

Entered - 06/24/98 - sb
CL 98L0438 - GWENDOLYN BURNS

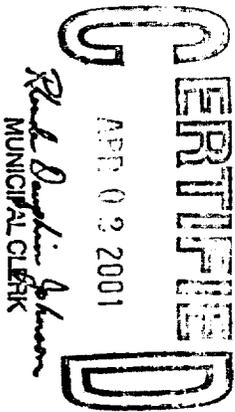
CLAIM OF: ARTHUR LEE
1270 West Peachtree Street
Atlanta, Georgia 30309

01-R-0520

For damages alleged to have been sustained from an improperly impounded vehicle on May 24, 1997 at 74 Ashby Street.

THIS ADVERSED REPORT IS
APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY *Rosalind Newell DCA*



ADVERSED BY
CITY COUNCIL APR 02 2001

ADVERSE REPORT

COM. P.S.L.A.

DATE 3/27/01

CITY

Sherry Dasey
Michael Bond
CWA



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

April 18, 2001

Arthur Lee
1270 West Peachtree St.
Atlanta, GA 30309

01-R-0520

Dear Mr. Lee:

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 April 02, 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. 98L0438

Date: March 14, 2001

Claimant /Victim ARTHUR LEE
BY: (Atty) (Ins. Co.)
Address: 1270 West Peachtree Street, Atlanta, Georgia 30309
Subrogation: Claim for Property damage \$ 6,631.00 Bodily Injury \$
Date of Notice: 5/19/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/20/97 Place: 74 Ashby Street
Department POLICE Division
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that he suffered damages when his vehicle was impounded by Atlanta Police and the personal property within the vehicle was removed and never returned to him upon recovering the vehicle. However, the claimant has failed to pursue his claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X 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

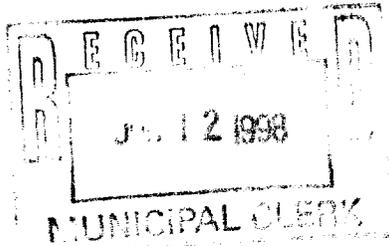
Respectfully submitted,

[Handwritten signature of Gwendolyn Burns]
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Handwritten signature] Concur/date 03-16-01
Committee Action: Council Action

Council of The City of Atlanta
Clerk of The Council
City Hall
55 Trinity Ave. S.E.
Atlanta, Ga 30335



BURNS
06/23/98
Re: Claim for Damages
Today's Date: 6/12/98

ENTERED - 6-24-98 - SB
98L0438 - GWEN BURNS

Dear Sir or Madam

This is to notify the City of Atlanta that I have suffered damages in the sum of \$ 6631 Property and/or \$ 0 bodily for which I contend the City is liable.

1. Date of Incident 5-24-97 2. Police Called ✓
Month/Day/Year (Yes) (No)

3. Location of Incident ASHBY STREET

4. Name of your Insurance Company _____ Policy # _____

5. State what and how the incident occurred. MY CAR WAS IMPROVED BY THE

CITY, WHEREUPON THE ITEMS LISTED ON THE BACK WERE MISSING WHEN THE PROPERTY (CAR) WAS RECOVERED. NONE OF THE ITEMS?
6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE STATEMENTS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION.

7. The registered owner must make the claim for vehicle damages. Complete the following and attach two (2) estimates of repair.

Your Vehicle: _____
(make) (year) (tag #) (drivers name)

City Vehicle: _____
(make) (drivers name) (department)

8. Witness: _____
(name) (address) (phone)

9. The acknowledgement of this claim in no way waives the Governmental 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 employees.

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

10. THIS CLAIM SHOULD BE MAILED IMMEDIATELY TO THE ADDRESS SHOWN ABOVE

Arthur Lee

2/13

(Claimant) (SEAL)
1770 W. Peach St.
(Address)
Atlanta, GA 30309
(City) (State) (Zip)
410 85-9571
(Home Phone)

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

04/02/01 Council Meeting

**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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