

CL0010215 - GWENDOLYN BURNS

CLAIM OF: **RONALD MCLEAN**

1919 Metropolitan Parkway
Atlanta, Georgia 30315

For damages alleged to have been sustained as a result of a vehicular incident on February 19, 2000 at 1919 Metropolitan Parkway.

BY: **PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:**

FAVORABLE REPORT
COM. *Public Safety*

DATE 7/11/2000

CHM. *C. T. Marks*

[Signature]

[Signature]

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 **RONALD MCLEAN** the sum of **\$1,000.00** 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 incident on February 19, 2000 at 1919 Metropolitan Parkway 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

CONSENT AGENDA

APPROVED

JUL 26 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW

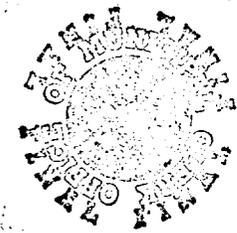
BY: *[Signature]*

ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADOPTED BY
JUL 17 2000
COUNCIL

CERTIFIED
JUL 17 2000
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
JUL 17 2000
MUNICIPAL CLERK
[Signature]



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

00-R-1056

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 **Ronald McLean** in the sum of **\$1000.00** 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 incident on February 19, 2000 at 1919 Metropolitan Parkway** 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.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JULY 17, 2000

JULY 26, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0215

Date: June 30, 2000

Claimant /Victim RONALD MCCLEAN
BY: (Atty) (Ins. Co.)
Address: 1919 Metropolitan Parkway, SE, Atlanta, Georgia 30315
Subrogation: Claim for Property damage \$ 1,400.00 Bodily Injury \$
Date of Notice: 4/4/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 1/19/00 Place: 1919 Metropolitan Parkway, SE
Department POLICE Division
Employee involved William A. Dean, Jr. Disciplinary Action: None

NATURE OF CLAIM: Claimant's landscaping was damaged by a city police vehicle that drove through claimant's property while in pursuit of a fleeing subject.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver 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 X
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: Concur/date 06-30-00
Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Reeves
04/04/00
D

Today's Date: 3-16-00

ENTERED - 4-10-00 - SB
00L0215 - MIKE REEVES

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1400.⁰⁰ property and/or \$ N/A bodily injury for which I contend the City is liable.

1. Date of incident: Feb 2000
(month/day/year)
2. Police called: Yes No
3. Location of incident: 1919 Metropolitan Pkwy - ATLANTA, GA. 30315
4. Name of your insurance company: N/A Policy No. N/A
5. State what and how incident occurred: Police car destroyed store front landscaping during police chase or emergency call.

6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS 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 attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: _____
(make) (year) (tag number) (driver's name)

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

8. Witness: _____
(name) (address) (telephone number)

9. The acknowledgement of this claim in no way waives the Sovereign 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 employees).

10. This claim should be mailed immediately to the address shown above.

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

Donald McLean
(claimant's name)

1919 Metropolitan Pkwy
(address)

ATLANTA, GA. 30315
(city and state)

N/A 404 346-3541
(work number) (home number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0215

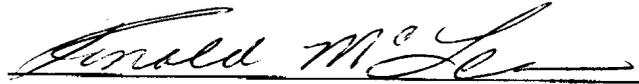
\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND DOLLARS AND NO/100s DOLLARS, to be paid 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 William A. Dean, Jr. 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 19th day of January, 2000, at or near 1919 Metropolitan Parkway

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.

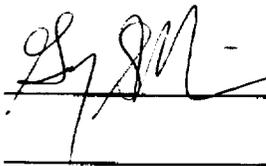
WITNESS my hand and seal this 23 day of June, 20 00.



Ronald McLean (LS)

(LS)

The above release was read and explained to, and signed by the said Ronald McLean in our presence on the date above written.



WITNESSES

00- R -1056