

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 CITY OF WEST LINN,
5 *Petitioner,*

6
7 vs.

8
9 CLACKAMAS COUNTY,
10 *Respondent,*

11
12 and

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14 J.T. SMITH PROPERTIES,
15 *Intervenor-Respondent.*

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17 LUBA No. 2004-189

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19 FINAL OPINION
20 AND ORDER

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22 Appeal from Clackamas County.

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24 Timothy V. Ramis and Gary F. Firestone, Portland, represented petitioner.

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26 Steven R. Lounsbury, County Counsel, Oregon City, represented respondent.

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28 Michael E. Robinson and Frank M. Flynn, Portland, represented intervenor-
29 respondent.

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

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34 DISMISSED

01/12/2005

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

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Bassham, Board Member.

2 **MOTION TO INTERVENE**

3 J.T. Smith Properties, the applicant below, moves to intervene on the side of the
4 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. The Board will return petitioner's \$150 deposit for costs.