

BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

APR 17 2 30 PM '84

3 SANFORD WHITING, DELORIS)
 WHITING, STEPHEN S. BROWN,)
 4 FRED ZAPPELLI, JANET ZAPPELLI,)
 FRANCIS C. MARTHALLER, MELINDA ()
 5 M. MARTHALIER, GARY W.)
 LOVEALL, CAROLYUN Z. LOVEALL,)
 6 DONALD L. FRENCH, PATRICIA)
 FRENCH, RICHARD W. PATTON,)
 7 MARILEE K. PATTON, ANN FISHER,)
 LEE FISHER, DON HOSHINO and)
 8 SUSAN HOSHINO,)
)
 9 Petitioners,)
)
 10 vs.)
)
 11 CITY OF TOLDEO, a municipal)
 corporation,)
 12)
 Respondent.)

LUBA No. 84-018
 FINAL OPINION
 AND ORDER

14 Appeal from City of Toledo.

15	Dennis L. Bartoldus	Daniel Ousley
	Attorney at Law	Attorney at Law
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	Newport, OR 97365	Toledo, OR 97391

17 DuBay, Referee.

18 DISMISSED. 04/17/84

19 You are entitled to judicial review of this Order.
 20 Judicial review is governed by the provisions of Oregon Laws
 1983, ch 827.

1 DuBay, Referee.

2 The parties in this appeal have filed a stipulated motion
3 to dismiss on the grounds that petitioners have "withdrawn
4 their request for a conditional use permit" and that any issue
5 to be decided by the Land Use Board of Appeals in this matter
6 is now moot.

7 It is ordered that the foregoing appeal is dismissed and
8 petitioners' \$150 deposit for costs shall be returned.

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