

CLAIM OF: GRACIA ASOH  
928 Confederate Court #D  
Atlanta, Georgia 30312

For damages alleged to have been sustained as a result of a trip and fall on an unsecured water meter lid on August 18, 2009 at 772 East Confederate Avenue, SE.

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 GRACIA ASOH the sum of \$2,500.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a trip and fall on an unsecured water meter lid on August 18, 2009 at 772 East Confederate Avenue, SE as is more particularly set forth in the within claim; said sum taken from and charged to account 5051.170201.5750002.4310000.

APPROVED: ROGER BHANDARI  
ACTING CITY ATTORNEY

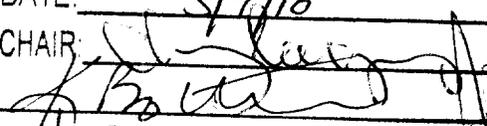


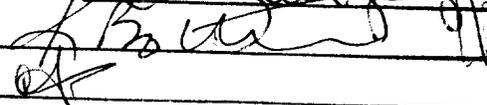
BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

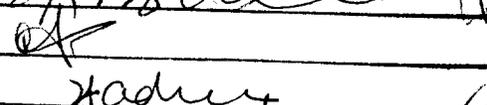
**FAVORABLE REPORT**

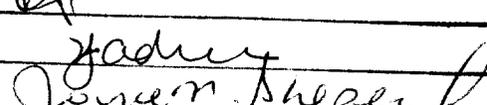
PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

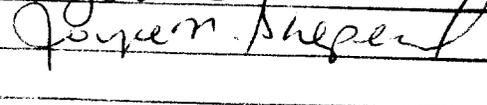
DATE: 3/9/10

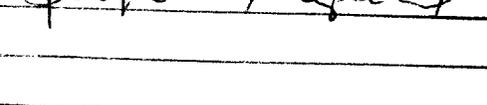
CHAIR: 









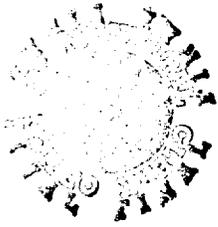




ADOPTED BY  
MAR 15 2010  
COUNCIL

MAR 15 2010

RECEIVED  
MAR 15 2010  
CITY CLERK



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**10-R-0434**

**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 **Gracia Asoh** the sum of **\$2,500.00** 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 **a trip and fall on an unsecured water meter lid on August 18, 2009 at 772 East Confederate Avenue** 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,

*Rhonda Daughkin Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED by Mayor kasim Reed

MAR 15, 2010  
MAR 23, 2010

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0711

Date: February 22, 2010

Claimant /Victim GRACIA ASOH

BY:(Atty)(Ins.Co.) \_\_\_\_\_

Address: 928 Confederate Court # D Atlanta, Georgia 30312

Subrogation: \_\_\_\_\_ Claim for Property damage \$ \_\_\_\_\_ Bodily Injury \$ Not Specified

Date of Notice: 09/14/09 Method: Written, proper X Improper \_\_\_\_\_

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

Date of Occurrence 08/18/09 Place: 772 E. Confederate Avenue, SE

Department Watershed Management Bureau: Drinking Water Office: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that she sustained injuries as a result of a trip and fall on an unsecured water meter lid at 772 East Confederate Avenue, SE. An investigation determined that the Bureau of Drinking Water had been working at this location, but failed to properly secure the water meter lid.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures X Diagrams \_\_\_\_\_ Reports: Police X 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,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 2,500.00 Adverse \_\_\_\_\_ Account charged: General Fund \_\_\_\_\_ Water & Sewer X Aviation \_\_\_\_\_

Claims Manager: [Signature] Concur/date 02/23/10

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

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

RE: CLAIM FOR DAMAGES

Today's Date: 9-8-09

ENTERED - 9-24-09 - SB  
09L0711 - L. CARTER

*CARTEL*  
*09/24/09*  
*D*

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 500.00 property and/or 3,000 bodily injury for which I contend the City is liable.

- 1. Date of incident: 8-18-09 2. Time of incident: 7:30pm 3. Police called: yes
- 4. Location of incident (including street address): Between 772 and 800 E. Confederate
- 5. Name of your insurance company: \_\_\_\_\_ Policy No. \_\_\_\_\_

6. State what and how incident occurred: I was walking down East Confederate ~~street~~. I was just getting off the city bus number 32. I was walking I saw a sewer with the lid on it. I stepped on the sewer

7. The lid went in and I fell into the sewer and tore  
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!

*in my left knee and scared the right one*

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: \_\_\_\_\_  
 (Make) (Year) (Tag Number) (Driver's Name)

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

9. Witness: \_\_\_\_\_

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.

Gracia Ason  
Signature of Claimant

Gracia Ason  
(Print Claimant's Name)

928 Confederate Ct #D  
(Address)

Atlanta, Ga 30312  
(City, State and Zip Code)

6) 768-0402  
(Work Number) (Home Number)

10-R -0434

RCS# 124  
3/15/10  
2:18 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

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

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

CONSENT I