

MINUTE ITEM

3/25/71  
JFT

27. AUTHORIZATION TO EXECUTE "RELEASE OF CLAIMS" IN CONNECTION WITH LOSSES OF TIME AND DAMAGE TO EQUIPMENT SUSTAINED BY THE STATE LANDS DIVISION OFFICE AT 1600 L STREET, SACRAMENTO - MANAGEMENT, OFFICE SPACE 1970.

After consideration of Calendar Item 27 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION APPROVES THE PROPOSED SETTLEMENT BY THE CALIFORNIA STATE AUTOMOBILE ASSOCIATION, INSURANCE CARRIER, IN THE AMOUNT OF \$1,741.56 FOR DAMAGES SUSTAINED BY THE STATE LANDS DIVISION OFFICE AT 1600 L STREET, SACRAMENTO, AS A RESULT OF AN AUTOMOBILE CRASHING INTO THE FRONT OF THE BUILDING, AND AUTHORIZES THE EXECUTIVE OFFICER TO EXECUTE THE "RELEASE OF ALL CLAIMS" FORM ON FILE IN THE OFFICE OF THE COMMISSION AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 27 (1 page)

CALENDAR ITEM

3/71

Management -  
Office Space 1970  
JFT

27.

AUTHORIZATION TO EXECUTE "RELEASE OF CLAIMS" IN CONNECTION WITH LOSSES OF TIME AND DAMAGE TO EQUIPMENT SUSTAINED BY THE STATE LANDS DIVISION OFFICE AT 1600 L STREET, SACRAMENTO.

On May 9, 1970, an automobile crashed into the Division office at 1600 L Street, Sacramento, entering the front of the building, damaging files and equipment, and scattering material around the office. As a result, the Land Transaction Unit was required to move to temporary quarters. Estimated costs to the Division as a direct result of the accident have been compiled as follows:

1. Salaries and wages in collecting and refiling material and relocating to temporary quarters.	\$561.00
2. Costs for temporary relocation of telephone service for Land Transaction Unit	391.00
3. Replacement costs for furniture damaged or destroyed	573.95
4. Repair of IBM electric typewriter damaged	<u>215.61</u>
Total	\$1,741.56

It has been determined that these estimated costs fairly reflect the losses incurred by the Division as a result of the accident. The California State Automobile Association, insurance carrier for the driver of the car, has agreed to a settlement in the amount of the estimated loss, \$1,741.56. They have requested that the State approve the settlement and execute a "Release of all Claims" on behalf of the State Lands Division. The form to be executed also requires the Division to waive specifically the provisions of Section 1542 of the Civil Code, which reads:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

IT IS RECOMMENDED THAT THE COMMISSION APPROVE THE PROPOSED SETTLEMENT BY THE CALIFORNIA STATE AUTOMOBILE ASSOCIATION, INSURANCE CARRIER, IN THE AMOUNT OF \$1,741.56 FOR DAMAGES SUSTAINED BY THE STATE LANDS DIVISION OFFICE AT 1600 L STREET, SACRAMENTO, AS A RESULT OF AN AUTOMOBILE CRASHING INTO THE FRONT OF THE BUILDING, AND AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE THE "RELEASE OF ALL CLAIMS" FORM ON FILE IN THE OFFICE OF THE COMMISSION AND BY REFERENCE MADE A PART HEREOF.