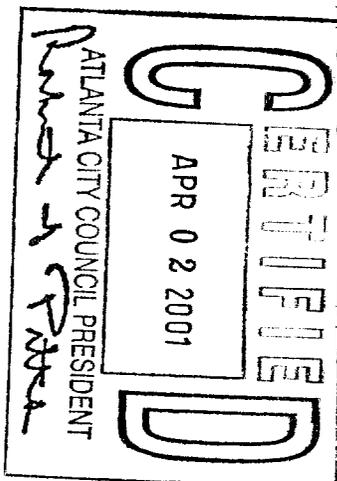


Entered - 02/22/00 - sb  
CL 00L0091 - GWENDOLYN BURNS

01-R-0521

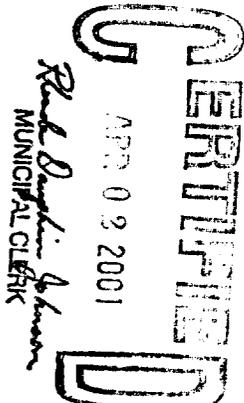
CLAIM OF: NEAL S. CASON  
215 Chastain Commons  
Atlanta, Georgia 30342

For property damage alleged to have been sustained as a result of  
a sewer backup on January 6, 2000 at 215 Chastain Commons.



THIS ADVERSED REPORT IS  
APPROVED

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



ADVERSED BY  
CITY COUNCIL APR 02 2001

ADVERSE REPORT

COM. P. S. L. A.

DATE 3/27/01  
*Shela Gordon*  
*Sherry*  
*Michael B.*  
*Christy*



## 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

Neal S. Cason  
215 Chastain Commons  
Atlanta, GA 30342

01-R-0521

Dear Mr. Cason:

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. 00L0091

Date: March 15, 2001

Claimant /Victim NEAL CASON
BY: (Atty) (Ins. Co.)
Address: 215 Chastain Commons, Atlanta, Georgia 30342
Subrogation: Claim for Property damage \$ 1,500.00 Bodily Injury \$
Date of Notice: 2/15/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 1/6/00 Place: 215 Chastain Commons
Department PUBLIC WORKS Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that he sustained property damages from a sewer back up. An investigation determined that the City responded to and resolved the back up in a timely manner. It further showed that the blockage was not located in the main line but in the house connection which is considered a private problem.

INVESTIGATION:

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

Respectfully submitted,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 03-16-01
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

Reeves  
02/21/00  
[Signature]

Today's Date: 2-10-2000

ENTERED - 2-22-00 - SB  
00L0091 - MIKE REEVES

02-15-00PG1:10 RCVD

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,500 property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 1-6-2000 2. Time of Incident: 2:00pm 3. Police called: \_\_\_\_\_  
(month/day/year). Yes No

4. Location of incident (including street address): 215 CHASTAIN COMMONS

5. Name of your insurance company: ST. Paul Policy No. PK 06807800

6. State what and how incident occurred: SEE ATTACHED. THIS HAS HAPPENED TWICE  
IN THE LAST 3 YEARS! WE HAVE BEEN PROMISED CITY WOULD PUT  
BACKUP VALUE OFF OF OUR PROPERTY. CITY SEWER W.U CONTINUE  
TO BACK UP IN OUR YARD UNTIL THIS IS DONE

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.

Neal Cason  
Signature of Claimant

NEAL S. CASON  
(Print Claimant's Name)

215 CHASTAIN COMMONS  
(Address)

ATLANTA, GA 30342  
(City, State and Zip Code)

404 252-0085 404 255-4345  
(Work Number) (Home Number)

01-R-0521

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

**ITEMS ADOPTED ON  
CONSENT AGENDA**

**ITEMS ADVERSED  
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

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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