

(R-95-760)

RESOLUTION NUMBER R- 284976

ADOPTED ON NOV 28 1994

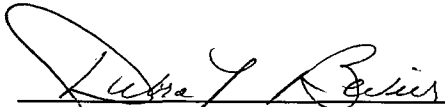
WHEREAS, in Closed Session on November 1, 1994, the City Council, by the following vote: Yeas, Honorable Mayor Susan Golding, Districts 1, 2, 4, 5, 7, 8, Nays, None, Not Present, Districts 3, 6, approved the following; NOW, THEREFORE,

BE IT RESOLVED, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$100,000 from CIP 46-166.0 Sewer Revenue Fund 41506 for settlement of condemnation proceedings entitled The City of San Diego v. Park Village Ltd., Superior Court Case No. 671016. This payment and conveyance, 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 \$100,000, made payable to Park Village Limited and its attorneys of record, Menke, Fahrney & Carroll, 650 Town

Center Drive, #1250, Costa Mesa, CA 92626-1931, from CIP 46-166.0  
Sewer Revenue Fund 41506.

APPROVED: John W. Witt, City Attorney

BY   
Debra J. Bevier  
Deputy City Attorney

DJB:djr:Lit.  
11/08/94  
Aud.Cert:9500518  
Or.Dept:Prop  
R-95-760  
Form=r.stmt

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

**CERTIFICATE OF UNALLOTTED BALANCE** AC 9500518

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 \$ \_\_\_\_\_ Fund \_\_\_\_\_

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

**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 \$ 100,000.00

Vendor Park Village LTD.

Purpose Authorize the expenditure of funds for settlement of condemnation entitled "City of San Diego versus Park Village LTD. (SDSC No. 671016)".

Date November 3, 1994 By: *Rody Bah*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1	0	40012	700	386	4638	172079		41506		\$100,000.00
TOTAL AMOUNT										\$100,000.00

FUND OVERRIDE

AC 9500518

*R* - 284976

**NOV 28 1994**