

Form #4 NO JURISDICTION AND REJECTION LETTER
* TO BE TYPED ON CITY LETTERHEAD

TO: Name of claimant
c/o claimant's attorney or
claimant's parents, if a minor

Use address on claim indicating address to which notices are to be sent. If such an address is not indicated, use claimant's home address.

RE:
Claim of :
Date of Loss :
Your File :

I, (NAME), am (TITLE) of the (NAME OF ENTITY), (ADDRESS).

As (TITLE), I have reviewed the (NAME OF ENTITY'S) maps and records for land development in the jurisdiction of the (NAME OF ENTITY), and for boundaries on adjacent jurisdictions. Based upon my review of these maps and records, I have concluded that the claim incident location, (ADDRESS OF PLACE OF INCIDENT), is not under the control or jurisdiction of the (NAME OF ENTITY), nor is the (NAME OF ENTITY) responsible for its design, protection, construction, or maintenance.

Based upon personal knowledge and a review of the official records of the (NAME OF ENTITY), (ADDRESS OF PROPERTY) is identified in the County records as Assessor's Parcel No. (PARCEL NUMBER) and is under the jurisdiction/ownership of (NAME OF ENTITY/PARTY OWNING PROPERTY).

I certify under penalty of perjury that the foregoing is true and correct.

Executed on ___(date)___, in the City of _____, in County of _____, in the State of California.

Signature

Name & Title

AS A RESULT OF THE ABOVE FINDINGS, NOTICE IS HEREBY GIVEN that the claim for damages you presented to the (NAME OF ENTITY) on (DATE OF SUBMISSION) was rejected by

(either of the following)

the (GOVERNING BOARD/OR DESIGNEE) for the (NAME OF ENTITY) on (DATE REJECTED)

(or)

operation of law on (THE 45th DAY AFTER CLAIM PRESENTED: EITHER DATE OF HAND DELIVERY TO THE GOVERNING BOARD OR DESIGNEE [Government Code §915(a)(1)], or DATE OF PLACEMENT OF CLAIM IN THE MAIL [Government Code §915(a)(2), 915.2]).

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

As allowed by California Code of Civil Procedure Sections 128.6 and 1038, the (NAME OF ENTITY) will seek to recover all incurred costs and attorney fees from you and your attorney should you ultimately serve the (NAME OF ENTITY) with a lawsuit and it is later determined the suit was not brought in good faith or on reasonable grounds. If you feel you must name the (NAME OF ENTITY) in the lawsuit to protect yourself, we urge you not to serve the (NAME OF ENTITY) with a summons and complaint until you are certain there is a justiciable controversy with the (NAME OF ENTITY).

Very truly yours,

(NAME OF ENTITY)
(NAME OF PERSON AUTHORIZED
TO SEND REJECTION NOTICES)

encl: (LIST OF ATTACHMENTS)

cc: ABAG PLAN

rev. 2/8/06