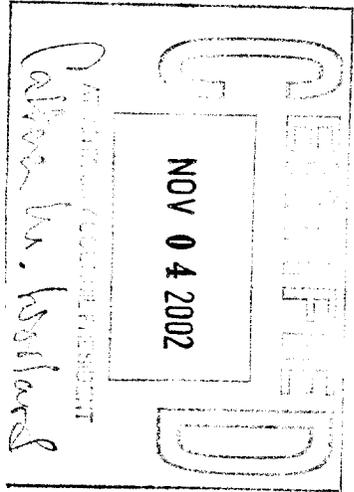


Entered - 09/11/02 - sb
CL02L0641 - DIANNE C. MITCHELL

CLAIM OF: **HARRIETT REAVES**
1756 Evans Drive
Atlanta, Georgia 30310

02-R-1845



For damages alleged to have been sustained as a result of property damage due to a fallen tree on July 16, 2002 at 1756 Evans Drive.

THIS ADVERSED REPORT IS APPROVED

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



ADVERSED BY
CITY COUNCIL NOV 04 2002

ADVERSE REPORT

PUBLIC SAFTEY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 10/29/02

CHAIR: *[Signature]*

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]



CITY OF ATLANTA
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

November 6, 2002

Ms. Harriett Reaves
1756 Evans Drive
Atlanta, Georgia 30310

02-R-1845

Dear Ms. Reaves:

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 November 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.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0641

Date: October 17, 2002

Claimant /Victim HARRIETT REAVES

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

Address: 1756 Evans Drive, Atlanta, Georgia 30310

Subrogation: _____ Claim for Property damage \$ 2,700.00 Bodily Injury \$ _____

Date of Notice: 08/30/02 Method: Written, proper X Improper _____

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

Date of Occurrence 07/16/02 Place: 1756 Evans Drive

Department PRCA Division: Parks

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that her property was damaged when a tree fell. However, the City had no notice of any hazardous condition prior to or after the claimant's incident. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written X Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

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 _____

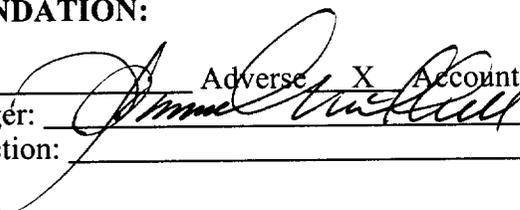
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____ 2P01 _____

Claims Manager:  Concur/date 10-17-02

Committee Action: _____ Council Action _____

RCS# 4209
11/04/02
6:38 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-10; Except 02-R-1871
02-R-1885; 02-O-1879
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

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

CONSENT I

11/08/02 Council Meeting

ITEMS ADOPTED ON CONSENT

AGENDA

1. 02-O-1730
2. 02-O-1733
3. 02-O-1734
4. 02-O-1891
5. 02-O-1537
6. 02-O-1550
7. 02-R-1587
8. 02-R-1893
9. 02-R-1857
10. 02-R-1858
11. 02-R-1883
12. 02-R-1901
13. 02-R-1851
14. 02-R-1852
15. 02-R-1729
16. 02-R-1910
17. 02-R-1846
18. 02-R-1862
19. 02-R-1626
20. 02-R-1855
21. 02-R-1876
22. 02-R-1815
23. 02-R-1816
24. 02-R-1817
25. 02-R-1818
26. 02-R-1819
27. 02-R-1820
28. 02-R-1821
29. 02-R-1822
30. 02-R-1823
31. 02-R-1824
32. 02-R-1825
33. 02-R-1826

ITEMS ADVERSED

ON CONSENT AGENDA

34. 02-R-1827
35. 02-R-1828
36. 02-R-1829
37. 02-R-1830
38. 02-R-1831
39. 02-R-1832
40. 02-R-1833
41. 02-R-1834
42. 02-R-1835
43. 02-R-1836
44. 02-R-1837
45. 02-R-1838
46. 02-R-1839
47. 02-R-1841
48. 02-R-1842
49. 02-R-1843
50. 02-R-1844
51. 02-R-1845

Consent I Vote: 13 Yeas; 0 Nays (See RCS #4209)
Items Removed from Consent: 02-R-1871; 02-R-1885; 02-O-1879
(Initial Consent Vote Reconsidered; See RCS #4162 & RCS #4208)