

Entered - 09/08/03 - sb
CL03L0721 - DIANNE C. MITCHELL

CLAIM OF: **KEMPER AUTO AND HOME**
AS SUBROGEE OF EDDIE G. ASH
P. O. Box 7768
Charlotte, NC 28241-7768

04-*R*-0279

ADOPTED BY
MAR 0 1 2004
COUNCIL

For damages alleged to have been sustained as a result of a vehicular accident on June 13, 2003 at Bankhead Highway and Maynard Court.

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 **KEMPER AUTO AND HOME AS SUBROGEE OF EDDIE G. ASH** the sum of **\$7,307.10** 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 13, 2003 at Bankhead Highway and Maynard Court 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: 2/24/04

CHAIR: *[Signature]*

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

MAR 0 1 2004

CERTIFIED
MAR 0 1 2004
[Signature]
MUNICIPAL CLERK

APPROVED
[Signature]
MAR 9 2004
MAYOR

**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-0279

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 **Kemper Auto and Home as subrogee of Eddie G. Ash** in the sum of **\$7,307.10** 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 June 13, 2003 at Bankhead Highway and Maynard Court** 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,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAR 01, 2004
MAR 09, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0721

Date: February 6, 2004

Claimant /Victim KEMPER AUTO AND HOME AS SUBROGEE OF EDDIE G. ASH

BY: (Atty)(Ins. Co.)

Address: P. O. Box 7768, Charlotte, NC 28241-7768

Subrogation: X Claim for Property damage \$ 7,307.10 Bodily Injury \$

Date of Notice: 09/03/03 Method: Written, proper X Improper

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

Date of Occurrence 06/13/03 Place: Bankhead Highway and Maynard Court

Department Police Division:

Employee involved J. L. Hayes Disciplinary Action: No Action Taken

NATURE OF CLAIM: The driver of the City vehicle failed to yield right-of-way while attempting a left turn and collided with the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures X Diagrams Reports: Police X Dept Report 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 X City Negligent X Joint Claim Abandoned

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 7,307.10 Adverse Account charged: 1A01 X 2J01 2H01 2P01

Claims Manager: [Signature] Concur/date 02/12/04

Committee Action: Council Action

RCS# 5475
3/01/04
3:54 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I , EXCEPT: 04-O-0328,04-O-0047
04-O-0221,04-R-0309,04-O-0324,04-O-0216
ADOPT

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

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

CONSENT I

3-01-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
<ul style="list-style-type: none"> 1. 04-O-0324 2. 04-O-0328 3. 04-O-0332 4. 04-O-0337 5. 04-O-0338 6. 04-O-0339 7. 04-O-0155 8. 04-O-0047 9. 04-O-0221 10. 04-O-0251 11. 04-R-0039 12. 04-R-0305 13. 04-R-0306 14. 04-R-0307 15. 04-R-0308 16. 04-R-0353 17. 04-R-0298 18. 04-R-0301 19. 04-R-0313 20. 04-R-0344 21. 04-R-0345 22. 04-R-0366 23. 04-R-0248 24. 04-R-0297 25. 04-R-0325 26. 04-R-0326 27. 04-R-0336 28. 04-R-0343 29. 04-R-0355 30. 04-R-0299 31. 04-R-0316 32. 04-R-0062 33. 04-R-0302 34. 04-R-0303 35. 04-R-0304 36. 04-R-0309 37. 04-R-0354 38. 04-R-0275 39. 04-R-0276 40. 04-R-0277 	<ul style="list-style-type: none"> 41. 04-R-0278 42. 04-R-0279 43. 04-R-0280 ITEMS ADVERSED ON CONSENT 44. 04-R-0281 45. 04-R-0282 46. 04-R-0283 47. 04-R-0284 48. 04-R-0285 49. 04-R-0286 50. 04-R-0287 51. 04-R-0288 52. 04-R-0289 53. 04-R-0290 54. 04-R-0291 55. 04-R-0292 56. 04-R-0293 57. 04-R-0294 58. 04-R-0295 59. 04-R-0296