(R-98-1415)

RESOLUTION NUMBER	R R	290252	
ADOPTED ON	JUN 1	. 5 1998	

WHEREAS, Resolution No. R-285103, adopted December 6, 1994, authorized the expenditure of an amount not to exceed \$450,000 for condemnation of the property rights required for construction of the North City Tunnel Connector Project; subsequently, a jury trial of the eminent domain case *City of San Diego v. J. A. H.*, San Diego Superior Court Case No. 683820-1, was held on March 13, 1998, and a Judgment in Condemnation was entered on an amount above that which was previously approved by Council; therefore, to pay the Judgment and related costs, an additional authorization of an amount not to exceed \$585,000 is needed; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Auditor and Comptroller be and he is hereby authorized to transfer \$549,140 from Sewer Fund 41509, CIP 42-926.0 (Annual Allocation for the North City Water Reclamation Plant) to Sewer Fund 41509, CIP 42-910.8 (North City Tunnel Connector) for payment of the Judgment in Condemnation and related costs.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$35,860 in contingency funds from CIP 42-910.8 (North City Tunnel Connector) for payment of the Judgment in Condemnation and related costs.

BE IT FURTHER RESOLVED, that the City manager be and he is hereby authorized and empowered to pay an amount not to exceed \$585,000 from Sewer Fund 41509, CIP 42-910.8 (North City Tunnel Connector) for payment of the Judgment in Condemnation and related costs.

APPROVED: CASEY GWINN, City Attorney

By

Michael R. McGuinness Deputy City Attorney

LAF:djr 06/01/98 Aud.Cert:9801308 Or.Dept:REA R-98-1415 Form=settlemt.res

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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Date		May 20, 1998 By:				: Diha K Mendoya				
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