

TOWN OF LYONS, COLORADO
RESOLUTION 2020-16

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO APPROVING A MUTUAL
RELEASE AND SETTLEMENT AGREEMENT BETWEEN THE TOWN OF LYONS,
COLORADO AND LYONS PROPERTIES, LLC.**

WHEREAS, the Town of Lyons (the "Town") filed a lawsuit against Lyons Properties, LLC ("Lyons Properties") in Boulder County District Court to enforce the Memorandum of Agreement ("MOA") between the Town and Lyons Properties (the "Lawsuit"); and

WHEREAS, the MOA required Lyons Properties to provide to the Town, "to dedicate to [Lyons] one additional water share that is acceptable to the City of Longmont for water provided to 501 W. Main St., Lyons, CO 80540"; and

WHEREAS, the Town filed the Lawsuit to enforce the provision that Lyons Properties provide a water share pursuant to the requirements of the MOA; and

WHEREAS, Town wishes to approve a Mutual Release and Settlement Agreement which satisfies Lyons Properties obligation of providing a water share upon payment of \$70,000 to the Town following approval of this Resolution; and

WHEREAS, the Town Attorney has prepared a Mutual Release and Settlement Agreement, attached hereto as **Exhibit A**, and incorporated by reference, which is acceptable to Lyons Properties to resolve the Lawsuit.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Town Board of Trustees hereby:

- (a) Approves the Mutual Release and Settlement Agreement in substantially the form attached as in **Exhibit A**.
- (b) Authorizes the Mayor or Mayor Pro Tem to execute the complete Mutual Release and Settlement Agreement on behalf of the and the Town Clerk to attest such signature.

Section 3. This Resolution shall take effect immediately upon adoption.

ADOPTED this 21st day of January 2020.

TOWN OF LYONS

By: _____
Connie Sullivan, Mayor

ATTEST:

Dolores M. Vasquez, CMC, Town Clerk

Attachment:

Exhibit A - Mutual Release and Settlement Agreement