

LIMITED POLICY RELEASE

This Limited Policy Release is hereby agreed to the ____ day of _____, 2024 by the City of Pineville.

WITNESSETH

WHEREAS the City of Pineville was the named insured under certain policies issued by the Interlocal Risk Financing Fund of North Carolina (“IRFFNC”) under policy number PL-P-63148-2023, for policy periods beginning on July 1, 2023 and ending on June 30, 2024; and

WHEREAS, the North Carolina League of Municipalities (“NCLM”) is the administrator for the IRFFNC; and

WHEREAS, the IRFFNC denied coverage for claims by Sherrell Rogers; Date of Incident 12-14-23; IRFFNC File #: 3230114071 after determining that the City of Pineville had not listed the involved vehicle on the required Business Auto Schedule; and

WHEREAS, the City of Pineville listed ten vehicles on January 8, 2024 in Policy Changes, Number 83026, Pineville PL-P-63148-2023, with an effective date of December 21, 2023 (Attached hereto as Exhibit A); and

WHEREAS, the IRFFNC must deny any claims that may arise or have arisen from use of any of the ten vehicles, prior to December 21, 2023, listed in Exhibit A, regardless of whether the claims arise during the effective dates of policy PL-P-63148-2023 or any previous policy provided by the IRFFNC to the City of Pineville; and

WHEREAS, the IRFFNC has agreed to pay twenty-five thousand dollars and 00/100 (\$25,000.00) to the City of Pineville to resolve any and all claims under policy PL-P-63148-2023, or any previous policy provided by the IRFFNC to the City of Pineville, including claims for defense and for indemnity that may arise or have arisen from use of any of the ten vehicles prior to December 21, 2023 which are listed in Exhibit A in exchange for a Limited Policy Release as set forth herein; and

NOW, THEREFORE, in consideration of the payment made by IRFFNC of twenty-five thousand dollars and 00/100 (\$25,000.00), and in consideration of the covenants and promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Pineville agrees as follows:

1. In consideration of the payment of twenty-five thousand dollars and 00/100 (\$25,000.00) by IRFFNC, the City of Pineville, for itself and for its representatives, assigns, administrators and successors, does hereby fully release, remise, acquit and forever discharge the IRFFNC and the NCLM, and its agents, servants, successors, administrators, assigns, attorneys, employees, owners, officers, directors, shareholders, parent entities, subsidiary entities, sister entities, successor corporations, representatives and all other related entities of

any kind from any and all claims that were or could have been brought and for any future claims that may be brought against the City of Pineville from the use of any of the ten vehicles prior to December 21, 2023 which are listed in Exhibit A and any other unlisted vehicles now or formerly owned by Pineville. This Release applies to any and all claims by Pineville arising from Claimant Sherrell Rogers; Date of Incident 12-14-23; IRFFNC File #: 3230114071. This Release also applies to any claims for coverage under policy PL-P-63148-2023, or any previous policy provided by the IRFFNC to the City of Pineville, including claims for defense or indemnity which have or may be brought against the City of Pineville from the use of any of the ten vehicles prior to December 21, 2023 which are listed in Exhibit A.

2. The City of Pineville hereby acknowledges and agrees that the IRFFNC's payment is not an admission of liability or of coverage under its policies, but such payment is made solely in order to compromise disputed claims and issues for the purpose of avoiding litigation and the incurrence of additional litigation costs.

3. If any paragraph or part of this Agreement is found void or unenforceable, the remainder of this Agreement shall not be affected by such a finding.

4. This Agreement shall be binding on Pineville's successors in interest and assigns.

5. The undersigned have read this Agreement and acknowledges that it is authorized to bind the City of Pineville, has had the advice of counsel, and that no promise or representation of any kind, other than as contained herein, has been made by the IRFFNC as Releasee or by anyone acting for the IRFFNC. The City of Pineville has relied fully and completely on its own judgment and the advice of its attorneys in executing this Agreement.

6. This Agreement shall be construed in accordance with the laws of the State of North Carolina.

WITNESS the following signature and seal:

The City of Pineville

BY: _____

Title: _____

Sworn to and subscribed to before me
this ____ day of _____, 2024.

