

**RESOLUTION NO. 2013 - \_\_\_\_**

**A RESOLUTION RATIFYING A SETTLEMENT AND RELEASE AGREEMENT WITH MAROUS BROTHERS CONSTRUCTION, INC REGARDING THE LOR-DIKED DISPOSAL SITE PROJECT, PID-86360.**

**WHEREAS**, Marous Brothers Construction, Inc. has filed a claim for materials and services furnished to the LOR-Diked Disposal Site Project, PID-86360; and

**WHEREAS**, both parties have engaged in a Dispute Resolution Procedures set forth in dispute No. 86360-1 – Marous Brothers Construction, Inc. vs. Lorain Port Authority; and

**WHEREAS**, both parties have agreed to completely resolve claims against each other, subject to the terms and conditions of this Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Lorain Port Authority:

**SECTION I.** That the Board of Directors of the Lorain Port Authority hereby ratifies the actions taken regarding the execution of the Settlement and Release Agreement with Marous Brothers Construction, Inc. regarding the LOR-Diked Disposal Site Project, PID 86360, subject to the terms and conditions of the Agreement.

**SECTION II.** It is found and determined that all formal proceedings and actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, of the Ohio Revised Code.

**Ayes:**

**Nays:**

**Abstain:**

**Adopted:**

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Carl Nielsen, Chairman

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Richard M. Novak, Executive Director