

RESOLUTION NO. 1004

A RESOLUTION AUTHORIZING PAYMENT OF ATTORNEY'S FEES AND COSTS IN THE MATTER OF CITY OF BROKEN ARROW V. BONNIE E. BLALACK LIVING TRUST, CASE NO. CV-2013-00320

WHEREAS, on January 11, 2017 this matter was tried before Judge Rebecca Nightingale in the District Court in and for Tulsa County;

WHEREAS, the Defendant was awarded judgement against the City which exceeded the Commissioners' award by 10% thus entitling Defendant to recover attorney's fees, court costs and expert witness fees;

WHEREAS, on March 1, 2017, Defendant filed an Application for Assessment of Defendant's Attorney's Fees, Expert Witness Fees and Court Costs requesting a \$62,960.01 award consisting of \$39,750 in attorney's fees, \$3,560.01 in Court Costs and \$19,650.00 in expert witness fees;

WHEREAS, the City Council has determined that such resolution is a just and reasonable settlement; and

WHEREAS, it is the desire of the Council to approve such payment of \$62,960.01 by authorizing the City Attorney to prepare and file all the necessary documents to resolve this case.

NOW, THEREFORE, BE IT RESOLVED that the City Attorney be and is hereby directed to agree to entry of judgment in the amount of \$62,960.01 in the matter of City of Broken Arrow v. Bonnie E. Blalack Living Trust, Case No. CV-2013-00320 to resolve Defendant's Application for Attorney's Fees, Expert Witness Fees and Court Cost and to execute all necessary documents to effectuate the settlement for the Court's approval.

ADOPTED AND APPROVED by the Mayor of the Council of the City of Broken Arrow, Oklahoma, this 21st day of March, 2017

MAYOR

ATTEST:

(seal) City Clerk

APPROVED AS TO FORM:

City Attorney