1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
3	
4	MULTNOMAH NEIGHBORHOOD
5	ASSOCIATION and FRANK RUDLOFF,
6	Petitioners,
7	
8	VS.
9	
10	CITY OF PORTLAND,
11	Respondent,
12	
13	and
14	
15	LOAVES AND FISHES CENTERS, INC.,
16	Intervenors-Respondent.
17	merveners respondent.
18	LUBA No. 2001-159
19	
20	FINAL OPINION
21	AND ORDER
22	
23	Appeal from City of Portland.
24	rippeut from enty of Fortune.
25	Daniel Kearns, Portland, represented petitioners.
26	Dunier Reams, Fortune, represented petitioners.
27	Jeffrey L. Rogers, Portland, City Attorney, represented respondent.
28	venney 2. Rogers, i ornand, eny i niorney, represented respondent.
29	Peter Livingston, Portland, represented intervenors-respondent.
30	r eter Ervingston, r ortand, represented intervenois respondent.
31	BRIGGS, Board Chair; BASSHAM, Board Member; HOLSTUN, Board Member,
32	participated in the decision.
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34	DISMISSED 11/30/2001
35	
36	You are entitled to judicial review of this Order. Judicial review is governed by the
30 37	provisions of ORS 197.850.
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1	Briggs, Board Chair.
2	Petitioners move to withdraw their notice of intent to appeal and request that we
3	dismiss this appeal. Accordingly, this appeal is dismissed.
4	Petitioners also "request the return of their appeal fee and the unspent portion of their
5	deposit for costs." Motion to Dismiss 1. Petitioners' request for a refund of their appeal fee is
6	denied. Totman v. City of Grants Pass, 24 Or LUBA 46 (1992). One hundred dollars is
7	awarded to the city as the cost of preparing the record. ¹ That cost shall be deducted from
8	petitioners' deposit for costs. The remainder of the deposit for costs shall be refunded to
9	petitioners.

¹The city's record is 250 pages long. OAR 661-010-0075(1)(b)(B) provides that the city, as prevailing party, may be awarded the cost of preparing the record for the city and for petitioners, at \$.20 per page.