

222

00-R-0856

Entered - 07/09/99 - sb
CL99L0415 - DIANNE C. MITCHELL

CLAIM OF: HAROLD W. HUTTO
112 Stafford Street
Atlanta, Georgia 30314

For damages alleged to have been sustained as a result of a vehicular accident on June 1, 1999 at McDaniel Street and Whitehall Street, SW.

BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to HAROLD W. HUTTO the sum of \$865.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on June 1, 1999 at McDaniel Street and Whitehall Street, SW as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADOPTED BY
JUN 19 2000
COUNCIL

FAVORABLE REPC

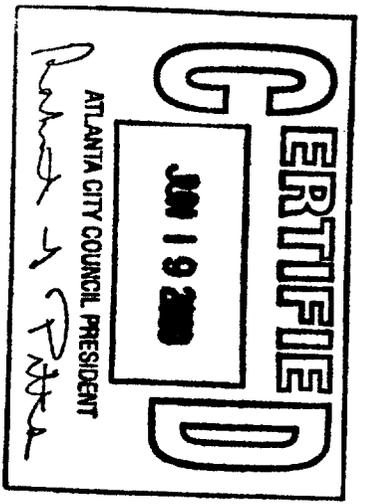
CON. P.S. & L.P.

DATE 6/13/00

CH. C.T. Martin

[Handwritten signature]

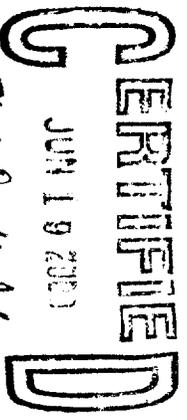
[Handwritten signature]



APPROVED

JUN 28 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW



Rosalind Rubens Newell
MUNICIPAL CLERK



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

00-R-0856

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Harold W. Hutto** the sum of **\$865.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a vehicular accident on June 1, 1999 at McDaniel Street and Whitehall Street, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0415

Date: June 2, 2000

Claimant /Victim HAROLD W. HUTTO
BY: (Atty) (Ins. Co.)
Address: 112 Stafford Street, Atlanta, Georgia 30314
Subrogation: Claim for Property damage \$ 865.00 Bodily Injury \$
Date of Notice: 06/16/99 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 06/01/99 Place: McDaniel Street and Whitehall Street, SW
Department Public Works Division: Solid Waste Services
Employee involved Donald E. Lewis Disciplinary Action: No Action Taken

NATURE OF CLAIM: The driver of the City vehicle backed into the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report N/A Other
Traffic citations issued: City Driver X Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable X
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

[Handwritten signature of Dianne C. Mitchell]

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 865.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: [Signature] Concur/date 06-0200
Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
CLERK OF COUNCIL
City Hall
68 Mitchell Street, S.W. JUN 16 1999
Atlanta, GA 30335

RE: CLAIM FOR DAMAGES

TODAY'S DATE: 6/11/99

Reeves
~~2/10/99~~
07/06/09

Dear Sir:

This is to notify the City of Atlanta that I have suffered damages in the sum of \$865.00 property and/or \$0 bodily injury for which I contend the City is liable.

ENTERED - 7-9-99 - SB
99L0415 - MIKE REEVES

1. Date of incident: 6/11/99 (month day year) 2. Police called (yes) (No)
3. Location of incident: McDaniel and Whitehall
4. Name of your insurance company Progressive Policy # 057873
5. State what and how incident occurred: The city truck Backed in to me on the intersection of Whitehall and McDaniel Streets
6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE STATEMENTS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

7. The registered owner must make the claim for vehicle damages. Complete the following and attached two (2) estimates of repair.
Your vehicle: Ford 1986 533 MBR Harold Hurt (make) (year) (tag#) (driver's name)
City vehicle: unknown (make) (driver's name) (department)

8. Witness: Not Recorded (name) (address) (phone)

9. The acknowledgment of this claim in no way waives the Governmental Immunity of the City of Atlanta, as granted by State Law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT!

10. THIS CLAIM SHOULD BE MAILED IMMEDIATELY TO THE ADDRESS SHOWN ABOVE

Harold W. Hurt (SEAL)
412 Stafford St (claimant)
ATL GA 30314 (address) (city) (state) (zip)
404 7535504 (home) (phone) (work)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 99L0415

\$ 865.00

IN CONSIDERATION of the sum of EIGHT HUNDRED SIXTY-FIVE AND NO/100
 DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to Donald R. Lewis, from any and all
claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or
on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident

which occurred on or about the 1st of June, 1999

at or near McDaniel Street, SW and Whitehall Street, SW

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this Nineteenth day of May, 192000

Harold W. Hutto (LS)
HAROLD W. HUTTO

The above release was read and explained to, and signed by the said _____

Harold W. Hutto in our presence on the date above written.

Belcher Hutto-Woods
Manji D. Hutto
WITNESSES

RCS# 2016
6/19/00
2:32 PM

Atlanta City Council

Regular Session

Consent Agenda Pages (1 - 8)

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	B Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-0795
00-R-0831

PRESIDENT PITTS RECUSED ON 00-
O-0756.

06/19/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
<ol style="list-style-type: none"> 1. 00-O-0756* 2. 00-O-0626 3. 00-O-0749 4. 00-O-0760 5. 00-O-0829 6. 00-O-0836 7. 00-O-0709 8. 00-O-0710 9. 00-R-0750 10. 00-R-0817 11. 00-R-0839 12. 00-R-0529 13. 00-R-0813 14. 00-R-0717 15. 00-R-0823 16. 00-R-0841 17. 00-R-0819 18. 00-R-0822 19. 00-R-0828 20. 00-R-0810 21. 00-R-0856 	<ol style="list-style-type: none"> 22. 00-R-0796 23. 00-R-0797 24. 00-R-0798 25. 00-R-0799 26. 00-R-0800 27. 00-R-0801 28. 00-R-0802 29. 00-R-0803 30. 00-R-0804 31. 00-R-0805 32. 00-R-0806 33. 00-R-0807 34. 00-R-0808 35. 00-R-0809 <p style="text-align: center; margin-top: 20px;">*PRESIDENT PITTS RECUSED ON 00-O-0756.</p>