

RESOLUTION NO. 21-XXX It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, the Board of County Commissioners previously authorized the County Attorney to engage in settlement negotiations in an effort to resolve that pending litigation known as Cherry Creek Valley Water & Sanitation District v. Board of County Commissioners of the County of Arapahoe, *et al.*, 21CV030385 (Arapahoe County District Court); and

WHEREAS, a mutually satisfactory resolution to the litigation has been achieved between the parties consistent with the parameters previously designated by the Board; and

WHEREAS, the County Attorney has recommended that the Board formally approve and authorize the terms and execution of a settlement agreement reflective of the agreement negotiated between the parties; and

WHEREAS, the Board has been fully apprised of the facts, circumstances, and terms of the parties' negotiated settlement agreement and the proposed dismissal of the pending litigation with prejudice.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for the County of Arapahoe, Colorado, that the Chair of the Board is authorized execute a settlement agreement on behalf of the Board of County Commissioners of Arapahoe County for the purpose of fully and finally resolving the case Cherry Creek Valley Water & Sanitation District v. Board of County Commissioners of the County of Arapahoe, *et al.*, 21CV030385 (Arapahoe County District Court), subject to approval as to the form of the agreement by the County Attorney's Office.

The vote was:

Commissioner Baker, _____; Commissioner Holen, _____; Commissioner Jackson, _____; Commissioner Sharpe, _____; and Commissioner Warren-Gully _____.

The Chair declared the resolution adopted and so ordered