

*Barbara J. Pan*  
Office of the City Attorney

OFFICE OF THE CITY CLERK  
OAKLAND

12 NOV 20 12  
**OAKLAND CITY COUNCIL**

Resolution No. 84103 C.M.S.

BJP: MC

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF LAKE ROYAL APARTMENTS IN THE AMOUNT OF \$6,328.63, AS A RESULT OF PROPERTY DAMAGE SUSTAINED DUE TO TREE ROOTS (Public Works Agency)**

**WHEREAS**, on May 13, 2012, roots from a City tree clogged the sewer lateral at 177 19<sup>th</sup> Street; and

**WHEREAS**, Lake Royal Apartments filed a claim to recover damages caused by tree roots at the property located at 177 19<sup>th</sup> Street; and

**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 Lake Royal Apartments, our file number C29109, for the sum of Six Thousand Three Hundred Twenty Eight Dollars and Sixty Three Cents (\$6,328.63) payable to The Lake Royal Apartments.

**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 Three Hundred Twenty Three Dollars and Sixty Three Cents (\$6,328.63) is approved.

In Council, Oakland, California, DEC 4 2012, 2012

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, ~~BRUNNER~~, AND PRESIDENT REID -7

NOES-0

ABSENT-0

ABSTENTION-0

Excused- Brunner-1

Attest: *LaTonda Simmons*  
LaTonda Simmons  
CITY CLERK AND CLERK OF THE COUNCIL  
OF THE CITY OF OAKLAND, CALIFORNIA