

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 FRIENDS OF DESCHUTES
5 COUNTY and SISTERS FOREST
6 PLANNING COMMITTEE,
7 *Petitioners,*

8
9 vs.

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11 CITY OF SISTERS,
12 *Respondent.*

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14 LUBA No. 2004-055

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16 FINAL OPINION
17 AND ORDER

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19 Appeal from City of Sisters.

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21 Paul D. Dewey, Bend, represented petitioners.

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23 Steven D. Bryant, Redmond, represented respondent.

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25 BASSHAM, Board Member; HOLSTUN, Board Chair, participated in the decision.

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27 DISMISSED

05/24/2004

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

1 Bassham, Board Member.

2 The county moves to dismiss this appeal because the challenged decision has been repealed
3 and hence this appeal is moot. The county advises that petitioners do not object to dismissal, and
4 further that the parties have agreed that petitioners are entitled to their costs “in the amount of
5 \$325.” Respondent’s Motion to Dismiss 2.

6 This appeal is dismissed. The Board will return petitioners’ \$150 deposit for costs. If
7 petitioners believe they are the prevailing parties in this appeal, and thus entitled to an award of the
8 cost of the filing fee from respondent, they may file an appropriate cost bill pursuant to OAR 661-
9 010-0075(1).