

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, AUTHORIZING A SETTLEMENT AND STIPULATION OF THE CITY OF BURLESON, TEXAS'S PROOF OF CLAIM IN THE CHESAPEAKE ENERGY CORPORATION, ET AL., BANKRUPTCY MATTER (UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION, CASE NO. 20-33233); PROVIDING A REPEALING CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City filed a lawsuit in the 96th Judicial District Court, Tarrant County, Texas, under the MDL No. 96-000003-15, and styled City of Burleson, Texas v. Chesapeake Exploration, LLC, et al. (the "Lawsuit"); and

WHEREAS, the City Council previously authorized and directed the City Manager and City Attorney to settle this matter with certain parties to the Lawsuit, specifically, Total E&P USA, Inc., Dorchester Resources, L.P. (f/k/a Arcadia Resources, L.P.), Jamestown Resources, L.L.C., and Larchmont Resources, L.L.C.; and

WHEREAS, on June 28, 2020, Chesapeake Exploration, L.L.C., Chesapeake Operating, L.L.C., and Chesapeake Energy Marketing, L.L.C. filed for bankruptcy relief in the United States Bankruptcy Court for the Southern District of Texas in Case No. 20-33233 (the "Bankruptcy"); and

WHEREAS, in October of 2020, the City filed a proof of claim in the Bankruptcy asserting, among other things, claims related to the Lawsuit; and

WHEREAS, based on all the facts and circumstances, the City Council finds that it is in the best interest of the City to settle this matter with Chesapeake Exploration, L.L.C., Chesapeake Operating, L.L.C., and Chesapeake Energy Marketing, L.L.C. (collectively the "Certain Other Parties").

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

Section 1.

The City Council hereby authorizes and directs the City Manager and City Attorney to execute documents necessary to resolve the matter with the Certain Other Parties, including: 1) a settlement and release agreement with the Certain Other Parties, and 2) a stipulation and agreed order to regarding City of Burleson, Texas's Proofs of Claim. The City Council hereby further directs the City Attorney and City Manager to have such documents filed with the Court and to take any additional actions necessary and prudent to resolve the matter with the

Certain Other Parties.

Section 2.

All order and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provisions of this resolution shall be and remain controlling as to the matters resolved herein.

Section 3.

This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the _____ day of _____, 20____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO LEGAL FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney