

RESOLUTION NO. 2025-03

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF MOFFAT, COLORADO APPROVING A SETTLEMENT AGREEMENT AND RELEASE WITH POTCH, LLC FOR THE REIMBURSEMENT OF DEVELOPMENT FEES TOTALING \$7,190.00; AUTHORIZING THE MAYOR PRO TEM OR HER DESIGNEE TO EXECUTE THE AGREEMENT; PROVIDING FOR PAYMENT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on March 21, 2024, the Town of Moffat (“Town”) received a demand letter from Potch, LLC (“Potch”) demanding a refund of real estate, development (subdivision, annexation, consolidation, and platting), and legal fees allegedly paid by Potch to the Town between 2018 and 2023 totaling \$27,068.00 and

WHEREAS, the Town conducted its due diligence on the payments, and of the \$27,068.00 originally claimed, the amounts that were proven to be deposited by the Town, cleared by Potch’s bank records, and also lack sufficient evidence that they were proper at the time of payment, total \$7,190.00; and

WHEREAS, the Town has reviewed the Settlement Agreement and Release (“Agreement”), and the Board finds it in the best interest of the Town authorize the execution of the Agreement and desires to compromise and settle the dispute without admission of fault, and for the purpose of avoiding time-consuming, costly, and uncertain litigation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MOFFAT, COLORADO THAT:

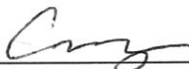
SECTION 1. The Recitals above are incorporated by reference as though fully set forth herein.

SECTION 2. That the Board of Trustees hereby authorizes Mayor Pro Tem, Jung or her designee to execute the Settlement Agreement and Release and for the Town Clerk to issue payment upon receipt of signatures of both Potch, LLC and Mayor Pro Tem Jung on the Agreement.

SECTION 3. This Resolution shall take effect immediately from and after its date of adoption.

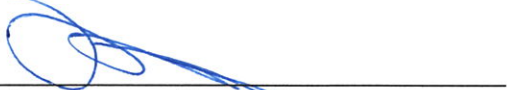
DULY RESOLVED AND ADOPTED by the Board of Trustees for the Town of Moffat, Colorado on 2/18/2025.

TOWN OF MOFFAT, COLORADO



Caroline Jung, Mayor Pro Tem

ATTEST:



Matt Litrenta, Town Clerk