

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

3
4 JOYCE MORGAN,
5 *Petitioner,*

6
7 and

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9 DEPARTMENT OF LAND CONSERVATION
10 AND DEVELOPMENT,
11 *Intervenor-Petitioner,*

12
13 vs.

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15 DOUGLAS COUNTY,
16 *Respondent,*

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18 and

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20 POWELL DEVELOPMENT COMPANY,
21 OLD SCHOOL OFFICES, INC.,
22 PERRY-JOHNSON DEVELOPMENT, LLC and
23 COSTCO WHOLESALE CORPORATION,
24 *Intervenors-Respondents.*

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26 LUBA No. 2009-014

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28 FINAL OPINION
29 AND ORDER

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31 Appeal from Douglas County.

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33 Corinne C. Sherton, Salem, filed a petition for review and represented petitioner.
34 With her on the brief was Johnson & Sherton PC.

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36 Danielle Aglipay, Assistant Attorney General, Salem, filed a petition for review and
37 represented intervenor-petitioner. With her on the brief were Assistant Attorney General
38 Steven E. Shipsey and Attorney General John R. Kroger.

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40 Paul E. Meyer, County Counsel, Roseburg, filed a response brief and represented
41 respondent.

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43 Edward J. Sullivan, Portland, filed a joint response brief and represented intervenors-
44 respondents Powell Development Co., Old School Offices, Inc., and Perry-Johnson
45 Development, LLC. With him on the brief were Carrie Richter, Garvey Schubert Barer PC,

1 David J. Petersen, and Tonkon Torp LLP.

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3 David J. Petersen, Portland, filed a joint response brief and represented intervenor-
4 respondent Costco Wholesale Corporation. With him on the brief were Tonkon Torp LLP,
5 Edward J. Sullivan, Carrie Richter and Garvey Schubert Barer PC.

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

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10 DISMISSED

11 11/03/2009

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

1 Ryan, Board Member.

2 The parties request that this appeal be dismissed. Accordingly, this appeal is

3 dismissed.