

RESOLUTION NO. R-2015-09

**A RESOLUTION APPROVING THE SETTLEMENT RELEASE AND
AUTHORIZING THE PAYMENT OF SETTLEMENT FUNDS IN THE
ALLSTATE INSURANCE VS. VILLAGE OF MAYWOOD LITIGATION**

WHEREAS, the Village of Maywood ("Village") is a home rule municipality established and existing in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village of Maywood has reached terms on the settlement of the subrogation litigation, *Allstate Insurance Co. vs. Village of Maywood et al.*, 2015 M4 000053, which was filed in the Fourth Municipal District in the Cook County Circuit Court.

WHEREAS, the Plaintiff has provided a signed Release to the Village, releasing its claims against the Village. A copy of the Release is attached as **Exhibit 1**.

WHEREAS, pursuant to the Release, the Plaintiff has dismissed its lawsuit against the Village. A copy of the April 13, 2015 Dismissal Order is attached as **Exhibit 2**.

WHEREAS, the Board of Trustees finds that it is in the public's best interest that the Release be approved and the payment of the settlement funds be authorized.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The President and Board of Trustees of the Village of Maywood approve and authorize the execution Release, a copy of which is attached hereto as **Exhibit 1**. Further, the Board of Trustees authorize and direct the Village President and Village Clerk, or their designees, to execute the Release, and to execute and deliver all other instruments and documents that are necessary to fulfill the Village's obligations under the Release.

SECTION 2: The President and Board of Trustees of the Village of Maywood authorizes the payment of settlement in the amount of Five Thousand and No/100 Dollars (\$5,000.00).

ADOPTED this 21st day of April, 2015, pursuant to a roll call vote as follows:

AYES: Mayor Edwenna Perkins, Trustee(s) C. Ealey-Cross, A. Jaycox, A. Dorris, M. Rogers, M. Lightford, and R. Rivers

NAYS: None

ABSENT: None

APPROVED by me as Village President, and attested to by the Village Clerk, on the 22nd day of April, 2015.

ATTEST:



VILLAGE CLERK





VILLAGE PRESIDENT

RELEASE
(PROPERTY DAMAGE ONLY)

For the amount of Five Thousand and 00/100 (\$5,000.00) Allstate the undersigned, as subrogee for Dennis Lontka, hereby release and forever discharges George Adamidis, and Village of Maywood, their heirs, executors, administrators, agents and assigns and all other persons, firms, or corporations liable, or who may be claimed to be liable, none of whom admit liability to the undersigned by all expressly deny any liability, from any and all claims, demands or suits of any kind on account of resulting from property damage, which occurred on or about January 11, 2014, at or near 25th Avenue/Grant Street in the City of Bellwood, Cook County, Illinois to the extent of Allstate's interest and it's insured's deductible.

The undersigned hereby declares that the terms of this settlement have been completely read and are fully understood and voluntarily accepted for the purpose of making a full and final compromise adjustment and settlement of any and all claims, disputed or otherwise, on account of the damages above mentioned, and for the express purpose of precluding forever any further or additional claims relating to property damage arising out of the aforesaid incident.

IN WITNESS WHEREOF, we have hereunto affixed our signature this date of March 11, 2015
Chicago, Illinois.

ALLSTATE INSURANCE COMPANY a/s/o
Mark Migro

By: _____

Edward B. Elliott, It's Attorney

Allstate Insurance Claim No.: 0312405830

VILLAGE OF MAYWOOD

By: _____

Village President or her designee



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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT

Allstate A/S/O NIGRO

v.

No. 15 M4 53

Village of Maywood

George ADAMIS

Village of Melrose Park

Giuseppe SCARPELLI

ORDER

This matter having come before this Court upon the trial call and the Court having been advised in the premises that all matters in controversy have been resolved between the parties, and by agreement of the parties;

w/ prejudice

IT IS HEREBY ORDERED that this matter be and is dismissed, Further that this Court shall retain jurisdiction of this matter in the event that any party fails to execute any necessary document, fulfill any agreed to conditions, and/or pay the agreed settlement amount, of \$5,000.00 from

Village of Maywood

That the date of _____, _____ is hereby stricken.

Village of Melrose Park pays - 0-

Atty. No.: 19859

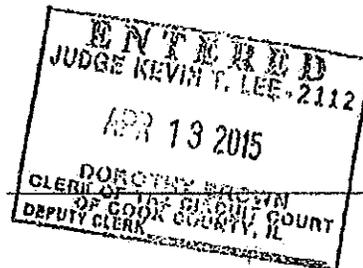
Name: Libas...

Atty. for: rs

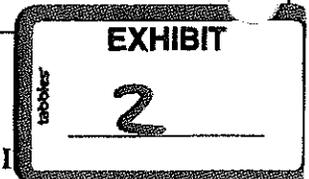
Address: 700 N. La Salle

City/State/Zip: Chi

Telephone: 312 558-9833



Judge



STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Viola Mims, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, do hereby certify that the annexed and foregoing is a true and correct copy of that certain Resolution now on file in my Office, entitled:

RESOLUTION NO. R-2015-09

**A RESOLUTION APPROVING THE SETTLEMENT RELEASE AND
AUTHORIZING THE PAYMENT OF SETTLEMENT FUNDS IN THE
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which Resolution was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 21st day of April, 2015, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 22nd day of April, 2015.

I further certify that the vote on the question of the passage of said Resolution by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Edwenna Perkins, Trustee(s) C. Ealey-Cross, A. Jaycox, A. Dorris, M. Rogers, M. Lightford, and R. Rivers

NAYS: None

ABSENT: None

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 22nd day of April, 2015.



[SEAL]



Village Clerk