

Sherwood, Ore. Jan 26, 1926.

The City Council of the City of Sherwood, Oregon, met in special session with Mayor Morback presiding. On roll call all members of the Council were found to be present.

A report on the construction and completion of street improvement work in Sherwood was presented by City Engineer C. C. Durkee and upon motion, duly seconded and unanimously carried was accepted.

The following resolution was then introduced and read:-

Whereas, W. D. Andrews, doing business as W. D. Andrews Construction Company, has filed in the Circuit Court of Washington County, Oregon, an action to recover off and from the City of Sherwood, Oregon, a municipal corporation, the sum of \$23,009.55, claimed to be due upon a contract for pavement or street improvement work alleged to have been done under a contract with said City, the amount of which claim was and is disputed by said City: And, Whereas, the parties to said action, acting by and through their respective attorneys, have effected a compromise of said differences, and wherein and whereby the said W. D. Andrews has agreed to accept and the said City of Sherwood has agreed to pay the sum of Eleven thousand seven hundred and fifty (\$11,750.00) Dollars in full settlement of all claims and demands between the said litigants, the said City of Sherwood to retain, however, sufficient of said money to cover the amount of all claims against the said W. D. Andrews and said W. D. Andrews Construction Company on account of said construction work until said claims are paid and satisfied, all of which is particularly set forth in that certain written agreement, executed by the parties on said litigation, and all the terms and details of said compromise and settlement are to be fulfilled and carried out in accordance with the terms of said agreement.

Now, be it hereby

Resolved, that the said agreement for a settlement of said litigation and compromise thereof, be and is hereby ratified and approved by the said City of Sherwood, Oregon;

And be it further

Resolved, that the Mayor and the Recorder of the City of Sherwood, Oregon, be and they are hereby authorized and directed to execute said written agreement in triplicate for and on behalf of said City, and that the terms of said agreement be carried out.

A motion was made by Councilman Young and seconded by Councilman Snyder that the resolution be adopted. The motion carried by unanimous vote and was thereupon declared adopted.

No further business appearing the Council adjourned subject to the call of the Mayor.

C. W. Durkee
Recorder.

J. M. Morback
Mayor