

(R-93-1693)

RESOLUTION NUMBER B-282238

ADOPTED ON JUN 28 1993

WHEREAS, in Closed Session on April 13, 1993, the City Council, by the following vote: Yeas, Mayor Susan Golding, Districts 1, 6, 7, 8; Nays, None; Not Present, Districts 2, 3, 4 and 5; 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 sum of \$545,000.00 from the Carmel Valley North FBA Account No. 79002, for settlement of condemnation proceedings entitled City of San Diego v. Carmel Valley Evangelical Presbyterian Church, Superior Court Case No. 648238, said \$545,000.00 will supplement funds previously authorized by Resolution R-279180 dated December 10, 1991, for the Route 56/Carmel Valley Restoration Enhancement Plan (CVREP), making a total settlement of \$1,200,000.00 inclusive of interest, fees, costs and any and all other claims.

WHEREAS, in Closed Session on May 18, 1993, the City Council, by the following vote: Yeas, Mayor Susan Golding, Districts 1, 2, 5, 6, 7, and 8; Nays, none; Not Present, Districts 3, and 4; approved the following; NOW, THEREFORE,

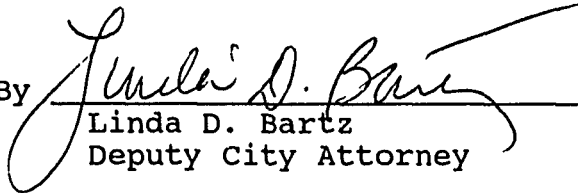
BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$47,556.61 from the Carmel Valley North FBA Account No. 79002, for settlement of condemnation proceedings entitled City of San Diego v. A-440 Enterprises, et al., Superior Court Case No. 647854; said \$47,556.61 will supplement funds previously authorized by Resolution R-279180 dated December 10, 1991, for the Route 56/CVREP, making a total settlement of \$670,000 inclusive of interest, fees, costs and any and all other claims.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two checks and expend amounts as follows:

1. \$545,000.00 made payable to Seaside Presbyterian Church and Parker, Milliken, Clark, O'Hara and Samuelian, its attorneys of record, by issuance of Warrant Check No. 0007553.

2. \$47,556.61, made payable to Albert G. and Pauline F. Soule and their attorney of record, Angelo J. Palmieri, Palmieri, Tyler, Wiener, Wilhelm & Waldron, by issuance of Warrant Check No. 0017128.

APPROVED: John W. Witt, City Attorney

By 
Linda D. Bartz
Deputy City Attorney

LDB:djr:Lit.
06/21/93
Aud.Cert:9301165
Or.Dept:Property
R-93-1693
Form=r.claim1

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9301165

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 \$ 592,556.61 Fund 79002

Purpose Authorizing the expenditure of funds for Route 56/Carmel Valley Restoration Enhancement

Plan - Condemnation Settlement.

Date June 10, 1993 By: *Cecilia San Pedro*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0		30244	107	4279	523560		79002		\$592,556.61
TOTAL AMOUNT										\$592,556.61

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 money 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 _____ 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										

AC-361 (REV 2-92)

FUND OVERRIDE

AC 9301165

R-282238

JUN 28 1993

Passed and adopted by the Council of The City of San Diego on JUN 28 1993
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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING
Mayor of The City of San Diego, California.

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

By Blenda B. Bunes, Deputy.

Office of the City Clerk, San Diego, California

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Number Adopted