

**VILLAGE OF ROSCOE, ILLINOIS  
RESOLUTION NO. 2024-R30**

**A RESOLUTION OF THE VILLAGE OF ROSCOE, ILLINOIS APPROVING AND AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT WITH JOSHUA PETRY, TRUSTEE OF WHITE OAK TRUST, WHITE OAK HOME BUILDERS, LLC AND THE VILLAGE OF ROSCOE [2023MR312]**

**WHEREAS**, the Village of Roscoe, Illinois (“Village”) has a currently pending a case in the 17<sup>th</sup> Judicial Circuit Court, Winnebago County, Illinois captioned as *Joshua Petry, as Trustee of White Oak Trust, and White Oak Home Builders, LLC, a Wisconsin limited liability company v. Village of Roscoe*, Case No. 2023 MR 0000312 (the Petry Trust, and White Oak are collectively referred to as “**Developer**”); and

**WHEREAS**, the Lawsuit generally challenges whether the Developer is entitled to approval from the Village of the Final Plat of Subdivision for Plat 6 for the Hawks Pointe Subdivision; and

**WHEREAS**, the Village has determined it is in the best interest of the Village and its citizens to settle all disputes between them amicably, including but not limited to, any matters related to the Lawsuit and the Requested Relief, and any and all claims which have been or could have been asserted in the Lawsuit, in order to avoid the expense, inconvenience and delay of continued litigation and to achieve an expeditious resolution of the matter; and

**WHEREAS**, the Village and Developer have reached an accord as to the terms and conditions of said settlement agreement and have memorialized the same in the settlement agreement attached hereto as Exhibit “A” and incorporated herein; and

**NOW THEREFORE, BE IT RESOLVED** by the Village President and Village Board of Trustees of the Village of Roscoe, Illinois as follows:

- 1) The above recitals are incorporated herein and made a part hereof.
- 2) The Village hereby accepts and approves the settlement agreement with Joshua Petry, as Trustee of White Oak Trust, and White Oak Home Builders, LLC, a Wisconsin limited liability company, a copy of which settlement agreement is attached hereto as Exhibit “A”, and incorporated herein by reference.
- 3) The Village President and the Village Clerk are hereby authorized to execute and attest the agreement and any other documents necessary to effectuate the same.
- 4) The Village Treasurer is authorized and directed to issue such payments, under such terms as set forth in the agreement.

**2024-R30**

**1<sup>st</sup> Read:**

**PASSED BY ROLL CALL VOTE ON:**

<b>NAME</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Trustee William Babcock				
Trustee Stacy Mallicoat				
Trustee Susan Petty				
Trustee Justin Plock				
Trustee Michael Sima				
Trustee Michael Wright				
President Carol A. Gustafson				

**APPROVED JUNE 18, 2024:**

**ATTEST:**

\_\_\_\_\_  
VILLAGE PRESIDENT

\_\_\_\_\_  
VILLAGE CLERK

**Exhibit "A"**  
(Resolution 2024-R30)

**SETTLEMENT AGREEMENT**