

Entered - 05/07/99 - sb
CL99L0273 - DIANNE C. MITCHELL

CLAIM OF: ANGELIA SAMPLES
58 Stone Way
Villa Rica, Georgia 30180

ADVERSE REPORT

COM. *Public Safety*

DATE *6/27/00*

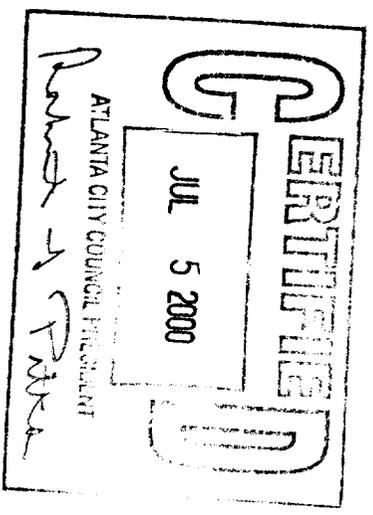
BY *City Clerk*

For damages alleged to have been sustained as a result of vehicular damages on February 13, 1999 at 1200 Chattahoochee Avenue, NW.

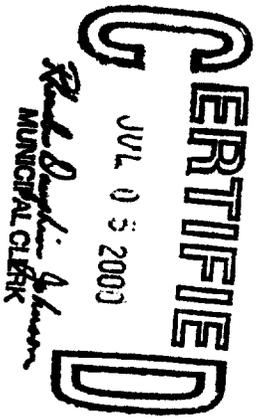
[Signature]

THIS ADVERSED REPORT IS APPROVED

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



ADVERSED BY CITY COUNCIL JUL 05 2000





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

July 18, 2000

Angelia Samples
58 Stone Way
Villa Rica, GA 30180

00-R-0926

Dear Ms. Samples:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on July 05, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0273

Date: June 5, 2000

Claimant /Victim ANGELIA SAMPLES
BY: (Atty) (Ins. Co.)
Address: 58 Stone Way, Villa Rica, Georgia 30180
Subrogation: Claim for Property damage \$ 333.56 Bodily Injury \$
Date of Notice: 04/19/99 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 02/13/99 Place: 1200 Chattahoochee Avenue, NW
Department Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant damaged her vehicle when she drove into an open construction cut in the roadway. The investigation determined that United Water Services Atlanta was responsible for the construction cut and they have settled Ms. Samples' claim.

INVESTIGATION:

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

BASIS OF RECOMMENDATION:

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

Respectfully submitted,

[Handwritten signature of Dianne C. Mitchell]

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Handwritten signature] Concur/date 06-05-00
Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
OFFICE OF THE MUNICIPAL CLERK
55 Trinity Avenue, S.W.
Suite 2700
Atlanta, Georgia 30335

APR 19 1999

RE: CLAIM FOR DAMAGES

Reeves
05703299
4-14-99

TODAY'S DATE: 4-14-99

04-19-99 06:33 RCVD
ENTERED - 5-7-99 - SB
99L0273 - MIKE REEVES

Dear Sir/Madame:

This is to notify the City of Atlanta that I have suffered damages in the sum of \$ 328.56 + 5.00 property and/or \$ 00 bodily injury for which I contend the City is liable.

1. Date of incident: 02-13-99 (month day year) 2. Police called Police report
yes no
3. Location of incident: Chattahooche Ave Atlanta
4. Name of your insurance company GA Farm Bureau Policy # APU10793740405
5. State what and how incident occurred: Driving, saw a hole in the road
And fell in it!

(use other side if necessary)

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 estimates of repair. Only had time to get one estimate, had to get my car fixed. couldn't drive the car.

Your vehicle: Dodge 1997 391-EZ5 Angelina Samples
(make) (year) (tag#) (driver's name)

City vehicle: _____
(make) (driver's name) (department)

8. Witness: Jason Farmer 35 Dogwood Trail, Temple 770 459-2218
(name) (address) (phone)

9. The acknowledgement 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

00- 0926

Angelina Samples (SEAL)
(claimant)
58 Stone way
(address)
Villa Rica, Ga. 30180
(city) (state) (zip)
770-459-9715 770-944-3322
(home) (phone) (work)

RCS# 2057
7/05/00
1:38 PM

Atlanta City Council

Regular Session

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Consent Agenda pgs. 1-13

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Adopt

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

NV McCarty
Y Starnes
Y Bond
B Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
B Emmons
B Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA

00-O-0982
00-O-0996
00-R-0954
00-R-0981
00-R-0999

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07/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-0882	38. 00-R-0914
2. 00-O-0815	39. 00-R-0915
3. 00-O-0986	40. 00-R-0916
4. 00-O-0987	41. 00-R-0917
5. 00-O-0988	42. 00-R-0918
6. 00-O-1002	43. 00-R-0919
7. 00-O-0574	44. 00-R-0920
8. 00-O-0972	45. 00-R-0921
9. 00-O-0818	46. 00-R-0922
10. 00-R-0990	47. 00-R-0923
11. 00-R-0992	48. 00-R-0924
12. 00-R-0993	49. 00-R-0925
13. 00-R-0885	50. 00-R-0926
14. 00-R-0884	51. 00-R-0927
15. 00-R-0883	52. 00-R-0928
16. 00-R-0880	53. 00-R-0929
17. 00-R-0814	54. 00-R-0930
18. 00-R-0957	55. 00-R-0931
19. 00-R-0961	56. 00-R-0932
20. 00-R-0998	57. 00-R-0933
21. 00-R-0887	58. 00-R-0934
22. 00-R-0888	59. 00-R-0935
23. 00-R-0889	60. 00-R-0936
24. 00-R-0997	61. 00-R-0937
25. 00-R-0892	62. 00-R-0938
26. 00-R-0955	63. 00-R-0939
27. 00-R-0984	64. 00-R-0940
28. 00-R-1000	65. 00-R-0941
29. 00-R-0908	66. 00-R-0942
30. 00-R-0909	67. 00-R-0943
31. 00-R-0910	68. 00-R-0947
32. 00-R-0911	69. 00-R-0948
33. 00-R-0912	70. 00-R-0949
34. 00-R-0913	71. 00-R-0950
35. 00-R-0944	72. 00-R-0951
36. 00-R-0945	
37. 00-R-0946	