

STATE OF MAINE
CUMBERLAND, ss

DISTRICT COURT
Location: Portland
Docket No. CV-~~16-529~~

17-312

CITY OF PORTLAND,)
)
 Plaintiff,)
)
 v.)
)
 SYLVIA GUIDI,)
)
 Defendant.)

CONSENT JUDGMENT AND ORDER

(Title to Real Estate Involved)

The parties, the City of Portland (the "City") and Sylvia Guidi, hereby consent to the entry of judgment pursuant to 30-A M.R.S. § 4452, the City of Portland Code of Ordinances ("Portland Code"), and M.R. Civ. P. 80K.

WHEREAS, Ms. Guidi is the owner of a residential property at located at 240 Brighton Avenue in Portland, Maine, which is further described in the Warranty Deed recorded in the Cumberland County Registry of Deeds at Book 19899, Page 146, and is also shown on the City of Portland Tax Maps at CBL 186A F009001 (the "Property");

WHEREAS, violations of the City of Portland Code of Ordinances exist on the Premises, specifically, two unpermitted dwelling units (the "Units"); and

WHEREAS, the parties now wish to settle this dispute between them and Ms. Pomroy wishes additional time to correct the outstanding violations.

NOW, THEREFORE, the parties agree, and it is hereby ORDERED, as follows:

1. By no later than August 11, 2017, Ms. Guidi shall submit full and complete after-the-fact conditional use applications for approval of the Units.

- a. If the conditional use approval for one or both of the Units are denied, Ms. Guidi shall fully remove the unpermitted unit(s) within 30 days of the final decision of denial.
 - b. If the conditional use approval is granted, Ms. Guidi shall submit full and complete building permits for the approved unit(s) within 30 days of the conditional use decision.
 - i. If the building permits are granted, work shall be completed within 30 days of the date the permits are granted.
 - ii. If the building permits are denied, Ms. Guidi shall fully remove the unpermitted unit(s) within 30 days of the final decision of denial.
2. Ms. Guidi shall maintain the Premises in full compliance with the City of Portland Code of Ordinances moving forward.
3. By no later than August 11, 2017, Ms. Guidi shall pay to the City:
- a. Civil penalties in the amount of \$500, and
 - b. Costs in the amount of \$212.28, comprised of a \$150 filing fee and \$62.28 in service costs.
4. If Ms. Guidi fails to meet any of the requirements of this Agreement within the timeframes provided, she shall, within 30 days of notice by the City:
- a. Pay to the City of Portland civil penalties in the amount of \$17,500, which amounts to \$100 per day from the date the violations were discovered on January 17, 2017 until the initial appearance in this matter on July 10, 2017, and
 - b. Remove the Units, regardless of whether permits have been granted.

SEEN AND AGREED,

Date: 8/4/17

CITY OF PORTLAND

Christina Stacey
By: Christina Stacey
Its: Zoning Specialist

Date: 8/2/17

SYLVIA GUIDI

Sylvia Guidi

SO ORDERED,

Date: 17 Aug 17

The Clerk is specifically directed pursuant to District Court Rule 79 (a) to enter this Order/Judgment in the Civil Docket by a notation incorporating it by reference.

Judge
Judge, District Court