

(R-98-709)

RESOLUTION NUMBER R- 289624

ADOPTED ON JAN 12 1998

WHEREAS, in Closed Session on December 2, 1997, the City Council, by the following vote: Yeas, unanimous; Nays, none; Not Present, Districts 1, 3, and 6, approved the following;
NOW, THEREFORE,

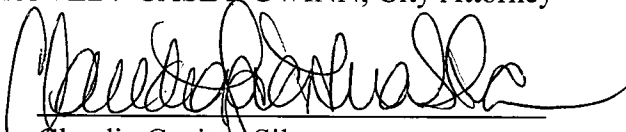
BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$210,000 in the settlement of each and every claim against The City of San Diego, its agents and employees, for the settlement of all claims in the matter entitled, J. Carl Peus v. The City of San Diego, Superior Court Case No. 705971,

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$210,000, made payable to Lawyer's Title Company, in full settlement of the lawsuit and of all claims.

BE IT FURTHER RESOLVED, that said funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

APPROVED: CASEY GWINN, City Attorney

By



Claudia Gacitua Silva
Deputy City Attorney

CGS:cdk:db:Civ.
12/16/97
Aud.Cert:9800731
Or.Dept:Risk.Mgmt
R-98-709
Form=claimr.frm

Grant Deed from J. Carl Peus to The City of San Diego
on file in the Office of the City Clerk as Document No.

RR- 289624

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: AC 9800731
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 210,000.00 Fund 81140

Purpose Authorizing expenditure of funds for settlement of real estate acquisition in the proceedings of J. Carl Peus v. City of San Diego (San Diego Superior Court No. 705971).

Date December 16, 1997 By: *Licás Peus*
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	81140	81140		4824	081141				\$210,000.00
TOTAL AMOUNT										\$210,000.00

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-289624

JAN 12 1998

AC 9800731