

RESOLUTION NO. 108-08

**A RESOLUTION OF THE WEST MIFFLIN SANITARY SEWER
MUNICIPAL AUTHORITY, ALLEGHENY COUNTY, PENNSYLVANIA,
AUTHORIZING THE ENTERING INTO A SETTLEMENT AGREEMENT
WITH KENNYWOOD ENTERTAINMENT PARTNERS, LP.**

WHEREAS, on August 17, 2007, Kennywood Entertainment Partners, LP ("Kennywood") filed a Writ of Summons against the West Mifflin Sanitary Sewer Municipal Authority ("WMSSMA") in the Court of Common Pleas of Allegheny County, at GD 07-017804 ("the Litigation"); and

WHEREAS, the WMSSMA and Kennywood have agreed upon the terms of settlement of the Litigation.

NOW THEREFORE, be it resolved and it is hereby resolved as follows:

1. The WMSSMA hereby authorizes the appropriate officers to enter into a settlement agreement with Kennywood with respect to resolution of the dispute between the WMSSMA and Kennywood in the Litigation.

2. Any Resolution or parts of Resolutions that are contrary to or conflict with the provisions of this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

RESOLVED, this 7th day of February, 2008.

ATTEST: Rick Manspeaker, Secretary
Sewer Municipal Authority: Albert J. Kopay, Jr., Chairman

West Mifflin Sanitary