

01-R-0508

Entered - 01/24/01 - sb
CL01L0064 - DIANNE C. MITCHELL

CLAIM OF: **GEORGE T. HERRON
AND MODERN GLASS AND MIRROR**
8267 Freestone Drive
Jonesboro, Georgia 30236

ADOPTED BY
APR 02 2001
COUNCIL

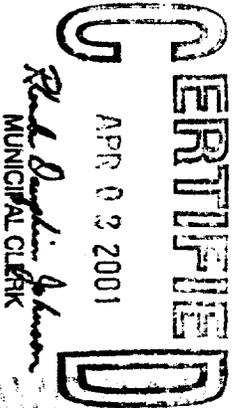
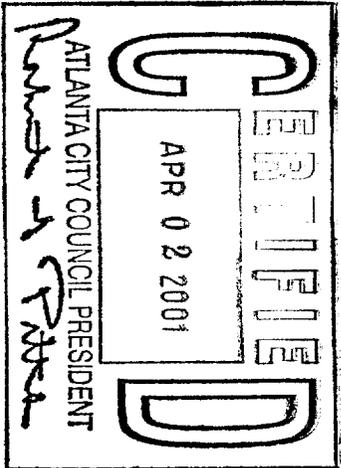
For damages alleged to have been sustained as a result of a vehicular accident on August 2, 2000 at Moreland Avenue and South River Industrial Boulevard.

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 **GEORGE T. HERRON AND MODERN GLASS AND MIRROR** 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 August 2, 2000 at Moreland Avenue and South River Industrial Boulevard 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 *Robert N. Gray DCA*



FAVORABLE REPORT

COM: P.S.L.A.

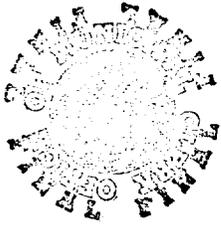
DATE: 3/27/01

VEHICLE: *Cleta Anderson*
Henry D...
Michael...
...

APPROVED

APR 11 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-0508

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 **George T. Herron and modern Glass and Mirror** 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 **vehicle accident on August 2, 2000 at Moreland Avenue and South River Industrial Boulevard** 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

APR 02, 2001

APR 11, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0064

Date: March 16, 2001

Claimant /Victim GEORGE T. HERRON AND MODERN GLASS AND MIRROR

BY: (Atty)(Ins. Co.) _____

Address: 8267 Freestone Drive, Jonesboro, Georgia 30236

Subrogation: _____ Claim for Property damage \$ 1,700.13 Bodily Injury \$ 735.00

Date of Notice: 01/22/01 Method: Written, proper X Improper _____

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

Date of Occurrence 08/02/00 Place: Moreland Avenue and South River Industrial Blvd.

Department Public Works Division: Sewer Operations

Employee involved Eugene Jackson Disciplinary Action: No Action Taken

NATURE OF CLAIM: The brakes on the City vehicle failed causing the driver of same to collide with the claimant's vehicle causing personal injuries and vehicular damages in the above amounts.

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 _____

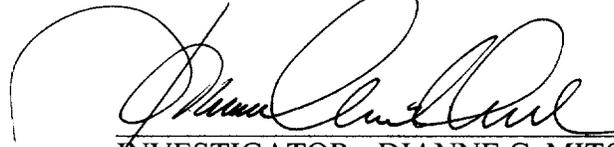
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement X

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

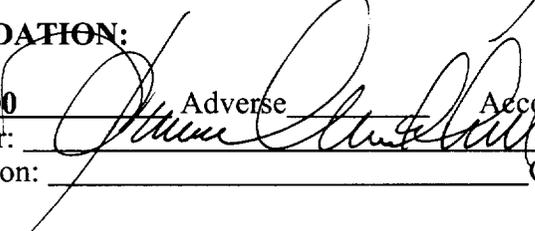
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  Concur/date 03-16-01

Committee Action: _____ Council Action _____

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: 12-15-00

Mitchell
01/22/01

JAN 22 2001
MUNICIPAL CLERK

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,700.13 property and/or \$ 735.00 bodily injury for which I contend the City is liable. 2314.19 ENTERED - 1-24-01 - SB 0110064 - DIANNE MITCHELL

1. Date of incident: 8-2-00 2. Time of Incident: About 6 PM 3. Police called: Yes No
(month/day/year)

4. Location of incident (including street address): Moreland Ave SE Atl, Ga.

5. Name of your insurance company: UTICA MUTUAL INS Co. Policy No. AUBIND061500

6. State what and how incident occurred: Rear ended by City Dump truck
Waiting for traffic light to change
I was knocked into auto in front of
me damaged front & rear of my 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: Ford F150 1996 George T. HERRON
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: EUGENE JACKSON
(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.

George T. Herron
Signature of Claimant

George T. HERRON
(Print Claimant's Name)

8267 Freestone Dr.
(Address)

Jonesboro, GA. 30236
(City, State and Zip Code)

404-577-4551 770-477-9254
(Work Number) (Home Number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0064

\$ 2,000.00

IN CONSIDERATION of the sum of TWO THOUSAND AND NO/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 Eugene Jackson, 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 2nd day of August, 2000,

at or near Moreland Avenue and South River Industrial Boulevard

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 covcnants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employccs, 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 14th day of March, 2001.

George T. Herron (LS)
GEORGE T. HERRON
AND MODERN GLASS AND MIRROR

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

_____ in our presence on the date above written.

Jacey Cuzins
Jonah Leopold
Witnesses

01-R-0508

RCS# 2775
4/02/01
2:17 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 13

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

ADOPT

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

Unanimous

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B 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-0345
01-O-0526
01-R-0541

CONSENT

04/02/01 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 01-O-0225
2. 01-O-0534
3. 01-O-0528
4. 01-O-0539
5. 01-O-0530
6. 01-O-0531
7. 01-R-0527
8. 99-R-2071
9. 01-R-0368
10. 01-R-0481
11. 01-R-0536
12. 01-R-0537
13. 01-R-0550
14. 01-R-0484
15. 01-R-0485
16. 01-R-0486
17. 01-R-0487
18. 01-R-0293
19. 01-R-0425
20. 01-R-0457
21. 01-R-0418
22. 01-R-0483
23. 01-R-0549
24. 01-R-0500
25. 01-R-0501
26. 01-R-0502
27. 01-R-0503
28. 01-R-0504
29. 01-R-0505
30. 01-R-0506
31. 01-R-0507
32. 01-R-0508

**ITEMS ADVERSED
ON CONSENT AGENDA**

33. 01-R-0509
 34. 01-R-0510
 35. 01-R-0511
 36. 01-R-0512
 37. 01-R-0513
 38. 01-R-0514
 39. 01-R-0515
 40. 01-R-0516
 41. 01-R-0517
 42. 01-R-0518
 43. 01-R-0519
 44. 01-R-0520
 45. 01-R-0521
 46. 00-R-1361
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