

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,*

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12 and

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14 BROOKS RESOURCES CORPORATION and
15 EVERGREEN HOUSING DEVELOPMENT GROUP,
16 LLC,
17 *Intervenors-Respondents.*

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19 LUBA No. 2019-045

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21 FINAL OPINION
22 AND ORDER

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24 Appeal from City of Bend.

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26 Liz Fancher, Bend, represented petitioner.

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28 Mary A. Winters, Bend, represented respondent.

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30 Jeffrey G. Condit, Portland, represented intervenor-respondent Brooks
31 Resources Corporation.

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33 Micheal M. Reeder, Eugene, represented intervenor-respondent Evergreen
34 Housing Development Group, LLC.

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

1 RUDD, Board Member, did not participate in the decision.

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DISMISSED

12/23/2019

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

1 Ryan, Board Member.

2 **MOTIONS TO INTERVENE**

3 Brooks Resources Corporation and Evergreen Housing Development
4 Group, LLC each move to intervene on the side of respondent. There is no
5 opposition to the motions, and they are granted.

6 **DISMISSAL**

7 Petitioner requests that this appeal be dismissed. Accordingly, this appeal
8 is dismissed. The Board will return petitioner's \$200 deposit for costs.