

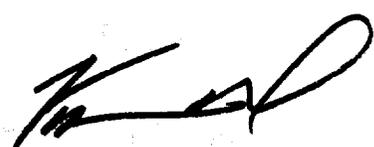
CLAIM OF: **REZA MOHAMMAD**  
151 Johnson Ferry Road, NE  
Sandy Springs, Georgia 30328

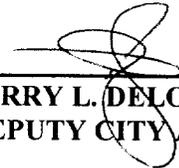
For damages alleged to have been sustained as a result of striking a pothole on November 14, 2009 at 1785 Mount Paran Road, NW.

**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 **REZA MOHAMMAD** the sum of **\$577.84** 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 striking a pothole on November 14, 2009 at 1785 Mount Paran Road, NW as is more particularly set forth in the within claim; said sum taken from and charged to account **1001.200101.5212005.1512000.**

APPROVED: **ROGER BHANDARI**  
ACTING CITY ATTORNEY

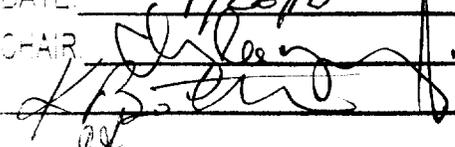


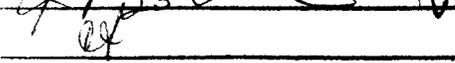
BY:   
**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY

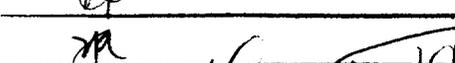
**FAVORABLE REPORT**

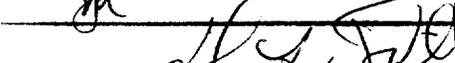
PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 1/26/10

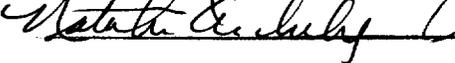
CHAIR: 













FEB 01 2010

FEB 01 2010

ADOPTED BY  
FEB 01 2010  
COUNCIL



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

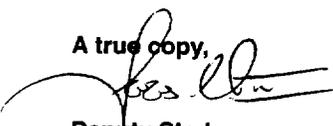
**10-R-0180**

**A RESOLUTION**

**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 **Reza Mohammad** the sum of **\$577.84** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character, for property damages alleged to have been sustained as a result of **striking a pothole on November 14, 2009 at 1785 Mount Paran Road, N. W.** as is more particularly set forth in the within claim; said sum taken from and charged to Account **1001/200101/5212005/1512000**.

A true copy,



Deputy Clerk

**ADOPTED by the Atlanta City Council  
APPROVED by Mayor Kasim Reed**

**FEB 01, 2010  
FEB 09, 2010**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L1017

Date: December 30, 2009

Claimant /Victim REZA MOHAMMAD

BY:(Atty)(Ins.Co.) \_\_\_\_\_

Address: 151 Johnson Ferry Road, NW Sandy Spring, Georgia 30328

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,379.72 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 12/07/09 Method: Written, proper X Improper \_\_\_\_\_

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

Date of Occurrence 11/14/09 Place: 1785 Mount Paran Road, NW

Department Public Works Bureau: \_\_\_\_\_ Office: Transportation Services

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that she sustained damages as a result of striking a pothole at 1785 Mount Paran Road, NW. An investigation determined that although a search of city records shows that the city did not have actual notice of the problem prior to the incident, the defect appears to have existed for such a length of time that the city should have known and corrected it. The claimant has elected to file a claim for the damages through her insurance carrier. The claimant's settlement is for her deductible and her out-of-pocket expenses.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures X 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 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,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 577.84 Adverse \_\_\_\_\_ Account charged: General Fund X Water & Sewer \_\_\_\_\_ Aviation \_\_\_\_\_

Claims Manager: [Signature] Concur/date 01/06/10

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RECEIVED  
OFFICE OF  
MUNICIPAL CLERK  
2009 DEC - 7 PM 6:42

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, SW  
Atlanta, Georgia 30303

RE: CLAIM FOR DAMAGES  
Today's Date: 11/16/2009

ENTERED - 12-16-09 - SB  
09L1017 - L. CARTER

CARTER  
12/15/09

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 1,379.72 property and/or \$ 0- bodily injury for which I contend the City is liable.

- 1. Date of incident: 11/14/2009 2. Time of incident: 10:30pm 3. Police called:
- 4. Location of incident (including street address): Mt. Paran Rd, Intersection Highcourt Rd.
- 5. Name of your insurance company: GEICO Policy No. 4176-46-61-69
- 6. State what and how incident occurred: Was Driving to Roswell Road on Mt. Perrin Deep pothole (see photo attached) Blew out Right front + back Tires. Was driving at speed limit. That segment of the road needs to undergo repairs.

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.

Your vehicle: Mercedes Benz 2005, AHR 8339, Reza Mohammad  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Nan-Wei Heilian

10. The acknowledgement 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 from the date of the event.

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

Signature of Claimant

Reza Mohammad  
(Print Claimant's Name)

151 Johnson Ferry Rd NW  
(Address)

Sandy Springs, GA 30328  
(City, State and Zip Code)

(404) 219-9557, (404) 255-6998  
(Work Number) (Home Number)

(M) 653-2659

RCS# 42  
2/01/10  
2:07 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

B Smith	Y Archibong	Y Moore	Y Bond
NV Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADVERSED ON CONSENT</b>	<b>02-01-10 ITEMS ADVERSED ON CONSENT</b>
1. 10-O-0118 2. 10-O-0119 3. 10-O-0120 4. 10-O-0121 5. 10-O-0122 6. 10-O-0123 7. 10-O-0126 8. 10-O-0127 9. 10-O-0128 10. 10-O-0129 11. 10-O-0220 12. 10-O-0221 13. 10-O-0057 14. 10-O-0135 15. 10-R-0134 16. 10-R-0162 17. 10-R-0227 19. 10-R-0164 20. 10-R-0165 21. 10-R-0166 22. 10-R-0169 23. 10-R-0170 24. 10-R-0171 25. 10-R-0222 26. 10-R-0228 27. 10-R-0173 28. 10-R-0174 29. 10-R-0175 30. 10-R-0176 31. 10-R-0177 32. 10-R-0178 33. 10-R-0179 34. 10-R-0180 35. 10-R-0181	36. 10-R-0182 37. 10-R-0183 38. 10-R-0184 39. 10-R-0185 40. 10-R-0186 41. 10-R-0187 42. 10-R-0188 43. 10-R-0189 44. 10-R-0190 45. 10-R-0191 46. 10-R-0192 47. 10-R-0193 48. 10-R-0194 49. 10-R-0195 50. 10-R-0196 51. 10-R-0197 52. 10-R-0198 53. 10-R-0199 54. 10-R-0200 55. 10-R-0201 56. 10-R-0202 57. 10-R-0203 58. 10-R-0204 59. 10-R-0205	