

LAND USE
BOARD OF APPEALS
FEB 22 8 35 AM '85

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

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ROBERT MASON,
Petitioner,
vs.
LINN COUNTY,
Respondent,
and
MOUNTAIN RIVER ESTATES, INC.,
an Oregon corporation,
Participant.

LUBA No. 84-048
FINAL OPINION
AND ORDER OF DISMISSAL

Appeal from Linn County.

Robert Mason
3635 N.W. Jackson Ave.
Corvallis, OR 97330

Lynn Rosik
Deputy District Attorney
Linn County Courthouse
Albany, OR 97321

Petitioner

Attorney for
Respondent County

Corinne C. Sherton
Attorney at Law
530 Center Street, N.E.
Suite 240
Salem, OR 97301

Attorney for
Mountain River Estates, Inc.

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

DISMISSED 02/22/85

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

1 Kressel, Referee.

2 Board review of this appeal was deferred by stipulation of
3 the parties in order to permit LCDC to review the challenged
4 plan and zoning amendment in an acknowledgement proceeding.
5 LCDC subsequently sustained certain goal-violation claims
6 raised by petitioner. See LCDC Order 84 COMP-383.

7 In a telephone conference with the parties, petitioner
8 indicated he did not intend to raise non-goal issues in this
9 appeal and had no objection to our dismissal of the appeal on
10 grounds the controversy is moot. Under the circumstances this
11 appeal should be dismissed.

12 Petitioner's \$150 deposit for costs shall be returned by
13 the Board.

14 DISMISSED.

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