

(R-95-924)

RESOLUTION NUMBER R-285138


ADOPTED ON DECEMBER 13, 1994

WHEREAS, in Closed Session on December 13, 1994, the City Council, by the following vote: Yeas, Districts 1, 3, 4, 5, 7 and the Mayor; Nays, District 6; Not Present, Districts 2 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 \$180,000.00 to San Diego Hawthorne Center, Ltd., in settlement of each and every claim for damages, attorney's fees and costs arising from the case CIP Development, Inc., et al. v. City of San Diego, et al., Superior Court Case No. 671614.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$180,000.00, made payable to San Diego Hawthorne Center, Ltd., in full settlement of the claim described above.

APPROVED: John W. Witt, City Attorney

By 
Leslie J. Girard
Chief Deputy City Attorney

LJG:vtc:kjk:Lit.
12/02/94
Aud.Cert:AC9500628
Or.Dept:City Attorney
R-95-924
Form=r.claim1

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9500628

ORIGINATING DEPT. NO.: 045

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

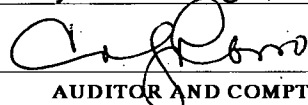
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the 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 \$ 180,000.00

Vendor San Diego Hawthorne Center, Ltd.

Purpose Authorizing the expenditure of funds for a settlement of claims for damages, attorney fees and costs arising from CIP Development, Inc. et al. v. City of San Diego., File #: LP94-0021-2834.

Date December 5, 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		81140		4824	081141				\$180,000.00
TOTAL AMOUNT										\$180,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 9500628

R-285138

DEC 13 1994