

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

3
4 WILLIAM SMITH PROPERTIES, INC.,
5 *Petitioner,*

6
7 vs.

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9 CITY OF BEND,
10 *Respondent,*

11 and

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13 MILL QUARTER PROPERTIES, INC.,
14 *Intervenor-Respondent.*

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16 LUBA No. 2008-034

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18 FINAL OPINION
19 AND ORDER

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21 Appeal from the City of Bend.

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23 Steven P. Hultberg, Bend, Thor Tingey, Portland, represented petitioner.

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25 Peter M. Schannauer, Bend, represented respondent.

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27 Kristen G. Williams, Liz Fancher, Bend, represented intervenor-respondent.

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

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32 DISMISSED

03/31/2008

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

1 Bassham, Board Member.

2 **MOTION TO INTERVENE**

3 Mill Quarter Properties, Inc., the applicant below, moves to intervene on the side of
4 the respondent in this appeal. There is no opposition to the motion and it is granted.

5 **REQUEST TO DISMISS**

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