Exhibit A

Interlocal Risk Financing Fund of North Carolina

Property and Liability Insurance Trust administered by the NC League of Municipalities

THIS ENDORSEMENT CHANGES THE POLICY, PLEASE READ IT CAREFULLY

POLICY CHANGES

Date 01/08/2024

Policy Version 3

Number 83026

Named Insured Pineville	Policy Number PL-P-63148-2023
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Transaction #		Effective	Premium Change
5481348	Added	12/21/2023	
Item Changed	Vehicle	2021 Ford Explorer 32211 added per member request	
Description	VIN: 32211 Year: 2021 Make: Ford Model/Description: Explorer Dept: Police OCN: \$35,000.00		
	Coverage: Automobile Liability		\$185.91
	Coverage: Auto Physical Damage Comp.		\$45.52
	Coverage: Auto Physical Damage Coll.		\$145.69
5481349	Added	12/21/2023	
Item Changed	Vehicle	2021 Ford Explorer 31772 added per member request	
Description	VIN: 31772 Year: 2021 Make: Ford Model/Description: Explorer Dept: Police OCN: \$35,000.00		
	Coverage: Automobile Liability		\$185.91
	Coverage: Auto Physical Damage Comp.		\$45.52
	Coverage: Auto Physical Damage Coll.		\$145.69
5481350	Added	12/21/2023	
Item Changed	Vehicle	2021 Ford Explorer 31524 added per member request	
Description	VIN: 31524 Year: 2021 Make: Ford Model/Description: Explorer Dept: Police OCN: \$35,000.00		
	Coverage: Automobile Liability		

overage: Auto Physical Damage Comp.	\$185.91
Coverage: Auto Physical Damage Coll.	\$45.52
	\$145.69

5481351	Added	12/21/2023	
Item Changed	Vehicle	2022 Ford Explorer 83938 added per member request	
Description	VIN: 83938 Year: 2022 Make: Ford Model/Description: Explorer Dept: Police OCN: \$37,000.00		
	Coverage: Automobile Liability		\$185.91
	Coverage: Auto Physical Damage Comp.		\$45.52
	Coverage: Auto Physical Damage Coll.		\$145.69
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5481352	Added	12/21/2023	
Item Changed	Vehicle	2022 Ford Explorer 84103 added per member request	
Description	VIN: 84103 Year: 2022 Make: Ford Model/Description: Explorer Dept: Police OCN: \$37,000.00		
	Coverage: Automobile Liability		\$185.91
	Coverage: Auto Physical Damage Comp.		\$45.52
	Coverage: Auto Physical Damage Coll.		\$145.69
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5481353	Added	12/21/2023	
Item Changed	Vehicle	2022 Ford Explorer 84473 added per member request	
Description	VIN: 84473 Year: 2022 Make: Ford Model/Description: Explorer Dept: Police OCN: \$37,000.00		
	Coverage: Automobile Liability		\$185.91
	Coverage: Auto Physical Damage Comp.		\$45.52
	Coverage: Auto Physical Damage Coll.		\$145.69
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5481356	Added	12/21/2023	
Item Changed	Vehicle	2020 Ford Explorer 41789 added per member request	
Description	VIN: 41789 Year: 2020 Make: Ford Model/Description: Explorer Dept: Police OCN: \$38,000.00		
	Coverage: Automobile Liability		\$185.91
	Coverage: Auto Physical Damage Comp.		\$40.16
	Coverage: Auto Physical Damage Coll.		\$119.98

5481359	Added	12/21/2023	
Item Changed	Vehicle	2023 Chev Silverado 11193 added per member request	
Description	VIN:11193 Year: 2023 Make: Chevrolet Model/Description: Silverado Dept: Police OCN: \$47,000.00		
		Coverage: Automobile Liability	\$185.06
		Coverage: Auto Physical Damage Comp.	\$45.44
		Coverage: Auto Physical Damage Coll.	\$178.64
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5481361	Added	12/21/2023	
Item Changed	Vehicle	2007 Ford Crown Vic 70317 added per member request	
Description	VIN: 40317 Year: 2007 Make: Ford Model/Description: Crown Victoria Dept: Police OCN: \$		
		Coverage: Automobile Liability	\$185.91
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5482107	Added	12/21/2023	
Item Changed	Vehicle	2021 Ford Explorer 31779 added per member request	
Description	VIN: 31779 Year: 2021 Make: Ford Model/Description: Explorer Dept: Police OCN: \$35,000.00		
		Coverage: Automobile Liability	\$185.91
		Coverage: Auto Physical Damage Comp.	\$45.52
		Coverage: Auto Physical Damage Coll.	\$145
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"Net Premium Due (Credit)"	\$3,580.94		

