

(R-96-814)

RESOLUTION NUMBER R- 286913

ADOPTED ON FEB 12 1996

WHEREAS, in Closed Session on January 16, 1996, the City Council, by a unanimous vote, 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 \$1,750,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 648493, Rancho Sorrento Associates IV v. City of San Diego, resulting from the alleged pre-condemnation damages as more fully described in the Plaintiff's complaint.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$1,750,000.00, made payable to Chicago Title Company, Account No. 12351-50751, in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By *Arita Moore for Keri G. Katz*
Keri G. Katz
Deputy City Attorney

KGK:kjk:Lit.
01/16/96
Aud.Cert:9600762
Or.Dept:Risk Mgmt.
R-96-814
Form=r.claim1

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 9600762
DEPT. NO.: 543

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 1,750,000.00 Fund 81144/30244/79006

Purpose Authorizing the expenditure of funds for the settlement of Property Damage Claim of Rancho Sorrento Association.

Date January 16, 1996 By: *Sara Gomez*

AUDITOR AND COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA | | | | | | | | | | |
|-----------------|-------|------|-------|------|---------|-----------|-------------------|-------------|----------|----------------|
| ACCTG. LINE | CY PY | FUND | DEPT | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT |
| 1 | | | 30244 | 107 | 4279 | 523920 | | 79006 | | \$1,600,000.00 |
| 2 | | | 81144 | | 4824 | 81144 | | | | 150,000.00 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | \$1,750,000.00 |

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

R-286913

FEB 12 1996

AC 9600762