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## BOARD OF SUPERVISORS

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COUNTY MANAGER

SHARON R. KEENE  
CLERK OF THE BOARD

Resolution No. 115-88

### RESOLUTION IN SUPPORT OF SCHOENS DAM SETTLEMENT

WHEREAS, the Navajo County Flood Control District has pending litigation between the District and the engineering firm of Sergent, Hauskins and Beckwith, Consulting Geotechnical Engineers, pertaining to the design, construction and re-construction of Schoens Dam; and

WHEREAS, the Navajo County Flood Control District is willing to participate in a settlement of this pending litigation; and

WHEREAS, the Navajo County Flood Control District has, through negotiations with Sergent, Hauskins and Beckwith, Consulting Engineers, determined a fair and equitable settlement; now

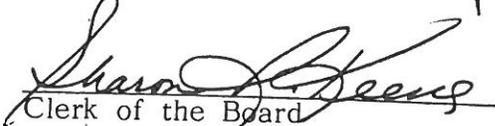
THEREFORE, BE IT RESOLVED THAT for the settlement of the pending litigation that Sergent, Hauskins and Beckwith, Consulting Engineers, shall make a cash payment to the Navajo County Flood Control District of five hundred and fifteen thousand dollars (\$515,000) and that Sergent, Hauskins and Beckwith, Consulting Engineers, relinquish any claim for engineering services provided by them to the Navajo County Flood Control District that have not been paid as of this date. The amount of the engineering fees is two hundred and four thousand nine hundred and thirty-eight dollars and fifty-seven cents (\$204,938.57); and

BE IT FURTHER RESOLVED THAT this settlement represents prior engineering problems, with Schoens Dam, and does not preclude the Navajo County Flood Control District from filing any further actions that would be required due to undiscovered defects at this time.

PASSED this 3rd day of October, 1988.

  
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Chairman, Board of Directors  
Navajo County Flood Control District

ATTEST:

  
\_\_\_\_\_  
Clerk of the Board