

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

LAND USE  
BOARD OF APPEALS  
Jul 30 11 28 AM '84

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RICHARD BERGER and )  
VIRGINIA BERGER, )  
 )  
Petitioners, )  
 )  
vs. )  
 )  
MARION COUNTY, )  
 )  
Respondent. )

LUBA No. 84-057  
FINAL ORDER  
(DISMISSAL)

Appeal from Marion County.

Sandra Smith Gangle	Robert C. Cannon
Attorney at Law	Mike Hansen
Chemeketa Business Center	County Counsel
1156 Chemeketa N.E.	Marion County Courthouse
Salem, OR 97301	Salem, OR 97301
Attorney for	Attorney for
Petitioners	Respondent County

DUBAY, Referee; BAGG, Chief Referee; KRESSEL, Referee.

DISMISSED 07/30/84

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

1 Dubay, Referee.

2 This matter is before the Board on motion of Petitioners,  
3 by and through their attorney, Sandra Smith Gangle, for an  
4 order withdrawing the Notice of Intent to Appeal in this  
5 proceeding.

6 Petitioners also request a refund of the \$150 deposit for  
7 costs and assert that Respondent County has no objection to  
8 said withdrawl or to granting a refund of the deposit for costs.

9 Based upon the foregoing, it is hereby ordered that the  
10 matter is dismissed and petitioners' \$150 deposit for costs  
11 shall be returned by the Board.

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