

(R-98-417)

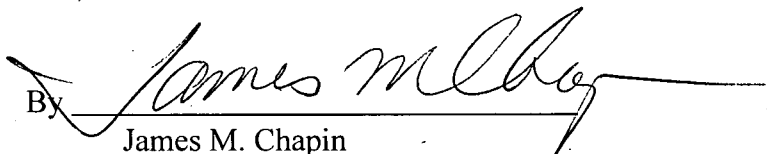
RESOLUTION NUMBER R- 289348

ADOPTED ON OCT 28 1997

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 sum not to exceed \$350,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from property damage to Anthony and Lori DeMaria.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check, not to exceed the amount of \$350,000.00, made payable to Luth & Turley and Mr. & Mrs. DeMaria, in full settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

By   
James M. Chapin  
Deputy City Attorney

JMC:vtc:Civ.  
10/10/97  
Aud.Cert: 9800420  
Or.Dept: Risk Mgmt  
R-98-417  
Form=claim2r.frm

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9800420  
ORIGINATING DEPT. NO.: 773

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 \$ 350,000.00

Vendor Luth & Turley and Mr. & Mrs. DeMaria

Purpose Authorizing the expenditure of funds for the purpose of paying every claim resulting from the Property Damage Claim of Anthony & Lori DeMaria.

Date October 7, 1997

By: *Michelle S. Lawrence*  
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	41506	773	830	4824	8310				\$350,000.00
TOTAL AMOUNT										\$350,000.00

FUND OVERRIDE

**R-289348**

**OCT 28 1997**

AC 9800420