

RESOLUTION NO. 3380

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE SETTLEMENT OF THE PENDING LITIGATION BETWEEN THE CITY OF RED LODGE AND THOMAS AND LYNDEE MOLLRING, TRUSTEES OF THE MOLLRING REVOCABLE TRUST.

WHEREAS, the City is currently litigating Civil Cause No. DV-13-80 in Montana's Twenty Second Judicial District Court, Carbon County, entitled the City of Red Lodge, a Municipal Corporation, Plaintiff v. Thomas and Lyndee Mollring, Trustees for the Mollring Trust, Defendants, Thomas and Lyndee Mollring, Trustees for the Mollring Revocable Trust, Counter-plaintiffs and Third-Party Plaintiffs v. the City of Red Lodge, a Municipal Corporation, Counter-defendant, and Brian C. Roat, Forrest G. Sanderson and Orval "Skip" Boyer, Third-Party Defendants.

WHEREAS, the Parties have reached an agreement resolving all issues in the case; and

WHEREAS, the City Attorney is recommending settlement of all claims in the litigation pursuant to the attached Settlement Agreement and Release, Memorandum of Agreement, and Encroachment Permit; and

WHEREAS, the City Council finds it is in the best interest of the public to settle and fully resolve the litigation as recommended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Red Lodge, Montana, that the proposed settlement of Civil Cause No. DV-13-80 is hereby accepted and approved; and

BE IT FURTHER RESOLVED, the Mayor is authorized to execute the settlement documents, namely the attached Settlement Agreement and Release, Memorandum of Agreement, and Encroachment Permit on behalf of the City of Red Lodge as a full resolution of the case.

Approved by the City Council of the City of Red Lodge, Montana, this 9th of December 2014.

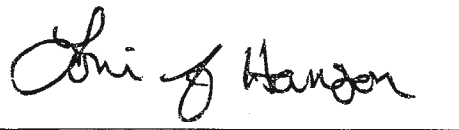
City of Red Lodge.

By:


Mayor Ed Williams

Attest:

By:



Loni Hanson, City Clerk