

(R-88-1251)

RESOLUTION NUMBER R- 269944

ADOPTED ON DEC 7 1987

WHEREAS, in Closed Session on October 20, 1987, the City Council approved, by the following vote: Yeas, Districts 1, 3, 5, 6 and 8; Nays, None; Not Present, Districts 2, 7 and the Mayor; to authorize settlement of the Superior Court Case No. 568570 entitled City of San Diego v. Grus, et al.:

THEREFORE,

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

That the City Manager be and is hereby authorized and empowered to settle the above action with the payment of the total sum of \$650,000 plus interest which has accrued on the condemnation deposit of \$343,825. Said payment is for the purchase of property acquired by the City of San Diego for the purpose of the new right-of-way for El Camino Real. This roadway from Half Mile Drive on the south to San Dieguito on the north was authorized by City Council in Resolution No. 266237 adopted July 15, 1986.

BE IT FURTHER RESOLVED that the sum of \$343,825 has already been deposited with the County Treasurer in accordance with the eminent domain action referred to above; and \$153,087.50 has been received from Pardee Construction Company (Check No. 264898) pursuant to their agreement to pay for that portion of the roadway within North City West.

00755

BE IT FURTHER RESOLVED that the City Auditor and Controller is hereby authorized and empowered to pay \$153,087.50 and to utilize the available funds for said acquisition from the Facilities Benefit Assessment Account Fund 79-002 Revenue Account 072622, CIP Account 52-382.

BE IT FURTHER RESOLVED that the expenditure of said amounts totalling the sum of \$650,000 is for the settlement of the eminent domain action, including full payment of all parcels and for all damages of every kind and nature suffered or to be suffered by reason of the acquisition of said parcels from Dorothy Grus.

APPROVED: JOHN W. WITT, City Attorney

By *Susan Hinz*
SUSAN HINZ
Deputy City Attorney

SH:dr:Lit
12/03/87
Or.Dept:Prop.
Aud.Cert: 8800541
R-88-1251
Form=r.none

R-269944

1907 DEC -3 PM 4:55
SAN DIEGO, CALIF.

CU757

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8800541

ORIGINATING DEPT. NO.: 070

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 \$ 153,087.50 Fund 79002

Purpose Authorizing expenditure of funds for El Camino Real Improvement Project - settlement of a condemnation proceeding titled City of San Diego vs Dorothy Grus

Date December 3, 19 87

By: Lillian Pease
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		79002			9544					\$153,087.50
TOTAL AMOUNT										\$153,087.50

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 \$ _____

Vendor _____

Purpose _____

Date _____, 19 _____

By: _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

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

FUND OVERRIDE

R269944

DEC 7 1987

CU758 AC 8800541

#404

Passed and adopted by the Council of The City of San Diego on **DEC 7 1987**,
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By *Rhonda B. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-269944 Adopted DEC 7 1987

CITY: CLEVER

1907 DEC -3 PM 11:55

SAN DIEGO, CALIF.

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