

Entered - 12/02/09 - sb  
CL 09L0954 - LISA CARTER

10- R -0350

CLAIM OF: **CONSTANCE BROWNLOW**  
2637 Abner Place, NW  
Atlanta, Georgia 30318

For damages alleged to have been sustained as a result of striking a recessed water valve in the roadway on October 19, 2009 at 2125 Joseph E. Boone Boulevard.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:**

**BE IT RESOLVED** by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **CONSTANCE BROWNLOW** the sum of **\$1,135.69** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of striking a recessed water valve in the roadway on October 19, 2009 at 2125 Joseph E. Boone Boulevard as is more particularly set forth in the within claim; said sum taken from and charged to account **5051.170201.5750002.4310000**.

MAR 01 2010

MAR 01 2010

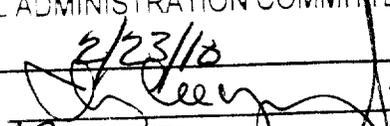
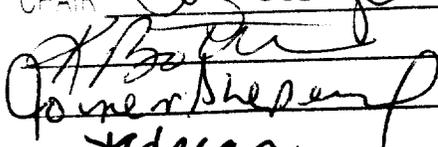
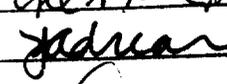
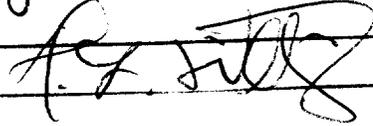
APPROVED: **ROGER BHANDARI**  
ACTING CITY ATTORNEY

ADOPTED BY  
MAR 01 2010  
COUNCIL

BY:   
~~JERRY L. DEMACH~~  
DEPUTY CITY ATTORNEY

**FAVORABLE REPORT**

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 2/23/10  
CHAIR:   
  
  






**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**10-R-0350**

**A RESOLUTION**

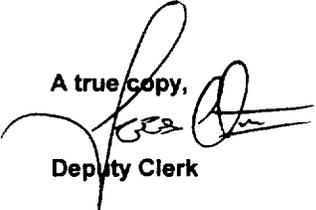
**BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **Constance Brownlow** the sum of **\$1,135.69** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character, for property damages alleged to have been sustained as a result of **striking a recessed water valve in the roadway on October 19, 2009 at 2125 Joseph E. Boone Boulevard** as is more particularly set forth in the within claim; said sum taken from and charged to Account **5051/170201/5750002/4310000**.

A true copy,

**ADOPTED by the Atlanta City Council  
APPROVED by Mayor Kasim Reed**

**MAR 01, 2010  
MAR 09, 2010**

  
Deputy Clerk

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0954

Date: January 27, 2010

Claimant /Victim CONSTANCE BROWNLOW

BY:(Atty)(Ins.Co.)

Address: 2637 Abner Place, NW Atlanta, Georgia 30318

Subrogation:            Claim for Property damage \$ 1,851.90 Bodily Injury \$           

Date of Notice: 11/23/09 Method: Written, proper   X   Improper           

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

Date of Occurrence 10/19/09 Place: 2125 Joseph E. Boone Boulevard

Department Watershed Management Bureau: Drinking Water Office:           

Employee involved            Disciplinary Action:           

NATURE OF CLAIM: The claimant sustained damages as a result of striking a recessed water valve at 2125 Joseph E. Boone Boulevard causing damages in the above amount.

INVESTIGATION:

Statements: City employee            Claimant            Others            Written            Oral           

Pictures   X   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            Ministerial              X  

Improper Notice            More than Six Months            Other            Damages reasonable           

City not involved            Offer rejected            Compromise settlement   X  

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

Claimant Negligent            City Negligent   X   Joint            Claim Abandoned           

Respectfully submitted,

*Lisa Carter*

INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 1,135.69 Adverse            Account charged: General Fund            Water & Sewer   X   Aviation           

Claims Manager:            Concur/date 02/03/10

Committee Action:            Council Action

RECEIVED  
OFFICE OF  
MUNICIPAL CLERK

CARTER  
11/25/09  
A

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, SW  
Atlanta, Georgia 30303

NOV 23 AM 10:00

RE: CLAIM FOR DAMAGES  
Today's Date: 11/13/09

ENTERED - 12-2-09 - SB  
09L0954 - L. CARTER

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 1451.85 property and/or \$ 0 bodily injury for which I contend the City is liable. 1135.89 → NOT ORIG. TIRE

1. Date of incident: 11/12/09 2. Time of incident: 10:30 AM 3. Police called: NO

4. Location of incident (including street address): New Jersey / Joseph E. Lowry

5. Name of your insurance company: All state Policy No. \_\_\_\_\_

6. State what and how incident occurred: Driving down Lowry, I did not notice the deep hole. After hitting the hole I heard some thumping sound. I received a damaged tire which was temp-replaced. When turning there is a knocking sound. (See How)

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.

Your vehicle: 2003 AVE 4347 Constance Brownlow  
(Make) (Year) (Tag Number) (Driver's Name)

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

9. Witness: Jenkeisha Brownlow / Dredack Flood

10. The acknowledgement 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. Claims must be received within 6 months from the date of the event.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Constance Brownlow  
Signature of Claimant

Constance Brownlow  
(Print Claimant's Name)

2637 Abner Place NW  
(Address)

Atlanta, GA 30318  
(City, State and Zip Code)

(4) 658-0771 (4) 840-5447  
(Work Number) (Home Number)

RCS# 99  
3/01/10  
2:54 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 2  
ABSENT 0

Y Smith	NV Archibong	Y Moore	E Bond
E Hall	Y Wan	NV Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		03-01-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0275	36. 10-R-0350	42. 10-R-0356
2. 10-O-0276	37. 10-R-0351	43. 10-R-0357
3. 10-O-0277	38. 10-R-0352	44. 10-R-0358
4. 10-O-0278	39. 10-R-0353	45. 10-R-0359
5. 10-O-0279	40. 10-R-0354	46. 10-R-0360
6. 10-O-0289	41. 10-R-0355	47. 10-R-0361
7. 10-O-0290		48. 10-R-0362
8. 10-O-0291		49. 10-R-0363
9. 10-O-0292		50. 10-R-0364
10. 10-O-0293		51. 10-R-0365
11. 10-O-0294		52. 10-R-0366
12. 10-O-0296		53. 10-R-0367
13. 10-O-0241		54. 10-R-0368
14. 10-O-0307		55. 10-R-0369
15. 10-R-0334		56. 10-R-0370
16. 10-R-0335		57. 10-R-0371
17. 10-R-0390		58. 10-R-0372
19. 10-R-0395		59. 10-R-0373
20. 10-R-0407		60. 10-R-0374
21. 10-R-0411		61. 10-R-0375
22. 10-R-0394		62. 10-R-0376
23. 10-R-0396		63. 10-R-0377
24. 10-R-0338		64. 10-R-0378
25. 10-R-0339		65. 10-R-0379
26. 10-R-0340		66. 10-R-0380
27. 10-R-0341		67. 10-R-0381
28. 10-R-0342		68. 10-R-0382
29. 10-R-0343		69. 10-R-0383
30. 10-R-0344		70. 10-R-0384
31. 10-R-0345		71. 10-R-0385
32. 10-R-0346		
33. 10-R-0347		
34. 10-R-0348		
35. 10-R-0349		