

RESOLUTION #R2021-43

**A RESOLUTION APPROVING A SETTLEMENT AGREEMENT
FOR THE 223 NORTH MAIN PROPERTY**

WHEREAS the City of Mitchell has been engaged in a lawsuit in federal court (File # Civ. 19-4187) relating to the 223 North Main property; and

WHEREAS the parties to such lawsuit engaged in mediation on May 11, 2021 and reached a settlement agreement which will resolve all remaining issues between the parties; and

WHEREAS such mediated settlement agreement called for the further execution of a formal Settlement Agreement and Release in relation to the above described subject matter.

THEREFORE, BE IT RESOLVED by the City Council of the City of Mitchell, SD that the formal Settlement Agreement and Release above described is hereby approved. The Mayor shall execute the Settlement Agreement and Release, so long as the same is in substantially the same form as presented to council, and take such further actions as are necessary and prudent in order to effectuate the terms and intent thereof.

Adopted by the Mitchell, South Dakota City Council in regular session this ____ day of _____, 2021, with:

____ votes cast in favor of adoption,
____ votes cast against adoption, and
____ votes abstaining.

(seal)

Robert B. Everson, Jr. – Mayor

Attest:

Michelle Bathke – City Finance Officer