

Entered - 8/24/09 - sb
CL - 09L0629 - ANGELENA KELLY

CLAIM OF: Nikishia Thurmond
2835 Spruce Point Road
College Park, GA 30349

For damages alleged to have been sustained as a result of a vehicular accident on June 8, 2009 at Benjamin E. Mays Drive and Peyton Road.

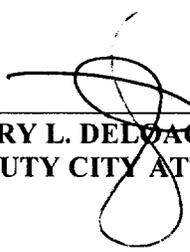
BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

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 **Nikishia Thurmond** the sum of **\$540.31** 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 8, 2009 at Benjamin E. Mays Drive and Peyton Road 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. DELDACH
DEPUTY CITY ATTORNEY

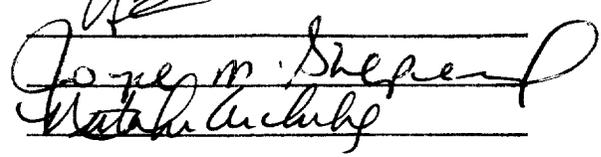


FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 2/9/10

CHAIR: _____



ADOPTED BY
FEB 15 2010
COUNCIL

FEB 15 2010





**MUNICIPAL CLERK
ATLANTA, GEORGIA**

10-R-0259

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 **Nikishia Thurmond** the sum of **\$540.31** 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 a **vehicular accident on June 8, 2009 at Benjamin E. Mays Drive and Peyton Road** 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 15, 2010
FEB 22, 2010**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0629

Date: January 26, 2010

Claimant /Victim: Nikishia Thurmond

BY: (Atty) (Ins. Co.) _____

Address: 2835 Spruce Point Road, College Park, GA 30349

Subrogation: _____ Claim for Property damage \$ 561.83 Bodily Injury \$ _____

Date of Notice: 8/5/09 Method: Written, proper Improper _____

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

Date of Occurrence: 6/8/09 Place: Benjamin E. Mays Drive and Peyton Road

Department: Public Works Bureau: _____ Office: Solid Waste Services

Employee involved: Andrews, Barbara Disciplinary Action: Ride-A-Long Safety Training

NATURE OF CLAIM: The claimant alleges that branches fell from a City vehicle onto her vehicle causing damage in the above amount. The investigation determined that the driver of the City vehicle failed to secure the branches in the back of the truck which allowed them to fall onto the claimant's vehicle.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures Diagrams _____ Reports: Police Dept Report Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial

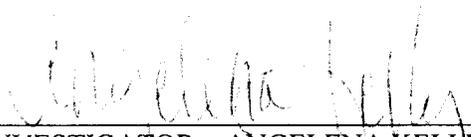
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent Joint _____ Claim Abandoned _____

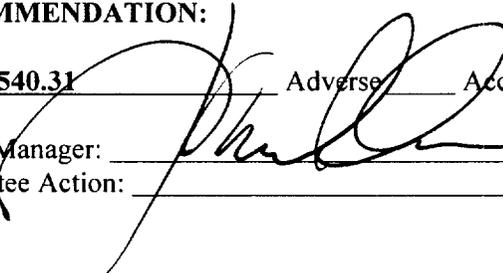
Respectfully submitted,



INVESTIGATOR – ANGELENA KELLY

RECOMMENDATION:

Pay \$ 540.31 Adverse _____ Account charged: General Fund Water & Sewer _____ Aviation _____

Claims Manager:  Concur/date 1/27/10

Committee Action: _____ Council Action _____

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

OFFICE
MUNICIPAL CLERK
2009 AUG 13 3:09

RE: CLAIM FOR DAMAGES

Today's Date: 8/3/09

ENTERED - 8-24-09 - SB
09L0629 - A. KELLY

Ice/W
08/20/09
JK

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 540.00 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 6/8/09 2. Time of incident: 9:15am. 3. Police called: yes

4. Location of incident (including street address): Peyton Rd c Benjamin E. Mays

5. Name of your insurance company: Safeway Policy No. 112437-GA-PA-002

6. State what and how incident occurred: Sitting at redlight at the corner of Peyton Rd c Benjamin E. Mays City of Atlanta vehicle traveling North on Benjamin E. Mays makes a right turn onto Peyton Rd log from truck hit driver side door.

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: 2002 Chev. Cav. 5618AJR Nikishia Thurmond
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Barbara Andrews
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____

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.

Nikishia Thurmond
Signature of Claimant

Nikishia Thurmond
(Print Claimant's Name)

2835 Spruce Point Rd
(Address)

College Park, GA 30349
(City, State and Zip Code)

(4)351-0008 (7)991-9335
(Work Number) (Home Number)

RCS# 70
2/15/10
2:39 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

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

CONSENT I

		02-15-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0163	36. 10-R-0160	53. 10-R-0260
2. 10-O-0167	37. 10-R-0244	54. 10-R-0261
3. 10-O-0229	38. 10-R-0245	55. 10-R-0262
4. 10-O-0317	39. 10-R-0246	56. 10-R-0263
5. 10-O-0153	40. 10-R-0247	57. 10-R-0264
6. 10-O-0154	41. 10-R-0248	58. 10-R-0265
7. 10-O-0155	42. 10-R-0249	59. 10-R-0266
8. 10-O-0156	43. 10-R-0250	60. 10-R-0267
9. 10-O-0158	44. 10-R-0251	61. 10-R-0268
10. 10-O-0159	45. 10-R-0252	62. 10-R-0269
11. 10-O-0157	46. 10-R-0253	63. 10-R-0270
12. 10-R-0242	47. 10-R-0254	64. 10-R-0271
13. 10-R-0243	48. 10-R-0255	65. 10-R-0272
14. 10-R-0124	49. 10-R-0256	66. 10-R-0273
15. 10-R-0282	50. 10-R-0257	67. 10-R-0274
16. 10-R-0283	51. 10-R-0258	
17. 10-R-0284	52. 10-R-0259	
19. 10-R-0285		
20. 10-R-0286		
21. 10-R-0287		
22. 10-R-0295		
23. 10-R-0299		
24. 10-R-0300		
25. 10-R-0301		
26. 10-R-0302		
27. 10-R-0233		
28. 10-R-0234		
29. 10-R-0235		
30. 10-R-0236		
31. 10-R-0237		
32. 10-R-0238		
33. 10-R-0239		
34. 10-R-0240		
35. 10-R-0316		