

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

OREGON DEPARTMENT OF )  
TRANSPORTATION, )  
Petitioner, )

vs. )

CITY OF NEWPORT, )  
Respondent, )

and )

JOSEPH W. RITACCO and ROSALIE )  
RITACCO, )  
Intervenors-Respondent. )

LUBA No. 94-065

)  
FINAL OPINION  
AND ORDER

DEPARTMENT OF LAND CONSERVATION )  
AND DEVELOPMENT, )  
Petitioner, )

vs. )

CITY OF NEWPORT, )  
Respondent, )

and )

JOSEPH W. RITACCO and ROSALIE )  
RITACCO, )  
Intervenors-Respondent. )

LUBA No. 94-066

Appeal from City of Newport.

Celeste J. Doyle and Lucinda D. Moyano, Assistant  
Attorneys General, Salem, represented petitioners.

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2 Christopher Minor, Newport, represented respondent.

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4 Kurt Carstens, Newport, represented intervenors-  
5 respondent.

1 GUSTAFSON, Referee; LIVINGSTON, Chief Referee; HANNA,  
2 Referee, participated in the decision.

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4 DISMISSED 09/28/95

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6 You are entitled to judicial review of this Order.  
7 Judicial review is governed by the provisions of ORS  
8 197.850.

1 Gustafson, Referee.

2 All parties stipulate to dismissal of these  
3 consolidated appeals.

4 These appeals are dismissed.