

RESOLUTION NO. 208766 SEP 6 1973

WHEREAS, by Resolution No. 208765 the Council of The City of San Diego approved the petition for the construction and installation of certain public improvements on, in and adjacent to Camino de la Reina under the provisions of the Improvement Act of 1911; and

WHEREAS, in said petition all interested property owners requested, pursuant to Section 79 of the Charter of The City of San Diego, that the law firm of Gray, Cary, Ames & Frye be retained to perform the legal services required for the construction and installation of certain public improvements on, in and adjacent to Camino de la Reina under the provisions of the Improvement Act of 1911; and

WHEREAS, in said petition all interested property owners requested, pursuant to Section 79 of the Charter of The City of San Diego, that Rick Engineering Company be appointed to perform the engineering work required for the construction and installation of certain public improvements on, in and adjacent to Camino de la Reina under the provisions of the Improvement Act of 1911; and

WHEREAS, in said petition all interested property owners agreed, pursuant to Section 79 of the Charter of The City of San Diego, to hold The City of San Diego free and harmless of and from any and all liability or cost or expense if for any reason the construction and installation of certain public improvements on, in and adjacent to Camino de la Reina are abandoned by the Council or the assessments are not levied or collected; and

WHEREAS, in a letter dated August 28, 1973, on file in the office of the City Clerk as Document No. 744808, Rick Engineering Company agreed, pursuant to the provisions of Section 79 of the Charter of The City of San Diego, to hold The City of San Diego free and harmless of and from any and all liability or cost or expense if for any reason the construction and installation of certain public improvements on, in and adjacent to Camino de la Reina are abandoned by the Council or the assessments are not levied or collected; and

WHEREAS, in a letter dated August 14, 1973, on file in the office of the City Clerk as Document No. 744809, the law firm of Gray, Cary, Ames & Frye agreed, pursuant to the provisions of Section 79 of the Charter of The City of San Diego, to hold the City of San Diego free and harmless of and from any and all liability or cost or expense if for any reason the construction and installation of certain public improvements on, in and adjacent to Camino de la Reina are abandoned by the Council or the assessments are not levied or collected; NOW, THEREFORE,

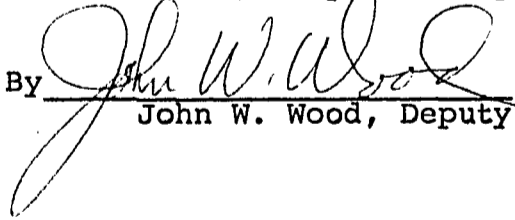
BE IT RESOLVED, by the Council of The City of San Diego, that the engineering firm of Rick Engineering Company be and the same is hereby appointed as Engineer of Work for the purpose of performing all engineering services for the construction of certain public improvements on, in and adjacent to Camino de la Reina, including the preparation of plans, drawings, typical cross-sections, profiles and specifications for the work, together with the estimates of the costs and expenses of such work, together with the description of the district and the

plat showing the exterior boundaries of the district to be included in the assessment for the work and improvements, together with construction surveying and assessment plats, maps and diagrams, under the provisions of the Improvement Act of 1911, pursuant to the terms and conditions set forth in the letter of Rick Engineering Company dated August 28, 1973, on file in the office of the City Clerk as Document No. 744808

BE IT FURTHER RESOLVED, that the law firm of Gray, Cary, Ames & Frye be and the same is hereby employed and appointed as Special Counsel for the purpose of performing the legal services required for said proceedings under the Improvement Act of 1911 pursuant to the terms and conditions set forth in the letter of Gray, Cary, Ames & Frye of August 14, 1973, on file in the office of the City Clerk as Document No. 744809.

BE IT FURTHER RESOLVED, that in the event the proposed proceedings fail to materialize or are abandoned before an assessment has been levied and collected, or the assessments are not levied or collected, The City of San Diego shall not be liable for the payment of any costs or expenses in connection with the employment of Rick Engineering Company or Gray, Cary, Ames & Frye, or either of them.

APPROVED: JOHN W. WITT, City Attorney

By   
John W. Wood, Deputy

JWW:lc  
9/4/73

RECEIVED  
CITY CLERK'S OFFICE  
1973 SEP -5 AM 8:12  
SAN DIEGO, CALIF

Passed and adopted by the Council of The City of San Diego on SEP 6 1973,  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
Mayor of The City of San Diego, California.

EDWARD NIELSEN  
City Clerk of The City of San Diego, California.

By Mary Anne Deuse, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number 208766 Adopted SEP 6 1973

*ly JB*