

CLAIM OF: **MICHAEL A. DANIELS**
460 Georgian Hills Drive
Lawrenceville, Georgia 30045

For damages alleged to have been sustained as a result of a vehicular accident on March 31, 1998 at 254 Peachtree Street.

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

Pursuant to Section 2-404 of the City Code, the City Attorney hereby approves and authorizes settlement of the above referenced claim by paying to **MICHAEL A. DANIELS** 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 accident on March 31, 1998 at 254 Peachtree Street 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: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

FAVORABLE REPORT
COM: *Tullee Safety*
DATE: *8/1/2000*
CITY: *C. T. Montoya*
[Signature]
[Signature]

[Signature]
[Signature]

CONSENT AGENDA

APPROVED

AUG 1 6 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW

ADOPTED BY

AUG 0 7 2000

COUNCIL

CERTIFIED
AUG 7 2000
ATLANTA CITY COUNCIL SECRETARY
[Signature]

CERTIFIED
AUG 0 7 2000
[Signature]
MUNICIPAL CLERK



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

00-R-1183

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 **Michael A. Daniels** 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 accident on March 31, 1998 at 254 Peachtree Street** 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

AUG 07, 2000

AUG 16, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 98L0394

Date: June 8, 2000

Claimant /Victim Michael A. Daniels
BY: (Atty) (Ins. Co.)
Address: 460 Georgian Hills Drive Lawrenceville, Georgia 30045
Subrogation: Claim for Property damage \$ 1,297.01 Bodily Injury \$
Date of Notice: 6-2-98 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 3-31-98 Place: 254 Peachtree Street
Department: Public Works Division Solid Waste Services
Employee involved Thomas Shropshire, Jr. Disciplinary Action: 10 day suspension

NATURE OF CLAIM: Claimant sustained property damage in the above amount when, during the course of a trash pick - up, the City operator improperly backed into the claimant's parked vehicle.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report X 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,

[Signature]
INVESTIGATOR - DOBBS JORDAN

RECOMMENDATION:

Pay \$ 1,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: [Signature] Concur/date 06-09-00
Committee Action Council Action

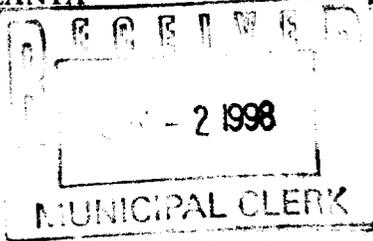
copy

Oatis
06/04/98

COUNCIL OF THE CITY OF ATLANTA

RE: CLAIM FOR DAMAGES

MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335



Today's Date: 5-16-98

ENTERED - 6-5-98 - SB
98L0394 - ANTHONY OATIS

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1297.01 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: March 31 1998 2. Time of Incident: 0015 3. Police called: X
(month/day/year) Yes No

4. Location of incident (including street address): 254 Peachtree St Atlanta GA 30303

5. Name of your insurance company: Allstate Policy No. 045484470 08/08

6. State what and how incident occurred: I parked my vehicle and went inside to work. A City vehicle emptied the dumpster near my vehicle and backed into it.

7. 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!

8. 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: Ford 1997 431 U.S. Reserve Michael A. Daniels
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Crane Carrier Front End Loader Thomas Shropshire Public Works
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Alfonso Hood 301 Skipper Place #D 404 799-3125
(Name) (Address) (Telephone Number)
Catherine Trimble 468 Parkway Dr #105 404 876-8436

10. 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 employee(s).

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

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

Michael A. Daniels
Signature of Claimant

Michael A. Daniels
(Print Claimant's Name)

460 Georgian Hills Drive
(Address)

Lawrenceville, GA 30045
(City, State and Zip Code)

(404) 865-8000 (770) 277-3879
(Work Number) (Home Number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 98L0394

\$ 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 Thomas Shropshire, 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 31th day of March, 1998, at or near 254 Peachtree Street

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 1st day of July, 20 00.

Michael A. Daniels (LS)
MICHAEL A. DANIELS
Loretta A. Daniels (LS)
LORETTA A. DANIELS

The above release was read and explained to, and signed by the said Michael & Loretta Daniels in our presence on the date above written.

[Signature]
Notary Public

WITNESSES

00-12-1183

Atlanta City Council

Regular Session

CONSENT 1

Pages 1-15 KP

Adopt

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

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty
Y Starnes
Y Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
B Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-1102
00-R-1197
00-R-1106
00-R-1123
00-R-0721

08/07/00 Council Meeting		
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1009	41. 00-R-1175	64. 00-R-1148
2. 00-O-1010	42. 00-R-1176	65. 00-R-1149
3. 00-O-1011	43. 00-R-1177	66. 00-R-1150
4. 00-O-1012	44. 00-R-1178	67. 00-R-1151
5. 00-O-1079	45. 00-R-1179	68. 00-R-1152
6. 00-O-0834	46. 00-R-1180	69. 00-R-1153
7. 00-O-1065	47. 00-R-1181	70. 00-R-1154
8. 00-O-1004	48. 00-R-1182	71. 00-R-1155
9. 00-O-1112	49. 00-R-1183	72. 00-R-1156
10. 00-R-1139	50. 00-R-1184	73. 00-R-1157
11. 00-R-1140	51. 00-R-1185	74. 00-R-1158
12. 00-R-1141	52. 00-R-1186	75. 00-R-1159
13. 00-R-1142	53. 00-R-1187	76. 00-R-1160
14. 00-R-1144	54. 00-R-1188	77. 00-R-1161
15. 00-R-1204	55. 00-R-1189	78. 00-R-1162
16. 00-R-1208	56. 00-R-1190	79. 00-R-1163
17. 00-R-1209	57. 00-R-1191	80. 00-R-1164
18. 00-R-1210	58. 00-R-1192	81. 00-R-1165
19. 00-R-1106	59. 00-R-1193	82. 00-R-1166
20. 00-R-1146	60. 00-R-1199	83. 00-R-1167
21. 00-R-1147	61. 00-R-1200	84. 00-R-1168
22. 00-R-1194	62. 00-R-1201	85. 00-R-1169
23. 00-R-1203	63. 00-R-1202	86. 00-R-1170
24. 00-R-1205		87. 00-R-1171
25. 00-R-1212		88. 00-R-1172
26. 00-R-1213		89. 00-R-1173
27. 99-R-1145		90. 00-R-1174
28. 99-R-1932		
29. 00-R-1108		
30. 00-R-1110		
31. 00-R-1129		
32. 00-R-1130		
33. 00-R-1131		
34. 00-R-1134		
35. 00-R-1206		
36. 00-R-1121		
37. 00-R-0329		
38. 00-R-1136		
39. 00-R-1137		
40. 00-R-1138		