

(R. 77-1413)

RESOLUTION NO. 218039

MAR 30 1977

WHEREAS, the City wishes to acquire property presently owned by the Atchison, Topeka & Santa Fe Railway Co., a Delaware Corporation, which property is located along the South side of Miramar Road and which property is needed for the construction of a bikeway; and

WHEREAS, the Merck Company Foundation owns some adjoining property which the City will acquire and transfer to Atchison, Topeka & Santa Fe Railway Co., as partial consideration for the railway property; and

WHEREAS, the value of the property to be acquired from the Atchison, Topeka & Santa Fe Railway Co., has been determined to be \$24,275 and relocation cost involved in relocating railroad tracks and railroad platforms will cost an additional \$9,689 and in addition the severance damages have been determined to be \$12,934; NOW, THEREFORE,

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

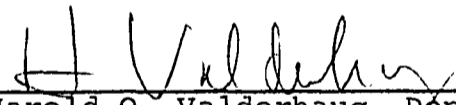
1. That the acceptance by the City Manager of a Grant Deed executed by the Atchison, Topeka & Santa Fe Railway Co., a Delaware Corporation, affecting a portion of Section 11, T15S, R3W, S.B.B.M. for use as a bikeway, is hereby approved.
2. That the acceptance by the City Manager of a Grant Deed executed by the Merck Company Foundation, a New Jersey Corporation, affecting a portion of Lot 6 of Miramar Tract No. 5,

Map No. 6578 to convey to the Railway Company as partial payment for the right-of-way is hereby approved.

3. That the execution by the Mayor and City Clerk, a Grant Deed in favor of the Atchison, Topeka, & Santa Fe Railway Co., a Delaware Corporation, said portion of Lot 6 of Miramar Tract No. 5, Map No. 6578 as partial compensation for said bikeway, is hereby authorized.

4. That the expenditure of \$50,000 from Gas Tax Fund 220 to cover acquisition costs, is hereby authorized.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug, Deputy

HOV:sml
3-14-77
Or.Dept.:Property
Job:10483-9
Aud.Cert.:8382

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE

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 \$ 50,000.00 Fund 220 Gas Tax Fund
Purpose Authorizing the expenditure for acquisition costs.

W. B. Sage

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

Date Feb. 7, 19 77

By *Matt Lopez*

RECEIVED
CITY CLERK'S OFFICE
MAR 21 AM 9:06
SAN DIEGO, CALIF.

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 \$ 50,000.00

W. B. Sage

Dated Feb. 7, 19 77

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

BY *Matt Lopez*

Fund 244 Prog./Elem. 4507 Object 3496

Job Order
Resolution No. 520316
Project No. _____

Purpose Same as above.

Vendor Atchison, Topeka & Santa Fe Railway Co.

218039

CERTIFICATE NO. 8382

MAR 30 1977

MAR 30 1977

Passed and adopted by the Council of The City of San Diego on _____, 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"/>
Lee Hubbard	<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"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<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 *Rachelle Martinez*, Deputy.

(Seal)

RECEIVED
CITY CLERK'S OFFICE
1977 MAR 21 AM 9:07
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **218039** Adopted **MAR 30 1977**