

Entered - 3-27-01- sb
CL - 01L0198 ALEXIS HOLMES

CLAIM OF: **EDWIN L. OATES, JR.**
1771 Surrey Hill Circle
Lawrenceville, Georgia 3044

01- R -0866

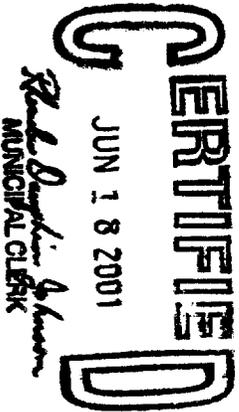
For damages alleged to have been sustained as a result of a vehicular accident on February 25, 2001 at 447 Flat Shoals Avenue at Metropolitan Avenue.

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 **EDWIN L. OATES, JR.** the sum of \$774.71 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 February 25, 2001 at 447 Flat Shoals Avenue at Metropolitan Avenue 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



ADOPTED BY

JUN 1 8 2001

COUNCIL

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 6/12/01

CHAIR: C. T. ...

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

APPROVED

JUN 27 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

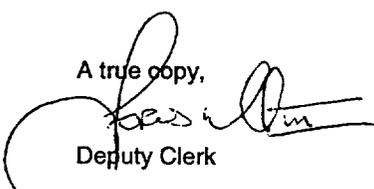
01-R-0866

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 EDWIN L. OATES, JR. the sum of \$774.71 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 February 25, 2001 at 447 Flat Shoals Avenue at Metropolitan Avenue 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**

Jun 18, 2001

Jun 27, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0198

Date: 5/16/01

Claimant /Victim EDWIN L. OATES, JR.

BY: (Atty)(Ins.)

Address: 1771 Surrey Hill Circle Lawrenceville, Georgia 30044

Subrogation: Claim for Property damage \$ 774.71 Bodily Injury \$

Date of Notice: 3/16/01 Method: Written, proper X Improper

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

Date of Occurrence 2/25/01 Place: 447 Flat Shoals Avenue at Metropolitan Avenue

Department Fire Division: Battalion Five

Employee involved FAO Tony Gates Disciplinary Action: Letter of reprimand

NATURE OF CLAIM: The claimant sustained vehicular damage to the front bumper of his vehicle when a City of Atlanta fire truck was backing up into the fire station.

INVESTIGATION:

Statements: City employee Claimant Other Written X Oral

Pictures Diagrams Reports: Police X Dept Report X Other

Traffic citations issued: City Driver X 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 \$ 774.71 Adverse Account charged: 1A01 X 2J01 2H01

Claims Manager: Concur/date 05-17-01

Committee Action: Council Action

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

MAR 16 2001

RE: CLAIM FOR DAMAGES

Today's Date: 3-11-01

Home
03/27/01
[Signature]

Dear Municipal Clerk: *re: Accident Report #010560723* ENTERED - 3-27-01 - SB
01L0198 - ALEXIS HOLMES

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 774.71 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: February 25, 2001 2. Time of Incident: Approx 10:30AM 3. Police called: Yes No
(month/day/year)

4. Location of incident (including street address): near 447 Flat Shoals Ave (near intersection of Metropolitan Ave.)

5. Name of your insurance company: GEICO Policy No. 289-06-56

6. State what and how incident occurred: Traveling south on Flat Shoals Ave, we noticed a stopped Fire City of Atlanta Fire Truck ahead of us. A fireman got out & directed us to stop. I completely stopped our vehicle at the place the fireman directed. The fire truck at the direction of the same fireman started backing up when I realized the fire truck would hit us if it continued, I steadily blew the horn, but the fire truck did not stop until it hit our car, damaging the front bumper. Meanwhile the fireman ran out of the way.

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 (Escort) 1989 799LBK Edwin L. Oates, Jr.
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Spartan (Fire Dept) Tony A. Gates Fire Dept
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Lalita U. Oates 1771 Surrey Hill Circle Lawrenceville, GA 30044 770 513 1908
(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

Edwin L. Oates, Jr.
(Print Claimant's Name)
1771 Surrey Hill Circle
(Address)
Lawrenceville, GA 30044
(City, State and Zip Code)
770 963-7369 770-513-1908
(Work Number) (Home Number)

RCS# 2946
6/18/01
1:53 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thur 10

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

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0878
01-O-0880
01-R-0733

CONSENT

06/18/01 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 01-O-0850
2. 01-O-0873
3. 01-O-0893
4. 01-O-0879
5. 01-O-0310
6. 01-O-0313
7. 01-O-0657
8. 01-O-0824
9. 01-O-0875
10. 01-O-0877
11. 01-O-0884
12. 01-O-0788
13. 01-O-0789
14. 01-O-0790
15. 01-O-0791
16. 01-O-0876
17. 01-O-0887
18. 01-O-0888
19. 01-R-0882
20. 01-R-0892
21. 01-R-0870
22. 01-R-0181
23. 01-R-0853
24. 01-R-0854
25. 01-R-0858
26. 01-R-0874
27. 01-R-0881
28. 01-R-0856
29. 01-R-0863
30. 01-R-0865
31. 01-R-0866
32. 01-R-0867
33. 01-R-0908

**ITEMS ADVERSED
ON CONSENT AGENDA**

34. 01-R-0859
 35. 01-R-0860
 36. 01-R-0861
 37. 01-R-0862
 38. 01-R-0864
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