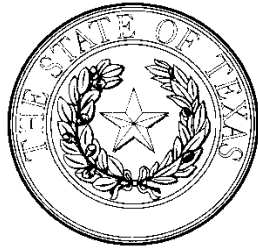


Opinion issued July 29, 2010



In The
Court of Appeals
For The
First District of Texas

NO. 01-09-01095-CV

SIGNAD, LTD., Appellant

V.

**CITY OF MONT BELVIEU AND MONT BELVIEU BOARD OF
ADJUSTMENT, Appellees**

**On Appeal from the 344th District Court
Chambers County, Texas
Trial Court Case No. 23618**

MEMORANDUM OPINION

The parties have filed a joint motion to dismiss this appeal in accordance with a settlement agreement executed by appellant, SignAd, Ltd., through its

Executive Vice President, Brett E. Gilbreath, and appellee, Mont Belvieu Board of Adjustment, through its Chairperson, Alton Sanders, and appellee, the City of Mont Belvieu, through its Mayor, Nick Dixon. They request that we set aside the trial court's judgment, without regard to the merits, and remand the case for rendition of judgment in accordance with their settlement agreement.

We grant the motion as follows:

- (1) We **set aside** the trial court's judgment without regard to the merits. *See* TEX. R. APP. P. 42.1(a)(2)(B).
- (2) We **remand** the case to the trial court with instructions to render judgment in accordance with the parties' settlement agreement, which is attached as Exhibit 1 to this opinion and as Exhibit 1 to our judgment. *See Id.*
- (3) We **direct** the Clerk of this Court to issue mandate 10 days after the date of this opinion. *See* TEX. R. APP. P. 18.1.
- (4) We order the parties to each bear their own costs.
- (5) And we **deny** all relief requested but not granted.

PER CURIAM

Panel consists of Justices Jennings, Alcalá, and Massengale.