

RESOLUTION NO. 2017-19

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF BENTON CITY TO SIGN THE FULL RELEASE OF ALL PROPERTY DAMAGE CLAIMS ON BEHALF OF THE CITY OF BENTON CITY RELEASING WR ELLIS AND PROGRESSIVE DIRECT INSURANCE COMPANY

WHEREAS, the City of Benton City has agreed to settle with WR Ellis and Progressive Direct Insurance Company for damage to City property resulting in an accident on December 17, 2016 at or near 928 Horne Drive Benton City, WA; and

WHEREAS, in order to settle the claim, the insured and insurer require the City to execute a full release of all future property damage claims of said accident; and

WHEREAS, the City of Benton City wishes to authorize the Mayor to sign said release in order to finalize the settlement. NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF BENTON CITY, WASHINGTON, hereby resolves as follows:

That the Mayor of the City of Benton City, Washington, is hereby authorized and directed to sign the Full Release Of All Property Damage Claims on behalf of the City of Benton City, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference; and to take all necessary steps required to complete this transaction.

ADOPTED this 20 day of June, 2017, by the City Council of the City of Benton City, Washington, and signed in authentication of its passage this 20 day of June, 2017.

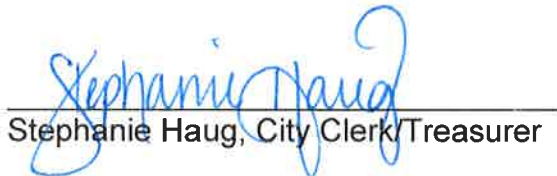
Resolution 2017- 19 filed and recorded in the office of the City Clerk of the City of Benton City, Washington, this 20 day of June, 2017.



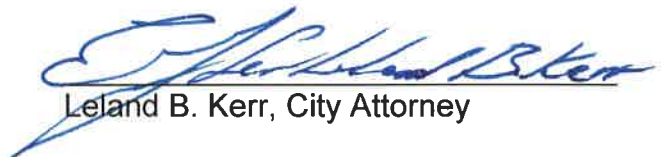
Linda Lehman, Mayor

Attest:

Approved as to Form:



Stephanie Haug, City Clerk/Treasurer



Leland B. Kerr, City Attorney

FULL RELEASE OF ALL PROPERTY DAMAGE CLAIMS

16-2265564

June 20, 2017

KNOW ALL BY THESE PRESENTS, that I/We, Benton City, Washington, for and in consideration of the sum of Fourteen Thousand Six Hundred Four Dollars and Eighty Six Cents (**\$14,604.86**), the receipt whereof is hereby acknowledged, does (do) hereby for my (our) heirs , executors, administrators, successors, assigns and any and all other persons, firms, employers, corporation, associations, or partnerships release, acquit and forever discharge WR Ellis, **Progressive Direct Insurance Company** of and from any and all claims for property damage loss which resulted from an automobile accident which occurred on December 17, 2016, at or near 708 9th Street, Benton City, Washington.

It is understood and agreed that this settlement is in full compromise of a doubtful and disputed claim as to both questions of liability and as to the nature and extent of the damages, and that neither this release nor the payment pursuant thereto shall be construed as an admission of liability, such being denied.

It is further understood and agreed that the undersigned relies wholly upon the undersigned's judgment, belief and knowledge of the nature, extent, effect, and duration of said damages and liability thereof and is made without reliance upon any statement or representation of the party or parties hereby released or their representatives.

I, THE UNDERSIGNED HAVE READ THE FOREGOING RELEASE AND FULLY UNDERSTAND IT.

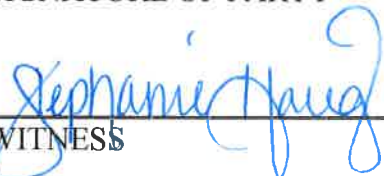
CAUTION: READ BEFORE SIGNING

BELOW



SIGNATURE OF PARTY

DATE
6/20/17



WITNESS

Any person who knowingly and with intent to defraud any insurance company or other person files a statement of claim containing any materially false information, or conceals for the purpose of misleading information, concerning any fact material thereto, commits a fraudulent insurance act, which is a crime.