| 1 | BEFORE THE LAND USE BOARD OF APPEALS |
|----|---|
| 2 | OF THE STATE OF OREGON |
| 3 | |
| 4 | KATHLEEN KLING and DON KLING, |
| 5 | Petitioners, |
| 6 | |
| 7 | VS. |
| 8 | |
| 9 | LANE COUNTY, |
| 10 | Respondent, |
| 11 | |
| 12 | and |
| 13 | |
| 14 | PRECISION AGGREATE PRODUCTS, INC, |
| 15 | Intervenor-Respondent. |
| 16 | |
| 17 | LUBA No. 2012-048 |
| 18 | |
| 19 | FINAL OPINION |
| 20 | AND ORDER |
| 21 | |
| 22 | Appeal from Lane County. |
| 23 | |
| 24 | Bill Kloos, Eugene, represented petitioner. |
| 25 | |
| 26 | H. Andrew Clark, Eugene, represented respondent. |
| 27 | |
| 28 | Joseph J. Leahy and William Van Vactor, Springfield, represented intervenor- |
| 29 | respondent. |
| 30 | |
| 31 | HOLSTUN, Board Member; BASSHAM, Board Chair; RYAN, Board Member, |
| 32 | participated in the decision. |
| 33 | |
| 34 | DISMISSED 09/10/2012 |
| 35 | |
| 36 | You are entitled to judicial review of this Order. Judicial review is governed by the |
| 37 | provisions of ORS 197.850. |

Holstun, Board Member.

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MOTION TO INTERVENE

- 3 Precision Aggregate Products, Inc., the applicant below, moves to intervene on the
- 4 side of respondent. There is no opposition to the motion, and it is granted.

5 **DECISION**

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