



**IN THE
TENTH COURT OF APPEALS**

No. 10-19-00148-CV

CITY OF FAIRFIELD,

Appellant

v.

CITY OF TEAGUE,

Appellee

**From the 87th District Court
Freestone County, Texas
Trial Court No. CV 18-334-B**

MEMORANDUM OPINION

An "Agreed Motion to Dismiss Appeal" was filed in this appeal on September 22, 2021. In the motion, the parties, the City of Fairfield, both appellant and cross-appellee, and the City of Teague, both appellee and cross-appellant, assert that as a result of mediation, they have reached a settlement of the claims that are the subject of this appeal and that a final settlement agreement has been fully approved and formally executed by the appropriate governing bodies of both parties. Accordingly, the parties jointly move the Court to dismiss the appeal as moot.

After consideration of the parties' motion, the Court grants the motion and dismisses the appeal as moot. *See* TEX. R. APP. P. 42.1(a). Since both parties filed a notice of appeal in this case, and there being no agreement as to costs, costs are taxed against the party that first filed a notice of appeal, that being, the City of Fairfield. *Id.* (d).

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Johnson, and
Justice Smith

Motion granted

Appeal dismissed

Opinion delivered and filed September 29, 2021

[CV06]

