

THE CITY OF NEWPORT

**RESOLUTION
OF THE
COUNCIL
No.2024-106**

WHEREAS: in 2012, 802 Partners, LLC, Forty 1° North, LLC and Newport OnShore Marina filed suit against the City of Newport, The Inn Owners Association, Astoria Realty Trust, 2ML Property Management, LLC and CRMC (*802 Partners, LLC et als. v. City of Newport, et als*, NC2012-0056) to block the construction of an addition to the Ann Street Pier and to establish their littoral rights in the waters surrounding the Ann Street Pier; and

WHEREAS: in 2013, 802 Partners, LLC filed suit against CRMC and the City of Newport appealing the CRMC approval of the City's Ann Street Pier extension (*802 Partners v. Coastal Resources Management Council and the City of Newport*, PC2013-4940; and

WHEREAS: after substantial and lengthy settlement negotiations, the parties have come to a Settlement Agreement that would increase the length of the Ann Street Pier 210' which would allow the City to operate the maritime center and pier in a financially viable manner and accounts for the use of the Pier during the "off-season"; and

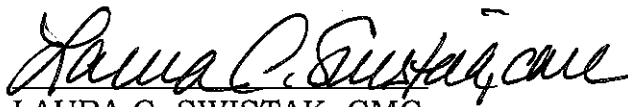
WHEREAS: this Settlement Agreement will resolve the outstanding litigation aforesaid and allow for a 210' extension of the existing Ann Street Pier.

NOW THEREFORE, BE IT

RESOLVED: the City Council approves the proposed draft Settlement Agreement as full and final settlement of the litigation aforescribed, subject to further minor revisions that may be made as the result of Court and CRMC review of the same; and BE IT FURTHER

RESOLVED: that the Mayor is authorized to sign said Settlement Agreement on behalf of the City, upon further review and approval by the City Solicitor.

IN COUNCIL
READ AND PASSED
OCTOBER 9, 2024

A handwritten signature in cursive script, appearing to read "Laura C. Swistak".

LAURA C. SWISTAK, CMC
CITY CLERK