

Entered - 01/14/10 - sb
CL 10L0028 - LISA CARTER

10- R -0353

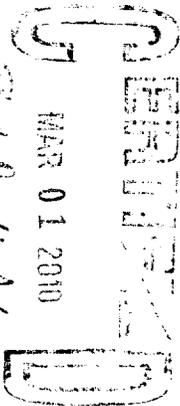
CLAIM OF: NICHOLAS BRISTOW
3060 Peachtree Road
Suite 500
Atlanta, Georgia 30305

For damages alleged to have been sustained as a result of striking a damaged water manhole on December 1, 2009 at 718 Ponce de Leon Avenue, NE.

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 **NICHOLAS BRISTOW** the sum of **\$700.00** 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 striking a damaged water manhole on December 1, 2009 at 718 Ponce de Leon Avenue, NE as is more particularly set forth in the within claim; said sum taken from and charged to account **5051.170201.5750002.4310000**.

MAR 01 2010



APPROVED: ROGER BHANDARI
ACTING CITY ATTORNEY

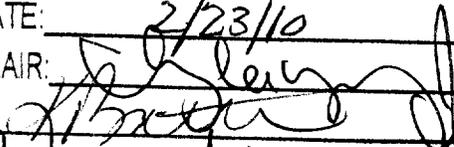
ADOPTED BY
MAR 01 2010
COUNCIL

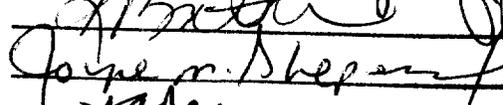
BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

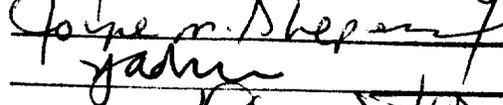
FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

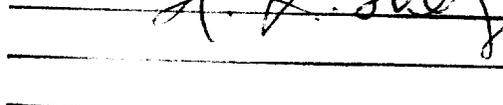
DATE: 2/23/10

CHAIR: 

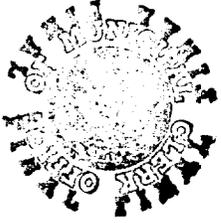












**MUNICIPAL CLERK
ATLANTA, GEORGIA**

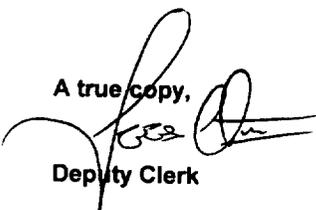
10-R-0353

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 **Nicholas Bristow** the sum of **\$700.00** 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 **an striking a damaged water manhole on December 1, 2009 at 718 Ponce de Leon Avenue, NE.** as is more particularly set forth in the within claim; said sum taken from and charged to Account **5051/170201/5750002/4310000.**

A true copy,


Deputy Clerk

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

**MAR 01, 2010
MAR 09, 2010**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 10L0028

Date: January 29, 2010

Claimant /Victim NICHOLAS BRISTOW

BY:(Atty)(Ins.Co.)

Address: 3060 Peachtree Road Suite 500 Atlanta, Georgia 30305

Subrogation: Claim for Property damage \$ 3,619.42 Bodily Injury \$

Date of Notice: 01/12/10 Method: Written, proper X Improper

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

Date of Occurrence 12/01/09 Place: 718 Ponce de Leon Avenue, NE

Department Watershed Management Bureau: Drinking Water Office:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that he sustained damages as a result of striking a damaged water manhole lid at 718 Ponce de Leon, NE. However, an investigation determined that the city was on notice of problem at this location, but failed to make repairs in a timely manner.

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 Ministerial X

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,

Lisa Carter

INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 700.00 Adverse Account charged: General Fund Water & Sewer X Aviation

Claims Manager: Concur/date 02/10/10

Committee Action: Council Action

RECEIVED
OFFICE OF
MUNICIPAL CLERK

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

2010 JAN 12 11:21 AM

DATE: CLAIM FOR DAMAGES
day's Date: 01/06/10

ENTERED - 1-14-10 - SB
10L0028 - L. CARTER

CARTER
01/13/10
[Signature]

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 700⁰⁰ property and/or \$ _____ bodily injury for which I contend the City is liable.

- Date of incident: 12/01/09 2. Time of incident: 6:45 PM 3. Police called: NO
- Location of incident (including street address): APPROX. 699 PONCE DE LEON AVENUE, 30308
- Name of your insurance company: PROGRESSIVE Policy No. 75686654-6
- State what and how incident occurred: I was driving west on Ponce de Leon Ave when my car struck a large pothole in front of my apartment building @ City Hall East. The impact deployed two driver's side airbags (seat & side curtain) and damaged several related parts.
- 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.

Golf TAG# BGV 9612
 Your vehicle: Volkswagen, 2002 NICHOLAS BRISTOW
(Make) (Year) (Tag Number) (Driver's Name)

9. Witness: Crystal Yates (witnessed damage after accident)
(Make) (City Driver's Name) (Department/Bureau)

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.

Nicholas A. Bristow
Signature of Claimant

NICHOLAS BRISTOW
(Print Claimant's Name)
699 PONCE DE LEON AVE NE APT 133
(Address)
ATLANTA, GA 30308
(City, State and Zip Code)
4) 504-0610 913-240-4457
(Work Number) (Home Number)

* AS OF 01/31/10 I'LL BE CHANGING RESIDENCES

PLEASE SEND ALL CORRESPONDENCE TO MY OFFICE : NICHOLAS BRISTOW 3060 PEACHTREE RD SUITE 500 ATLANTA, GA 30305

10-R-0353

RCS# 99
3/01/10
2:54 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 2
ABSENT 0

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

CONSENT I

		03-01-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSESED ON CONSENT
1. 10-O-0275	36. 10-R-0350	42. 10-R-0356
2. 10-O-0276	37. 10-R-0351	43. 10-R-0357
3. 10-O-0277	38. 10-R-0352	44. 10-R-0358
4. 10-O-0278	39. 10-R-0353	45. 10-R-0359
5. 10-O-0279	40. 10-R-0354	46. 10-R-0360
6. 10-O-0289	41. 10-R-0355	47. 10-R-0361
7. 10-O-0290		48. 10-R-0362
8. 10-O-0291		49. 10-R-0363
9. 10-O-0292		50. 10-R-0364
10. 10-O-0293		51. 10-R-0365
11. 10-O-0294		52. 10-R-0366
12. 10-O-0296		53. 10-R-0367
13. 10-O-0241		54. 10-R-0368
14. 10-O-0307		55. 10-R-0369
15. 10-R-0334		56. 10-R-0370
16. 10-R-0335		57. 10-R-0371
17. 10-R-0390		58. 10-R-0372
19. 10-R-0395		59. 10-R-0373
20. 10-R-0407		60. 10-R-0374
21. 10-R-0411		61. 10-R-0375
22. 10-R-0394		62. 10-R-0376
23. 10-R-0396		63. 10-R-0377
24. 10-R-0338		64. 10-R-0378
25. 10-R-0339		65. 10-R-0379
26. 10-R-0340		66. 10-R-0380
27. 10-R-0341		67. 10-R-0381
28. 10-R-0342		68. 10-R-0382
29. 10-R-0343		69. 10-R-0383
30. 10-R-0344		70. 10-R-0384
31. 10-R-0345		71. 10-R-0385
32. 10-R-0346		
33. 10-R-0347		
34. 10-R-0348		
35. 10-R-0349		