

(O-97-70)

ORDINANCE NUMBER O- 18382 (NEW SERIES)

ADOPTED ON FEB 10 1997

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A FIFTY (50) YEAR PROPERTY USE AGREEMENT WITH THE VIETNAMESE FEDERATION OF SAN DIEGO; AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED \$75,000 FROM CDBG FUND NO. 18532; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH CAROL K. STARK AND THE VIETNAMESE FOUNDATION OF SAN DIEGO TO EXTEND FOR TWO YEARS THE DUE AND PAYABLE DATE ON THE PRIVATE NOTE SECURED BY THE FIRST DEED OF TRUST AND WAIVE THE DUE ON SALE PROVISION.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

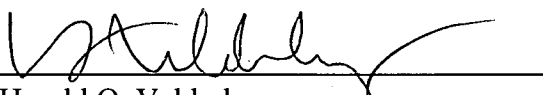
Section 1. That the City Manager is hereby authorized to execute, for and on behalf of The City of San Diego, a fifty (50) year Property Use Agreement with the Vietnamese Federation of San Diego, under the terms and conditions set forth in that Property Use Agreement on file in the office of the City Clerk as Document No. OO- 18382 - 1.

Section 2. That the expenditure of an amount not to exceed \$75,000 from CDBG Fund No. 18532 toward the acquisition of property rights and related costs be and is hereby authorized.

Section 3. That the City Manager is hereby authorized to execute an Agreement with Carol K. Stark, and the Vietnamese Federation of San Diego, on file in the office of the City Clerk as Document No. OO- 18382 - 2, to extend for two years the due and payable date on the Private Note held by Carol K. Stark, secured by the First Deed of Trust, and waive the Due on Sale provision.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By   
Harold O. Valderhaug  
Head Deputy City Attorney

HOV:cdk  
01/03/97  
Or.Dept:REA  
O-97-70

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9700629

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 \$ 75,000.00

Vendor Vietnamese Federation of San Diego

Purpose Authorizing the expenditure of funds toward acquisition of property rights and related costs and the execution of a fifty (50) year property use agreement with vendor.

Date January 02, 1997 By: Carole G. Hanlon

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     | 18532 | 4125 | 2504 | 4279    | 000001    |                   |            |          | \$75,000.00 |
|                 |       |       |      |      |         |           |                   |            |          |             |
|                 |       |       |      |      |         |           |                   |            |          |             |
|                 |       |       |      |      |         |           |                   |            |          |             |
| TOTAL AMOUNT    |       |       |      |      |         |           |                   |            |          | \$75,000.00 |

FUND OVERRIDE

AC 9700629

0 - 18382

**FEB 10 1997**