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CITY OF OAKLAND



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February 7, 2012

HONORABLE CITY COUNCIL  
Oakland, California

President Larry Reid and Members of the City Council

Subject: Resolution Authorizing Settlement of  
Claim of Fannie Eagles  
File Number: C28745

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claims for the sum of Six Thousand One Hundred and 00/100 Dollars (\$6100.00), payable to Fannie Eagles as a result of roots from a City owned tree damaging the sewer lateral at 4750 Meldon Avenue. (Public Works) This was not a closed session item.

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

12 JAN 25 PM 4: (0)

Approved as to Form and Legality

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

BJP: EY

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF FANNIE EAGLES , IN THE AMOUNT OF \$6,100.00 AS A RESULT OF PROPERTY DAMAGE SUSTAINED WHEN ROOTS FROM A CITY TREE DAMAGED THE CLAIMANT'S SEWER LATERAL ON OCTOBER 5, 2011. (PWA)**

**WHEREAS,** On October 5, 2011 roots from a City tree entered the claimant's sewer lateral at 4750 Meldon Ave and caused the pipes to break.

**WHEREAS,** The City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City and now,

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the claim of Fannie Eagles , our file number C28745 , for the sum of Six Thousand One Hundred and 00/100 Dollars (\$6,100.00), payable to Fannie Eagles

**FURTHER RESOLVED:** That the City Attorney is further authorized and directed to take whatever steps may be necessary to effect said settlement; and be it

**FURTHER RESOLVED:** That the sum of Six Thousand, One Hundred and 00/100 Dollars (\$6,100.00), be paid to Fannie Eagles .

In Council, Oakland, California, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER AND  
PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LaTonda Simmons  
CITY CLERK AND CLERK OF THE COUNCIL  
OF THE CITY OF OAKLAND, CALIFORNIA