

(R-85-2009)

RESOLUTION NO. R- 263067

ADOPTED ON APR 29 1985

WHEREAS, in Closed Session on April 23, 1985, the City Council, by the following vote: Yeas: Districts 1, 2, 6, 7 and Mayor Hedgecock; Not present: Districts 3, 4, 5, and 8; approved the following; NOW, THEREFORE,

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

1. That Resolutions No. 257853, 257854, 257855 and 257856, adopted on January 25, 1983, relating to Planned Residential Development Permit No. 20-231-0; Environmental Impact Report No. EIR 81-04-05 and Tentative Subdivision Map No. 02-091-0, are hereby rescinded in compliance with the Writ of Mandate issued in Clairemont Town Council, Inc., et al. v. Council of the City of San Diego, et al.; Techbilt Construction Corporation, et al., Real Parties in Interest, Superior Court Case No. 502504.

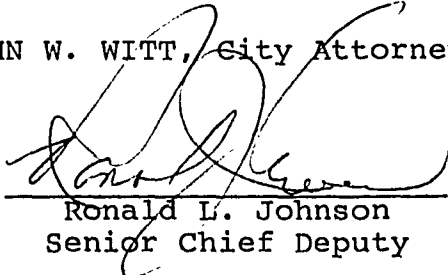
2. That Resolution No. R-261468, adopted on September 10, 1984, approving Final Map No. 11035 is hereby rescinded.

3. That the City Manager is hereby ordered to cause a copy of this resolution to be recorded with the County Recorder.

4. That the City Manager be and he is hereby authorized and empowered to pay the total sum of \$14,367.50 as the City's proportionate share of an award of attorney's fees in the case Clairemont Town Council, Inc., et al. v. Council of the City of San Diego, et al.; Techbilt Construction Corporation, et al., Real Parties in Interest.

5. That the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$14,367.50, made payable to Deborah R. Massie in full payment of the award of attorney's fees.

APPROVED: JOHN W. WITT, City Attorney

By 
Ronald L. Johnson
Senior Chief Deputy

RLJ/vtc
4/24/85
Aud. Cert.#85990
Or.Dept: City Attorney

01001

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE AC 85990

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 \$ 14,367.50 Fund 100 - General Fund

Purpose Authorizing expenditure of funds for the rescission of Resolutions and repeal of Ordinance granting a planned residential development permit, tentative and final maps.

De Ryan
 Auditor and Comptroller

Date April 23, 1985

By Lina Bradley

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPER. ACCT.	BENF/EQUIP	FACILITY	AMOUNT
1			601	106	4823	061106				\$14,367.50
TOTAL AMOUNT										\$14,367.50

FUND OVERRIDE

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 \$ _____ Auditor and Comptroller

Dated _____, 19____ BY _____

PURPOSE _____

VENDOR _____

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPER. ACCT.	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

5406

Passed and adopted by the Council of The City of San Diego on APR 29 1985,
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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R- 263067</u>	Adopted <u>APR 29 1985</u>

RECEIVED
CITY CLERK'S OFFICE
1985 APR 26 AM 9:01
SAN DIEGO, CALIF.

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