

Entered -11-8-99 sb
CL 99L0718 - GWENDOLYN BURNS

04-R-1680

CLAIM OF: **LAVONIA MCINTYRE**
1000 Oriole Drive, SW
Atlanta, Georgia 30311

For property damages alleged to have been sustained from several sewer backups between December 1996 and June 1997 at 1760 South Gordon Street, SW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

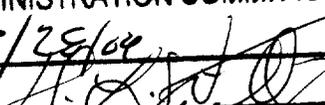
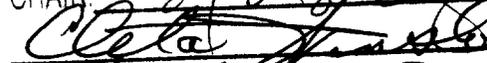
BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **LAVONIA MCINTYRE** the sum of **\$4,405.50** as full settlement and satisfaction of all claims, past, present and future, of every kind and character for property damages alleged to have been sustained from several sewer backups between December 1996 and June 1997 at 1760 South Gordon Street, SW as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.

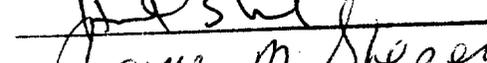
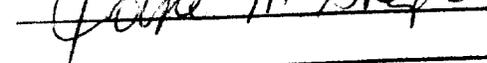
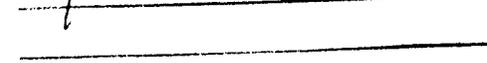
APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

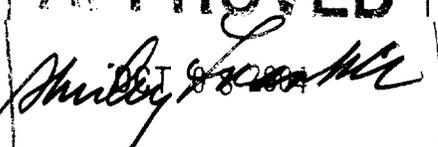
BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

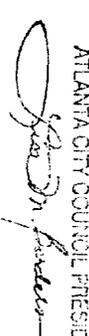
FAVORABLE REPORT

**PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

DATE: 9/25/04
CHAIR: 


APPROVED

MAYOR

CERTIFIED
OCT 04 2004
ATLANTA CITY COUNCIL PRESIDENT


CERTIFIED
OCT 04 2004
MUNICIPAL CLERK


ADOPTED BY
OCT 04 2004
COUNCIL



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-1680

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 **Lavonia McIntyre** in the sum of **\$4,405.50** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **from sewer backups, between December 1996 and June 1997 at 1760 South Gordon Street, SW** 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,

Rhonda Daughlin Johnson
Municipal Clerk, CMC

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

October 4, 2004
October 8, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0718

Date: September 13, 2004

Claimant /Victim LAVONIA MCINTYRE
BY: (Atty) (Ins. Co.)
Address: 1000 Oriole Drive, SW, Atlanta, Georgia 30311
Subrogation: Claim for Property damage \$ 6,184.50 Bodily Injury \$
Date of Notice: 8/23/97 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/96 - 6/97 Place: 1760 South Gordon Street, SW
Department WATERSHED MANAGEMENT Bureau: Waste Water Treatment and Collection
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that she sustained damage to her home from several backups. An investigation determined that during the sewer separation project, the City failed to properly abandon the storm line that was located in the rear of claimant's property, which resulted in continuous sewer backups in her basement during heavy rains.

INVESTIGATION:

Statements: City employee X Claimant Others Written Oral X
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
City not involved Offer rejected Compromise settlement X
Repair/replacement by Ins. Co. Repair/replacement by City Forces X
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 4,405.50 Adverse Account charged: 1A01 X 2J01 2P01 2H01
Claims Manager: Concur/date 09/16/04
Committee Action: Council Action

		10-04-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1418	38. 04-R-1683	60. 04-R-1705
2. 04-O-1441	39. 04-R-1684	61. 04-R-1706
3. 04-O-1565	40. 04-R-1685	62. 04-R-1707
4. 04-O-1567	41. 04-R-1686	63. 04-R-1708
5. 04-O-0438	42. 04-R-1687	64. 04-R-1709
6. 04-O-1507	43. 04-R-1688	65. 04-R-1710
7. 04-O-1559	44. 04-R-1689	66. 04-R-1711
8. 04-O-1572	45. 04-R-1690	67. 04-R-1712
9. 04-O-1582	46. 04-R-1691	68. 04-R-1713
10. 04-O-1728	47. 04-R-1692	69. 04-R-1714
11. 04-O-1732	48. 04-R-1693	70. 04-R-1715
12. 04-R-1655	49. 04-R-1694	71. 04-R-1716
13. 04-R-1421	50. 04-R-1695	72. 04-R-1717
14. 04-R-1668	51. 04-R-1696	
15. 04-R-1719	52. 04-R-1697	
16. 04-R-1487	53. 04-R-1698	
17. 04-R-1624	54. 04-R-1699	
18. 04-R-1673	55. 04-R-1700	
19. 04-R-1674	56. 04-R-1701	
20. 04-R-1675	57. 04-R-1702	
21. 04-R-1491	58. 04-R-1703	
22. 04-R-1659	59. 04-R-1704	
23. 04-R-1660		
24. 04-R-1661		
25. 04-R-1662		
26. 04-R-1663		
27. 04-R-1664		
28. 04-R-1665		
29. 04-R-1613		
30. 04-R-1676		
31. 04-R-1677		
32. 04-R-1678		
33. 04-R-1679		
34. 04-R-1680		
35. 04-R-1681		
36. 04-R-1682		
37. 04-R-1718		