

Entered - 6-11-01 - sb
CL 00L0724 - GWENDOLYN BURNS

CLAIM OF: **NICOLE H. FARRELL**
P.O. Box 8568
Atlanta, Georgia 31106

01-R-1821

For vehicular damages alleged to have been sustained as a result of driving over an exposed sanitary sewer manhole that was under construction on October 20, 2000 at 17th Street, NE & Peachtree Street, 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 **NICOLE H. FARRELL** the sum of **\$630.60** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of driving over an exposed sanitary sewer manhole that was under construction on October 20, 2000 at 17th Street, NE & Peachtree Street, 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*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

APPROVED

NOV 28 2001

OFFICE SIGNATURE
OF DEPARTMENT OF LAW

DATE: NOV 19 2001
BY: *C. T. Mark*
Clayton
Shannon
Woot

ADOPTED BY
NOV 19 2001
COUNCIL

ATLANTA CITY COUNCIL PRESIDENT
NOV 19 2001
Russell A. Parks

NOV 19 2001

**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-1821

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 **Nicole H. Farrell** in the sum of **\$630.60** 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 **driving over an exposed sanitary sewer manhole that was under construction on October 20, 2000 at 17th Street, NE & Peachtree Street** 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,


Municipal Clerk, CMC

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

NOV 19, 2001

NOV 28, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0724

Date: October 31, 2001

Claimant /Victim NICOLE H. FARRELL
BY: (Atty) (Ins. Co.)
Address: P.O. Box 8568, Atlanta, Georgia 31106
Subrogation: Claim for Property damage \$ 630.60 Bodily Injury \$
Date of Notice: 11/28/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/20/00 Place: 17th Street & Peachtree Street, NE
Department PUBLIC WORKS Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was driven over a sanitary sewer manhole that was under construction and left in an unsafe condition.

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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 630.60 Adverse Account charged: 1A01 2J01 X 2H01
Claims Manager Concur/date 11-27-01
Committee Action: Council Action

Atlanta City Council

Regular Session

MULTIPLE

Favorable Claims; Public Safety Items
1 through 18
ADOPT

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

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

01-R-1809
01-R-1810
01-R-1811
01-R-1812
01-R-1813
01-R-1814
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01-R-1823
01-R-1824
01-R-1825
01-R-1852
01-R-1854

MULTIPLE