

RESOLUTION NUMBER R- 270898

ADOPTED ON MAY 9 1988

WHEREAS, on February 27, 1980, The City of San Diego entered into a Subdivision Improvement Agreement ("Agreement") on file in the office of the City Clerk as Document No. RR-251261 with Avco Community Developers, Inc.; and

WHEREAS, on March 28, 1983, The City of San Diego amended the Agreement by Resolution No. R-258144 to change the responsible party to Sunwest Properties, a limited partnership, 3360 Fourth Avenue San Diego, California, 92103, to construct certain improvements in Westwood Unit No. 16; and

WHEREAS, in connection with the performance of the Agreement, Performance Bond No. 05022 was issued by Pacific Insurance Agency; and

WHEREAS, subdivider has not complied with the terms and provisions of the Agreement; NOW, THEREFORE,

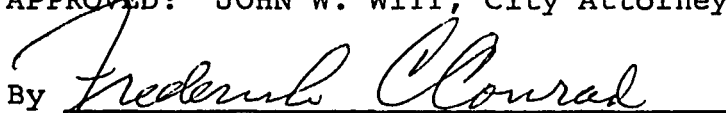
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. Sunwest Properties, a limited partnership, IS HEREBY DECLARED TO BE IN DEFAULT of the terms and conditions of the Agreement filed in the office of the City Clerk on February 27, 1980, as Document No. RR-251261, and the amended Agreement filed in the office of the City Clerk on March 28, 1983, as Document No. RR-258144, relating to the improvement of Westwood Unit No. 16.

2. The City Attorney shall cause notice of this declaration of default to be given to Sunwest Properties, a limited partnership, and to Pacific Insurance Agency. The City Attorney is authorized to take all appropriate measures to recover from Sunwest Properties, a limited partnership, and Pacific Insurance Agency, all costs associated with the completion of the subdivision improvements, as provided by the Agreement and Performance Bond No. 05022.

3. The City Manager is authorized to complete, or cause to be completed, said public work and improvements in accordance with the terms of the Agreement.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:ta  
04/21/88  
Or.Dept:E&D  
R-88-2014  
Form=r.sdef

Passed and adopted by the Council of The City of San Diego on MAY 9 1988,  
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.

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

By Rhonda R. Barnes, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-270898 Adopted MAY 9 1988

RECEIVED  
CITY CLERK'S OFFICE  
1988 APR 27 PM 1:46  
SAN DIEGO, CALIF.