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MEMO

TO: Chris Holden, John Quinn, Madia Street neighbors (through Mr. Fishon)
FROM: Paul Little
CC: Dan Rix, Martin Pastucha
RE: Resolution of issues surrounding Madia Street Vacation
DATE: October 20, 2006

First, thank you all for coming out on a Saturday and taking time to work for a reasonable resolution of this issue. I appreciate everyone's willingness to talk through the issues and come to a consensus resolution.

Here is my understanding of the "terms and conditions" agreed upon at last Saturday morning's meeting of the Madia Street neighbors. (Understanding full well that every neighboring property wasn't represented, but that many were, and those present seemed to have constituted the leadership in the discussions previously.)

Please let me know by return e mail if I've missed anything or misstated any of the agreed-upon points and I will amend the memo prior to presenting the information to the City Council.

Per agreement with the Quinn Family, Madia Street neighbors will also include the property directly across from the entrance to Madia Street on Linda Vista *currently belonging to the Millers*.

Here are the agreement points:

- 1.) Madia Street neighbors will have access to the "Quinn Gardens" seven days per week from sunrise to sunset. On special Rose Bowl event days, neighbors' use will extend to a reasonable time after the end of said event so that neighbors can enjoy the event. (4th of July fireworks, for example.)
- 2.) In exchange for seven day access, the Quinns will install a low fence or hedge, conforming with City front yard regulations, with a locking gate. The gate lock will be "keypad" activated and the Madia Street neighbors will have the keycode.
- 3.) The Quinn Family prefers that there be no alcohol or food consumption on the part of the neighbors using the Quinn Garden, but recognized that neighbors may want to eat or enjoy an alcoholic beverage from time to time. The Quinns are amendable to being "neighborly" and ask that the neighbors call in advance, behave reasonably and leave the garden as they find it after use, but the alcohol and food prohibition will remain as stated in the adopted resolution.
- 4.) In the event of use disputes, there will be mutual arbitration as set forth previously. It is also understood that the Quinns and the affected neighbors will discuss the problem first and try to work out a reasonable solution among themselves.
- 5.) An entire property will not be penalized should there be a violation of the use rules for Quinn Gardens. Simply put, if there is a violation of use rules, the

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individual or individuals responsible will be banned from use, as set forth previously, not everyone residing at the address with the offending parties.

- 6.) *Proposed rule changes that impact the access rights of either party can only be done by mutual agreement. All other types of proposed rule changes may be arbitrated if the parties cannot reach mutual agreement.*
- 7.) If it is not already so deemed, the property will be treated by the City of Pasadena as if it is a front yard property, for permitting, fencing and land use purposes.
- 8.) The cul-de-sac turn-around will be constructed 12 feet east of the present configuration. The turn-around will be centered on the street, or a few feet south as the City Engineer may agree. The City Council will approve removal of the existing non-native tree to allow for the revised cul-de-sac and turn-around configuration. The Quinns will pay for the tree removal, but any city fees pertaining to removal of the tree will be waived.
- 9.) Quinns will record an easement against the vacated property giving access to the vacated property to the Madia Street neighbors on the terms and condition of the proposed terms of easement previously before the City Council and as amended here.

While not subject to the agreement, I came away from the meeting that Saturday morning with the expectation that everyone party to the agreement was a neighbor, and that each would treat any others in a courteous, neighborly manner.