

JUL 28 1980

RESOLUTION NO. 8-252343

WHEREAS, on September 22, 1976, the Council by Resolution No. 216850 declared H & M Investments, a California partnership, and H & R Investments, a California partnership, to be in default of the terms and conditions of the agreement filed in the Office of the City Clerk as Document No. 730581 on January 14, 1970 relating to the improvement of Summer House Tract subdivision; and

WHEREAS, in connection with the performance of said agreement, performance bonds were issued by Insurance Company of North America; and

WHEREAS, the City Engineer has certified that the public work and improvements required to be done in connection with Summer House Tract have been completed to the satisfaction and approval of the City Engineer; NOW, THEREFORE,

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


1. That Council Resolution No. 216850 be rescinded.
2. That the City Manager is authorized to accept the work on behalf of The City of San Diego in connection with Summer House Tract subdivision and to execute a Notice of Completion, to have said notice recorded, and to release the improvement bonds.

02252

3. That the City Attorney is authorized to dismiss the lawsuit, City of San Diego v. H & M Investments, et al., Superior Court No. 391160.

APPROVED: JOHN W. WITT, City Attorney

By

  
C. Alan Sumption, Deputy

CAS:cj  
7.15.80  
Or.Dept.:  
Eng. & Devl.  
841

JUL 28 1980

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

| Councilmen        | Yeas                                | Nays                     | Not Present                         | Ineligible               |
|-------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Bill Mitchell     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Bill Cleator      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Bill Lowery       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Leon L. Williams  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Fred Schnaubelt   | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Mike Gotch        | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Larry Stirling    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Lucy Killea       | <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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 10-252343 Adopted JUL 28 1980

CC-1276 (REV. 11-79)

02254