

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3 RICK FRANKLIN CORP.

4 *Petitioner,*

5 vs.

6 BENTON COUNTY,

7 *Respondent,*

8 *and*

9 KAY WETZ and DEAN NEBERGALL,

10 *Intervenors-Respondent.*

11 LUBA No. 2001-129

12 FINAL OPINION

13 AND ORDER

14 Appeal from Benton County.

15 Frank M. Flynn, Portland, represented petitioner.

16 Vance Croney, Corvallis, represented respondent.

17 Kay Wetz and Dean Nebergall, Philomath, represented themselves.

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

20 DISMISSED

21 02/19/2002

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

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Briggs, Board Member.

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Petitioner requests that this appeal be dismissed. Accordingly, this appeal is

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dismissed. The Board will return petitioner's \$150 deposit for costs.