TOWN OF LEEDS
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CERTIFICATE OF POSTING

I, Robert W. Goldsberry, duly appointed and acting Clerk/Recorder for the Town of Leeds, hereby certify that the forgoing resolution 2013-06 was passed by the Leeds Town Council on the 24 day of April, 2013, and that copies of the foregoing resolution were posted at four public places within the Town this 1st day of May 2013, which public places were:

Leeds Town Hall

Leeds Post Office

Leeds Town Website

Utah State Public Notice Website

Dated this 1st day of May 2013.

Robert W. Goldsberry, Clerk/Recorder

TOWN OF LEEDS
RESOLUTION # 2013-06

A RESOLUTION APPROVING AND DIRECTING THE TOWN'S PARTICIPATION IN MEDIATION AND SETTLEMENT NEGOTIATIONS BEFORE THE OFFICE OF THE PROPERTY RIGHTS OMBUDSMAN REGARDING THE GRAPEVINE WASH FINAL DEVELOPMENT AGREEMENT

RECITALS

WHEREAS, the Town of Leeds, Utah ("Town") has determined that it is in the best interests of the Town to participate in mediation and settlement negotiations scheduled for May 10, 2013 ("Mediation") with MISI Investments, LLC; MSH Investments, LLC; Tuscan Lenders Groups, LLC; Vijaya L. Sharma Family Trust; and The Simpkins 1975 Trust (collectively hereinafter "Developers") before Brent N. Bateman of the Office of the Property Rights Ombudsman ("OPRO"); and

WHEREAS, the Mediation is intended as a good faith effort to resolve the Developers' issues with conditions placed on a mixed-use development project within the Town known as Grapevine Wash (the "Project"); and

WHEREAS, the Developers have filed a Petition for Judicial Review seeking relief in the Fifth Judicial District Court in and for Washington County, State of Utah and asking that court to negate conditions placed on the Project by the final development agreement as approved by the Town; and

WHEREAS, the Town Council held an Executive Session to discuss the parameters of acceptable settlement and to impart authority to enter a settlement agreement on behalf of the Town should the Town and the Developers come to a settlement.

RESOLUTION

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby authorizes and directs the following members of the Town Council:

Angela Rohr

Wayne Peterson

Frank Lojko

("Mediation Representatives") to participate in the Mediation as set forth above; and

BE IT FURTHER RESOLVED that, as part of the Mediation, the Town Council hereby authorizes and directs the Mediation Representatives to negotiate settlement terms and execute, on behalf of the Town Council, a binding written settlement agreement, if one can be reached within the parameters discussed and authorized in the Executive Session held on the date set forth below; and

BE IT FURTHER RESOLVED that the Mediation Representatives are authorized to negotiate settlement terms that are outside of the parameters discussed and authorized in the Executive Session held on the date set forth below, but that before a binding written settlement agreement is executed, the Mediation Representatives must seek the approval and consent of the Town Council as indicated in a majority vote of said Council conducted at the next regularly scheduled Town Council Meeting, or earlier if a properly noticed special Town Council Meeting is convened.

APPROVED and signed this 24th day of April, 2013.

TOWN OF LEEDS
a Utah municipal corporation

Angela Rohr

Angela Rohr, Mayor

ATTEST:

Town of Leeds Recorder