

LAND USE
BOARD OF APPEALS

BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

MAY 22 9 15 AM '80

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2
3 THE COMMITTEE TO SAVE YACHATS 804)
4 TRAIL, INC., an Oregon nonprofit)
5 corporation, WILLIAM C. ADAMS,)
6 and PAUL C. Scherer,)
7)
8 Petitioner,)
9)
10 v.)
11 THE CITY OF YACHATS,)
12)
13 Respondent,)
14)
15 and)
16)
17 CRAIG TOMLINSON,)
18)
19 Respondent.)

LUBA No. 80-014
FINAL OPINION AND
ORDER
(Dismissed)

Appeal from the City of Yachats.

15 Robert A. Taylor
16 Northwest Legal Advocates
17 795 Willamette Suite 220
18 Eugene, Oregon 97401
19 485-5222
20 Attorney for Petitioners

Evan P. Boone
Minor, Yeck and Beeson
P.O. Box 510
Newport, Oregon 97365
265-8888
Attorney for Respondent
City of Yachats

Paul B. Osterlund
P.O. Box F
Toledo, Oregon 97391
336-2257
Attorney for Respondent
Craig Tomlinson

23 Dismissed.

5/22/80

24 You are entitled to judicial review of this Order.
25 Judicial review is governed by the provisions of Oregon
26 Laws 1979, ch 772, sec 6(a).

1 REYNOLDS, Referee

2 This matter came before the Board on motion of respondents
3 City of Yachats and Craig Tomlinson to dismiss this appeal for
4 the reason that the city has rescinded the conditional use
5 permit that is the subject of this appeal. Petitioners do not
6 oppose the motion.

7 Now, therefore being fully advised, the Board orders that
8 this appeal be and the same hereby is dismissed. The Board
9 further orders that neither party shall recover costs in this
10 matter. Petitioners shall be refunded their deposit for costs
11 in the amount of \$150.

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