

Entered - 08/01/02 & 05/13/03 - sb
CL02L0522 & 03L0356 - DIANNE C. MITCHELL

CLAIM OF: **JAMES JACKSON AND
NELLIE ATWATER JACKSON**
3473 Dale Lane, SW
Atlanta, Georgia 30331

04-R-1999

For damages alleged to have been sustained as a result of a series of sewer back ups on July 1, 2002 and May 5, 2003 at 3473 Dale Lane, SW.

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 **JAMES JACKSON AND NELLIE ATWATER JACKSON** the sum of **\$24,300.81** 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 series of sewer back ups on July 1, 2002 and May 5, 2003 at 3473 Dale Lane, SW as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/Q30001**, Settlement of Suits and Claims, Department of Law.

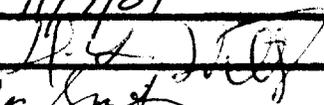
APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

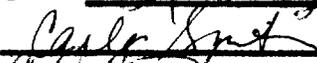
BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

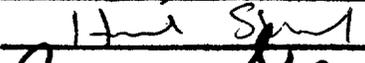
**PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

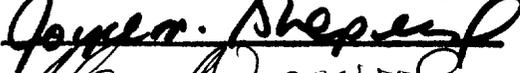
DATE: 11/9/04

CHAIR: 











CERTIFIED
NOV 15 2004
ATLANTA CITY COUNCIL PRESIDENT


CERTIFIED
NOV 15 2004
Ruth Douglas Adams
MUNICIPAL CLERK

ADOPTED BY
NOV 15 2004
COUNCIL

APPROVED

NOV 19 2004
MAYOR



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-1999

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 **James Jackson and Nellie Atwater Jackson** in the sum of **\$24,300.81** 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 series of sewer back ups on July 1, 2002 and May, 5 2003 at 3473 Dale Lane SW**, as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/Q30001, Settlement of Suits and Claims, Department of Law.

A true copy

Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

NOV 15, 2004
NOV 19, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0522 & 03L0356

Date: October 28, 2004

Claimant /Victim JAMES JACKSON AND NELLIE ATWATER JACKSON

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

Address: 3473 Dale Lane, SW, Atlanta, Georgia 30331

Subrogation: _____ Claim for Property damage \$ 34,672.01 Bodily Injury \$ _____

Date of Notice: 07/15/02 & 05/05/03 Method: Written, proper X Improper _____

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

Date of Occurrence 07/01/02 & 05/05/03 Place: 3473 Dale Lane, SW

Department Watershed Management Bureau: Waste Water Treatment & Collections

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimants' property was damaged due to a series of sewer back up. The investigation determined that the City was on notice of a problem with the sewer line prior to this event, but had failed to make the necessary corrections.

INVESTIGATION:

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

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 _____

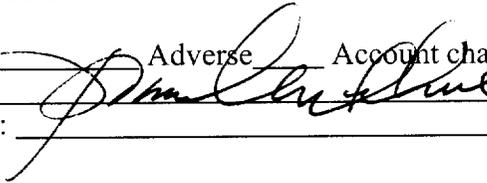
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 24,300.81 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____ 2P01 _____

Claims Manager:  Concur/date 10/28/04

Committee Action: _____ Council Action _____

RCS# 6243
11/15/04
2:41 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 4-20, EXCEPT: 04-O-2036

ADOPT

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

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

CONSENT I

		11-15-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1887	43. 04-R-1968	67. 04-R-2003
2. 04-O-1872	44. 04-R-1969	68. 04-R-2004
3. 04-O-1936	45. 04-R-2024	69. 04-R-2005
4. 04-O-1946	46. 04-R-2029	70. 04-R-2006
5. 04-O-2030	47. 04-R-2033	71. 04-R-2007
6. 04-O-2031	48. 04-R-1752	72. 04-R-2008
7. 04-O-2038	49. 04-R-1974	73. 04-R-2009
8. 04-O-1417	50. 04-R-1975	74. 04-R-2010
9. 04-O-1879	51. 04-R-2025	75. 04-R-2011
10. 03-O-2222	52. 04-R-2085	76. 04-R-2012
11. 04-O-0044	53. 04-R-1980	77. 04-R-2013
12. 04-R-1982	54. 04-R-2026	78. 04-R-2014
13. 04-R-1983	55. 04-R-2040	
14. 04-R-1984	56. 04-R-2048	
15. 04-R-1985	57. 04-R-1999	
16. 04-R-1988	58. 04-R-2000	
17. 04-R-1977	59. 04-R-2001	
18. 04-R-1979	60. 04-R-2002	
19. 04-R-2041	61. 04-R-2015	
20. 04-R-2042	62. 04-R-2016	
21. 04-R-2092	63. 04-R-2017	
22. 04-R-2093	64. 04-R-2018	
23. 04-R-2094	65. 04-R-2019	
24. 04-R-2095	66. 04-R-2020	
25. 04-R-2096		
26. 04-R-1875		
27. 04-R-1876		
28. 04-R-1877		
29. 04-R-1950		
30. 04-R-1951		
31. 04-R-1953		
32. 04-R-1954		
33. 04-R-1957		
34. 04-R-1959		
35. 04-R-1960		
36. 04-R-1961		
37. 04-R-1962		
38. 04-R-1963		
39. 04-R-1964		
40. 04-R-1965		
41. 04-R-1966		
42. 04-R-1967		