



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-0584

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 **Rowena Jones** in the sum of **\$1,304.00** 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 June 22, 2003 at 1590 Jonesboro Road, SW** as 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,
Franka Daughin Johnson
Municipal Clerk

ADOPTED by the Council
APPROVED by the Mayor

April 19, 2004
April 27, 2004

RCS# 5585
4/19/04
3:03 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-18, EXCEPT:04-R-0538
04-O-0487 04-R-0473
ADOPT

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

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0599

Date: March 5, 2004

Claimant /Victim ROWENA JONES

BY:(Ins.Co.) (Atty)

Address: 156 Moury Avenue, Apt. 3202, Atlanta, Georgia 30315

Subrogation: Claim for Property damage \$ 1,304.00 Bodily Injury \$

Date of Notice: 07/18/03 Method: Written, proper X Improper

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

Date of Occurrence 06/22/03 Place: 1590 Jonesboro Road, SW

Department Police Bureau:

Employee involved Althea Farrell Disciplinary Action: No Action Taken

NATURE OF CLAIM: The driver of the City vehicle drove left of center line as the claimant was attempting a left turn causing a collision.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures 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 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,

[Handwritten signature of Dianne C. Mitchell]

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,304.00 Adverse Account charged: 1A01 X 2J01 2H01 2P01

Claims Manager: [Signature] Concur/date 03/17/04

Committee Action: Council Action

RECEIVED

JUL 18 2003

MUNICIPAL CLERK

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

CASE # 031781293
POWER
M. Farrel
07/24/03
D

RE: CLAIM FOR DAMAGES

Today's Date: 7-18-03

ENTERED - 7/25/03 - DP
0310599 - DIANNE MITCHELL

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,304.00 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 6-22-03 2. Time of Incident: 15:13 3. Police called: Yes No
(month/day/year)

4. Location of incident (including street address): 1590 JONESBORO Rd S.W.

5. Name of your insurance company: Old South Premium Policy No. GAU-16144

6. State what and how incident occurred: I ROWENA JONES VEHICLE #2 WAS SOUTH BOUND AT JONESBORO Rd. ATTEMPTING TO MAKE A LEFT TURN. NO CARS IN FRONT OF ME. OUT OF NOWHERE, WITH NO EMERGENCY LIGHT ON, OFFICER FARRELL VEHICLE #1 ATTEMPT TO MAKE A RIGHT TURN IN FRONT OF VEHICLE #2, HITTING MY FRONT LEFT DRIVER SIDE BUMPER, WITH NO EMERGENCY BLUE LIGHTS ON.

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: Buick 1989 100ALW ROWENA JONES
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Ford FARRELL ALTHEA A.P.D ZONE-3
(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. Claims must be received within 6 months of the event.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Rowena Jones
Signature of Claimant

ROWENA JONES
(Print Claimant's Name)

445 CLEVELAND AV. # D-58
(Address)

ATLANTA, GA 30354
(City, State and Zip Code)

404-223-0490 - 404-361-6458
(Work Number) (Home Number)

|

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 03L0599

\$ 1,304.00

IN CONSIDERATION of the sum of ONE THOUSAND THREE HUNDRED FOUR 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 Althea Farrell, 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 27th day of June, 2003,

at or near 1590 Jonesboro Road, SW.

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 covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, 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 27 day of Feb, 2003.

02-27-04
Rowena A. Belacheta
Notary Public, DeKalb County, GA
My Commission Expires September 16, 2006

Rowena Jones (LS)
ROWENA JONES

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

_____ in our presence on the date above written.

WITNESSES

**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-0584

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LEGAL ADMINISTRATION COMMITTEE**

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ADOPTED BY
APR 19 2004
COUNCIL

Entered - 07/25/03 - sb
CL03L0599 - DIANNE C. MITCHELL

CLAIM OF: **ROWENA JONES**
156 Moury Avenue
Apt. 3202
Atlanta, Georgia 30315

04-*R*-0584

For damages alleged to have been sustained as a result of a vehicular accident on June 22, 2003 at 1590 Jonesboro Road, SW.

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 **ROWENA JONES** the sum of **\$1,304.00** 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 June 22, 2003 at 1590 Jonesboro Road, SW as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.

APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 3/30/04

CHAIR: _____

APPROVED
Shirley Franklin
APR 27 2004
MAYOR

CERTIFIED
APR 19 2004
COUNCIL PRESIDENT PROTEM

CERTIFIED
APR 19 2004
MUNICIPAL CLERK