

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Interim County Counselor to execute a Full Property Damage Release of All Claims with Indemnity document in favor of Progressive Casualty Insurance Co., in connection with an automobile accident involving a County-owned vehicle.

RESOLUTION NO. 20088, February 11, 2019

INTRODUCED BY Crystal Williams, County Legislator

WHEREAS, on December 29, 2017, a County-owned vehicle was damaged as a result of a collision with a vehicle operated by a driver insured by Progressive Casualty Insurance Co; and

WHEREAS, Progressive has agreed to at least partially compensate the County for its damages, but has requested the execution of a settlement document containing an indemnity provision that requires legislative authorization; and

WHEREAS, the Interim County Counselor recommends the execution of this settlement document and indemnity provision and the acceptance of the settlement proceeds as in the best interests of the health, welfare, and safety of the citizens of Jackson County;

Now Therefore

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Interim County Counselor be and hereby is authorized to execute the attached Full Property Damage Release of All Claims with Indemnity document in favor of

Progressive Casualty Insurance Co., and any and all other documents necessary to give effect to the intent of this Resolution.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Interim County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 20088 of February 11, 2019, was duly passed on February 19, 2019, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7


Nays 0

Abstaining 0

Absent 2

2/19/19

Date



Mary J. Spino, Clerk of Legislature

FULL PROPERTY DAMAGE RELEASE OF ALL CLAIMS WITH INDEMNITY

Claim #: 18-4100735

KNOW ALL BY THESE PRESENTS, that I (we), Jackson County, Missouri for and in consideration of the sum of **Three Thousand One Hundred and Fifty Three Dollars and 53/100 (\$3153.53)**, the receipt whereof is hereby acknowledged, does/do hereby for my heirs, executors, administrators, successors, and assigns and any and all other persons, firms, employers, corporations, associations or partnerships release, acquit and forever discharge **Wesley McKay and Progressive Casualty Insurance Company** of and from any and all property damage claims resulting from an automobile accident which occurred on or about 12/29/17, at or near Jackson County, MO.

It is understood and agreed that this settlement is in full compromise of a doubtful and disputed claim as to the nature and extent of the property 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 property damages and is made without reliance upon any statement or representation of the party or parties hereby released or their representatives.

In consideration of the payment of the sum, the undersigned further agrees to indemnify **Wesley McKay and Progressive Casualty Insurance Company** and save them harmless from any and all further property damage claims arising because of any property damage to the property of **Jackson County, MO** which occurred on 12/29/17, and, if necessary in order to save them so harmless, to satisfy on their behalf and judgment against them arising in any way out of the aforesaid accident.

THE UNDERSIGNED HAS READ THE FOREGOING RELEASE AND FULLY UNDERSTANDS IT.

Signature Date

Witness Signature Date

Signature Date

Witness Signature Date