

**RESOLUTION #23-05-18**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SPENCER AUTHORIZING THE ACCEPTANCE OF  
SETTLEMENT OF THE APPEAL REGARDING  
THE APPLICATION OF N.E. LAND FILL, LLC FOR A USE  
PERMITTED IN I-3, HEAVY INDUSTRIAL DISTRICT**

WHEREAS, on or about March 31, 2020, a hearing was held at Public Meeting to consider the Application of N.E. Land Fill, LLC for a Use Permitted on Review in the I-3 Heavy Industrial District. The Application was denied at the Public Meeting.

WHEREAS, subsequently N.E. Land Fill, LLC filed an Appeal with the Oklahoma County District Court in the case styled N.E. Land Fill, LLC v. The City of Spencer Board of Adjustment, CV-2020-1489.

WHEREAS, the parties attended Court ordered mediation with Joe Hampton, mediator with JH ADR and the matter was resolved between the parties per the terms contained within the attached Settlement Term Sheet attached hereto as Exhibit "A", pending City Council's approval.

NOW, THEREFORE, BE IT RESOLVED, that the CITY OF SPENCER:

Adopts in its entirety the Settlement reached between N.E. Land Fill, LLC and The City of Spencer per the terms contained within the Settlement Term Sheet attached hereto as Exhibit "A".

PASSED AND ADOPTED on this 30th day of March, 2023.

AYES:	<u>4</u>
NOES:	<u>0</u>
ABSENT:	<u>0</u>
ABSTAIN:	<u>0</u>

ATTEST:

  
CITY CLERK

  
MAYOR