

A RESOLUTION

BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE

A RESOLUTION TO RESCIND RESOLUTION  
07-R-2561 AUTHORIZING PAYMENT IN THE  
AMOUNT OF \$16,609.98 IN SETTLEMENT OF  
THE CLAIM OF CHANNING HARRAL  
AGAINST THE CITY OF ATLANTA AND FOR  
OTHER PURPOSES

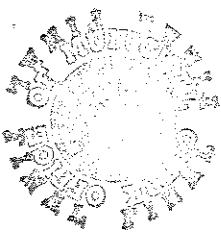
**WHEREAS**, on January 7, 2008 the City Council adopted Resolution 07-R-2561 authorizing the payment of \$16,609.98 in settlement of the claim of Channing Harral against the City of Atlanta; and

**WHEREAS**, the City subsequently received a subrogation claim for damages from Farmer's Insurance Company as subrogee of Channing Harral in the amount of \$13,811.98; and

**WHEREAS**, the amount of the subrogation claim presented by Farmer's Insurance Company was reduced due to the salvage value received, saving the City \$3,098.00; and

**WHEREAS**, Channing Harral has been made whole by his insurance company and he is no longer entitled to the proceeds of the claim settlement.

**THEREFORE, BE IT RESOLVED** that Resolution 07-R-2561 be hereby rescinded.



MUNICIPAL CLERK  
ATLANTA, GEORGIA

07-R-2561

**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 **Channing Harral** in the sum of **\$16,609.98** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for property damages alleged to have been sustained from an automobile accident on October 11, 2007 at Northside Drive & John 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,

*Ronda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

JAN 07, 2008  
JAN 15, 2008

Entered - 11-9-07 sb  
CL 07L0912 - GWENDOLYN BURNS

CLAIM OF:           **CHANNING HARRAL**  
                          499 Northside Circle, NW  
                          Apartment 103  
                          Atlanta, Georgia 30309

For vehicular damages alleged to have been sustained from an automobile accident on October 11, 2007 at Northside Drive & John Avenue.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:**

**BE IT RESOLVED** by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **CHANNING HARRAL** the sum of **\$16,609.98** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained from an automobile accident on October 11, 2007 at Northside Drive & John Avenue as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.

APPROVED:           ELIZABETH CHANDLER  
                          CITY ATTORNEY

BY:   
                          JERRY L. DELOACH  
                          DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 07L0912

Date: November 15, 2007

Claimant /Victim CHANNING HARRAL
BY: (Atty) (Ins. Co.)
Address: 499 Northside Circle, NW, Apt. 103, Atlanta, Georgia 30309
Subrogation: Claim for Property damage \$ 18,952.00 Bodily Injury \$
Date of Notice: 11/9/07 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/11/07 Place: Northside Drive & John Avenue
Department POLICE Division:
Employee involved B. L. Gardner Disciplinary Action:

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was struck by a police vehicle that "failed to yield when entering a roadway".

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report X 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
City not involved Offer rejected Compromise settlement X
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 \$ 16,609.98 Adverse Account charged: 1A01 X 2J01 2P01 2H01
Claims Manager: Concur/date 11/29/07
Committee Action: Council Action