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

ARCHDIOCESE OF PORTLAND IN)
OREGON,)
)
Petitioner,)
)
vs.)
)
CITY OF EUGENE,)
)
Respondent.)

LUBA No. 99-045
FINAL OPINION
AND ORDER

Appeal from City of Eugene.

Michael E. Farthing, Eugene, represented petitioner.

Glenn Klein, Eugene, represented respondent.

BRIGGS, Board Member; HOLSTUN, Board Chair; and BASSHAM, Board Member, participated in the decision.

DISMISSED 06/04/99

You are entitled to judicial review of this Order. Judicial review is governed by the provisions of ORS 197.850.

1 Briggs, Board Member.

2 Petitioner moves to dismiss this appeal and for return of their deposit for costs and
3 filing fee. Although LUBA's rules authorize award of a petitioner's filing fee to respondent
4 in certain circumstances, they do not provide for return of a filing fee to petitioner.
5 OAR 661-010-0075(1)(c), Totman v. City of Grants Pass, 24 Or LUBA 46 (1992).
6 Accordingly, this appeal is dismissed. The Board will return petitioner's \$150 deposit for
7 costs.