Resolution Authorizing Chairman to Sign an Order of the Board to Reject Claim No. C99-3 in an Amount of $370,492.00 (County Counsel); Res. 99-120

Moved by (M) Parker, (S) Stewart, Res. 99-120 adopted Regular Meeting Claim No. C99-3/Approved: Unanimous

Jeff Green observed traveling on it, Wendy With stated she feels the road is not designed for the amount of truck traffic that she has traveled too fast for the road conditions in this particular area. He further advised that the traffic volumes to alleviate these situations as they are brought to their attention. However, they are caused by erosion from recent rains and there is a problem throughout the County. He also noted that since he moved his claim the County has worked on this section of the road. He also noted that the County has worked on the section of the road between the Old Highway and the road at the accident. He stated that the traffic would force oncoming traffic off the roadway. He also noted that there was a drop-off on the side of the road and there is the issue of a shoulder on the section of the road and not the width of the road. He stated he feels that the County is responsible for their claim against the County.

Consent Agenda Item 4 - Jeff Green, County Counsel, advised that Mr. and Mrs. With were present to provide input in their claim against the County.

Approved/Ayes: Unanimous

Board Action: Supervisor Parker pulled item 4. (S) Stewart, balance of items were
cc: Michael D. Edwards, Director of Public Works

ds

Thank you.

Please feel free to contact either Brian Atkinson or myself regarding this matter.

We paved the same shoulder to prevent any future erosion. Area crew installed a French drain to aid in expanding the road shoulder. Further, we eigth feet from the centerline to the shoulder. On March 16, 1999, our "East roadway lane was measured on March 16, 1999, the narrowest portion of the roadway lane.
In

Damasces under the above-described circumstances is/are:

The name(s) of the public employee(s) causing claimant's injuries or

VACATED WITH

Please use back of this page if more space is needed:

Describe generally the facts and circumstances that give rise to the claim:

Place where incident occurred:

Date(s) and time(s) of injury:

Which occurred on

Contact

Personal Injury

Property Damage

This claim is based on: (Check appropriate box or boxes)
Claim: $371,54

Total amount claimed as of date:

Estimated prospective damages: $0

Estimated future damages as far as known from this incident:

Total damages incurred to date:

Other damages (itemize):

Date: 3-16-99

To claimant at:

[Address]

Address to which notices are to be sent:

[Address]

Claimant (or agent for claimant):

Signed:

[Signature]

Government Code § 91.2. Time of presentation of claims.
<table>
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<th>PP</th>
<th>C.O.D.</th>
<th>TERMS</th>
<th>AMOUNT</th>
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**Vehicle Info**

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**Sub-Total**: 188.56

**Charge - Annual Rate 18%**

- [ ] CASH
- [x] CHECK # 336
- [ ] NOT PAID
- [ ] AMT PAID $ 188.56
Sandra V. Adams

Executed on May 5, 1999 at Mariposa, California.

I declare, under penalty of perjury, that the foregoing is true and correct.

Mariposa, CA 95338
4186 Triangle Road
Wendy Writs

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years and not a party to the within entitled action, my business address is 5100 Millen Street (P.O. Box 189), Mariposa, CA 95338. On May 5, 1999, I was served within Notice of Service of Claim No. CG-93-1999-5, 95338. On Mariposa, Mariposa County Counsel.

STATE OF CALIFORNIA
COUNTY OF MARIPOSA

PROOF OF SERVICE BY MAIL (10134, 2015.5 C.C.P.)

Mariposa County Counsel
JEFFREY C GREEN
Marcie Williams, Clerk of the Board

Bob Pickard, Chair

ATTEST:

Board of Supervisors

Dated this 20th day of April, 1999.

ABSTAINED: None
ABSENT: None
RECOMMEND: Reality, Balmatun, Stewart, Parker, Pickard
AYES: None

The foregoing order was passed by the following vote of the Board:

heretofore presented.