

★ Roll Call Number

12-1937

Agenda Item Number

26

Date December 17, 2012

WHEREAS, The City of Des Moines has a lawsuit against Sivi Properties, L.L.C. and Real Optics, Inc. arising out of damage caused to City trees; and

WHEREAS, it is the opinion of the Legal Department that acceptance of a mutually-agreeable payment amount would be in the best interest of the City of Des Moines; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That the City accept the sum of \$10,000.00 from Sivi Properties, L.L.C. and Real Optics, Inc., and the settlement agreement be entered into on behalf of the City, and the Legal Department is authorized to execute all documents necessary to effectuate the terms of the settlement agreement.

FORM APPROVED:

MOVED BY Hensley TO ADOPT.

Gary D. Goudelock, Jr. Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

T. M. Franklin Council Mayor

Diane Rauh City Clerk