

RESOLUTION NUMBER 04 - 04

**RESOLUTION AUTHORIZING THE
EXECUTION OF A SETTLEMENT AGREEMENT
IN THE MATTER OF PRIMECO PERSONAL
COMMUNICATIONS, L.P., ET AL., VS.
THE ILLINOIS COMMERCE COMMISSION
OF CHICAGO, ET AL.**

WHEREAS, the corporate authorities of the Village of East Dundee have determined that it is advisable, necessary and in the public interest that the Village enter into and authorize the execution of a Settlement Agreement in the matter of PrimeCo Personal Communications, L.P., et al., vs. The Illinois Commerce Commission of Chicago, et al., Circuit Court of Cook County, Case No. 98 CH 5500, a copy of which Settlement Agreement is attached hereto as an exhibit.

NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That the Village of East Dundee adopts and approves and the President be and he is hereby authorized and directed to sign and the Village Clerk is directed to attest to the execution of a Settlement Agreement in the matter of PrimeCo Personal Communications, L.P., et al., vs. The Illinois Commerce Commission of Chicago, et al., Circuit Court of Cook County, Case No. 98 CH 5500, a copy of which Settlement Agreement is attached hereto as an exhibit.

Section Two. The Village hereby authorizes the payment of a settlement in such case in the amount of \$441.37.

Section Three. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity

or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section Four. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Five. Publication. This resolution shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 16th day of February, 2004, pursuant to a roll call vote as follows:

AYES: Zaeske, Ruffalo, Bartels, Schrock, VanOstenbridge, Scarpelli
NAYES: None
ABSENT: None

Approved by me this 16th day of February, 2004.

Roger Ahrens
ROGER AHRENS, President

Published in pamphlet form this 17th day of February, 2004, under the authority of the President and Board of Trustees.

ATTEST:

Jane E. Theis
JANE THEIS, Village Clerk

Recorded in the Village Records on February 17th, 2004.

D:\A.WORDPERFECT\EASTDUND\2004 RESOLUTIONS\PrimeCo Settlement Agreement.res 02-09-2004.wpd

