

RESOLUTION 99-5

At a meeting of the Township Board of Pinconning Township, Bay County, Michigan ("Township"), held at 1751 Cody Estey Road, Pinconning, Michigan 48650, on the 13 day of APRIL, 1999, at 7 p.m., Eastern Daylight Time.

PRESENT: STALSBERG, JACQUES, KUSTERER, MOORE

ABSENT: SABOURIN

The following resolution was offered by KUSTERER

_____ and supported by MOORE _____:

WHEREAS, the City of Pinconning ("City") has commenced an action in the Bay County Circuit Court against Bay County, Board of County Road Commissioners of the County of Bay, Gerald Mick Redmond, Michael J. Studders, Robert A. Lewandowski, Kawkawlin Township, Fraser Township, and Pinconning Township (the "Defendants"), Bay County Circuit Court File No. 99-3234-CK-C, in which the City claims that Defendants have, or plan to, breach certain contracts by constructing a waterline extension to serve portions of Pinconning Township, and seeking injunctive relief against the Defendants' actions; and

WHEREAS, residents of Pinconning Township would be the primary beneficiaries of the proposed waterline extension; and

WHEREAS, it would be in the best interest of the public health, safety and general welfare of the citizenry of Pinconning Township for Pinconning Township to provide a defense to the City's action on behalf of all the Defendants.

