

Entered -08-01-01 - sb  
CL 01L0491 - GWENDOLYN BURNS

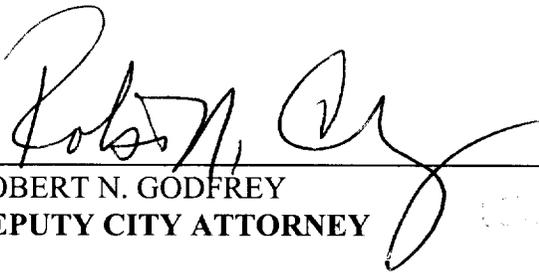
CLAIM OF:

**JUAN ANZORA**  
2969-D Butner Road, SW  
Atlanta, Georgia 30331

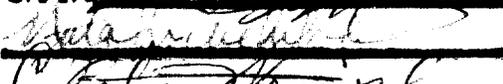
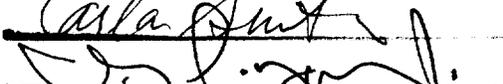
**02-R-0306**

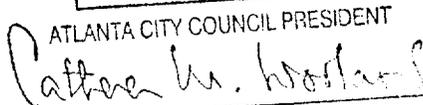
For property damages alleged to have been sustained when a vehicle drove over a manhole that was under construction on May 17, 2001 at 3733 Peachtree Road, NE.

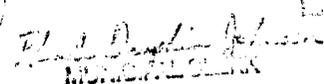
THIS ADVERSED REPORT IS  
APPROVED

BY:   
ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

**ADVERSE REPORT**

COMM: \_\_\_\_\_  
DATE: \_\_\_\_\_  
CHAIR:   
  
  
  


**CERTIFIED**  
MAR 04 2002  
ATLANTA CITY COUNCIL PRESIDENT  


**CERTIFIED**  
MAR 04 2002  
  
MUNICIPAL CLERK

ADVERSE REPORT MAR 04 2002



## 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

March 14, 2002

Juan Anzora  
2969-D Butner Rd., SW  
Atlanta, GA 30331

02-R-0306

Dear Mr. Anzora:

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 March 4, 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. 01L0491

Date: February 11, 2002

Claimant /Victim JUAN ANZORA
BY: (Atty) (Ins. Co.)
Address: 2969-D, Butner Road, SW, Atlanta, Georgia 30331
Subrogation: Claim for Property damage:\$ 61.35 Bodily Injury \$
Date of Notice: 7/30/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/17/01 Place: 3733 Peachtree Road, NE
Department PUBLIC WORKS Division SEWER OPERATIONS
Employee involved Disciplinary Action:

NATURE OF CLAIM: The vehicle in which claimant traveled in sustained vehicular damage when he drove over an exposed sanitary sewer manhole that was under construction. However, the claimant is not the legal owner of the vehicle and the owner has failed to pursue the claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
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 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 X

Respectfully submitted,

[Signature]
INVESTIGATOR -GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Signature] Concur/date 02-13-02
Committee Action: Council Action

RCS# 3550  
3/04/02  
1:31 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs.1-12;Except02-R-0348;02-R-0350;0380  
02-R-0387;02-R-0347;02-O-0364;02-O-0249

ADOPT

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

**SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA**

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y 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-0364  
02-O-0380  
02-O-0249**

CONSENT I

**ITEMS ADOPTED  
ON CONSENT  
AGENDA**

1. 02-O-0370
2. 02-O-0155
3. 02-O-0200
4. 02-O-0243
5. 02-O-0374
6. 02-O-0371
7. 02-O-0372
8. 02-R-0348
9. 02-R-0350
10. 02-R-0387
11. 02-R-0199
12. 02-R-0209
13. 02-R-0353
14. 02-R-0367
15. 02-R-0383
16. 02-R-0386
17. 02-R-0327
18. 02-R-0328
19. 02-R-0329
20. 02-R-0330
21. 02-R-0331
22. 02-R-0333
23. 02-R-0334
24. 02-R-0339
25. 02-R-0325
26. 02-R-0326
27. 02-R-0345

**ITEMS ADOPTED  
ON CONSENT  
AGENDA**

28. 02-R-0203
29. 02-R-0365
30. 02-R-0315
31. 02-R-0316
32. 02-R-0317
33. 02-R-0318
34. 02-R-0319
35. 02-R-0320
36. 02-R-0321
37. 02-R-0322
38. 02-R-0323
39. 02-R-0284
40. 02-R-0285
41. 02-R-0286
42. 02-R-0287

**ITEMS ADVERSED  
ON CONSENT  
AGENDA**

43. 02-R-0288
44. 02-R-0289
45. 02-R-0290
46. 02-R-0291
47. 02-R-0292
48. 02-R-0293
49. 02-R-0294
50. 02-R-0295
51. 02-R-0296
52. 02-R-0297
53. 02-R-0298
54. 02-R-0299
55. 02-R-0301
56. 02-R-0302
57. 02-R-0303
58. 02-R-0304
59. 02-R-0305
60. 02-R-0306
61. 02-R-0307
62. 02-R-0308
63. 02-R-0309
64. 02-R-0310
65. 02-R-0311
66. 02-R-0312
67. 02-R-0313
68. 02-R-0314