



City of Green River
City Council Meeting
Agenda Documentation

Preparation Date: February 7, 2022	Department: Finance
Meeting Date: February 15, 2022	Department Head: Chris Meats
	Presenter: Consent Agenda

Subject:

Approval of the release for property damage with C.R. England, Inc., Shelley Johnson and Clevon Hughes.

Background/Alternatives:

In December, 2018 a driver for C.R. England hit a light pole. They have agreed to pay most of the costs to replace the light pole in exchange for the City to waive any additional claim on the damages. It is a standard practice to sign a release of liability for the payment of the damages. Staff is recommending to sign the release for the incident.

Attachments:

Offer Letter and Release

Fiscal Impact:

The cost to repair the damages was \$7,266.90.

Staff Impact:

Minimal.

Legal Review:

The release has been approved by Legal Counsel for review.

Suggested Motion:

I move to approve the release for property damage with C.R. England, Inc., Shelley Johnson, and Clevon Hughes for damages to City property that occurred on December 22, 2018 and authorize the Mayor to sign said release



PO Box 27276
Salt Lake City, UT 84127

January 31, 2022

VIA EMAIL: msouare@cityofgreenriver.org

City of Green River
50 East 2nd North Street
Green River, WY 82935

Re: Our Claim No: 1812553
Date of Loss: December 22, 2018

Dear Ms. Souare:

Please be advised that C.R. England is a qualified self-insured company pursuant to the Federal Motor Carrier Safety Administration's regulations for this accident. This is a self-insured matter which has been concluded.

We are in receipt of your subrogation demand which we've had reviewed by a third party independent auditor. We base our offers upon the recommendations of the auditor since they are considered experts in their respective field. It was their recommendation for \$7,266.90 as the reasonable settlement.

Therefore, I have attached a property damage release for \$7,266.90 for an authorized signature. Once I receive the release back from you, a scanned copy is sufficient, we can issue the payment immediately.

Please contact me if you have any questions or would like to discuss this matter further at (801) 886-4562.

Thank you,

Electronic Signature

Connie Williams
Claims Adjuster
connie.williams@crengland.com
(801)886-4562

RELEASE OF ALL PROPERTY DAMAGE CLAIMS

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, for sole consideration for seven thousand two hundred sixty-six dollars and ninety cents (\$7,266.90) paid to City of Green River hereby and for his, her, their, or its agents, executors, administrators, successors and assigns release, acquit and forever discharge C.R. England, Inc. and Shelley Johnson, Clevon Hughes, and his, her, their, or its agents, servants, successors, heirs, executors, administrators and all other persons, firms, corporations, associations or partnerships of and from any and all claims, action, causes of action, demands, rights, damages, towing, costs, loss of service, loss of profits, expenses and compensation, which the undersigned now has/have or which may hereafter accrue on account of or in any way growing out of any and all known and unknown, foreseen and unforeseen property damage and the consequences thereof resulting or to result from the occurrence on or about the 22nd day of December 2018 near Green River, WY.

It is understood and agreed that this settlement is the compromise of a doubtful and disputed claim, and the payment made is not to be construed as an admission of liability on the part of the party or parties hereby released, and that said releases deny liability therefore and intend merely to avoid litigation and buy their peace.

The undersigned further declare(s) that no promise, inducement or agreement not herein expressed has been made to the undersigned, and that this release contains the entire agreement between the parties hereto, and the terms of this release are contractual and not a mere recital.

THE UNDERSIGNED HAS READ THE FOREGOING RELEASE AND FULLY UNDERSTANDS ITS LEGAL SIGNIFICANCE.

Signed, sealed and delivered this ____ day of _____, 2022.

CAUTION: READ BEFORE SIGNING BELOW

Authorized REP - City of Green River

Witness signature