

JUL 8 2 44 PM '82

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

OREGON FOREST INDUSTRIES
COUNCIL,

Petitioner,

v.

LINCOLN COUNTY,

Respondent.

LUBA NO. 82-027

FINAL OPINION
AND ORDER

Appeal from Lincoln County.

David G. Frost
Frost & Hall
451 South First Ave.
Hillsboro, OR 97123

Attorney for Petitioner

Nancy Craven
Legal Counsel
Lincoln County Courthouse
PO Box 1221
Newport, OR 97365
Attorney for Respondent

Cox, Referee; Reynolds, Chief Referee; Bagg, Referee;
participated in the decision.

Dismissed.

7/08/82

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

1 COX, Referee.

2 Petitioner appealed the land use decisions of respondent
3 known as Ordinance No. 168 and Resolution No. 82-24-2.
4 Respondent Lincoln County filed a motion to dismiss on the
5 grounds that the Lincoln County Board of Commissioners on June
6 7, 1982 repealed ordinance 168 and amended Resolution 82-24-2
7 by Resolution 82-7-6. Petitioner has submitted a letter
8 indicating it has no objection to dismissal based upon
9 Lincoln's repeal of the ordinances. Because such ordinance
10 and resolution have been repealed and amended, respectively,
11 this appeal is moot. Therefore, it is ordered that the
12 foregoing appeal is dismissed.

13 It is also ordered petitioner shall be refunded its \$150
14 deposit for costs.

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