

Entered - 6-11-01 - sb
CL 01L0363 - GWENDOLYN BURNS

CLAIM OF: **ABBY GREEN**
3083 Chastain Park Court
Atlanta, Georgia 30342

01- *R* -1329

For vehicular damages alleged to have been sustained as a result of driving over an exposed sanitary sewer manhole that was under construction on May 16, 2001 at 3733 Peachtree Road, NE.

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 **ABBY GREEN** the sum of **\$621.10** 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 exposed sanitary sewer manhole that was under construction on May 16, 2001 at 3733 Peachtree Road, NE. 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.

**Standing committees
AGENDA**

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

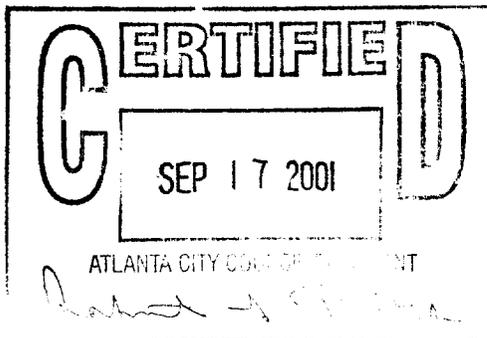
FAVORABLE REPORT

COMM: Public Safety
DATE: 9/17/01
CHAIR: C.T. Martin

ADOPTED BY
SEP 17 2001
COUNCIL

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

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DEPUTY MUNICIPAL CLERK

APPROVED

SEP 26 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-1329

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 **ABBY GREEN** the sum of **\$621.10** 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 exposed sanitary sewer manhole that was under construction on **May 16, 2001** at **3733 Peachtree Road, NE.** 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.

A true copy,
Rhonda Dauskia Johnson
Municipal Clerk, CMC

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

SEP 17, 2001

SEP 26, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0363

Date: August 29, 2001

Claimant /Victim ABBY GREEN
BY: (Atty) (Ins. Co.)
Address: 3083 Chastain Park Court, Atlanta, Georgia 30342
Subrogation: Claim for Property damage:\$ 621.10 Bodily Injury \$
Date of Notice: 6/6/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/16/01 Place: 3733 Peachtree Road, NE
Department PUBLIC WORKS Division SEWER OPERATIONS
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant sustained vehicular damage when he drove over an exposed sanitary sewer manhole that was under construction. An investigation determined that the City was in the process of raising the manhole to the street level.

INVESTIGATION:

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

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 621.10 Adverse Account charged: 1A01 2J01 X 2H01
Claims Manager: Concur/date 08-30-01
Committee Action: Council Action

RCS# 3122
9/17/01
6:38 PM

Atlanta City Council

Regular Session

MULTIPLE

Claim Items 1 through 19

01-R-1329

ADOPT

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

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

MULTIPLE