

PROPERTY DAMAGE RELEASE

Claim # 16-128081

KNOW ALL MEN BY THESE PRESENTS:

That Marsha and Mason Weiss, hereinafter sometimes referred to as the "Undersigned," being of lawful age, for the sole consideration of Twenty Six Thousand & 00/100 (\$26,000.00) paid by the City of Manhattan Beach to the Undersigned, the receipt of which is hereby acknowledged, does hereby and for his heirs, executors, administrators, successors and assigns release, acquit and forever discharge the City of Manhattan Beach and its elected officials, officers, employees, agents and successors (the "Releasees"), of and from any and all claims, actions, causes of action, demands, rights, damages, costs, loss of service, expenses and compensation whatsoever, which the Undersigned now has or which may hereafter accrue on account of, or in any way growing out of, any and all known and unknown, foreseen and unforeseen property damage and the consequences thereof resulting from the accident, casualty or event which occurred on or about the 10/04/2016 at or near 440 5th Street, Manhattan Beach, California.

It is understood and agreed that this Release constitutes the compromise of a doubtful and disputed claim, and that the payment made is not to be construed as an admission of liability on the part of the party or parties hereby released, and that the Releasees deny liability therefor and intend merely to avoid litigation.

It is further understood and agreed that all rights under Section 1542 of the Civil Code of California and any similar law of any state or territory of the United States are hereby expressly waived. Said section reads as follows:

"1542. Certain claims not affected by general release. A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

This Release is governed by and construed in accordance with the laws of the State of California. FOR YOUR PROTECTION CALIFORNIA LAW REQUIRES THE FOLLOWING TO APPEAR ON THIS FORM:

"IT IS UNLAWFUL TO:

- (A) PRESENT OR CAUSE TO BE PRESENTED ANY FALSE OR FRAUDULENT CLAIM FOR THE PAYMENT OF A LOSS UNDER A CONTRACT OF INSURANCE.
- (B) PREPARE, MAKE, OR SUBSCRIBE ANY WRITING, WITH INTENT TO PRESENT OR USE THE SAME, OR TO ALLOW IT TO BE PRESENTED OR USED IN SUPPORT OF ANY SUCH CLAIM. EVERY PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS PUNISHABLE BY IMPRISONMENT IN THE STATE PRISON NOT EXCEEDING THREE YEARS, OR BY FINE NOT EXCEEDING ONE THOUSAND DOLLARS, OR BY BOTH."

THE UNDERSIGNED HAS READ THE FOREGOING RELEASE AND FULLY UNDERSTANDS IT.

Signed, sealed and delivered this 20th day of January, 2017

CAUTION: READ BEFORE SIGNING BELOW

[Signature]
WITNESS

Marsha Weiss L.S.
Marsha Weiss

Mason Weiss
Mason Weiss