(R-93-1467)

## RESOLUTION NUMBER R- 281656 ADOPTED ON MAR 22 1993

WHEREAS, in Closed Session on October 20, 1992, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 7, and Mayor Maureen O'Connor, Nays, District 5, Not Present, Districts 6 and 8, approved the following; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the total sum of THREE HUNDRED FIVE THOUSAND DOLLARS (\$305,000.00) in the settlement of each and every claim of James Broutzos, Wildwood Development Corporation, Desert View Partnership, and Wildwood Construction against The City of San Diego, its agents and employees, in Superior Court Cases No. 646858 and 652812, Marc and Monica Johnson v. Desert View Partnership, et al. and Marc and Monica Johnson v. City of San Diego, et al., resulting from earth movement on and adjacent to 5623 Desert View Drive.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of THREE HUNDRED FIVE THOUSAND DOLLARS (\$305,000.00), made payable to James Broutzos, First Nationwide Bank, and

William Banning in full settlement of the lawsuit and of all claims resulting from the property damage to James Broutzos.

APPROVED: John W. Witt, City Attorney

Anita M. Noone

Deputy City Attorney

AMN:skh:Lit.

03/15/93

Aud.Cert: 9300839 Or.Dept:Risk.Mgmt.

R-93-1467

## The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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Passed and adopted by the Council of The City of San Diego on..... by the following vote: Ineligible Nays Not Present **Council Members** Yeas Abbe Wolfsheimer Ron Roberts John Hartley **9** George Stevens Tom Behr Valerie Stallings 0 Judy McCarty Juan Vargas Mayor Susan Golding SUSAN GOLDING **AUTHENTICATED BY:** Mayor of The City of San Diego, California. HARLES G. ABDEKNOUR City Clerk of The City of San Diego, California. (Seal)

Office of the City Clerk, San Diego, California

Resolution 281656

MAR 2 2 1993