

RESOLUTION NO. SD- 10 (Sanitary District)

RESOLUTION NO. 12-96-85 (Town of St. John)

BEING A JOINT RESOLUTION OF THE SANITARY DISTRICT OF THE TOWN OF ST. JOHN AND THE TOWN OF ST. JOHN AUTHORIZING LITIGATION, ARBITRATION, OR SUCH OTHER PROCEEDINGS UNDER THE CONTRACT DOCUMENTS AND PERFORMANCE BONDS REGARDING THE OLCOTT SANITARY SEWER EXTENSION

WHEREAS, Proex Corporation was terminated as contractor for the installation of sanitary sewers adjacent to Olcott Avenue on October 30, 1985; and

WHEREAS, Heritage Insurance Company of America failed to commence performance of the completion of said project within thirty (30) days after notice of termination; and

WHEREAS, the Sanitary District of the Town of St. John and/or the Town of St. John will expend sums of money to correct and complete the Olcott sanitary sewer extension for which sums Heritage Insurance Company of America is liable pursuant to its performance bond; and


WHEREAS, the Town of St. John has assessed penalties against Proex Corporation, which penalties exceed the balance due Proex Corporation and which penalties continue to accrue.

NOW, THEREFORE, BE IT JOINTLY RESOLVED by the Board of Sanitary Commissioners of the Sanitary District of the Town of St. John and the Board of Trustees of the Town of St. John that the attorney for the Sanitary District for the Town of St. John and/or the attorney for the Town of St. John be and are hereby authorized to commence such proceedings as they may deem necessary including, but not limited to, litigation and arbitration, to protect the sanitary

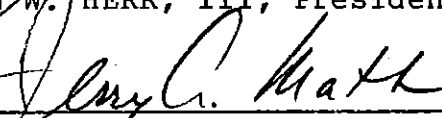
district and the Town of St. John, to collect moneys, to declare the rights of parties, and to declare forfeitures or such other proceedings as they may deem necessary to protect the interests of the Sanitary District or Town of St. John.

All of which is jointly resolved this 9th day of December, 1985.

BOARD OF SANITARY COMMISSIONERS
Town of St. John, Lake County,
Indiana



JOHN W. HERR, III, President



JERRY MATTON



DAVID M. BIELSKI

BOARD OF TRUSTEES
Town of St. John, Lake County
Indiana



DAVID M. BIELSKI, President




JERRY MATTON



JOHN W. HERR, III

ATTEST:



Betty R. Seidelmann
Clerk/Treasurer