

RESOLUTION NO. 216

Resolution authorizing the Secretary to enter into a Stipulated Settlement and Release Agreement on behalf of the Board of Trustees and the Fire and Police Disability and Retirement Fund with Neil W. Gearheart and Diane Louise Gearheart.

WHEREAS, Neil W. Gearheart (hereinafter referred to as "Gearheart") a member of the Fire and Police Disability and Retirement Fund, has filed an application with the Board of Trustees of the Fire and Police Disability and Retirement Fund requesting service connected disability benefits from the Fund pursuant to Section 5-115 of the Charter of the City of Portland, Oregon, and

WHEREAS, there exists a bona fide dispute between Gearheart and the Board of Trustees as to whether the Fund is obligated to grant Gearheart's claim for service connected disability benefits and

WHEREAS, Gearheart and the Board of Trustees desire to settle any and all disputes and terminate all conflicts relating to the Fund's obligation, if any, to Gearheart and

WHEREAS, a copy of an appropriate Stipulated Settlement and Release Agreement authorizing the payment of \$37,466.95 to Gearheart in full, final and complete settlement of all rights and claims which Gearheart has or may have against the Fund is attached hereto as Exhibit "A" now, therefore,

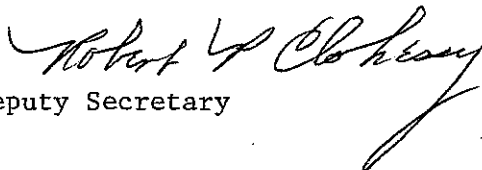
BE IT RESOLVED by the Board of Trustees of the Fire and Police Disability and Retirement Fund that the Secretary is hereby authorized and directed to sign in duplicate a Stipulated Settlement and Release Agreement substantially in accordance with the agreement attached hereto as Exhibit "A", on behalf of the Board of Trustees and the Fire and Police Disability and Retirement Fund.

Adopted by the Board of Trustees, this 21st day of April, 1981.

GEORGE YERKOVICH

Secretary of the Fire and Police
Disability and Retirement Fund

By:


Deputy Secretary