

Entered - 03-02-01 - sb  
CL 01L0150 - GWENDOLYN BURNS

CLAIM OF: **MARGARET BLANTON**  
4866 Happy Hollow Road  
Atlanta, Georgia 30360

01-R-0504

For vehicular damages alleged to have been sustained as a result of a metal plate that was not properly covering a construction site on January 9, 2001 at Pryor Street, SW & Mitchell Street, SW.

**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 **MARGARET BLANTON** the sum of **\$1,323.00** 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 a metal plate that was not properly covering a construction site on January 9, 2001 at Pryor Street, SW & Mitchell Street, SW 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.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: *Rosalind Rubens Jewell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY *Robert D. Goff*

FAVORABLE REPORT

COM. P.S.L.A. \_\_\_\_\_

DATE 3/27/01

*John C. ...*  
*...*  
*...*  
*...*

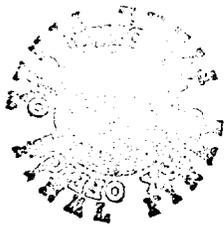
**APPROVED**

APR 11 2001

WITHOUT SIGNATURE  
BY OPERATION OF LAW

ADOPTED BY  
APR 02 2001  
COUNCIL  
APR 02 2001  
*Rosalind Rubens Jewell*  
MUNICIPAL CLERK

**CERTIFIED**  
ATLANTA CITY COUNCIL PRESIDENT  
APR 02 2001  
*...*



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**01-R-0504**

**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 **Margaret Blanton** in the sum of **\$1,323.00** 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 a **metal plate that was not properly covering a construction site on January 9, 2001 at Pryor Street, SW and Mitchell Street** 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,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

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

APR 02, 2001

APR 11, 2001

**.DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 01L0150

Date: March 16, 2001

Claimant /Victim MARGARET BLANTON  
 BY: (Atty) (Ins. Co.) \_\_\_\_\_  
 Address: 4866 Happy Hollow Road, Atlanta, Georgia 30360  
 Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,323.08 Bodily Injury \$ \_\_\_\_\_  
 Date of Notice: 2/14/01 Method: Written, Proper X Improper \_\_\_\_\_  
 Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
 Date of Occurrence 1/9/01 Place: Pryor Street, SW & Mitchell Street, SW  
 Department PUBLIC WORKS Division Sewer Operations  
 Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: Claimant's vehicle sustained damage when she drove over a sanitary sewer metal plate that was not properly secured to the roadway.

**INVESTIGATION:**

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

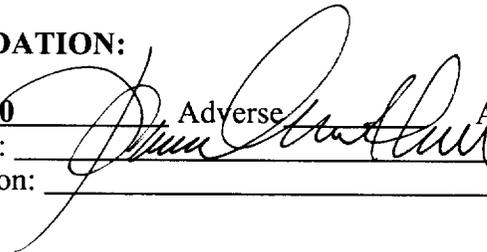
**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial 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,

  
 INVESTIGATOR GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ 1,323.00 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2H01 \_\_\_\_\_  
 Claims Manager:  Concur/date 03-16-01  
 Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

BURNS  
03/01/01

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: 1/12/01

FEB 14 2001

Dear Municipal Clerk:

ENTERED - 3-2-01 - SB  
01L0150 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1523.08 property and/or \$ — bodily injury for which I contend the City is liable.

1. Date of incident: 1/9/01 (month/day/year) 2. Time of Incident: \_\_\_\_\_ 3. Police called:  Yes  No

4. Location of incident (including street address): at the intersection of Pryor and Mitchell

5. Name of your insurance company: Progressive Policy No. \_\_\_\_\_

6. State what and how incident occurred: I was crossing the intersection of Pryor and Mitchell (I was driving on Pryor st, so I crossed Mitchell) and I noticed some metal plates in the road so I slowed down but before the plates there was a dip in the road. I went over the dip but when I hit the metal plates the underside of my car scraped causing damage to the transmission and frame of the

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! Vehicle

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: Toyota Camry (Make) 1986 (Year) (have not gotten it yet) (Tag Number) Margaret (Driver's Name)

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

9. Witness: Anita Thomas (Name) \_\_\_\_\_ (Address) (4) 614-7541 (Telephone Number)

10. The acknowledgment 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.

Margaret Branton  
Signature of Claimant

Margaret Branton  
(Print Claimant's Name)

4566c Happy Hollow rd.  
(Address)

Atlanta, Ga. 30360  
(City, State and Zip Code)

(678) 6041-2376 (Work Number) (7) 986-7008 (Home Number)

RCS# 2775  
4/02/01  
2:17 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 13

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

ADOPT

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

Unanimous

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
01-O-0345  
01-O-0526  
01-R-0541

CONSENT

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**04/02/01 Council Meeting**

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**ITEMS ADOPTED ON  
CONSENT AGENDA**

1. 01-O-0225
2. 01-O-0534
3. 01-O-0528
4. 01-O-0539
5. 01-O-0530
6. 01-O-0531
7. 01-R-0527
8. 99-R-2071
9. 01-R-0368
10. 01-R-0481
11. 01-R-0536
12. 01-R-0537
13. 01-R-0550
14. 01-R-0484
15. 01-R-0485
16. 01-R-0486
17. 01-R-0487
18. 01-R-0293
19. 01-R-0425
20. 01-R-0457
21. 01-R-0418
22. 01-R-0483
23. 01-R-0549
24. 01-R-0500
25. 01-R-0501
26. 01-R-0502
27. 01-R-0503
28. 01-R-0504
29. 01-R-0505
30. 01-R-0506
31. 01-R-0507
32. 01-R-0508

**ITEMS ADVERSED  
ON CONSENT AGENDA**

33. 01-R-0509
  34. 01-R-0510
  35. 01-R-0511
  36. 01-R-0512
  37. 01-R-0513
  38. 01-R-0514
  39. 01-R-0515
  40. 01-R-0516
  41. 01-R-0517
  42. 01-R-0518
  43. 01-R-0519
  44. 01-R-0520
  45. 01-R-0521
  46. 00-R-1361
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