

## RESOLUTION NUMBER 23-64

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A MEDIATED SETTLEMENT AGREEMENT BETWEEN SPENCETF, LLC AND THE CITY OF EUSTIS FOR THE JOINT DISMISSAL WITH PREJUDICE OF LAKE COUNTY CASE NO. 2022-CA-000085; AUTHORIZING THE CITY MANAGER TO EXECUTE THE TERMS OF THE AGREEMENT; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, on January 13, 2022, Lake County Case No. 2022-CA-000085 was filed thereby commencing litigation between the parties, SpenceTF, LLC and the City of Eustis related to an Agreement for Sale and Purchase of Property owned by the City of Eustis;

**WHEREAS**, the parties entered into an Agreed Case Management Order (“CMO”) complying with procedural requirements and submitted the CMO to the Court for its review and approval;

**WHEREAS**, on April 21, 2023, the Court approved and executed the CMO which established deadlines for parties’ litigation, including the requirement to participate in mediation on or before July 7, 2023;

**WHEREAS**, on June 29, 2023, in compliance with the CMO, the parties participated in mediation and reached a Mediated Settlement Agreement (hereafter “Agreement”) which is attached hereto as Exhibit A;

**WHEREAS**, the Agreement consists of an irrevocable offer valid through July 29, 2023 for the City Commission’s consideration and outlines the terms and conditions of the offer;

**WHEREAS**, the Agreement includes providing the City with all site plans, engineering reports, environmental reports, surveys and all other documents generated during the course of SpenceTF’s due diligence of the real property at issue; the value to the City of receiving the aforementioned documents is estimated to exceed \$250,000.00;

**WHEREAS**, to avoid the additional expenses and time of litigation, the attached Agreement resolves and settles the parties’ dispute on the terms and conditions set forth therein.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Eustis, Florida, as follows:

Section 1. The offer made in the Mediated Settlement Agreement attached as Exhibit A is hereby accepted and the terms and conditions contained therein are hereby approved;

Section 2. The City Manager is hereby authorized to take the necessary actions to comply with the terms of the Agreement as presented; and

Section 3. That said Agreement shall become effective immediately upon passage.

**DONE AND RESOLVED** this 20<sup>th</sup> day of July, 2023, in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

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Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

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Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this \_\_\_\_ day of July, 2023, by Christine Halloran, City Clerk, who is personally known to me.

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Notary Public - State of Florida  
My Commission Expires:  
Notary Serial No:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

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City Attorney's Office

Date

**CERTIFICATE OF POSTING**

The foregoing Resolution Number 23-64 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

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Christine Halloran, City Clerk