

Entered - 4/29/98 - SB
CL 98L0291 - GWENDOLYN BURNS

99-~~2~~-1307

CLAIM OF: CHARLES DANIEL WYATT, III
881 Monroe Circle, NE
Atlanta, Georgia 30308

For damages alleged to have been sustained as
a result of property damage on November 21,
1997 at 881 Monroe Circle.

THIS ADVERSED REPORT IS

FILED BY
CITY COUNCIL

APPROVED: **Standing committees**

DEC 0 3 2001

AGENDA

Rosalind A. Rubens
ROSALIND A. RUBENS
DEPUTY CITY ATTORNEY

ADVISED REPO

COM. *Public Safety*

DATE

CHM. *HELD*

8/31/99
9/14/99
9/28/99
10/26/99
11/9/99
11/29/99
12/14/99
1/11/00

Legal Administration

Rosalind A. Rubens
DEPUTY MUNICIPAL CLERK

HELD

CHM. *HELD*

2/15/00
2/29/00
3/14/00
3/28/00
4/11/00
5/4/00

CERTIFIED
DEC 3 2001

CERTIFIED
DEC 0 3 2001

COM.
DATE
CHM

P.S.L.A

HELD

2/27/01	6/26/01
3/13/01	SEP 0 4 2001
3/27/01	11/9/01
4/12/01	
5/15/01	
5/29/01	
5/30/00	9/26/00
6/13/00	10/16/00
6/27/00	10/31/00
7/11/00	11/19/00
8/1/00	11/28/00
8/16/00	12/12/00
9/12/00	1/16/01
1/30/01	
2/13/01	(See above)

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 98L0291

Date: July 29, 1999

Claimant /Victim CHARLES D. WYATT, III

BY: (Atty) (Ins. Co.) _____

Address: 881 Monroe Circle, NE Atlanta, Georgia 30308

Subrogation: _____ Claim for Property damage \$ 1,583.00 Bodily Injury \$ _____

Date of Notice: 4/20/98 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 _____ X Ante Litem (6 Mo.) _____ X

Date of Occurrence 11/21/97 Place: 881 Monroe Circle, NE

Department PUBLIC WORKS Bureau: Waste Water Services Division _____

Employee involved _____ Dept. Action Taken _____

NATURE OF CLAIM: The claimant alleges that he sustained property damage when storm drains from an adjacent property overflowed causing extensive flooding to claimant's home. An investigation determined that the major contributor of run-off to claimant's property is the Ackerman property, which is located directly behind claimant's property. Claimant has been advised to pursue his claim against that party.

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 _____

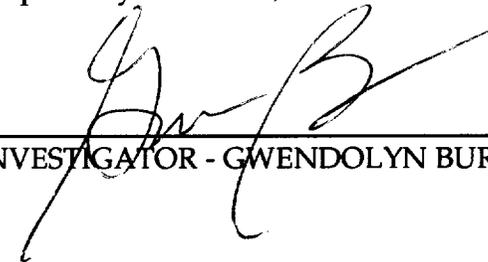
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

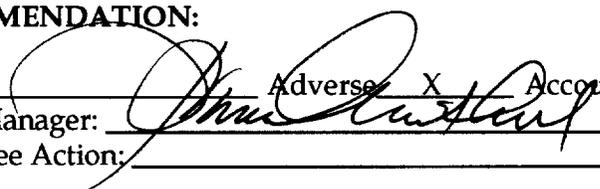
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

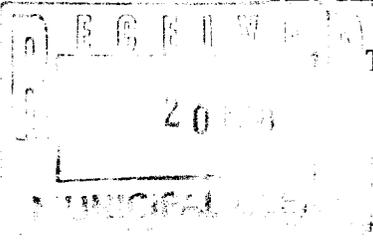
Claims Manager:  Concur/date 6-2-30-99

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
04-2798

Today's Date: 4/17/98

ENTERED - 4-29-98 - SB
98L0291 - GWEN BURNS

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$1,583.00 property and/or \$_____ bodily injury for which I contend the City is liable.

1. Date of incident: 11/21/97 (month/day/year) 2. Time of incident: 7:00 p.m. 3. Police called: x (911)
Yes No

4. Location of incident (including street address): Monroe Circle, N.E.

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

6. State what and how incident occurred: The City of Atlanta sewer overflowed and caused extensive flooding of several homes including my home at 881 Monroe Circle.

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)

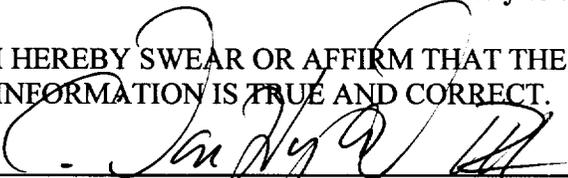
City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Terry and Stacy Dietzler 873 Monroe Circle, N.E. 404/874-0020
(Name) (Address) (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.


Signature of Claimant

Charles Daniel Wyatt, III
(Print Claimant's Name)

881 Monroe Circle, N.E.
(Address)

Atlanta, Georgia 30308
(City, State and Zip Code)

404/525-8200 404/892-0108
(Work Number) (Home Number)

99-R-1307