

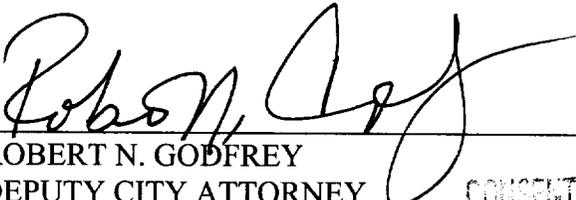
Entered - 12-11-01 - sb
CL 01L0782 - ALEXIS HOLMES

02- R-0220

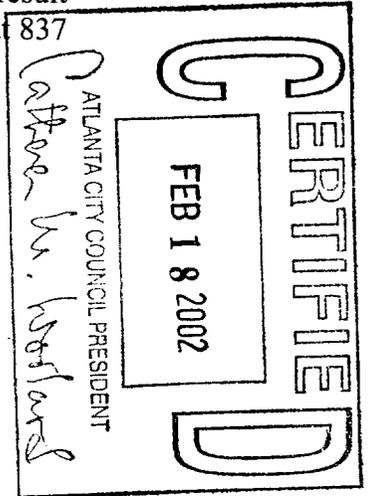
CLAIM OF: **CAROLYN C. BYL**
837 Durant Place
Atlanta, Georgia 30308

For vehicular damages alleged to have been sustained as a result
damaging her bumper on a brick wall on November 2, 2001 at 837
Durant Place.

THIS ADVERSE REPORT IS APPROVED

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

CONSENT AGENDA



ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

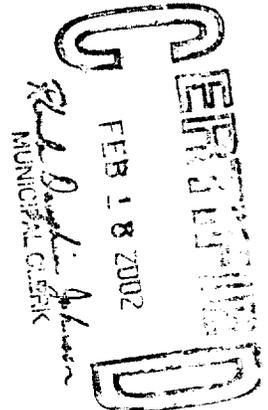
DATE: 02/12/2002

CHAIR: _____

Carla Wagoner

C. T. Martin

Carlye Smith



ADVERSE BY
CITY COUNCIL
FEB 18



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

February 28, 2002

Carolyn C. Byl
837 Durant Place
Atlanta, GA 30308

02-R-0220

Dear Ms. Byl:

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 February 18, 2002. 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. 01L0782

Date: 02/01/02

Claimant /Victim CAROLYN C. BYL

BY: (Atty)

Address: 837 Durant Place Atlanta, Georgia 30308

Subrogation: Claim for Property damage \$ 2,188.68 Bodily Injury \$

Date of Notice: 11/31/01 Method: Written, proper X Improper

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

Date of Occurrence 11/02/01 Place: 837 Durant Place

Department Division:

Employee involved Disciplinary Action

NATURE OF CLAIM: The claimant alleges that she sustained vehicular damages when she tried to avoid a excavation site at the end of her driveway and damaged the bumper of her vehicle on a brick wall. An investigation determined that the construction where the incident occurred was done by the Atlanta Gas Light Company, and not by the City. Therefore, the Atlanta Gas Company is the responsible entity for the claimant's damages, and not the City. Furthermore, this claim has been referred to the Atlanta Gas Light Company for resolution, and the claimant has been advised to pursue her claim with them.

INVESTIGATION:

Statements: City employee Claimant X Other X Written X Oral

Pictures Diagrams Reports: Police Dept Report Other X

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial

Improper Notice More than Six Months Other X 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 - ALEXIS HOLMES

RECOMMENDATION:

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

Claims Manager: Concur/date 02-01-02

Committee Action: Council Action

RCS# 3453
2/18/02
2:38 PM

Atlanta City Council

Regular Session

CONSENT I

Except:0151; 0204; 0235; 0238; 0259;
0260; 0255; 0205; 0206; 0207; 0208

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

ITEM (S) REMOVED FROM
CONSENT AGENDA

02-O-0255
02-R-0204
02-R-0206
02-R-0235
02-R-0238

CORRECTED COPY

02/18/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 02-O-0151
2. 02-O-0162
3. 02-O-0239
4. 02-O-0188
5. 02-O-0189
6. 02-O-0269
7. 02-O-0259
8. 02-O-0260
9. 02-O-0154
10. 02-O-0156
11. 02-O-0157
12. 02-O-0158
13. 02-O-0148
14. 02-R-0201
15. 02-R-0202
16. 02-R-0236
17. 02-R-0205
18. 02-R-0207
19. 02-R-0208
20. 02-R-0195
21. 02-R-0196
22. 02-R-0234
23. 02-R-0241
24. 02-R-0210
25. 02-R-0211
26. 02-R-0212
27. 02-R-0213
28. 02-R-0214
29. 02-R-0215
30. 02-R-0216
31. 02-R-0217
32. 02-R-0218

**ITEMS ADVERSED ON
CONSENT AGENDA**

33. 02-R-0219
 34. 02-R-0220
 35. 02-R-0221
 36. 02-R-0222
 37. 02-R-0223
 38. 02-R-0224
 39. 02-R-0225
 40. 02-R-0226
 41. 02-R-0227
 42. 02-R-0228
 43. 02-R-0229
 44. 02-R-0230
 45. 02-R-0231
 46. 02-R-0232
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