

Entered -5-20-98 - sb
CL 98L0357 - GWENDOLYN BURNS

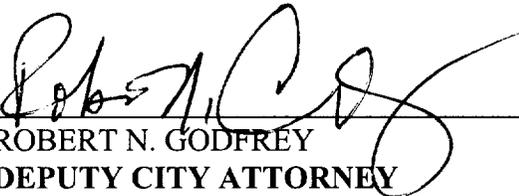
CLAIM OF:

ADRIAN BROWN
812 Myrtle Street
Atlanta, Georgia 30308

01-*R*-0282

For property damages alleged to have been sustained when a truck backed into a balcony on April 13, 1998 at 1072 Piedmont Avenue, #102.

THIS ADVERSED REPORT IS
APPROVED

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

ADVERSED BY
CITY COUNCIL MAR 05 2001

ADVERSED REPORT
P.S. & h.a.
DATE 2/27/01
CHM. C. T. Hartman
Michael [Signature]
Derry [Signature]
Cleda [Signature]

CERTIFIED
MAR 05 2001
ATLANTA CITY COUNCIL PRESIDENT
Robert N. Godfrey

CERTIFIED
MAR 05 2001
Rhonda Daughin Johnson
MUNICIPAL CLERK



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

March 14, 2001

Adrian Brown
812 Myrtle Street
Atlanta, GA 30308

01-R-0282

Dear Ms. Brown:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on March 05, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 98L0357

Date: February 13, 2001

Claimant /Victim ADRIAN BROWN
BY: (Atty) (Ins. Co.) _____
Address: 812 Myrtle Street, Atlanta, Georgia 30308
Subrogation: _____ Claim for Property damage \$ 890.00 Bodily Injury \$ _____
Date of Notice: 5/11/98 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 4/13/98 or 4/21/98 Place: Ellenwood Avenue & Brag Street, NE
Department PUBLIC WORKS Division Solid Waste Services
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that a City sanitation truck backed into his balcony causing property damage. However, claimant has failed to pursue his claim.

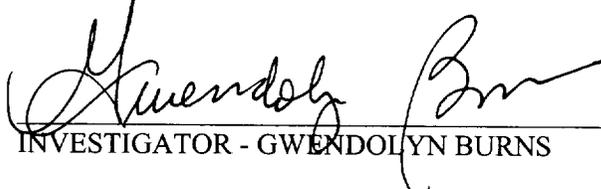
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

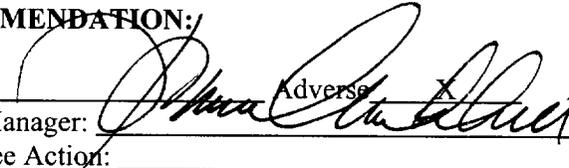
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other X 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 X

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 02-15-01
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

BURNS
054498
DW

MAY 11 1998

Today's Date: 5/3/98

ENTERED - 5-20-98 - SB
98L0357 - GWEN BURNS

MUNICIPAL CLERK

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 890 - property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 4/13 or 4/21 (PER TENANT) 2. Time of Incident: 10AM? 3. Police called: X
(month/day/year) Yes No

4. Location of incident (including street address): 1072 PIEDMONT AVE #102 ATLANTA, 30309

5. Name of your insurance company: _____ Policy No. _____

6. State what and how incident occurred: SANITATION TRUCK BACKED INTO BALCONY (AS REPORTED TO ME BY MY TENANT). UPON INSPECTION IT IS EVIDENT IT HAS HAPPENED ON NUMEROUS OCCASIONS. (SEE ATTACHED PHOTOS)

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: _____
(Make) (Year) (Tag Number) (Driver's Name)

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

9. Witness: _____
(Name) (Address) (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

ADRIAN BROWN
(Print Claimant's Name)

812 MYRTLE STREET
(Address)

ATLANTA, GA 30308
(City, State and Zip Code)

404 294 3718 404 572 8240
(Work Number) (Home Number)

01-R -0282

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 <u>CONSENT AGENDA</u> 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
 54. 01-R-0285
 55. 01-R-0286
 56. 01-R-0287
 57. 01-R-0288
 58. 01-R-0289
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