

**11-R-0613**  
 (Do Not Write Above This Line)

**A RESOLUTION BY  
 PUBLIC SAFETY AND LEGAL ADMINISTRATION  
 COMMITTEE**

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ENTER INTO A SETTLEMENT WITH A CONDEMNEE IN THE MATTER OF THE CITY OF ATLANTA V. RONALD FRANKLIN WILLIAMS. CIVIL ACTION FILE NO. 2009CV169087 PENDING IN THE SUPERIOR COURT OF FULTON COUNTY; TO AUTHORIZE THE PAYMENT IN AN AMOUNT NOT TO EXCEED \$25,000.00 TO BE PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT: 3109 (1994 REFERENDUM G.O. BOND FUND) 130308 (DPW TRANSPORTATION DESIGN) 5411002 (EASEMENTS) 4270000 (TRAFFIC ENGINEERING) 100983 (MITCHELL STREET VIADUCT) 131100983 104 310921137 5411002 COA.

Approved By: *Cathy Hampton*  
 Cathy Hampton, City Attorney 4/26/11

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred  
 Referred To:  
 Date Referred  
 Referred To:  
 Date Referred  
 Referred To:  
 Referred To:

First Reading  
 Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

PSLA Committee  
 Date 4/26/11  
 Chair *[Signature]*  
 Action *[Signature]*  
 Fav. Adv. Hold (see rev. side)  
 Other

Members *[Signature]*  
 Refer To *[Signature]*  
 Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav. Adv. Hold (see rev. side)  
 Other

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav. Adv. Hold (see rev. side)  
 Other

Members \_\_\_\_\_  
 Refer To \_\_\_\_\_  
 Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav. Adv. Hold (see rev. side)  
 Other

Members \_\_\_\_\_  
 ADOPTEDBY  
 MAY 02 2011  
 COUNCIL  
 Refer To \_\_\_\_\_

Members \_\_\_\_\_  
 Refer To \_\_\_\_\_  
 Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav. Adv. Hold (see rev. side)  
 Other

FINAL COUNCIL ACTION  
 2nd  
 1st & 2nd  
 3rd  
 Consent  
 V Vote  
 RC Vote

CERTIFIED

**CERTIFIED**  
 MAY 02 2011  
 ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

**CERTIFIED**  
 MAY 02 2011  
 R. Douglas Johnson  
 MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**

MAY 11 2011

WITHOUT SIGNATURE  
 BY OPERATION OF LAW



CITY COUNCIL  
ATLANTA, GEORGIA

11- R -0613

**RESOLUTION  
BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ENTER INTO A SETTLEMENT WITH A CONDEMNEE IN THE MATTER OF THE CITY OF ATLANTA V. RONALD FRANKLIN WILLIAMS, CIVIL ACTION FILE NO. 2009CV169087 PENDING IN THE SUPERIOR COURT OF FULTON COUNTY; TO AUTHORIZE THE PAYMENT IN AN AMOUNT NOT TO EXCEED \$25,000.00 TO BE PAID FROM FUND, DEPARTMENT, ORGANIZATION AND ACCOUNT: 3109 (1994 REFERENDUM G.O. BOND FUND) 130308 (DPW TRANSPORTATION DESIGN) 5411002 (EASEMENTS) 4270000 (TRAFFIC ENGINEERING) 100983 (MITCHELL STREET VIADUCT) 131100983 104 310921137 5411002 COA; AND FOR OTHER PURPOSES.**

**WHEREAS**, Ronald Franklin Williams (hereafter referred to as "owner") owns property at the intersection of the southeast corner of Mitchell Street and Ellis Street, Atlanta, Georgia ("the property"); and

**WHEREAS**, the City sought to acquire 8 (eight) parking spaces in the owner's commercial parking lot under its eminent domain authority for the Mitchell Street Project; and

**WHEREAS**, a Petition for Condemnation and Declaration of Taking was filed by the City of Atlanta in the matter of City of Atlanta v. Ronald Franklin Williams, which is now pending in the Superior Court of Fulton County as Civil Action File No. 2009CV169087; and

