

RESOLUTION NO. 198886

WHEREAS, the City Council of The City of San Diego on October 21, 1969, approved the settlement recommended by the City Attorney of six (6) Superior Court cases involving the City's title to property abutting the easterly boundary of the Pueblo of San Diego; and

WHEREAS, the amounts agreed on have been forthcoming in four (4) of the cases and now expected momentarily in the other two; and

WHEREAS, the possibility exists that a settlement in one of the remaining cases may not be effected; and

WHEREAS, the City Attorney should therefore be in a position to take the necessary steps to perfect the appeal in that event; and

WHEREAS, it is estimated that a minimum of Six Thousand Dollars (\$6,000.00) will be required to be spent for the preparation of the reporter's transcript and record of appeal and printing of appellate briefs; and

WHEREAS, the City Attorney recommends that Six Thousand Dollars (\$6,000.00) be set aside for the purpose of defraying all expenses incurred in prosecuting any appeal in the event the City is obliged to do so; NOW, THEREFORE,

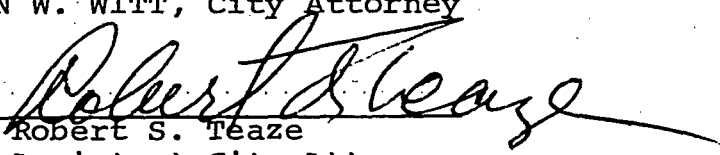
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That Six Thousand Dollars (\$6,000.00) be set aside out of the Capital Outlay Fund to be expended by the City Attorney solely for the appeal of those cases enumerated in Resolution No. 198268, the settlement of which can not be effected.

2. That in the event the settlement is effected, the said sum of \$6,000.00 shall be released and returned to general Capital Outlay Fund use.

APPROVED: JOHN W. WITT, City Attorney

By


Robert S. Teaze
Assistant City Attorney

RST:rb
1-14-70

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

RECEIVED
CITY CLERK'S OFFICE

CERTIFICATION OF UNALLOTTED BALANCE

1970 JAN 13 PM 1:24

SAN DIEGO, CALIF.

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ 6,000.00 Fund CAPITAL OUTLAY- 245

Purpose TO BE EXPENDED BY THE CITY ATTORNEY FOR APPEAL ON CASES
ENUMERATED IN RESO #198268.

W. B. Sage

Auditor and Comptroller of
The City of San Diego, Calif.

Date JAN. 9, 19 70

By JOE L LOZANO

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to exceed \$ _____

Dated _____, 19 _____

Auditor and Comptroller of
The City of San Diego, Calif.

BY _____

Job Order _____
Resolution No. _____
Project No. _____

Fund _____ Dept./Activity _____ Object _____

Purpose _____

Vendor _____

198886

JAN 15 1970

CERTIFICATE NO. 2186

576

JAN 15 1970

Passed and adopted by the Council of The City of San Diego on _____, by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 JUN 14 PM 11:42
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa N. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 198886 Adopted JAN 15 1970