

Entered - 12-1-00 - sb
CL - 00L0725 ALEXIS HOLMES

01- R-0265

CLAIM OF: **NEAL G. and CHARLEEN K. O'LEARY**
456 Christopher Drive
Gainesville, Georgia 30501

For damages alleged to have been sustained as a result of a vehicular accident on November 2, 2000 at Buford Highway northbound at Piedmont Road South exit.

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 **Neal G. and Charleen K. O'Leary** the sum of **\$1,078.65** 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 November 2, 2000 Buford Highway northbound at Piedmont Road South exit** 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: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY *Rubens Newell DCA*

ADOPTED BY
MAR 05 2001
COUNCIL

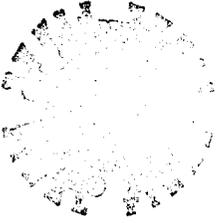
Rosalind Rubens Newell
MUNICIPAL CLERK
CERTIFIED
MAR 05 2001

FAVORABLE RECOMMENDATION
COM. *P.S. LA*
DATE *2/27/01*
CHM. *C. T. Martin*
Michael...
Gary...
Cela...

CERTIFIED
MAR 05 2001
ATLANTA CITY COUNCIL PRESIDENT
Richard...

APPROVED
MAR 14 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

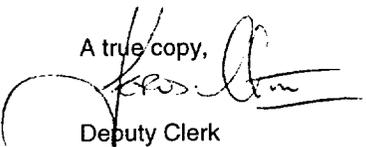
01-R-0265

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 **Neal G & Charleen K. O'Leary** in the sum of **\$1,078.65** 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 November 2, 2000 at Buford Highway Northbound at Piedmont Road South exit** 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

March 5, 2001

March 14, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0725

Date: 2/12/01

Claimant /Victim NEAL G. and CHARLEEN K. O'LEARY
BY: (Atty)(Ins.)
Address: 456 Christopher Drive, Gainesville, Georgia 30501
Subrogation: Claim for Property damage \$ 1,078.65 Bodily Injury \$
Date of Notice: 11/9/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 11/2/00 Place: Buford Highway Northbound at Piedmont Road South Exit
Department Police Division:
Employee involved Officer Timothy Hunnicut Disciplinary Action: Written Reprimand

NATURE OF CLAIM: The claimants sustained vehicular damage when the driver of a City vehicle rear-ended their vehicle.

INVESTIGATION:

Statements: City employee Claimant Other Written Oral X
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
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 1,078.65 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: Concur/date 02-13-01
Committee Action: Council Action

Holmes
11/28/00
R

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: 11/6/00

ENTERED - 12-1-00 - SB
00L0725 - ALEXIS HOLMES

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1273.95 property and/or \$ - bodily injury for which I contend the City is liable.

1. Date of incident: 11/2/00 2. Time of Incident: approx 22:30 3. Police called: X
(month/day/year) Yes No

4. Location of incident (including street address): access road to I-85 N / GA 400 N

5. Name of your insurance company: Liberty Mutual Policy No. A02-258-041865-109-6

6. State what and how incident occurred: City Vehicle Rear-ended personally owned vehicle.

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:	<u>Toyota Tacoma</u>	<u>2000</u>	<u>297-WTW</u>	<u>Neal G. O'Leary</u>
	(Make)	(Year)	(Tag Number)	(Driver's Name)
City vehicle:	<u>Honda Accord</u>	<u>Timothy Mannicut</u>	<u>Atlanta Police Dept.</u>	
	(Make)	(City Driver's Name)	(Department/Bureau)	

9. Witness: Reyna P. Grayton 456 Christopher Dr. Gainesville, GA, 30501 / 770-535-7540
(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.

[Signature]
Signature of Claimant

Neal G. O'Leary
(Print Claimant's Name)

456 Christopher Dr.
(Address)

Gainesville, GA, 30501
(City, State and Zip Code)

(404) 354-1212 (770) 535-7540
(Work Number) (Home Number)

01-R-0265

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
 44. 01-R-0275
 45. 01-R-0276
 46. 01-R-0277
 47. 01-R-0278
 48. 01-R-0279
 49. 01-R-0280
 50. 01-R-0281
 51. 01-R-0282
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 57. 01-R-0288
 58. 01-R-0289
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