



Jackson County Missouri

Jackson County Courthouse
415 E. 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Legislation Details (With Text)

File #: 16592 **Version:** 0 **Name:** David and Kimberly Mullnix v. JaCo
Type: Resolution **Status:** Passed
File created: 3/31/2008 **In control:** County Legislature
On agenda: 3/31/2008 **Final action:** 3/31/2008
Title: A RESOLUTION authorizing the County Counselor to settle the claim of David L. and Kimberly A. Mullnix, in the case styled David L. Mullnix and Kimberly A. Mullnix v. Jackson County, Missouri, Case No. 0616-CV32162, now pending in the Circuit Court of Jackson County, for a total payment by the County of \$30,000.00.
Sponsors: Dennis Waits
Indexes: CIRCUIT COURT, SETTLEMENT OF CLAIM
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
3/31/2008	0	County Legislature	adopt	Pass

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Counselor to settle the claim of David L. and Kimberly A. Mullnix, in the case styled David L. Mullnix and Kimberly A. Mullnix v. Jackson County, Missouri, Case No. 0616-CV32162, now pending in the Circuit Court of Jackson County, for a total payment by the County of \$30,000.00.

RESOLUTION #16592, March 31, 2008

INTRODUCED BY Dennis Waits, County Legislator

WHEREAS, David L. and Kimberly A. Mullnix have filed a lawsuit, styled David L. Mullnix and Kimberly A. Mullnix v. Jackson County, Missouri, Case No. 0616-CV32162, now pending in the Circuit Court of Jackson County, seeking compensation for damages they allegedly incurred as a result of the construction of the Miller Road Extension in November 2004 under a theory of inverse condemnation; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement in the amount of \$30,000.00 to be paid by the County to Mr. and Mrs. Mullnix and their attorney, James B. Jackson; and,

WHEREAS, the proposed settlement agreement is in the best interests of the health, safety, and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Counselor be, and hereby is, authorized to settle the claim of David L. and Kimberly A. Mullnix in the case David L. Mullnix and Kimberly A. Mullnix v. Jackson County, Missouri, Case No. 0616-CV32162, by the total payment of \$30,000.00, in full, final, and complete release of all of Mr. and Mrs. Mullnix's claims against the County and all of its employees, officers, agents, and servants as to damages incurred in November 2004; and,

BE IT FURTHER RESOLVED that the County Counselor be and hereby is authorized to execute any and all documents necessary to effect this settlement; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing is authorized to issue checks in an amount totaling \$30,000.00 in full and complete settlement of this claim, pursuant to the specific instructions of the County Counselor.

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

APPROVED AS TO FORM:

Senior Deputy County Counselor

County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #16592 of March 31 , 2008 was duly passed on March 31, 2008 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7 Nays 0
Abstaining 0 Absent 2

Date

Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 060-5160-6380

ACCOUNT TITLE: Self Insurance Fund
Non-Departmental
Uninsured Claimants

NOT TO EXCEED: \$30,000.00

Date

Purchasing Director of Finance and