

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

CITY OF CHAMPAIGN, ILLINOIS,
a municipal corporation,

Plaintiff,

v.

LEX EXPRESS, INC.,

Defendant.

No. 08-SC- 124

FILED
SIXTH JUDICIAL CIRCUIT

JAN 24 2008

Linda S. Franks
CLERK OF THE CIRCUIT COURT
CHAMPAIGN COUNTY, ILLINOIS

SMALL CLAIM COMPLAINT

Now comes the Plaintiff, the CITY OF CHAMPAIGN, ILLINOIS, a municipal corporation, by its attorney, Frederick C. Stavins, City Attorney, by Laura J. Hall, Assistant City Attorney, and for its claim against the Defendant, LEX EXPRESS, INC., states as follows:

1. That the Plaintiff is a municipal corporation with its office located at 102 North Neil Street, Champaign, Illinois 61820.
2. That on or about January 15, 2007, Defendant did own a motor vehicle which was being operated by Michael T. Good and which struck a traffic signal at Market and Washington in Champaign, Illinois said traffic signal being owned by the City of Champaign, Champaign, Illinois.
3. That Defendant was negligent in that it did own said vehicle and did allow Michael T. Good to operate the vehicle in an unreasonable manner in light of the traffic conditions at the time.
4. That as a result of Defendant's negligence, damage to said traffic signal totals \$1,407.60 as set forth in the Affidavits attached hereto, marked Exhibit "A" and Exhibit "B", and made a part hereof by reference.

5. That Plaintiff has made demand for payment of said sums, but the Defendant has refused and continues to refuse to pay the same and there is a balance due of \$1,407.60.

WHEREFORE, Plaintiff prays as follows:

1. That the Court enter a judgment in favor of the Plaintiff and against the Defendant in the sum of \$1,407.60 plus costs and attorneys fees.

2. For such other and further relief as the Court deems just.

Dated this 23rd day of January, 2008.

CITY OF CHAMPAIGN, ILLINOIS
a municipal corporation, Plaintiff,

By: Laura J. Hall
Laura J. Hall
Assistant City Attorney

Prepared by:
Legal Department
City of Champaign
102 North Neil Street
Champaign, Illinois 61820
(217) 403-8765

EXHIBIT "A"

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

CITY OF CHAMPAIGN, ILLINOIS,)	
a municipal corporation,)	
)	
Plaintiff,)	
)	
v.)	No. 08-SC-
)	
LEX EXPRESS, INC.,)	
)	
Defendant.)	

AFFIDAVIT

I, Barbara Ramsay, on oath state that if I were called upon to testify, I would state the following of my own personal knowledge:

1. That I am employed by the City of Champaign, Illinois, as City Accountant, and have been since April 21, 2003.
2. That as part of my duties, demand was made upon LEX EXPRESS, INC. to reimburse the City \$1,407.60 for damage to a traffic signal, incurred as a result of Michael T. Good negligently striking the traffic signal with the vehicle owned by the Defendant, LEX EXPRESS, INC., on January 15, 2007, said property damage occurring at Market and Washington, Champaign, Illinois.
3. That \$1,407.60 remains unpaid and LEX EXPRESS, INC. has failed and continues to fail to reimburse the City of Champaign, Illinois.
4. FURTHER, AFFIANT SAYETH NOT.

Barbara J. Ramsay
Barbara Ramsay, City Accountant

Subscribed and sworn to before me this 23rd day of January, 2008.

Michele L. Luecke
Notary Public

Prepared By:
City of Champaign
Legal Department
102 N. Neil Street
Champaign, IL 61820
(217) 403-8765



IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

CITY OF CHAMPAIGN, ILLINOIS,
a municipal corporation,

Plaintiff,

v.

LEX EXPRESS, INC.,

Defendant.

No. 08-SC-

AFFIDAVIT

I, Glen E. Berger, on oath, state that if I was called upon to testify, I would state the following of my own and personal knowledge:

1. That I am employed by the City of Champaign, Illinois, as its Traffic and Lighting Supervisor, and have been so employed since November 13, 1995.
2. That as part of my duties on January 15, 2007, I supervised the repair of a traffic signal located at Market and Washington, Champaign, Illinois.
3. That the total cost for the repair of said traffic signal was \$1,407.60 as set forth in the Accident Damage Report which is attached hereto, marked Exhibit "1" and made a part hereof by reference.
4. Further Affiant sayeth not.

Glen E. Berger
Glen E. Berger, Traffic and Lighting Supervisor

Subscribed and sworn to before me this 22nd day of January, 2008.

Lisa A. Nichols
Notary Public

Prepared By:
City of Champaign
Legal Department
102 N. Neil Street
Champaign, IL 61820
(217) 403-8765

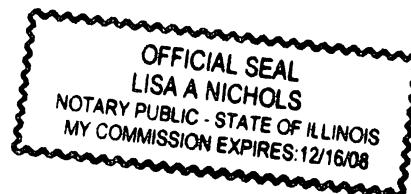


EXHIBIT "1"

TO: Michael T. Good
810 W. Devonshire
Champaign, IL 61821

DATE: 1/18/2007

FROM: City of Champaign
Traffic and Lighting Dept.
702 Edgebrook
Champaign, IL 61820

SUBJECT: Traffic Signal Knockdown Removal.

LOCATION: Market/Washington

Accident Date: 1/15/2007 ☒ ACCIDENT DAMAGE

DESCRIPTION OF WORK:

Removed signal and pole, secured wiring.

