

Introduced by: Councilmember Smith

**CITY OF TAKOMA PARK, MARYLAND
RESOLUTION 2017-26**

**SETTLEMENT OF CIRCUIT COURT CASE
*City of Takoma Park v. Marcial Properties, Inc.***

WHEREAS, on March 16, 2017, the City Council voted in closed session to authorize the settlement of this case pursuant to advice of the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, that the City Attorney is authorized to execute the Consent Order under which the City of Takoma Park will obtain a right of way easement over the alley connecting Winding Hill Way to Flower Avenue, requiring defendant to keep the right of way free of parked cars and other obstructions in exchange for the City's payment of \$15,000.00, granting the Defendant the right to retain gates across the alley and close the gates overnight so long as Defendant owns the property, and installing speed humps if feasible under City law.

BE IT FURTHER RESOLVED that the City Manager and City Attorney are hereby authorized to execute documents and take any action necessary to carry out the intent of the Consent Order.

Adopted this 5th day of April, 2017.

ATTEST:

Jessie Carpenter, CMC
City Clerk