

### PROPERTY DAMAGE RELEASE

KNOWN ALL BY THESE PRESENTS:

That the Undersigned, being of lawful age, for sole consideration of Twenty-three thousand four hundred eleven dollars and twenty-eight cents (\$23,411.28) to be paid to Kast Construction, Kast Construction and Indian River County, a political subdivision of the State of Florida do/does hereby and for my/our/its heirs, executors, administrators, successors and assigns release, acquit and forever discharge Ocean Doors and Windows, Inc. and Arch Specialty Insurance Company and his, her, their, or its agents, servants, successors, heirs, executors, administrators and all other persons, firms, corporations, associations or partnerships 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/have or which may hereafter accrue on account of or in any way growing out of any and all known and unknown, foreseen property damage and the consequences thereof resulting or to result from the occurrence on or about the 13<sup>th</sup> day of October 2016, at or near 1590 SW 9th Street, Vero Beach, FL 32962. Excepted from this release is any claim for warranty or guarantee from Ocean Doors and Windows, Inc. or Kast Construction, Inc. in favor of Indian River County concerning the Intergenerational Center.

It is understood and agreed that this settlement is the compromise of a doubtful and disputed claim, and that the payment is not to be construed as an admission of liability on the part of the party or parties hereby released, and that said released parties deny liability and intend merely to avoid litigation and buy their peace. The undersigned further declare(s) and represents(s) that no promise, inducement or agreement not herein expressed has been made to the undersigned, and that this Release contains the entire agreement between the parties hereto, and that the terms of this Release are contractual and not a mere recital.

ATTEST: Jeffrey R. Smith, Clerk of Court  
and Comptroller

By: \_\_\_\_\_  
Deputy Clerk

INDIAN RIVER COUNTY, FLORIDA

By: \_\_\_\_\_  
Joseph E. Flescher, Chairman  
Board of County Commissioners

BCC approved: \_\_\_\_\_


STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

On this \_\_\_\_ day of June, 2017, before me appeared **Joseph E. Flescher, Chairman of the Board of County Commissioners of Indian River County, Florida** who is personally known to me and who executed this release with full authority of the Board of County Commissioners.

NOTARY

sign: \_\_\_\_\_  
printed name:  
Commission No.:  
Commission Expiration:

F.S. 817.234 (1) (b) Any person who knowingly and with intent to injure, defraud, or deceive and insurer files a statement of claim or an application containing and false, incomplete, or misleading information is guilty of a felony of the third degree.

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**  
BY   
**WILLIAM K. DEBRAAL  
DEPUTY COUNTY ATTORNEY**