NAME	CLASSIFICATION	HOURS	RATE	COST
	Electrician	0.00	\$38.56	\$0.00
	Electrician	0.00	\$38.56	\$0.00
	Electrician	0.00	\$38.56	\$0.00
B. Allen	Electrician/OT	2.00	\$51.18	\$102.36
	Electrician/OT	0.00	\$51.18	\$0.00
	Electrician/OT	0.00	\$51.18	\$0.00

EQUIPMENT	HOURS	RATE	COST
Pick Up Truck	0.00	\$9.40	\$0.00
Bucket Truck	1.00	\$26.94	\$26.94
	0.00	\$0.00	\$0.00

MATERIALS	AMOUNT	COST EA.	COST
	0.00	\$0.00	\$0.00
	0.00	\$0.00	\$0.00
	0.00	\$0.00	\$0.00
	0.00	\$0.00	\$0.00
	0.00	\$0.00	\$0.00

TOTAL COST \$129.30

SIGNATURE: 

Glen E. Berger

TITLE: Traffic & Lighting Supervisor

EXHIBIT "1"

TO: Michael T. Good
810 W. Devonshire
Champaign, IL 61821

DATE: 1/18/2007

FROM: City of Champaign
Traffic and Lighting Dept.
702 Edgebrook
Champaign, IL 61820

SUBJECT: Traffic Signal Knockdown Repair.

LOCATION: Market/Washington

Accident Date: 1/15/2007

☒ ACCIDENT DAMAGE

DESCRIPTION OF WORK:

Repaired signal in shop. Replaced signal pole, signal base, 1 3-section signal head,
1 5-section signal head, wiring.

NAME	CLASSIFICATION	HOURS	RATE	COST
J. Cobble	Electrician	4.00	\$38.56	\$154.24
	Electrician	0.00	\$38.56	\$0.00
	Electrician	0.00	\$38.56	\$0.00
	Electrician/OT	0.00	\$51.18	\$0.00
	Electrician/OT	0.00	\$51.18	\$0.00
	Electrician/OT	0.00	\$51.18	\$0.00

EQUIPMENT	HOURS	RATE	COST
Pick Up Truck	0.00	\$9.40	\$0.00
Bucket Truck	0.00	\$26.94	\$0.00
	0.00	\$0.00	\$0.00

MATERIALS	AMOUNT	COST EA.	COST
signal pole	1.00	\$190.00	\$190.00
signal base	1.00	\$90.00	\$90.00
3-section signal head	1.00	\$260.00	\$260.00
5-section signal head	1.00	\$455.00	\$455.00
wiring kit	1.00	\$25.00	\$25.00

TOTAL COST \$1,174.24

SIGNATURE: Glen E. Berger

Glen E. Berger

TITLE: Traffic & Lighting Supervisor

EXHIBIT "1"

TO: Michael T. Good
810 W. Devonshire
Champaign, IL 61821

DATE: 1/18/2007

FROM: City of Champaign
Traffic and Lighting Dept.
702 Edgebrook
Champaign, IL 61820

SUBJECT: Traffic Signal Knockdown Installation.

LOCATION: Market/Washington

Accident Date: 1/15/2007

☒ ACCIDENT DAMAGE

DESCRIPTION OF WORK:

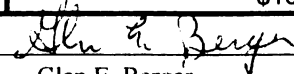
Replaced repaired signal at intersection.

NAME	CLASSIFICATION	HOURS	RATE	COST
B. Allen	Electrician	1.00	\$38.56	\$38.56
J. Cobble	Electrician	1.00	\$38.56	\$38.56
	Electrician	0.00	\$38.56	\$0.00
	Electrician/OT	0.00	\$51.18	\$0.00
	Electrician/OT	0.00	\$51.18	\$0.00
	Electrician/OT	0.00	\$51.18	\$0.00

EQUIPMENT	HOURS	RATE	COST
Pick Up Truck	0.00	\$9.40	\$0.00
Bucket Truck	1.00	\$26.94	\$26.94
	0.00	\$0.00	\$0.00

MATERIALS	AMOUNT	COST EA.	COST
	0.00	\$0.00	\$0.00
	0.00	\$0.00	\$0.00
	0.00	\$0.00	\$0.00
	0.00	\$0.00	\$0.00
	0.00	\$0.00	\$0.00

TOTAL COST \$104.06

SIGNATURE: 

Glen E. Berger

TITLE: Traffic & Lighting Supervisor

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

City of Champaign, Illinois
a Municipal Corporation

Plaintiff(s),

v.

LEX Express, Inc.

Defendant(s).

MAR 07 2008

Linda S. Frank
Circuit Clerk of Champaign County, Illinois

Case No: 08-SC-124

SATISFACTION OF JUDGMENT

The undersigned Judgment Creditor, having received full satisfaction of the judgment previously rendered in this case, hereby moves that the judgment be vacated and that this case be dismissed.

DATE: _____, 200__.

(Signature of Plaintiff or Counsel for Plaintiff)

On the motion of the Plaintiff, the judgment previously entered in this case is vacated and the cause is dismissed.

Date: _____

ENTER: _____
Judge of the Circuit Court

MOTION TO DISMISS

The undersigned plaintiff hereby moves that this case be dismissed.

DATE: 3/4, 2008.

Laura Hall
(Signature of Plaintiff or Counsel for Plaintiff)

ORDER OF DISMISSAL

On the motion of the plaintiff, this cause is dismissed.

Date: 3-7-08

ENTER: _____
Judge of the Circuit Court

LINDA S. FRANK
CIRCUIT CLERK OF CHAMPAIGN COUNTY
101 EAST MAIN STREET
URBANA, ILLINOIS 61801
(217) 384-3767