OFFICE OF THE COUNN COUNSEL

SANTA CRUIL

COUNTY OF SANTA CRUZ

701 OCEAN STREET, ROOM 505, SANTA CRUZ, CALIFORNIA 95060-4068

GOVERNMENT CENTER (408)454-2040 FAX(408)454-2115

> DWIGHT L. HERR COUNTY COUNSEL

DEBORAH STEEN SAMUEL TORRES, JR. CHIEF ASSISTANTS

GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

HARRY A. OBERHELMAN III

MARIE COSTA

JANE M. SCOTT

RAHN GARCIA

TAMYRA COOE

PAMELA FYFE

ELLEN LEWIS

KIM BASKETT

LEE GULLNER

DANA MCRAE

ASSISTANTS Agenda January 12, 1999 To: The Board of Supervisors Re: Claim of Mary Ann Barry Smith, No. 899-070D Original Document and associated materials are on file at the Clerk to the Board of Supervisors. In regard to the above-referenced claim, this is to recommend that the Board take the following action: __1. Deny the claim of Mary Ann Barry Smith, No. 899-070D and refer to County Counsel. 2. Deny the application to file a late claim on behalf of and refer to County Counsel. 3 Grant the application to file a late claim on behalf of ______ and refer to County Counsel. _4. Approve the claim of _____ in the amount of _____ and reject it as to the balance, if any, and refer to County Counsel. 5. Reject the claim of _____ insufficiently filed and refer to County Counsel. RISK MANAGEMENT cc: John Fantham, Director Department of Public Works Alvin James, Planning Director COUNN COUNSEL LTR9.WPT

PER5107 Rev. 4/97

CLAIM **AGAINST** THE **COUNTY** OF SANTA CRUZ (Pursuant to Section 910 et Seq., Govt. Code)

TO: BOARD OF SUPERVISORS COUNTY OF SANTA CRUZ ATTN: Clerk of the Board Governmental Center 701 Ocean Street, Santa Cruz A95060



Claimant's Name: Mary Ann Barry Smith
Address: 271 Meadowlark Lane
Aptos CA 95003
Phone No(831)688-8868
P.O. Box to which notices are to be sent:
Occurrence: Grading and paving in contravention of Tenantive Map approved to the Board of Supervisors. See Date: JuPlace: 998Rio Highlands Subdivision Aptos, CA
Circumstances ofoccurrence or transaction giving rise to claim: Santa Cruz County Public Works
and Planning Departments wrongfully approved the Final Map for the Rio
Highlands Subdivision that did not substantially comply with the Rio
Highlands Sudivision Tenantive Man
General description of indebtedness, obligation, injury, damage or loss incurred so far as is now known:
Loss of Privacy; unreasonable interference with enjoyment of home;
Nuisance; diminuation in property value; flooding; diverting of run off
Name(s) of public employee(s) causing injury, damage or loss, if known :
Amountclaimednow
Estimated amount of future loss, if knownstobe ascertained
TOTAL S
Basis for above computations: Please see No A above
If the amount claimed is over S 10,000, indicate the court of jurisdiction:
Municipal Court Santa Cruz County Superior Court
CLAIMANT'S SIGNATURE: // ANY MANY SMITH
Note: Claim must be presented to Clerk, Board of Supervisors, within six (6) months after the act which occasioned the injury.
Americans with Disabilities Act questions or rquests for accommodations may be directed to the ADA Coordinator at 454-2962 (TDD 454-2 123).