

RESOLUTION NO. 2011-77

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
APPROVING A SETTLEMENT AGREEMENT AND MUTUAL RELEASE
WITH CHARLES C. TRABOULSI
REGARDING ASSESSOR'S PARCEL NO. 045-041-018**

WHEREAS, the City of Rohnert Park ("City") owns certain real property consisting of approximately 18.21 acres and commonly known and referred to as Sonoma County Assessor's Parcel Number 045-041-018 ("Property");

WHEREAS, the City Council approved a Land Purchase Agreement on November 8, 2005 via Resolution 2005-331 in which Mr. Charles C. Traboulsi agreed to purchase the Property from City;

WHEREAS, the City Council approved a Grant of Easement Agreement with Mr. Traboulsi via the adoption of Resolution 2006-273 which also related to the Property;

WHEREAS, neither the Land Purchase Agreement or Grant of Easement Agreement contemplated in said Resolutions were fully executed;

WHEREAS, the City Council rescinded Resolutions Nos. 2005-331 and 2006-273 by a separate resolution; and

WHEREAS, the parties have agreed to terminate the real property exchange pursuant to a Settlement Agreement and Mutual Release which dismisses certain released claims that the parties may have with each other.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park that the Settlement Agreement and Mutual Release, which is attached hereto and incorporated by this reference as Exhibit A, is hereby approved and adopted.

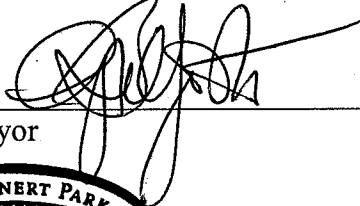
BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute said Settlement Agreement and Mutual Release on behalf of the City;

BE IT FURTHER RESOLVED that the City Council hereby adopts the Certificate of Acceptance included with said Settlement Agreement and Mutual Release;

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute and deliver the escrow cancellation instructions included with said Settlement Agreement and Mutual Release on behalf of the City;

DULY AND REGULARLY ADOPTED by the City Council of the City of Rohnert Park this 23rd day of August, 2011.

CITY OF ROHNERT PARK



Mayor

ATTEST:

Suei Siper

City Clerk



AHANOTU: <u>AYE</u> CALLINAN: <u>ABSENT</u> MACKENZIE: <u>ABSENT</u> STAFFORD: <u>AYE</u> BELFORTE: <u>AYE</u> AYES: (3) NOES: (0) ABSENT: (2) ABSTAIN: (0)
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