

Nov 3 2 12 PM '81

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

WESTSIDE NEIGHBORHOOD QUALITY)
PROJECT, INC., a nonprofit)
corporation and chartered)
citizen involvement committee,)
DAVID FIDANQUE, BRIAN)
SIMONITCH, PAULA MAHAN,)
MIKE GRAHAM, and SANDRA)
BISHOP,)

Petitioners,)

v.)

SCHOOL DISTRICT 4J BOARD OF)
DIRECTORS,)

Respondent.)

LUBA NO. 81-082

FINAL OPINION
AND ORDER

Appeal from School District 4J.

H. Thomas Andersen, Bill Kloos and Allen Johnson, Eugene,
attorneys for Petitioners.

Joe B. Richards, attorney for Respondent.

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

Dismissed.

11/03/81

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 Based upon a Stipulated Motion to Dismiss Appeal and For
3 Return of Deposit for Costs filed by the parties, a copy of
4 which is attached hereto, it is ordered that this appeal is
5 dismissed and petitioners' \$150 deposit for costs shall be
6 returned to them.

7 Dismissed.

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LAND
BOARD OF APPEALS

Nov 2 11 07 AM '81

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

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WESTSIDE NEIGHBORHOOD QUALITY)
PROJECT, INC., a nonprofit corp-)
oration and chartered citizen)
involvement committee, DAVID)
FIDANQUE, BRIAN SIMONITCH, PAULA)
MAHAN, MIKE GRAHAM, and SANDRA)
BISHOP,)
Petitioners,)
v.)
SCHOOL DISTRICT 4J BOARD OF)
DIRECTORS,)
Respondent.)

LUBA No. 81-082
STIPULATED MOTION TO DISMISS
APPEAL and FOR
RETURN OF DEPOSIT FOR COSTS

Petitioners and Respondent request dismissal of this proceeding, LUBA No. 81-082, which was initiated by filing a Notice of Intent to Appeal on July 13, 1981.

This Appeal challenged the decision by Respondent to close Lincoln Elementary School, which was made on June 8, 1981, and became final on June 17, 1981. That decision was recinded by Respondent on August 5, 1981.

A subsequent decision by the Respondent to close Lincoln School is the subject of a separate proceeding before this Board. See Or LUBA No. 81-096.

Petitioners and Respondent request that the \$150.00 deposit for costs be returned to Petitioners.

10/29/81
DATED

10-28-81
DATED

Bill Kloos
Bill Kloos
Of Attorneys for Petitioners

Joe B. Richards
Joe B. Richards
Attorney for Respondent

LOMBARD, GARDNER, HONIG, ETZ, JOHNSON & BREWER
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CERTIFICATE OF MAILING

I hereby certify that I served the foregoing Final Opinion and Order for LUBA No. 81-082, on November 3, 1981, by mailing to said parties or their attorney a true copy thereof contained in a sealed envelope with postage prepaid addressed to said parties or their attorney as follows:

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Dated this 3rd day of November, 1981.



Jeanne Hubbard
Secretary to the Board