

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 14L0422

Date: September 11, 2014

Claimant /Victim: MARLENE FRANKEL
BY: (Atty) (Ins. Co.) _____
Address: 3622 Tuxedo Road, Atlanta, Georgia 30305
Subrogation: _____ Claim for Property damage \$ 1,014.12 Bodily Injury \$ _____
Date of Notice: 6/5/14 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 4/7/14 Place: 3622 Tuxedo Road
Department: WATERSHED MANAGEMENT Bureau: Drinking Water Office: _____
Employee involved: _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimants alleges property damage sustained due to a fire hydrant leak. The investigation determined AFR opened the hydrant and discovered the malfunctioning fire hydrant. The repairs were completed on May 8, 2014.

INVESTIGATION:

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



INVESTIGATOR - WARREN HAYES

RECOMMENDATION:

Pay \$ 939.12 Adverse _____ Account charged: General Fund _____ Water & Sewer X Aviation _____
Claims Director/Manager: [Signature] Concur/date 9/18/14
Deputy City Attorney: [Signature] Concur/date 9/23/14
Committee Action: _____ Council Action _____

RECEIVED
OFFICE OF
MUNICIPAL CLERK

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

RE: CLAIM FOR DAMAGES

2014 JUN - 5 PM 2:35

Today's Date: 5-1-14

ENTERED - 6-16-14 - SB
14L0422 - W. HAYES

Assign to WELH
CCIC 6/11/14

Dear Municipal Clerk:

RECEIVED
JUN - 9 2014

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 1014.12 property
bodily injury for which I contend the City is liable.

1. Date of Incident: 4/7/2014 2. Time of incident: 1:pm 3. Police called: Fire Dept.

4. Location of incident (including street address): 3622 Tuxedo Road, NW ATL GA.

5. Name of your insurance company: Fulton + Fire Dept Policy No. CAME TO LOCATION TO OPEN HYDRANT 30305

6. State what and how incident occurred: Broke it water poured out for app. 7 hrs. we were without water 7-10 hrs. City of Atlanta came out, took up front lawn-run equipment on sodded lawn took up stone curb area. Soot and debris ran through, toilets sinks, showers causing blockage in sink drains. Will have:

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: _____
(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.

Marlene Frankel
Signature of Claimant

MARLENE FRANKEL
(Print Claimant's Name) Samuel Frankel
Deceased

3622 Tuxedo Road, NW
(Address)

ATLANTA GA 30305
(City, State and Zip Code)

404-805-3600 404-266-0036
(Work Number) (Home Number)

* To replace sod, stone curb and plumber called in to clear drains. Photographs Included in This form.

* also requesting City to replace stone curb.