

22

01- R-0433

Entered - 02/09/01 - sb
CL01L0114 - ALEXIS HOLMES

CLAIM OF: **CHARLES E. SHELTON**
687 Memorial Drive
Atlanta, Georgia 30316

For damages alleged to have been sustained as a result of a City vehicle destroying an advertisement sign on December 22, 2000 at 687 Memorial Drive.

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 **CHARLES E. SHELTON** 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 City vehicle destroying an advertisement sign on December 22, 2000 at 687 Memorial Drive 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.

ADOPTED BY
MAY 19 2001
COUNCIL

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

WARRANTABLE REPORT

Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

Public Safety

3/13/01

C. T. Martin
Michael
John
Clara

CERTIFIED
MAR 19 2001
ATLANTA CITY COUNCIL PRESIDENT
Ronald J. Pitts

CERTIFIED
MAR 19 2001
Ronald J. Pitts
MUNICIPAL CLERK

APPROVED

MAR 28 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-0433

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 **Charles E. Shelton** 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 **City vehicle destroying an advertisement sign on December 22, 2000 at 687 Memorial Drive** 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

MAR 19, 2001

MAR 28, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0114

Date: 3/01/01

Claimant /Victim CHARLES E. SHELTON

BY: (Atty) (Ins. Co.)

Address: 687 Memorial Drive, Atlanta, Georgia 30316

Subrogation: Claim for Property damage \$ 3,780.00 Bodily Injury \$

Date of Notice: 5/26/98 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 11/27/97 Place: Sylvan Road and Astor Avenue

Department Public Works Division: Highway and Streets

Employee involved Erma Kincaid Disciplinary Action: None Taken

NATURE OF CLAIM: The claimant sustained damage to his property when a City worker driving an oversized City vehicle came onto his private property and damaged the advertisement sign at his place of business.

INVESTIGATION:

Statements: City employee X Claimant X Others Written X 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 X

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes (handwritten signature)

INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 2,000.00 Adverse Account charged: 1A01 X 2J01 2H01

Claims Manager: Concur/date

Committee Action: Council Action

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

Holmes
02/08/07
RE: CLAIM FOR DAMAGES
Today's Date: 1/26/2001

JAN 31 2001

Dear Municipal Clerk:

ENTERED - 2-9-01 - SB
01L0114 - ALEXIS HOLMES

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 3,780.00 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 12/22/2000 2. Time of Incident: 11:53 3. Police called: Yes No
(month/day/year)

4. Location of incident (including street address): 687 Memorial Dr

5. Name of your insurance company: _____ Policy No. _____

6. State what and how incident occurred: Truck turning around in parking lot hit sign

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: _____
(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.

Charles E Shelton
Signature of Claimant

Charles E Shelton
(Print Claimant's Name)

687 Memorial Dr
(Address)

Atlanta Ga 30316
(City, State and Zip Code)

4/523-5495 7/987-9706
(Work Number) (Home Number)

01-R-0433

RCS# 2725
3/19/01
2:52 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 15

ADOPT

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

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

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

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0067

Woolard & Morris voted Nay on the
following items:

01-R-0379
01-R-0392
01-R-0393
01-R-0394
01-R-0395
01-R-0396

CONSENT

RCS# 2726
3/19/01
2:54 PM

Atlanta City Council

Regular Session

CONSENT *Reconsidered-
#1*

Pages 1 thru 15

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0067
01-O-0354

Woolard & Morris voted Nay on the
following items:

01-R-0379
01-R-0392
01-R-0393
01-R-0394
01-R-0395
01-R-0396

CONSENT

RCS# 2753
3/19/01
5:40 PM

Atlanta City Council

Regular Session

CONSENT *Reconsidered*
#2

Pages 1 thru 15

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

ITEM (S) REMOVED FROM
CONSENT AGENDA

01-O-0067

01-O-0354

01-O-0188

Woolard & Morris voted Nay on the
following items:

01-R-0379

01-R-0392

01-R-0393

01-R-0394

01-R-0395

01-R-0396

CONSENT

**ITEMS ADOPTED ON
CONSENT AGENDA**

**ITEMS
ADOPTED ON
CONSENT
AGENDA**

**ITEMS
ADVERSE
ON CONSENT
AGENDA**

- | | | |
|---------------|---------------|---------------|
| 1. 01-O-0306 | 39. 01-R-0397 | 57. 01-R-0437 |
| 2. 01-O-0445 | 40. 01-R-0398 | 58. 01-R-0438 |
| 3. 01-O-0449 | 41. 01-R-0399 | 59. 01-R-0375 |
| 4. 01-O-0450 | 42. 01-R-0400 | 60. 01-R-0376 |
| 5. 01-O-0098 | 43. 01-R-0401 | 61. 01-R-0377 |
| 6. 01-O-0178 | 44. 01-R-0402 | 62. 01-R-0378 |
| 7. 01-O-0302 | 45. 01-R-0403 | 63. 01-R-0379 |
| 8. 01-O-0367 | 46. 01-R-0404 | 64. 01-R-0380 |
| 9. 00-O-1987 | 47. 01-R-0405 | 65. 01-R-0381 |
| 10. 01-O-0448 | 48. 01-R-0406 | 66. 01-R-0382 |
| 11. 00-O-2069 | 49. 01-R-0407 | 67. 01-R-0383 |
| 12. 01-O-0446 | 50. 01-R-0408 | 68. 01-R-0384 |
| 13. 01-O-0187 | 51. 01-R-0409 | 69. 01-R-0385 |
| 14. 01-O-0294 | 52. 01-R-0410 | 70. 01-R-0386 |
| 15. 01-R-0411 | 53. 01-R-0433 | 71. 01-R-0387 |
| 16. 01-R-0412 | 54. 01-R-0434 | 72. 01-R-0388 |
| 17. 01-R-0413 | 55. 01-R-0435 | 73. 01-R-0389 |
| 18. 01-R-0414 | 56. 01-R-0436 | 74. 01-R-0390 |
| 19. 01-R-0420 | | 75. 01-R-0391 |
| 20. 01-R-0421 | | 76. 01-R-0392 |
| 21. 01-R-0475 | | 77. 01-R-0393 |
| 22. 01-R-0428 | | 78. 01-R-0394 |
| 23. 01-R-0429 | | 79. 01-R-0395 |
| 24. 01-R-0477 | | 80. 01-R-0396 |
| 25. 01-R-0220 | | 81. 01-R-0440 |
| 26. 01-R-0430 | | 82. 01-R-0439 |
| 27. 01-R-0447 | | |
| 28. 01-R-0452 | | |
| 29. 01-R-0458 | | |
| 30. 01-R-0417 | | |
| 31. 01-R-0426 | | |
| 32. 01-R-0427 | | |
| 33. 00-R-1466 | | |
| 34. 01-R-0416 | | |
| 35. 01-R-0419 | | |
| 36. 01-R-0424 | | |
| 37. 01-R-0108 | | |
| 38. 01-R-0189 | | |
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