

Entered - - sb
CL 01L0018 - GWENDOLYN BURNS

CLAIM OF: STATE FARM INSURANCE COMPANIES
As subrogee of JANE A. STRUK
11350 Johns Creek Parkway
Duluth, Georgia 30098-0001

01- R-0264

For vehicular damages alleged to have been sustained as a result of a vehicular accident on September 5, 2000 at Piedmont Road, NE and Lakeshore Drive, NE.

ADOPTED BY
MAR 05 2001
COUNCIL

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 STATE FARM INSURANCE COMPANIES as subrogee of JANE A. STRUK the sum of \$2,000.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a vehicular accident on September 5, 2000 at Piedmont Road, NE and Lakeshore Drive, 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.

CERTIFIED
MAR 05 2001
Renee L. Swankin
MUNICIPAL CLERK

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

FAVORAL

COM. P. J. H.

DATE 2/27/01

CHM. C. T. Martin

BY: *Robert N. Godfrey*
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

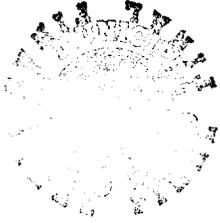
APPROVED

MAR 14 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW

Michael R...
Dorothy S...
Clara Henderson

CERTIFIED
MAR 05 2001
ATLANTA CITY COUNCIL PRESIDENT
Ronald W. Pitzer



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-0264

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 **State Farm Insurance Companies as subrogee of Jane A. Struk** in 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 accident on September 5, 2000 at Piedmont Road, NE and Lakeshore Drive, 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,

A handwritten signature in black ink, appearing to read "K. Ross", is written over the text "A true copy," and "Deputy Clerk".

Deputy Clerk

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

March 5, 2001
March 14, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0018

Date: February 14, 2001

Claimant /Victim JANE A. STRUK
BY: (Atty) (Ins. Co.) State Farm Insurance Companies
Address: 11350 Johns Creek Parkway, Duluth, Georgia 30098-0001
Subrogation: X Claim for Property damage \$ 4,259.98 Bodily Injury \$
Date of Notice: 12/26/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 9/05/00 Place: Piedmont Road, NE and Lakeshore Drive, NE
Department PARKS, REC., & CULTURAL AFFAIRS Division: Parks
Employee involved Marvin S. Shannon Disciplinary Action: Verbal Admonishment

NATURE OF CLAIM: Claimant's vehicle was rear-ended by a City vehicle that was "following too closely". The City employee was cited for same.

INVESTIGATION:

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

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
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 \$ 2,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: Concur/date 02-15-01
Committee Action: Council Action

State Farm Insurance Companies



Auto Claim Central - Subrogation U
11350 Johns Creek Parkway
Duluth, GA 30098-0001

December 14, 2000

City Of Atlanta
68 Mitchell St SW Ste 4100
Atlanta, GA 30335-0332

ENTERED -
01L0018 - GWEN BURNS

BURNS
12/26/00
[Signature]

RE: Claim Number: 11-3521-927
Our Insured: Jane A. Struk
Date of Loss: September 5, 2000
Amount of Loss: \$4,259.98

Dear City Of Atlanta:

We are writing to you regarding a loss sustained by our insured. Our investigation indicates that you are responsible for this loss. By virtue of our payment, we are entitled to recover from the responsible party.

If you have liability insurance, please refer this letter to your insurance company and inform us of your insurer's name, their address, and your policy number. If you do not have insurance, please respond to us regarding your position in this matter.

Please call our office or use the enclosed self-addressed envelope for your response. Your cooperation is appreciated.

Sincerely,

Colette Tinkham
Claim Expediter
(770) 418-6896

State Farm Mutual Automobile Insurance Company

Enclosure

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0018

\$ 2,000.00

IN CONSIDERATION of the sum of TWO THOUSAND AND 00/100 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 Marvin J. Shannon, from any and all **property damage** 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 5th day of September, 2000 at or near Piedmont Road, NE

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 16th day of February, 2001

Collette Turk (LS)
STATE FARM INSURANCE COMPANY as subrogee of
Jane A. Struk

_____ (LS)

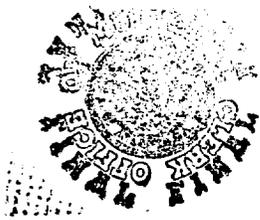
The above release was read and explained to, and signed by the said _____

_____ in our presence on the date above written.

Collette Turk
Collette Turk
WITNESSES

11-3521-924

01-R-0264



RCS# 2689
3/05/01
6:36 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 thru. 13

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

**ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0240
01-R-0307
01-R-0346**

CONSENT

**ITEMS ADOPTED ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT AGENDA**

1. 01-O-0179
2. 01-O-0348
3. 00-O-1657
4. 01-O-0355
5. 01-O-0152
6. 01-R-0190
7. 01-R-0349
8. 01-R-0351
9. 01-R-0290
10. 01-R-0304
11. 01-R-0305
12. 01-R-0369
13. 01-R-0370
14. 01-R-0297
15. 01-R-0300
16. 01-R-0298
17. 01-R-0299
18. 01-R-0251
19. 01-R-0252
20. 01-R-0253
21. 01-R-0254
22. 01-R-0255
23. 01-R-0256
24. 01-R-0257
25. 01-R-0258
26. 01-R-0259
27. 01-R-0260
28. 01-R-0261
29. 01-R-0262
30. 01-R-0263
31. 01-R-0264
32. 01-R-0265
33. 01-R-0266
34. 01-R-0267
35. 01-R-0268
36. 01-R-0269
37. 01-R-0291
38. 01-R-0292

39. 01-R-0270
 40. 01-R-0271
 41. 01-R-0272
 42. 01-R-0273
 43. 01-R-0274
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 45. 01-R-0276
 46. 01-R-0277
 47. 01-R-0278
 48. 01-R-0279
 49. 01-R-0280
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 57. 01-R-0288
 58. 01-R-0289
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