

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

3
4 GERVERAIS SCHOOL DISTRICT,
5 *Petitioner,*

6
7 vs.
8

9 CITY OF GERVERAIS,
10 *Respondent.*

11
12 LUBA No. 2025-059
13

14 FINAL OPINION
15 AND ORDER
16

17 Appeal from City of Gervais.
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19 Anderson P. Beals represented petitioner.
20

21 Tyler C. Yeoman-Millette represented respondent.
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23 WILSON, Board Member; ZAMUDIO, Board Chair; BASSHAM, Board
24 Member, participated in the decision.

25
26 DISMISSED 01/23/2026
27

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

Opinion by Wilson.

2 The parties request that this appeal be dismissed. Accordingly, this appeal
3 is dismissed.¹

¹ On December 30, 2025, the city filed a stipulated motion to dismiss because the parties had entered a development agreement that resolves the basis for the appeal. The motion to dismiss, however, only included a “/s” form of electronic signature for petitioner’s attorney. On January 6, 2026, we sent the parties a notice of noncompliance stating that the “/s” form of electronic signature does not conform to our rules, *former* OAR 661-010-0075(2)(a)(A) (Jan 15, 2025), *renumbered as* OAR 661-010-0014(1)(e) (Jan 1, 2026), and to file a corrected motion to dismiss within seven days. Neither party responded to our notice of noncompliance. As petitioner was served with the motion to dismiss and the notice of noncompliance and has not objected to the motion to dismiss, petitioner has waived any objection to the motion to dismiss. Accordingly, we dismiss this appeal.