

Entered -12-1-00- sb
CL - 00L0736 ALEXIS HOLMES

CLAIM OF: **GEORGE S. BARNES, JR.**
110 Saddle Creek Drive
Roswell, Georgia 30076

01- *R* -0253

For vehicular damages alleged to have been sustained as a result of driving over an improperly secured steel plate in the road on October 4, 2000 at DeFours Avenue and Mantissa Road.

ADOPTED BY
MAR 05 2001
COUNCIL

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 **George Barnes** the sum of **\$693.28** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for **vehicular damages alleged to have been sustained as a result of driving over an improperly secured steel plate in the road on October 4, 2000 at DeFours Avenue and Mantissa Road** as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

CERTIFIED
MAR 05 2001
Rosalind Rubens Newell
MUNICIPAL CLERK

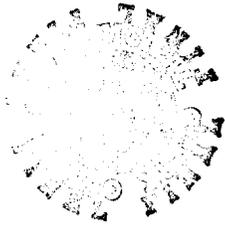
APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY
Rosalind, Co. of DCA

COM. P.S. & LA
DATE 2/27/01
CHM. C. T. Mant...
Michael...
Dany...
Cela...

CERTIFIED
MAR 05 2001
ATLANTA CITY COUNCIL PRESIDENT
Richard...

APPROVED
MAR 14 2001
WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

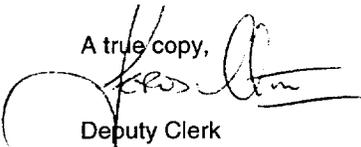
01-R-0253

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 **George S. Barnes, Jr.** in the sum of **\$693.28** 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 **driving over an improperly secured steel plate in the road on October 4, 2000 at DeFours Avenue and Mantissa Road** 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,


Deputy Clerk

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

March 5, 2001

March 14, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0736

Date: 2/9/01

Claimant /Victim GEORGE S. BARNES, JR.

BY: (Atty)

Address: 110 Saddle Creek Drive, Roswell Georgia 30076

Subrogation: Claim for Property damage \$ 693.28 Bodily Injury \$

Date of Notice: 11/16/00 Method: Written, proper X Improper

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

Date of Occurrence 10/4/00 Place: DeFoods Avenue and Mantissa Road

Department Public Works Division: Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant sustained damages when he drove over a steel plate covering in the road. The City had prior knowledge of the problem and had failed to properly secure the steel plate covering or erect a barricade or post warnings to motorist.

INVESTIGATION:

Statements: City employee Claimant Other 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 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,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 693.28 Adverse Account charged: 1A01 2J01 X 2H01

Claims Manager: Concur/date 8-2-01

Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 11/12/00

Holmes
11/28/00
[Signature]

Dear Municipal Clerk:

ENTERED - 12-1-00 - SB
00L0736 - ALEXIS HOLMES

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 693.28 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 10/4/00 (month/day/year) 2. Time of Incident: 10 PM approx 3. Police called: Yes No

4. Location of incident (including street address): 1857 DeFors AVE N.W

5. Name of your insurance company: CNA Policy No. 45147057253

6. State what and how incident occurred: DRIVING ON DeFORS AVE., A UNCOVERED HOLE (METAL WAS OFF TO SIDE) WAS IN THE ROAD, NOT SEEING IT, IT WAS STRUCK CAUSING DAMAGE TO WHEELS, TIRES AND ALIGNMENT OF MY AUTO

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 (copy of the current tag receipt or title).

Your vehicle: ACVIA (Make) '95 (Year) 160 RCJ (Tag Number) LAWA BARNES (Driver's Name)

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

9. Witness: DEE SHEW (Name) DeFORS AVE (Address) 404 367-9648 (Telephone Number)

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. This claim should be mailed immediately to the address shown above.

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

[Signature]
Signature of Claimant

GEORGE S. BARNES JR
(Print Claimant's Name)

110 SADDLE CO. DR
(Address)

ROSWELL GA 30076
(City, State and Zip Code)

01-R-0253

770 4297000 EXT 1014 (Work Number) 770 9980289 (Home Number)

01-R-0253

RCS# 2689
3/05/01
6:36 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 thru. 13

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM CONSENT AGENDA 01-O-0240 01-R-0307 01-R-0346
Y Starnes	Y Woolard	NV Martin	Y Emmons	
Y Bond	Y Morris	B Maddox	Y Alexander	
Y Winslow	Y Muller	Y Boazman	NV Pitts	

CONSENT

**ITEMS ADOPTED ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT AGENDA**

1. 01-O-0179
2. 01-O-0348
3. 00-O-1657
4. 01-O-0355
5. 01-O-0152
6. 01-R-0190
7. 01-R-0349
8. 01-R-0351
9. 01-R-0290
10. 01-R-0304
11. 01-R-0305
12. 01-R-0369
13. 01-R-0370
14. 01-R-0297
15. 01-R-0300
16. 01-R-0298
17. 01-R-0299
18. 01-R-0251
19. 01-R-0252
20. 01-R-0253
21. 01-R-0254
22. 01-R-0255
23. 01-R-0256
24. 01-R-0257
25. 01-R-0258
26. 01-R-0259
27. 01-R-0260
28. 01-R-0261
29. 01-R-0262
30. 01-R-0263
31. 01-R-0264
32. 01-R-0265
33. 01-R-0266
34. 01-R-0267
35. 01-R-0268
36. 01-R-0269
37. 01-R-0291
38. 01-R-0292

39. 01-R-0270
 40. 01-R-0271
 41. 01-R-0272
 42. 01-R-0273
 43. 01-R-0274
 44. 01-R-0275
 45. 01-R-0276
 46. 01-R-0277
 47. 01-R-0278
 48. 01-R-0279
 49. 01-R-0280
 50. 01-R-0281
 51. 01-R-0282
 52. 01-R-0283
 53. 01-R-0284
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 55. 01-R-0286
 56. 01-R-0287
 57. 01-R-0288
 58. 01-R-0289
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