

# COUNCIL OF THE CITY OF ABERDEEN

## Resolution No. 11-R-12

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Introduced by: Mayor Michael E. Bennett

Date Introduced: November 21, 2011

Date Adopted: November 21, 2011

Date Effective: November 21, 2011

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## RESOLUTION NO. 11-R-12

AN ACT of the MAYOR AND CITY COUNCIL OF ABERDEEN approving, accepting and authorizing settlement in the pending litigation.

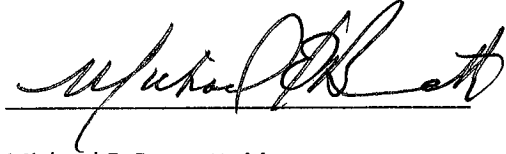
WHEREAS, the City of Aberdeen has entered into a legal services agreement with the law firms of Baron and Budd, P.C., Weitz and Luxenberg, P.C., and Funk and Bolton. P.A. (hereinafter collectively referred to as "Legal Counsel") for representation of the City of Aberdeen in litigation (the "MTBE Litigation") from contamination of the City of Aberdeen's public groundwater well field by a gasoline additive known as methyl tertiary butyl ether (MTBE); and

WHEREAS, Legal Counsel has advised that the settlement in principal has been reached among the parties in the MTBE Litigation and that order to finalize such settlement each plaintiff jurisdiction is required to approve the settlement accord and authorize a designee of the City to execute any and all settlement documents on the advice of Legal Counsel, in acceptance of the terms therein described.

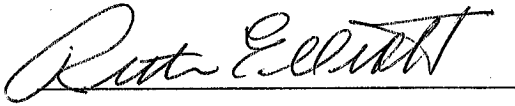
NOW, THEREFORE, BE IT HEREBY RESOLVED this 21<sup>st</sup> day of November, 2011, by the Mayor and City Council of the City of Aberdeen, that pursuant to the settlement terms and conditions recommended by Legal Counsel the Mayor is hereby authorized and directed to take any and all action necessary or appropriate in furtherance of settling the MTBE Litigation including the prior and future execution and delivery of all documents and certificates in connection with the approval of the MTBE Litigation settlement.

(Resolution No. 11-R-12)

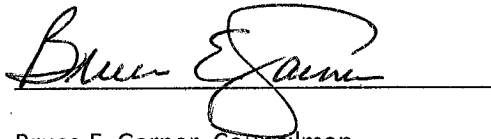
COUNCIL OF THE CITY OF ABERDEEN



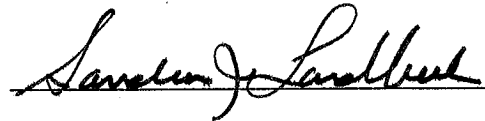
Michael E. Bennett, Mayor



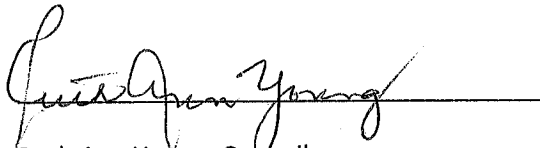
Ruth E. Elliott Councilwoman



Bruce E. Garner, Councilman

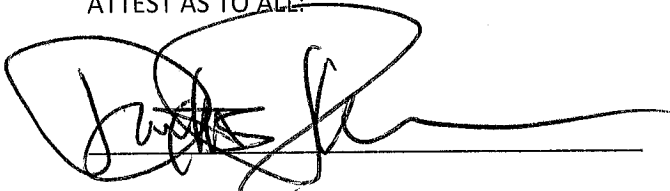


Sandra J. Landbeck, Councilwoman



Ruth Ann Young, Councilwoman

ATTEST AS TO ALL:



Douglas R. Miller, City Manager

Date: Nov. 21, 2011