5))
6 Petitioner,))
7) LUBA No. 97-173
8 vs.))
9) FINAL OPINION
10 CITY OF SANDY,) AND ORDER
11))
12 Respondent.)

13
14
15 Appeal from City of Sandy.

16
17 Stark Ackerman, Portland, represented petitioner.

18
19 John H. Hammond, Jr., West Linn, represented
20 respondent.

21
22 GUSTAFSON, Chief Referee; LIVINGSTON, Referee,
23 participated in the decision.

24
25 DISMISSED 09/15/97

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 Gustafson, Chief Referee.

2 Petitioner moves to withdraw its appeal, which we treat
3 as a motion to dismiss. Accordingly, this appeal is
4 dismissed.

5 Petitioner also requests return of its filing fee and
6 deposit for cost, since respondent repealed the decision
7 that was the subject of the appeal. Petitioner represents
8 that respondent does not object to this motion. Since the
9 record was not filed in this appeal, the Board will return
10 petitioner's deposit for costs. However, the filing fee is
11 non-refundable.