

ORDINANCE NO. 950703

Approving and authorizing settlement of a lawsuit styled C.W. Marrs Sales, Inc. v. City of Kansas City, Missouri (CV94-10369) by payment of \$40,000.00.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the settlement of property damage claims of C.W. Marrs Sales, Inc., against the City of Kansas City, Missouri, resulting from alleged negligence in responding to a water shutoff request after a fire protection line burst in adjoining warehouses located at 1401 W. 13th Street and 1420 W. 13th Terrace, Kansas City, Missouri, on or about February 12 and 13, 1989, more fully set forth in, and the subject of, the lawsuit styled C.W. Marrs Sales, Inc., v. City of Kansas City, Missouri, Case No. CV94-10369, now pending in the Circuit Court of Jackson County, Missouri, by payment to C.W. Marrs Sales, Inc., and its insurer of the sum of \$40,000.00, as recommended by the City Attorney and the Risk Management Committee, is hereby approved.

Section 2. That the City Attorney is hereby authorized to pay the sum of \$40,000.00 in settlement of said property damage claims from funds heretofore appropriated in Account No. 96-701-013-1521-B, General Liability Claims.

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Director of Finance

Approved as to form and legality:

Assistant City Attorney1