

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1580.04

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE A RELEASE ON BEHALF OF THE TOWN OF GOLDEN BEACH IN THE MATTER OF CHORNEY V. STANLEY J. FEINMAN AND THE TOWN OF GOLDEN BEACH, UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF FLORIDA, CASE NO. 01-0154 CIV; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the Town Council hereby authorizes the Mayor to execute a Release on behalf of the Town of Golden Beach in the matter of Chorney v. Stanley J. Feinman and the Town of Golden Beach, United States District Court, Southern District of Florida, Case No. 01-0154 CIV, a copy of which is attached.

Section 2. Severability. That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

Section 3. Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 4. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

Sponsored by Administration.

Resolution No. 1580.04

The Motion to adopt the foregoing resolution was offered by Councilmember Singer, seconded by Councilmember Iglesias and on roll call the following vote ensued:

Mayor Addicott	<u>AYE</u>
Vice Mayor Paruas	<u>AYE</u>
Councilmember Einstein	<u>AYE</u>
Councilmember Iglesias	<u>AYE</u>
Councilmember Singer	<u>AYE</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this 16TH day of March, 2004.



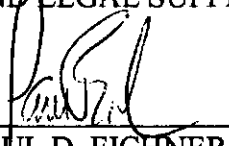
MAYOR MICHAEL ADDICOTT

ATTEST:



CATHY SZABO
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



PAUL D. EICHNER
TOWN ATTORNEY

ROSEN & EICHNER
ATTORNEYS AT LAW

HARRY M. ROSEN
PAUL D. EICHNER

March 19, 2004

Christopher R. Fertig, Esq.
200 Southeast 13th Street
Ft. Lauderdale, FL 33316

Re: Chorney v. Feinman and Town of Golden Beach

Dear Mr. Fertig:


The Town Council approved Resolution 1580.04 authorizing the Mayor to execute the Release provided to me by your office in the above-referenced matter. Enclosed herein please find the original executed Release.

You are instructed, by direction from the Town Council, to hold same in escrow until your office has received the properly executed releases from the other parties. Only upon your receipt of the other Releases are you authorized to distribute/file the Release executed by the Mayor.

If you have any questions, please contact me at your convenience.

Very truly yours,

ROSEN & EICHNER, P.A.



PAUL D. EICHNER

PDE:lm

Enc.

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RELEASE

KNOW ALL MEN BY THESE PRESENTS:

That TOWN OF GOLDEN BEACH, first party, for and in exchange of payment of the sum of FORTY-FIVE THOUSAND DOLLARS (\$45,000.00) paid to Coregis Insurance Company, or other valuable consideration paid by or on behalf of SUSAN CHORNEY, the receipt whereof is hereby acknowledged and SUSAN CHORNEY, second party,

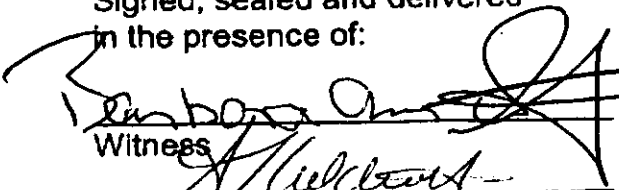
HEREBY remise, release, acquit, satisfy, and forever discharge the said second party of and from all, and all manner of action and actions, cause and causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, executions, claims and demands whatsoever, in law or in equity, which said first party ever had, now has, or which any personal representative, successor, heir or assign of said first party, hereafter can, shall or may have, against said second party, for, upon or by reason of any matter, cause or thing whatsoever, from the beginning of the world to the day of these presents.

And in particular for any and all claims, causes of action, claims or award for legal fees or counterclaims which could have been filed for whatsoever arising from the claim as plead in *Chorney v. Stanley J. Feinman and the Town of Golden Beach*, United States District Court, Southern District of Florida, Case No. 01-0154 CIV-Ungaro-Benages,

This is a full, final and complete extinguishment of the released party by TOWN OF GOLDEN BEACH and will constitute final extinguishment and conclusion to any litigation between the parties as expressed above.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 24th day of March, 2004.

Signed, sealed and delivered in the presence of:


Witness

Witness


TOWN OF GOLDEN BEACH

STATE OF FLORIDA
COUNTY OF Broward

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state aforesaid and in the county aforesaid to take acknowledgments, personally appeared Michael Addario to me known to be the person described in and who executed the foregoing instrument and ~~she~~ acknowledged before me that ~~she~~ executed same. The foregoing person is personally known to me, or produced _____ as identification.

WITNESS my hand and official seal in the county and state last aforesaid, this 24th day of March 2004.

(Seal)

Barbara A. Schwartz
Notary Public
My Commission Expires:

This instrument prepared by:

Christopher R. Fertig, Esq.
Fertig & Gramling
200 S.E. Thirteenth Street
Fort Lauderdale, Florida 33316



Barbara A. Schwartz
My Commission DD016848
Expires August 04, 2005