

Entered - 05/30/00 - sb  
CL 00L0327 - GWENDOLYN BURNS

CLAIM OF: SHELDA LOWERY and  
SYLVESTER LOWERY, Jr.  
4701 Flat Shoals Road, #16A  
Union City, Georgia 30291

CONSENT AGENDA

ADOPTED BY  
DEC 04 2000  
COUNCIL

For damages alleged to have been sustained as a result of a vehicular damage incident on March 29, 2000, at 14<sup>th</sup> Street & West Peachtree Street, NE.

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 **Shelda Lowery and Sylvester Lowery, Jr.** the sum of **\$2,000.00** 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 damage incident on March 29, 2000 at at 14<sup>th</sup> Street & West Peachtree Street, NE as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

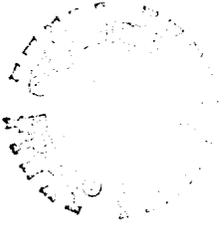
BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

Public Safety  
11/28/00  
C. T. Martin  
*[Signature]*

**CERTIFIED**  
DEC 4 2000  
ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

**CERTIFIED**  
DEC 04 2000  
Municipal Clerk  
*[Signature]*

APPROVED  
DEC 13 2000  
WITH  
BY OPER...



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

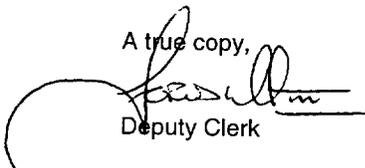
**00-R-1901**

**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 **Shelda Lowery and Sylvester Lowery, Jr.** in the sum of **\$2000.00** 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 damage incident on March 29, 2000, at 14<sup>th</sup> Street and West Peachtree Street, NE.** 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,

  
Deputy Clerk

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

DEC 04, 2000

DEC 13, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0327

Date: November 16, 2000

Claimant /Victim SHELDA LOWERY and SYLVESTER LOWRY, JR.
BY: (Atty) (Ins. Co.)
Address: 4701 Flat Shoals Road, #16-A, Union City, Georgia 30291
Subrogation: Claim for Property damage \$ 2,722.80 Bodily Injury \$
Date of Notice: 5/30/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 3/29/00 Place: 21 14th Street, (14th Street & W. Peachtree Street)
Department PUBLIC WORKS Division Sewer
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimants' vehicle sustained damage when it was driven through a construction cut in the roadway that was not properly covered and left in an unsafe condition.

INVESTIGATION:

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

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial X
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 - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 2,000.00 Adverse Account charged: 1A01 2J01 X 2H01
Claims Manager: [Signature] Concur/date 11-17-00
Committee Action: Council Action

RECEIVED MAY 30 2008

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

RE: CLAIM FOR DAMAGES

Today's Date: 5/17/00

Dear Municipal Clerk:

ENTERED - 5-30-00 - SB  
00LO327 - DOBBS JORDAN

Jordan  
05/18/00

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 2722.80 property and/or \$ 150.00 bodily injury for which I contend the City is liable.

1. Date of incident: 3/29/00 2. Time of Incident: 8:15PM 3. Police called: X  
(month/day/year) 21 14th Street Yes No

4. Location of incident (including street address): 14th Street between Peachtree & West Peachtree

5. Name of your insurance company: STATE FARM Policy No. P330008 E2511

6. State what and how incident occurred: I was going west on 14th Street in the left lane when all of the sudden I was bouncing up & down in a gaping crater in the street. There was NO warning, no indication of the hole. I was thrown up & down in my car. As a result I missed a days work the next day. - PICTURES ARE ATTACHED.

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: Saturn 1995 808EFD SHEIDA LOWERY  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: \_\_\_\_\_  
(Name) (Address) (Telephone Number)

10. The acknowledgment 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.

Sheida Lowery  
Signature of Claimant

SHEIDA LOWERY  
(Print Claimant's Name)

4701 Flat Shoals Rd., #16-A  
(Address)

UNION CITY, GA 30291  
(City, State and Zip Code)

7/969-1055  
(Work Number) (Home Number)

00-R-1901

676-8414

86  
(678)522-8600

SHEIDA LOWERY  
Claim Dated 5/17/00  
770/969-1055

RCS# 2434  
12/04/00  
3:58 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-19

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-1874  
00-O-1986  
00-R-1950

CONSENT

<b>12/04/00 Council Meeting</b>		
<b>ITEMS ADOPTED ON CONSENT AGENDA</b>	<b>ITEMS ADOPTED ON CONSENT AGENDA</b>	<b>ITEMS ADVERSED ON CONSENT AGENDA</b>
1. 00-O-1289	36. 00-R-1959	64. 00-R-1816
2. 00-O-1680	37. 00-R-1882	65. 00-R-1817
3. 00-O-1792	38. 00-R-1985	66. 00-R-1818
4. 00-O-1797	39. 00-R-1943	67. 00-R-1819
5. 00-O-1003	40. 00-R-1945	68. 00-R-1820
6. 00-O-1228	41. 00-R-1946	69. 00-R-1821
7. 00-O-1795	42. 00-R-1947	70. 00-R-1822
8. 00-O-1796	43. 00-R-1948	71. 00-R-1823
9. 00-O-1860	44. 00-R-1949	72. 00-R-1824
10. 00-O-1616	45. 00-R-1951	73. 00-R-1825
11. 00-O-1853	46. 00-R-1970	74. 00-R-1826
12. 00-O-1801	47. 00-R-2016	75. 00-R-1827
13. 00-O-1963	48. 00-R-1901	76. 00-R-1828
14. 00-O-1965	49. 00-R-1902	77. 00-R-1829
15. 00-R-1788	50. 00-R-1903	78. 00-R-1830
16. 00-R-1886	51. 00-R-1904	79. 00-R-1831
17. 00-R-1953	52. 00-R-1905	80. 00-R-1832
18. 00-R-1955	53. 00-R-1906	81. 00-R-1833
19. 00-R-2009	54. 00-R-1907	82. 00-R-1834
20. 00-R-2010	55. 00-R-1908	83. 00-R-1836
21. 00-R-2011*	56. 00-R-1909	
22. 00-R-1890	57. 00-R-1910	
23. 00-R-1937	58. 00-R-1911	
24. 00-R-1938	59. 00-R-1912	
25. 00-R-1939	60. 00-R-1913	
26. 00-R-1940	61. 00-R-1914	
27. 00-R-1988	62. 00-R-1915	
28. 00-R-2006	63. 00-R-1916	
29. 00-R-2013		
30. 00-R-1887		
31. 00-R-2015		
32. 00-R-1957		
33. 00-R-1958		
34. 00-R-1877		
35. 00-R-2008		

\* President Pitts  
recused himself.