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

STUART BYRON, LARRY GAGE and JULIE RUSSELL
Petitioners,

vs.

CITY OF TIGARD
Respondent,

and

HENRY KANE,
Intervenor-Respondent.

LUBA No. 2004-143

FINAL OPINION
AND ORDER

Appeal from the City of Tigard.

Lawrence R. Derr, Portland, represented petitioner.

Timothy Ramis, Portland, represented respondent.

Henry Kane, Portland, represented himself.

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

DISMISSED

01/25/2005

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

1 Bassham, Board Member

2 **MOTION TO INTERVENE**

3 Henry Kane moves to intervene on the side of respondent. There is no opposition to
4 the motion, and it is allowed.

5 **DISMISSAL**

6 The parties stipulate that this appeal be dismissed. Accordingly, this appeal is
7 dismissed. The Board will return petitioners' \$150 deposit for costs.