

RESOLUTION NO. 2005- 112

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SETTLEMENT IN THE LAWSUIT FILED AGAINST ST. JOHNS COUNTY AND OTHERS BY JULIA THOMPSON, CASE NO. CA 03-795, IN THE CIRCUIT COURT IN AND FOR ST. JOHNS COUNTY, FLORIDA.

WHEREAS, Julia Thompson ("Thompson") has sued St. Johns County (the "County") and others alleging that the County failed to maintain a gutter, located near the entrance of the Ponte Vedra Inn and Club in Ponte Vedra, in a reasonably safe condition and warn of any latent defects, which resulted in "Thompson" falling; and

WHEREAS, the County has denied liability in this action; and

WHEREAS, the County wishes to settle this case and all issues and disputes pertinent thereto in a manner that minimizes the cost to the County; and

WHEREAS, Thompson has agreed to settle her claim against the County for the amount of \$2,500 (see Exhibit A), and such settlement is found to be the most cost effective resolution of this matter for the County.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida, that:

1. The County agrees to settle this case for the amount of \$2,500 in exchange for a full and final release of the County and a dismissal of the case against the County with prejudice.
2. The County Administrator is hereby authorized and directed to execute and deliver on behalf of the County such documentation as the County Attorney may deem as necessary to finalize settlement of this case.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 20th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 

Bruce A. Maguire, Chairman

ATTEST: Cheryl Strickland, Clerk

By: 

Patricia DeGrande, Deputy Clerk

RENDITION DATE 4-21-05

MARKS GRAY COPY

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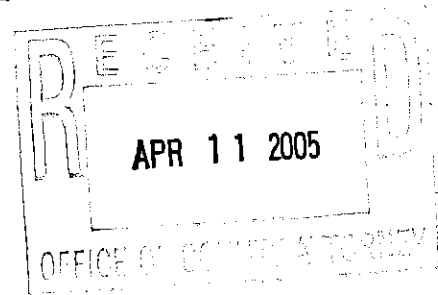
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RICHARD P. MARKS (1876-1942)
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HARRY T. GRAY (1880-1975)
FRANCIS P. CONROY II (1912-1991)
DELBURGE L. GIBBS (1917-1992)

A

April 8, 2005



Richard A. Staggard, Esquire
Farah, Farah & Abbott, P.A.
1301 Plantation Island Drive, Suite 206A
St. Augustine, Florida 32080

Re: St. Johns County and Gate Petroleum adv. Julia Thompson
D/O/L : 11/29/00
Our File No. : 2605-16937

Dear Rick:

This will confirm our agreement to settle the plaintiff's claim against St. Johns County in this case for the amount of \$2,500 in exchange for a full and final release of the County and a dismissal of the case against the County with prejudice. As we discussed, our settlement agreement is also contingent upon approval of the settlement by the St. Johns County Board of County Commissioners, who I am told will meet again on April 20. I have instructed the County to proceed with presentation of this settlement to the Board as quickly as possible.

Unless we have spoken about this by the time you receive this letter, please let me know as quickly as possible the status of your negotiations with co-defendant Gate Petroleum.

MARKS GRAY

Richard A. Staggard, Esquire
April 8, 2005
Page 2

Otherwise, please let me know if I've misstated the terms and conditions of our settlement agreement in any way.

Very truly yours,

MARKS GRAY, P.A.

A handwritten signature in black ink, appearing to read "L. Johnson Sarber, III". The signature is written in a cursive style with a prominent initial "L" and a long, sweeping underline.

L. Johnson Sarber, III

LJS/crt

MARKS GRAY

Richard A. Staggard, Esquire
April 8, 2005
Page 3

bcc: Mr. Robbin Peeken, Claims Examiner (Claim No. FAC2206ML-9-1)
Daniel Bosanko, County Attorney