

(R-94-1047)

RESOLUTION NUMBER R- 283329

ADOPTED ON JAN 31 1994

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

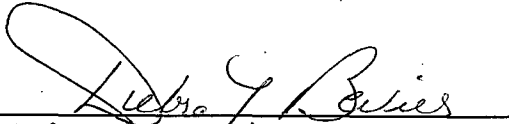
BE IT RESOLVED, by the Council of The City of San Diego, that the City Auditor and Comptroller be and he is hereby authorized to: 1) increase CIP 52-356.0, State Route 56 - Property Acquisition and Floodway Construction, by the amount of \$300,000.00; and 2) transfer the sum of \$300,000.00 from Fund 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 pay the total sum of \$300,000.00 from CIP 52-356.0, State Route 56 - Property Acquisition and Floodway Construction for settlement of condemnation proceedings entitled The City of San Diego v. Alice C. Tang, et al., Superior Court Case No. 647300. This payment and conveyance, and the prior payment of \$525,000.00 to Alice C. Tang pursuant to Resolution No. R-279180, making a total payment of \$825,000.00, 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 \$300,000, made payable to McDougal and Associates
Client Trust Fund Account from CIP 52-356.0, State Route 56 -
Property Acquisition and Floodway Construction.

APPROVED: John W. Witt, City Attorney

By



Debra J. Bevier
Deputy City Attorney

DJB:djr:Lit.
01/13/94
Aud.Cert: 9400703
Or.Dept:Prop
R-94-1047
Form=r.claim1

R- 283329

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

CERTIFICATE OF UNALLOTTED BALANCE

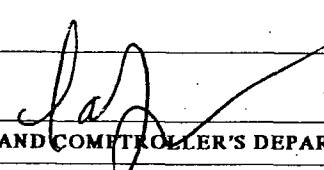
AC 9400703

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 \$ 300,000.00 Fund 30244/790022

Purpose Authorizing the expenditure of funds previously authorized by R-279180 for the SR 56/CVREP Acquisition Project.

Date January 13, 1994 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					\$300,000.00
TOTAL AMOUNT										\$300,000.00

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