

LAND USE
BOARD OF APPEALS
APR 24 10 41 AM '87

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

MICHAEL E. TAYLOR and)
BERNIE ESSLINGER,)
) LUBA No. 86-079
Petitioners,)
) FINAL OPINION
vs.) AND ORDER OF DISMISSAL
)
CITY OF WALDPOR,)
)
Respondent.)

Appeal from City of Waldport.

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Respondent City

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Respondent-Applicant Charles Darold

BAGG, Referee; DuBAY, Chief Referee; participated in the decision.

DISMISSED 04/24/87

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

1 Bagg, Referee.

2 Respondent City has filed a Motion to Dismiss this appeal
3 on grounds that petitioners have failed to file their Petition
4 for Review within the 21-day period provided in OAR
5 661-10-030(1).

6 Petitioners have not responded to the motion. ORS 197.830(7)
7 provides that the deposit for costs and filing fee be awarded to
8 the governing body if the Petition for Review is not timely filed
9 with the Board.

10 Accordingly, the appeal is dismissed. Petitioners' \$150
11 deposit for costs and \$50 filing are awarded to the City of
12 Waldport.