

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

3
4 TERRA HYDR INC.,
5 TONQUIN INDUSTRIAL LLC,
6 BOB ALBERTSON, DONNA ALBERTSON,
7 ALBERTSON TRUCKING INC., MARK BROWN,
8 MCCAMMANT PROPERTIES INC.,
9 BROWN TRANSFER INC., MCGUIRE BROTHERS LLC.
10 and STEVE MCGUIRE,
11 *Petitioners,*

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13 vs.

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15 CITY OF TUALATIN,
16 *Respondent.*

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18 and

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20 METRO,
21 *Intervenor-Respondent.*

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23 LUBA No. 2013-018

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25 FINAL OPINION
26 AND ORDER

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28 Appeal from City of Tualatin.

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30 Wendie L. Kellington, Lake Oswego, represented petitioners.

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32 Sean T. Brady, Tualatin, represented respondent.

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34 Roger A. Alfred, Portland, represented intervenor-respondent.

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

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39 DISMISSED

07/26/2013

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

Opinion by Bassham.

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NATURE OF THE DECISION

Petitioners appeal City of Tualatin Resolution No. 5133-13, which acknowledges a Metro trail master plan.

MOTION TO INTERVENE

Metro moves to intervene on the side of the city. There is no opposition to the motion, and it is allowed.

JURISDICTION

For the reasons set out in *Terra Hydr Inc., et al. v. Washington County, et al.*, __ Or LUBA __ (LUBA Nos. 2013-017/018/019/025, Order on Motions to Dismiss), issued this date, this appeal is dismissed.