

Entered 03/03/08 sb
CL 08L0237 - LISA CARTER

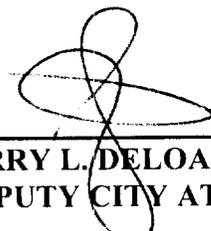
**CLAIM OF: NORTHMOOR
APARTMENTS
690 Lindbergh Drive
Atlanta, Georgia 30324**

MAR 15 2010

For damages alleged to have been sustained as a result of a sewer back up on February 9, 2008 at 690 Lindbergh Drive.

THIS ADVERSED REPORT IS APPROVED

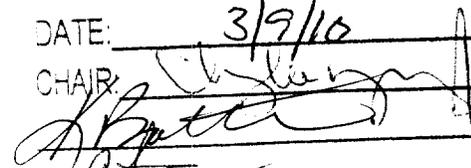
BY: _____


**JERRY L. DELOACH
DEPUTY CITY ATTORNEY**

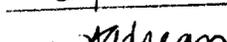
ADVERSE REPORT

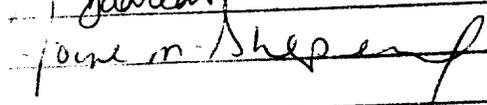
PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

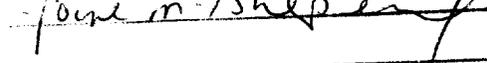
DATE: 3/9/10

CHAIR: 









MAR 15 2010
MAR 15 2010
MAR 15 2010

MAR 15 2010

Advised by
City of Atlanta



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6030
FAX (404) 658-6273

March 19, 2010

Northmoor Apartments
690 Lindbergh Drive
Atlanta, Georgia 30324

10-R-0461

Dear Sir/Madam

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on March 15, 2010. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400**

Sincerely,


Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 08L0237

Date: February 11, 2010

Claimant /Victim NORTHMOOR APARTMENTS

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

Address: 690 Lindbergh Drive Atlanta, Georgia 30324

Subrogation: _____ Claim for Property damage \$ 2,919.80 Bodily Injury \$ _____

Date of Notice: 02/26/08 Method: Written, proper Improper _____

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

Date of Occurrence 02/09/08 Place: 690 Lindbergh Drive

Department Watershed Management Bureau: Wastewater Treatment & Collections Office: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that it sustained damages as a result of a sewer back up at 690 Lindbergh Drive. However, an investigation determined the sewer back up was due to grease entering the main line from the claimant's sewer line. A previous claim for this location has also been denied (see claim # 08L0153).

INVESTIGATION:

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

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial _____

Improper Notice _____ More than Six Months _____ Other Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

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

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

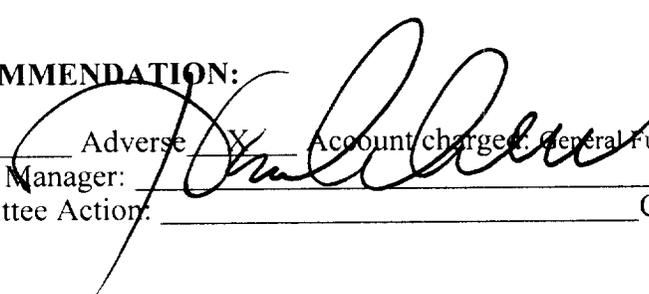
Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ _____ Adverse Account charged: General Fund _____ Water & Sewer Aviation _____

Claims Manager:  Concur/date 02/22/10

Committee Action: _____ Council Action _____



10- R -0461

690 Lindberg Drive, N.E.
Atlanta, Georgia 30324
404/261-9676

ENTERED - 3-3-08 - SB
08L0237 - LISA CARTER

City of Atlanta Municipal
55 Trinity Ave. S.W.
Atlanta, Ga. 30303-3520

Att: Law Dept. (Claims)

Carter
02/29/08
DL
cc: 08L0153

City of Atlanta came out approximately three weeks prior to sewer damage on 2-9-08 to clean out main sewer behind 678 building. On February 9, 2008 approximately 10:30 A.M. sewer backed up in 678 C and 678 D due to City of Atlanta not cleaning main sewer line properly.

Creative Carpet was called to extract raw sewage and to remove carpet and pad. Cost \$1,400.

Mendel-Tencer Flooring Group replacing carpet and vinyl. Cost \$1,519.80

Total due to Northmoor Apartments for Damage \$2,919.80

Thank you,

Pat Holloway
Property Manager

Northmoor Apts. 404-261-9676
690 Lindbergh Dr.
Atlanta, Ga. 30324

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