

MUNICIPAL CLERK  
ATLANTA, GEORGIA

02-R-1698

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 **Lisa A. Chitenden & Jack Curry English, Jr.** in the sum of **\$1,631.00** 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 **driving over a defect in the roadway on January 11, 2002 at Decatur Street and Piedmont Road** 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  
APPROVED by the Mayor

OCT 07, 2002  
OCT 15, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0239

Date: 09/30/02

Claimant /Victim LISA A. CHITENDEN AND JACK CURRY ENGLISH, JR.

BY: (Atty)

Address: 3192 Octavia Lane, SW Snellville, Georgia 30039

Subrogation: Claim for Property damage \$ 549.43 Bodily Injury \$ 1,081.57

Date of Notice: 03/14/02 Method: Written, proper X Improper

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

Date of Occurrence 01/11/02 Place: Decatur Street and Piedmont Road

Department Public Works Division: Street Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant driver alleges that he sustained vehicular damages and personal injuries when his vehicle careened over and slammed down onto an unlevelled portion of the roadway causing him to injure the right side of his body and causing damages to his vehicle in the above amount An investigation determined that the condition of the roadway has existed for such a length of time that notice of this defect can be inferred.

INVESTIGATION:

Statements: City employee Claimant X Other X Written X Oral X

Pictures X Diagrams Reports: Police X Dept Report 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,

Alexis Holmes

INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 1,031.00 Adverse Account charged: 1A01 X 2J01 2H01

Claims Manager: Concur/date 10-01-02

Committee Action Council Action



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**10/07/02 Council Meeting**

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**ITEMS ADOPTED ON CONSENT  
AGENDA**

1. 02-O-1538
2. 02-O-1549
3. 02-O-1554
4. 02-O-1466
5. 02-O-1253
6. 02-O-1575
7. 02-O-1576
8. 02-O-1582
9. 02-O-1447
10. 02-O-1545
11. 02-O-1261
12. 02-O-1534
13. 02-R-1662
14. 02-R-1669
15. 02-R-1709
16. 02-R-1711
17. 02-R-1712
18. 02-R-1713
19. 02-R-1633
20. 02-R-1664
21. 02-R-1667
22. 02-R-1673
23. 02-R-1469
24. 02-R-1642
25. 02-R-1644
26. 02-R-1649
27. 02-R-1714
28. 02-R-1727
29. 02-R-1650
30. 02-R-1651
31. 02-R-1652
32. 02-R-1653
33. 02-R-1654
34. 02-R-1655
35. 02-R-1656
36. 02-R-1657
37. 02-R-1658
38. 02-R-1659
39. 02-R-1660
40. 02-R-1718
41. 02-R-1719
42. 02-R-1698
43. 02-R-1699
44. 02-R-1700
45. 02-R-1701

**ITEMS ADVERSED  
ON CONSENT AGENDA**

46. 02-R-1702
47. 02-R-1703
48. 02-R-1704
49. 02-R-1705
50. 02-R-1706
51. 02-R-1707
52. 02-R-1708
53. 02-R-1675
54. 02-R-1676
55. 02-R-1677
56. 02-R-1678
57. 02-R-1679
58. 02-R-1680
59. 02-R-1681
60. 02-R-1682
61. 02-R-1683
62. 02-R-1684
63. 02-R-1685
64. 02-R-1686
65. 02-R-1687
66. 02-R-1688
67. 02-R-1689
68. 02-R-1690
69. 02-R-1691
70. 02-R-1692
71. 02-R-1693
72. 02-R-1694
73. 02-R-1696
74. 02-R-1697

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Consent I Vote: 10Yeas; 0 Nays (See RCS #4099; Reconsidered See RCS #4043)

Items Removed from Consent: 02-R-1613; 02-R-1695; 02-O-1544; 02-O-1562; 02-O-1581; 02-R-1666;  
02-O-1551; 02-R-1668; 02-O-1598; 02-O-1599; 02-O-1600; 02-O-1601; 02-O-1602

Entered - 03-20-02 - sb  
CL 02L0239 ALEXIS HOLMES

02 R-1698

CLAIM OF: **LISA A. CHITENDEN AND  
JACK CURRY ENGLISH, JR.**  
3192 Octavia Lane, SW  
Snellville, Georgia 30039

ADOPTED BY  
OCT 07 2002  
COUNCIL

For vehicular damages and injuries alleged to have been sustained as a result of driving over a defect in the roadway on January 11, 2002 at Decatur Street and Piedmont Road.

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 **LISA A. CHITENDEN AND JACK CURRY ENGLISH, JR.** the sum of **\$1,631.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character **for vehicular damages and personal injuries alleged to have been sustained as a result of driving over a defect in the roadway on January 11, 2002 at Decatur Street and Piedmont Road** 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: LINDA K. DISANTIS  
CITY ATTORNEY

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

**FAVORABLE REPORT**

COMM: 10/1/02 - Pub Safety

DATE: 10/1/02

CHAR: \_\_\_\_\_

Walter A. ...

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ATLANTA CITY COUNCIL PRESIDENT  
Catherine M. Howell  
OCT 07 2002

OCT 07 2002

Stanley Franklin  
OCT 15 2002  
MAYOR