

RESOLUTION

A RESOLUTION AUTHORIZING THE SETTLEMENT
OF LITIGATION THROUGH ENTRY INTO A CONSENT DECREE

WHEREAS, the Milton Township Board of Trustees authorized the institution of litigation captioned *Milton Township v. Heirs of Ira Jewell, et al.*, which is currently pending in the Eighteenth Judicial Circuit Court under Case No. 2004 MR 000259 by which the Township sought an order of Court granting it the power to control and maintain the Jewel Grove Cemetery; and

WHEREAS, named Defendant Timothy Doyle, and his wife, Marcelle Doyle, filed a Counterclaim in the litigation seeking an order of Court granting it fee simple title to a portion of the Jewel Grove Cemetery commonly referred to as the "carriage way;" and

WHEREAS, the parties appearing in this litigation have determined that it is in their best interests to compromise and settle the litigation on terms set forth in a Consent Decree to be entered by the Court; and

WHEREAS, the corporate authorities have reviewed the terms of the proposed settlement and deem the settlement to be in the best interests of the Township and its residents, and which settlement does not require the expenditure of any funds.

NOW, THEREFORE, BE IT RESOLVED by The Milton Township Board, in regular session assembled, as follows:

Section 1. The recitals set forth herein are adopted here as though fully set forth.

Section 2. The Chairman is hereby authorized to execute, and the Clerk to attest thereto, the necessary documents to fully compromise and settle the litigation captioned *Milton Township v. Heirs of Ira Jewell et al.*, Case No. 2004 MR 000259 on terms deemed acceptable by the Chairman and Trustees and as drafted by counsel.

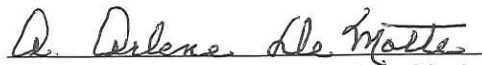
Adopted this 8th day of November, 2005, by the Milton Township Board in meeting assembled.



O. Chris Heidorn, Chairman
Milton Township Board

(SEAL)

ATTEST:


A. Arlene DeMotte, Township Clerk