

RESOLUTION NO. 550

A RESOLUTION OF THE CITY OF KIRKLAND, WASHINGTON

WHEREAS, Neal Tolbert, dba T & M Construction Company, has heretofore filed a claim for damages in the amount of \$16,500.00 with the Clerk of the City of Kirkland and commenced thereon a lawsuit known as Neal Tolbert dba T & M Construction Company, Plaintiff, vs. The City of Kirkland, Defendant, Vandivort Construction, Inc., and the Washington State Library, Additional Defendants, King County Superior Court Cause No. 647462, growing out of the calling for bids and award of contract for construction of the Kirkland Library Building, and

WHEREAS, the complaint in said lawsuit did further seek a declaration voiding the contract between the City of Kirkland and Vandivort Construction, Inc., for the construction of said library and to enjoin the City of Kirkland from performing the same, and

WHEREAS, the plaintiff has tendered an offer in compromise and settlement in the amount of \$1,000.00 which, if accepted, would result in immediate disposition of said lawsuit,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KIRKLAND DO RESOLVE AS FOLLOWS:

1: For reason of the imposition on the time, efforts and energy of the public officials and employees of the City of Kirkland and the expense and delay attendant in litigation, it is in the best interests of the City of Kirkland and its citizens that said offer in compromise and settlement be accepted.

2: That the City Attorney and City Manager are hereby authorized and directed to consummate said settlement and the

expenditure thereby to be incurred shall be charged against the library construction fund.

Adopted by majority vote of the City Council in regular meeting on the 7th day of March, 1966.

James S. Vawf
Mayor

Attest:

William W. Lucas
Director of Administration and Finance
(ex officio City Clerk)