**WHEREAS**, the City has already deposited \$101,800.00 into the registry of the court pursuant to the Declaration of Taking; and

**WHEREAS**, the owner will agree to a settlement of all claims in this action for the amount of \$126,800.00, or an additional payment by the City of \$25,000.00, for the property taken in the condemnation action; and

**WHEREAS**, the compromise amount has been determined by the City Attorney to be justified due to the fact that continued litigation could be substantially more than what the owner is now requesting from the City; and

**WHEREAS**, this settlement amount exceeds the 20% above the initial estimated just compensation for the affected property that is authorized under Ordinance 07O0451, City Council authorization is necessary to conclude this action.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the City Attorney is authorized to settle the civil action of the City of Atlanta v. Ronald Franklin Williams, which is now pending in the Superior Court of Fulton County as Civil Action File No. 2009CV169087 for the amount of \$126,800.00 by depositing an additional \$25,000.00 as further compensation for the property taken in this condemnation action.



**BE IT FURTHER RESOLVED**, that the Chief Financial Officer be and is authorized to pay and deposit into the registry of the Superior Court of Fulton County, upon presentation and approval by the City Attorney, an amount not to exceed \$25,000.00 to be expended from Fund, Department, Organization and Account: 3109 (1994 Referendum G.O. Bond Fund) 130308 (DPW Transportation Design) 5411002 (Easements) 4270000 (Traffic Engineering) 100983 (Mitchell Street Viaduct) 13100983 104 310921137 5411002 COA.

**BE IT FINALLY RESOLVED**, that resolutions and parts of resolutions in conflict herewith are hereby waived for purposes of this ordinance only, and only to the extent of the conflict.

A true copy,



Deputy Clerk

ADOPTED by the Atlanta Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

MAY 02, 2011

MAY 11, 2011

RCS# 986  
5/02/11  
2:32 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

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

CONSENT I

		05-02-11
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 11-O-0132	38. 11-R-0557	64. 11-R-0582
2. 11-O-0494	39. 11-R-0558	65. 11-R-0583
3. 11-O-0528	40. 11-R-0559	66. 11-R-0584
4. 11-O-0683	41. 11-R-0560	67. 11-R-0585
5. 11-O-0268	42. 11-R-0561	68. 11-R-0586
6. 11-O-0513	43. 11-R-0562	69. 11-R-0587
7. 11-O-0514	44. 11-R-0563	70. 11-R-0588
8. 11-O-0515	45. 11-R-0564	71. 11-R-0589
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10. 11-R-0443	47. 11-R-0566	73. 11-R-0591
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12. 11-R-0619	49. 11-R-0568	75. 11-R-0593
13. 11-R-0620	50. 11-R-0569	76. 11-R-0594
14. 11-R-0621	51. 11-R-0570	77. 11-R-0595
15. 11-R-0622	52. 11-R-0571	78. 11-R-0596
16. 11-R-0627	53. 11-R-0572	79. 11-R-0597
17. 11-R-0628	54. 11-R-0573	80. 11-R-0598
18. 11-R-0629	55. 11-R-0574	81. 11-R-0599
19. 11-R-0686	56. 11-R-0575	82. 11-R-0600
20. 11-R-0613	57. 11-R-0576	83. 11-R-0601
21. 11-R-0614	58. 11-R-0577	84. 11-R-0602
22. 11-R-0687	59. 11-R-0578	85. 11-R-0603
23. 11-R-0689	60. 11-R-0579	86. 11-R-0604
24. 11-R-0630	61. 11-R-0580	87. 11-R-0605
25. 11-R-0631	62. 11-R-0581	88. 11-R-0606
26. 11-R-0632	63. 11-R-0669	89. 11-R-0607
27. 11-R-0633		90. 11-R-0608
28. 11-R-0634		91. 11-R-0609
29. 11-R-0635		92. 11-R-0610
30. 11-R-0636		93. 11-R-0611
31. 11-R-0646		
32. 11-R-0649		
33. 11-R-0650		
34. 11-R-0652		
35. 11-R-0554		
36. 11-R-0555		
37. 11-R-0556		