

LAND USE
BOARD OF APPEALS

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

DEC 16 1 35 PM '82

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3 CITY OF ASHLAND,)
4 Petitioner,)
5 v.) LUBA NO. 81-008
6 BEAR CREEK VALLEY SANITARY)
7 AUTHORITY,) FINAL OPINION
8 Respondent.) AND ORDER
9 JACKSON COUNTY, OREGON,) (Dismissal)
10 Petitioner,) LUBA NO. 81-010
11 v.)
12 BEAR CREEK VALLEY SANITARY)
13 AUTHORITY,)
14 Respondent.)

15 Submitted on reversal and remand from the Oregon Court of
16 Appeals, November 9, 1982.

17 Judicial Review from the land Use Board of Appeals.

18 Mark J. Greenfield Manville M. Heisel
19 400 Dekum Bldg. 308 Medford Center Bldg.
20 519 SW Third Avenue Medford, OR 97501
21 Attorney for Petitioner Attorney for Respondent BCVSA
22 City of Ashland

23 John L. DuBay
24 County Counsel
25 Jackson County Courthouse
26 Medford, OR 97501
Attorney for Petitioner
Jackson County

BAGG, Referee; COX, Referee, participated in the decision.

Dismissed.

12/16/82

1 BAGG, Referee.

2 On November 12, 1982, this Board dismissed the foregoing
3 appeals (LUBA Nos. 81-008 and 81-010). Thereafter, petitioner
4 appealed our dismissal to the Court of Appeals, and the Court
5 of Appeals remanded the cases to LUBA for further proceedings.
6 On December 9, 1982, the parties signed a Stipulation for
7 Dismissal, a copy of which is attached hereto, based upon
8 mootness and indicated "all matters in dispute have been
9 resolved to the satisfaction of the parties."

10 The parties further stipulated that Petitioners City of
11 Ashland and Jackson County would have their \$150 deposits
12 returned.

13 Based upon such stipulation, this matter is dismissed, and
14 Petitioners City of Ashland and Jackson County shall each have
15 their \$150 deposit for costs returned.

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LAND USE BOARD OF APPEALS
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 1000 FRIENDS OF OREGON

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

CITY OF ASHLAND,)	
)	
Petitioner,)	LUBA No. 81-008
)	
v.)	STIPULATION OF DISMISSAL
)	
BEAR CREEK VALLEY SANITARY AUTHORITY,)	
)	
Respondent.)	
)	
JACKSON COUNTY, OREGON,)	
)	
Petitioner,)	LUBA No. 81-010
)	
v.)	STIPULATION OF DISMISSAL
)	
BEAR CREEK VALLEY SANITARY AUTHORITY,)	
)	
Respondent.)	

IT IS hereby stipulated by and between Mark J. Greenfield, attorney for Petitioner City of Ashland, John L. DuBay, attorney for Petitioner Jackson County, Oregon, and Manville M. Heisel, attorney for Respondent, Bear Creek Valley Sanitary Authority, that these appeals may be dismissed for the reason that recent action by the Board of Commissioners of Jackson County makes the issues in these appeals moot and all matters in dispute have been resolved to the satisfaction of the parties.

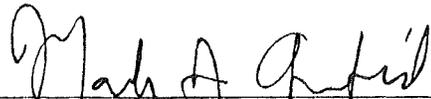
It is further stipulated that the deposit for costs submitted by Petitioners City of Ashland and Jackson County may be returned to them.

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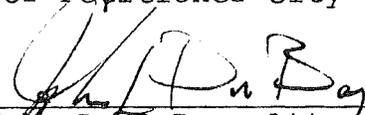
1 - STIPULATION OF DISMISSAL

Office of the County Counsel
 Jackson County Courthouse
 Medford, Oregon 97501
 Telephone 776-7092

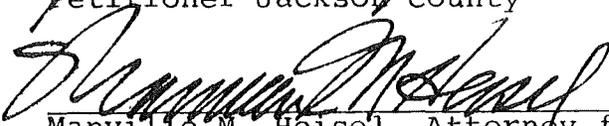
DATED this 9 day of December, 1982.



Mark J. Greenfield, Attorney
for Petitioner City of Ashland



John L. DuBay, Attorney for
Petitioner Jackson County



Manville M. Heisel, Attorney for
Respondent Bear Creek Valley
Sanitary Authority

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