

Entered -01-31-03 - sb
CL 03L0081- GWENDOLYN BURNS

CLAIM OF: **IDA GRIFFIN**
197 Hendrix Avenue
Atlanta, Georgia 30315

03-R-0992

For property damages alleged to have been sustained when a limb fell from a tree located in the public right-of-way struck a fence on December 29, 2002 at 197 Hendrix Avenue.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

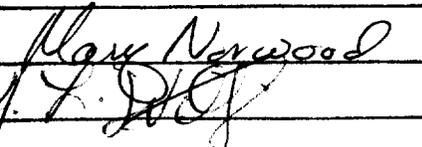
BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **IDA GRIFFIN** the sum of **\$525.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for property damages alleged to have been sustained when a limb fell from a tree located in the public right-of-way and struck a fence on December 29, 2002 at 197 Hendrix Avenue as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

APPROVED:
LINDA K. DISANTIS
CITY ATTORNEY

ADOPTED BY
JUL 07 2003
COUNCIL

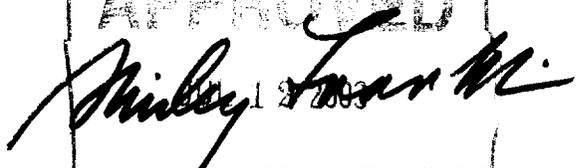
BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

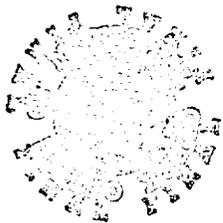
FAVORABLE REPORT

COMM: Public Safety
DATE: 7/1/03
CHAIR: 
C.T. Minn

Max Newwood

CERTIFIED
JUL 07 2003
Sharon A. Moore
COUNCIL PRESIDENT PROTEM

CERTIFIED
JUL 07 2003
Ed L. Benjamin Johnson
MUNICIPAL CLERK

APPROVED

MAYOR



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-0992

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 **Ida Griffin** in the sum of **\$525.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained when a limb fell from a tree located in the public right-of-way struck a fence on **December 29, 2002 at 197 Hendrix Avenue** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy

A handwritten signature in black ink, appearing to be "R. L. ...", is written over the text "A true copy".

Deputy Clerk

**ADOPTED by the Council
APPROVED by the Mayor**

**JULY 07, 2003
JULY 12, 2003**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0081

Date: June 15, 2003

Claimant /Victim IDA GRIFFIN
BY: (Atty) (Ins. Co.)
Address: 197 Hendrix Avenue, Atlanta, Georgia 30315
Subrogation: Claim for Property damage \$ 525.00 Bodily Injury \$
Date of Notice: 1/21/03 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/29/02 Place: 197 Hendrix Avenue
Department PARKS, RECREATION & CULTURAL AFFAIRS Division Parks
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant's fence sustained damages when it was struck by a limb that fell from a tree that was located in the City's right-of-way. An investigation determined that the City was on notice of said hazard but failed to remove the limb prior to the date of Claimant's incident.

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 X Ministerial
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 \$ 525.27 Adverse Account charged: 1A01 X 2J01 2P01 2H01
Claims Manager: Concur/date 10-17-03
Committee Action: Council Action

RCS# 4853
7/07/03
4:05 PM

Atlanta City Council

Regular Session

CONS AGEN I Pgs 1 - 14 except:0715,0976
0852, 0950, 0946, 0963, 0926, 0975
ADOPT

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

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

		7/07/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-0850	38. 03-R-0989	49. 03-R-1002
2. 03-O-0949	39. 03-R-0991	50. 03-R-1004
3. 03-O-0955	40. 03-R-0992	51. 03-R-1005
4. 03-O-0909	41. 03-R-0994	52. 03-R-1006
5. 03-O-0961	42. 03-R-0995	53. 03-R-1007
6. 03-O-0553	43. 03-R-0996	54. 03-R-1008
7. 03-O-0925	44. 03-R-0997	55. 03-R-1009
8. 03-R-0981	45. 03-R-0998	56. 03-R-1010
9. 03-R-0956	46. 03-R-0999	57. 03-R-1011
10. 03-R-0965	47. 03-R-1000	58. 03-R-1012
11. 03-R-1033	48. 03-R-1001	59. 03-R-1013
12. 03-R-0920		60. 03-R-1014
13. 03-R-0945		61. 03-R-1015
14. 03-R-0966		62. 03-R-1016
15. 03-R-0967		63. 03-R-1017
16. 03-R-0968		64. 03-R-1018
17. 03-R-0969		65. 03-R-1019
18. 03-R-0977		66. 03-R-1020
19. 03-R-0978		67. 03-R-1021
20. 03-R-0979		68. 03-R-1022
21. 03-R-0889		69. 03-R-1023
22. 03-R-0940		70. 03-R-1024
23. 03-R-0941		71. 03-R-1025
24. 03-R-0942		72. 03-R-1026
25. 03-R-0943		73. 03-R-1027
26. 03-R-0944		74. 03-R-1028
27. 03-R-0962		
28. 03-R-0983		
29. 03-R-0984		
30. 03-R-0985		
31. 03-R-0986		
32. 03-R-0987		
33. 03-R-0988		
34. 03-R-0989		
35. 03-R-0991		
36. 03-R-0992		
37. 03-R-0994		

Consent I Vote: 15 Yeas; 0Nays: (See RCS #4853)

Items Removed from the Consent Agenda: 03-O-0852; 03-O-0926; 03-O-0950; 03-R-0715; 03-R-0946; 03-R-963; 03-R-0975; 03-R-0976