

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

3
4 H. NAITO CORP.,
5 *Petitioner,*

6
7 vs.

8
9 CITY OF PORTLAND,
10 *Respondent,*

11 and

12
13 PORTLAND DEVELOPMENT COMMISSION,
14 *Intervenor-Respondent.*

15
16 LUBA No. 2004-134

17
18 FINAL OPINION
19 AND ORDER

20
21
22 Appeal from City of Portland.

23
24 Ty K. Wyman, Portland, represented petitioner.

25
26 Linly F. Rees, Deputy City Attorney, Portland, represented respondent.

27
28 David F. Doughman, Portland, represented intervenor-respondent.

29
30 BASSHAM, Board Member; HOLSTUN, Board Chair; DAVIES, Board Member,
31 participated in the decision.

32 DISMISSED 01/25/2005

33
34
35 You are entitled to judicial review of this Order. Judicial review is governed by the
36 provisions of ORS 197.850.

1 Bassham, Board Member.

2 **MOTION TO INTERVENE**

3 Portland Development Commission, the applicant below, moves to intervene on the
4 side of respondent. There is no opposition, and it is allowed.

5 **MOTION TO DISMISS**

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