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

OREGON DEPARTMENT OF TRANSPORTATION,  
*Petitioner,*

vs.

CITY OF PHILOMATH,  
*Respondent,*

LUBA No. 2006-118

FINAL OPINION  
AND ORDER

Appeal from City of Philomath.

Bonnie E. Heitsch, Assistant Attorney General, Salem, represented petitioner.

James K. Brewer, Corvallis, represented respondent.

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

DISMISSED 11/01/2006

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

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Bassham, Board Chair.

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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.