

## **RESOLUTION NO. 2320**

### **RESOLUTION APPROVING THE LEGAL SETTLEMENT REGARDING THE PROPERTY LOCATED AT 950 JACKSON PARK ROAD**

#### **THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:**

1. The city revoked an occupancy permit issued for the structure known as Shed B which the landowners constructed on the premises located at 950 Jackson Park Road, Troutdale.
2. The landowners objected to the revocation and appealed the matter to the Land Use Board of Appeals, also reserving their rights to file other actions, by filing a tort claim notice.
3. The city and the landowners have negotiated a resolution of the disputes between them, including a Settlement Agreement, attached hereto, and restrictive covenants limiting the uses of Shed B. In addition, the landowners have made physical modifications to Shed B which allow the city to issue a certificate of occupancy as a commercial building for a home occupation.

#### **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:**

Section 1. The City Council adopts the facts and analysis in the staff report dated December 2, 2015.

Section 2. The City Manager is authorized and directed to execute the settlement agreement in substantially the form as attached to this Resolution, together with other documents contemplated in the Settlement Agreement, and to take any further action to implement the Settlement Agreement.

Section 3. This Resolution takes effect on the date of passage entered below.

**YEAS: 7**  
**NAYS: 0**  
**ABSTAINED: 0**

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*Doug Daoust*

Doug Daoust, Mayor

12/9/15

Date

*Sarah Skroch*

Sarah Skroch, City Recorder

**Adopted: December 8, 2015**