

VILLAGE OF BRADLEY

RESOLUTION NO. R-8-14-1

**A RESOLUTION APPROVING AN ADDENDUM TO THE SETTLEMENT
AGREEMENT WITH SUMMERFIELD SOUTH 170, LLC**

ADOPTED BY THE
BOARD OF TRUSTEES
VILLAGE OF BRADLEY

This 11 day of August, 2014

CERTIFICATE:


Michael J. LaGesse, Village Clerk

RESOLUTION NO. R-8-14-1

A RESOLUTION APPROVING AN ADDENDUM TO THE SETTLEMENT AGREEMENT WITH SUMMERFIELD SOUTH 170, LLC

WHEREAS, the Village of Bradley ("Village") is an Illinois municipal corporation, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq.; and

WHEREAS, the Village commenced a lawsuit in the Circuit Court of the Twenty First Judicial Circuit, Kankakee County, Illinois, as Case No. 2012 L 133, in which the Village sought recovery under Phase I and Phase II Performance Bonds; and

WHEREAS, the Village sought and obtained leave to add Summerfield South 170, LLC ("Summerfield") as a defendant in Case No. 2012 L 133, and thereafter reached a settlement agreement (hereinafter the "Settlement") as to all matters related to the Phase I and Phase II Performance Bonds and as to all matters raised in the above referenced litigation; and

WHEREAS, the Village approved said Settlement (attached hereto as Exhibit A) by way of Resolution no. R-1-14-2; and

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village to adopt an addendum to the settlement, attached hereto as Exh. B.

NOW THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Bradley, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference as though fully set forth.

Section 2. Addendum to the Settlement Agreement Approved. The Addendum to the Settlement Agreement between the Village and Summerfield is approved in substantially the form as attached in Exhibit B, subject to the review and approval of the Village Attorney.

Section 3. Execution of Addendum. The Village President and the Village Clerk are directed to execute the Addendum to the Settlement Agreement on behalf of the Village in substantially the form attached, subject to the review and approval of the Village Attorney, and are authorized to execute any and all such other documents as may be necessary to effectuate the terms and intent of the Addendum to the Settlement Agreement.

Section 4. Severability and Repeal of Inconsistent Ordinances and Resolutions. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Resolution. All existing resolutions of the Village of Bradley are hereby repealed insofar as they may be inconsistent with the provisions of this Resolution.

Section 5. Effective Date. This Resolution shall be in full force and effect from and

after its passage and approval as provided by law.

PASSED this 11 day of August, 2014

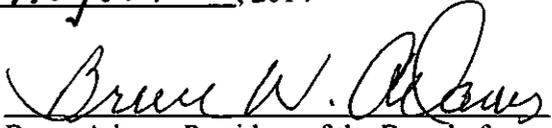
TRUSTEES:

Jerry Balthazor:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Robert Redmond:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Lori Gadbois:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
George Golwitzer:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Eric Cyr:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Melissa Carrico:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

Bruce Adams: Aye - Nay - Absent -

TOTALS: AYE - 6 NAY - 0 ABSENT - 0

APPROVED this 11 day of August, 2014


 Bruce Adams, President of the Board of
 Trustees of the Village of Bradley

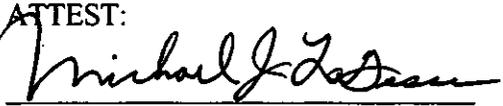
ATTEST:

 Michael J. LaGesse, Village Clerk

EXHIBIT A

ORIGINAL SETTLEMENT AGREEMENT AND MUTUAL RELEASE

EXHIBIT B

**ADDENDUM TO THE
ORIGINAL SETTLEMENT AGREEMENT AND MUTUAL RELEASE**