

Entered - 01/18/01 - sb
CL01L0036 - DIANNE C. MITCHELL

CLAIM OF: **LINDA L. HULL**
445 West Wesley Road, NW
Atlanta, Georgia 30305

01-R-0555

ADOPTED BY
MAY 07 2001
COUNCIL

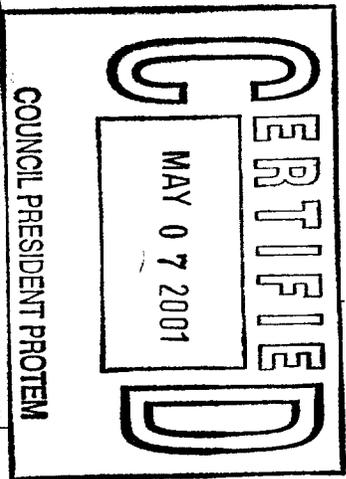
For damages alleged to have been sustained as a result of vehicular damage due to a collapsed sewer line in the roadway on December 29, 2000 at 11 Peachtree Avenue, NE.

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 **LINDA L. HULL** the sum of **\$592.45** 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 vehicular damage due to a collapsed sewer line in the roadway on December 29, 2000 at 11 Peachtree Avenue, 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
DEPUTY CITY ATTORNEY

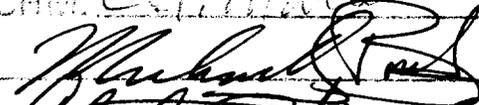


FAVORABLE REPORT

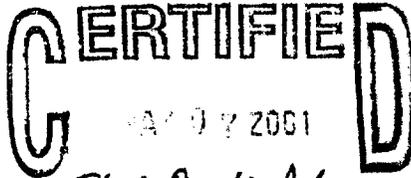
COM. Public Safety

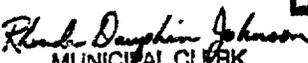
DATE 4/12/01

CHM. C. T. Mark





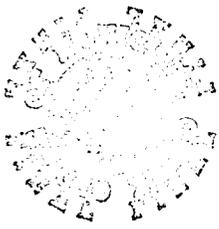



MUNICIPAL CLERK

APPROVED

MAY 16 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW



MUNICIPAL CLERK
ATLANTA, GEORGIA

01-R-0555

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 **Linda L. Hull** in the sum of **\$592.45** 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 **vehicular damage due to a collapsed sewer line in the roadway on December 29, 2000 at 11 Peachtree Avenue, 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,

Rhonda Daughin Johnson
Municipal Clerk, CMC

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

MAY 07, 2001

MAY 16, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0036

Date: March 19, 2001

Claimant /Victim LINDA L. HULL

BY: (Atty)(Ins. Co.)

Address: 445 West Wesley Road, NW, Atlanta, Georgia 30305

Subrogation: Claim for Property damage \$ 592.45 Bodily Injury \$

Date of Notice: 01/16/01 Method: Written, proper X Improper

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

Date of Occurrence 12/29/00 Place: 11 Peachtree Avenue, NE

Department Public Works Division: Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant damaged her vehicle when she drove over a metal plate that was not completely covering an area of the roadway that had sunken due to a collapsed sewer line causing damages to her vehicle in the above amount.

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

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

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 592.45 Adverse Account charged: 1A01 2J01 X 2H01

Claims Manager: [Signature] Concur/date 03-19-01

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: 1/12/01

Mitchell
01/16/01

ENTERED - 1-18-01 - SB
01L0036 - DIANNE MITCHELL

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 592.45 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 12/29/00 (month/day/year) 2. Time of Incident: 6:30 PM 3. Police called: _____ Yes No

4. Location of incident (including street address): in front of #16 Peachtree Ave, NE

5. Name of your insurance company: State Farm Policy No. 9356 D27-11

6. State what and how incident occurred: Around 6:30 PM 12/29/00, there were no warning barricades and an on-coming car was approaching my car as I neared the large plate - before I knew it, my car hit very hard into a deep hole in front of the plate and then I drove over the plate, totally puncturing both tires that hit the

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). hole & plate (over)

Your vehicle: BMW 540i (Make) 1999 (Year) 430LO (Tag Number) LINDA L. HULL (Driver's Name)

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

9. Witness: Rebecca Lobdell (Name) 445 W. Wesley Rd (Address) ATL (Telephone Number) (404) 355-7335

Ray Thompson (Name) 1160 Peachtree Battle Ave (Address) ATLANTA 30327 (Telephone Number) (404) 355-0548

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.

Linda L. Hull
Signature of Claimant

LINDA L. HULL
(Print Claimant's Name)
445 West Wesley Rd.
(Address) N.W.
ATLANTA, GA 30305
(City, State and Zip Code)
(404) 355-7335
(Work Number) (Home Number)

President Pro Tem Bond Presided

RCS# 2838
5/07/01
4:44 PM

Atlanta City Council

Regular Session

CONSENT

PAGES 1 THRU 13

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

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	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0610

CONSENT

**ITEMS ADOPTED ON
CONSENT AGENDA**

**ITEMS ADVERSED
ON CONSENT AGENDA**

1. 00-O-0264
2. 01-O-0603
3. 01-O-0604
4. 01-O-0612
5. 01-O-0529
6. 01-O-0608
7. 01-O-0623
8. 01-O-0624
9. 01-O-0593
10. 01-O-0482
11. 01-O-0548
12. 00-O-2056
13. 01-R-0575
14. 01-R-0576
15. 01-R-0577
16. 01-R-0578
17. 01-R-0579
18. 01-R-0580
19. 01-R-0648
20. 01-R-0581
21. 01-R-0574
22. 01-R-0594
23. 01-R-0595
24. 01-R-0617
25. 01-R-0491
26. 01-R-0571
27. 01-R-0572
28. 01-R-0602
29. 01-R-0565
30. 01-R-0644
31. 01-R-0552
32. 01-R-0553
33. 01-R-0554
34. 01-R-0555
35. 01-R-0556

36. 01-R-0557
 37. 01-R-0558
 38. 01-R-0559
 39. 01-R-0560
 40. 01-R-0561
 41. 01-R-0562
 42. 01-R-0563
 43. 01-R-0564
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