

RESOLUTION NUMBER R- 283282

ADOPTED ON JAN 18 1994

WHEREAS, in Closed Session on November 30, 1993, the City Council, by the following vote: Yeas, Districts 4, 5, 6, 7, 8 and the Mayor; Nays, None; Not Present, Districts 1, 2 and 3; approved the following; NOW, THEREFORE,

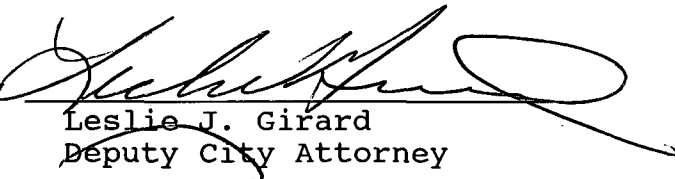
BE IT RESOLVED, by the Council of The City of San Diego, that the City Auditor and Comptroller be and he is hereby authorized to: 1) increase CIP 52-356.0, State Route 56 - Property Acquisition and Floodway Construction, by the amount of \$354,724.00; and 2) transfer the sum of \$354,724.00 from Fund 790022, Carmel Valley - SANDAG Advance, to CIP 52-356.0, State Route 56 - Property Acquisition and Floodway Construction.

BE IT FURTHER RESOLVED that the City Manager be and he is hereby authorized and empowered to: 1) pay the sum of \$354,724.00 to American Assets, Inc.; and 2) execute a quitclaim deed in favor of American Assets for 0.976 acres of land, being a portion of Section 25, T14S, R4W and Section 30, T14S, R3W, San Bernardino Meridian, commonly known as the "CalTrans Remainder" and more fully described in the document attached hereto as Document No. RR- 283282,<sup>1</sup> in settlement of the case City of San Diego v. American Assets, Inc., Superior Court Case No. 650556-1. This payment and conveyance, and the prior payment of \$745,276.00 to American Assets pursuant to Resolution No. R-279180, shall be

a complete settlement of all damages, interest, costs and fees of any type, including attorney's fees, in the above-entitled litigation.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$354,724.00, made payable to American Assets, Inc., and their attorneys of record, Seltzer Caplan Wilkins & McMahon, from CIP 52-356.0, State Route 56 - Property Acquisition and Floodway Construction.

APPROVED: John W. Witt, City Attorney

BY   
Leslie J. Girard  
Deputy City Attorney

LJG:vtc:Lit.  
12/07/93  
Aud.Cert:  
Or.Dept:Property  
R-94-0926  
Form=r.claim1

Quitclaim Deed in favor of American Assets, Inc. is on file in the Office of the City Clerk as Document No.

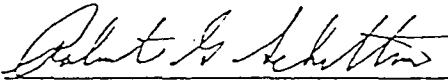
RL-283282-2.

R-283282

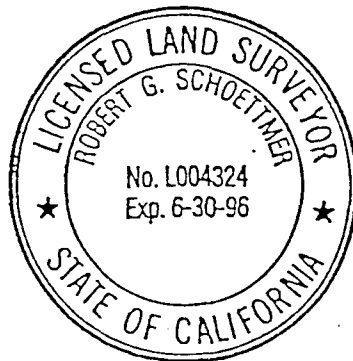
J-10946A

Those portions of Section 25, Township 14 South, Range 4 West and Section 30, Township 14 South, Range 3 West, San Bernardino Meridian in the City of San Diego, County of San Diego, State of California being more particularly described as follows:

Beginning at the Northerly terminus of that line on the Westerly boundary of Parcel Map No. 14873 shown thereon as North  $39^{\circ}51'25''$  West 271.99 feet; thence along said Westerly line South  $39^{\circ}52'15''$  East 33.77 feet to the TRUE POINT OF BEGINNING; thence continuing along said Westerly line South  $39^{\circ}52'15''$  East 238.22 feet to an angle point in said Westerly boundary; thence continuing along said Westerly boundary South  $26^{\circ}27'33''$  East 152.97 feet to an angle point in said Westerly boundary; thence continuing along said Westerly boundary South  $12^{\circ}30'23''$  East 325.35 feet; thence leaving said boundary North  $30^{\circ}54'59''$  West 341.86 feet; thence North  $20^{\circ}01'55''$  West 269.33 feet; thence North  $14^{\circ}25'21''$  West 94.05 feet to the TRUE POINT OF BEGINNING.



Robert G. Schoettmer  
L.S. 4324



DOCUMENT NO. RR 283282-1

FILED JAN 18 1994

OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

R- 283282

BASIS OF BEARINGS

BASIS OF BEARING FOR THIS PLAT IS THE WESTERLY BOUNDARY OF PARCEL MAP NO. 14883; 1C. N39°51'25"W 7

AERA  
0.976 ACRES

PARCEL 2

P.M. NO. 14883  
7

PAR. 3

PAR. 1

(N39°51'25"W)  
N39°52'15"W  
33.77'  
T.P.O.B.

P.O.B.

INTERSTATE 5

N14°25'21"W ~ 94.05'

N20°15'55"W ~ 219.23'

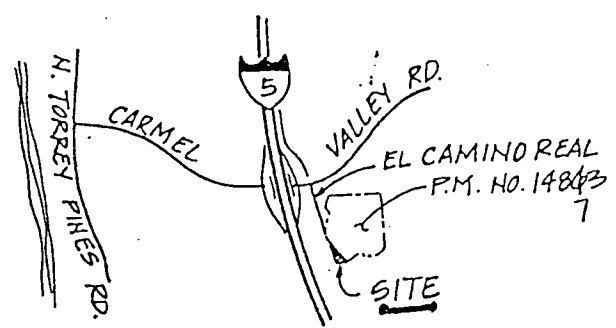
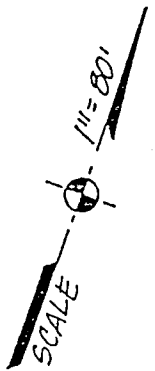
N39°51'25"W ~ 211.99'  
N39°52'15"W ~ 238.72'

N20°54'59"W ~ 341.80'

N22°21'43"W ~ 152.97'

N12°32'23"W ~ 229.35'

EL CAMINO REAL  
STREET EASMT.



RICK ENGINEERING COMPANY  
5620 FRIARS ROAD  
SAN DIEGO, CA. 92110  
Ph. (619) 291-0707

J-10946A

283282

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

**CERTIFICATE OF UNALLOTTED BALANCE**

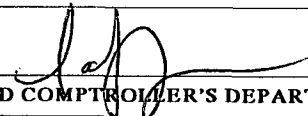
AC 9400659

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 \$ 354,724.00 Fund 30244/790022

Purpose Authorizing the expenditure of funds to supplement funds previously authorized by Resolution R-279180 for the State Route 56/CVREP Acquisition Project.

Date December 23, 1993 By: 

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	790022			9544					\$354,724.00
TOTAL AMOUNT										\$354,724.00

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										

FUND OVERRIDE

AC 9400659

*R-283282*

**JAN 18 1994**