

RESOLUTION NUMBER R- 292024

ADOPTED ON AUG 02 1999

WHEREAS, Manning Way, City of San Diego, is a two lane public street;

WHEREAS, a portion of Manning Way, adjacent to the residential real property commonly referred to as 745, 751, 777, 779 and 781 Manning Way, does not have adequate right-of-way consistent with current City of San Diego street design standards;

WHEREAS, each of the residential properties located at 745, 751, 777, 779 and 781 Manning Way presently utilize a septic system rather than connect to the City of San Diego sewer system;

WHEREAS, each of the owners of the residential real property commonly referred to as 745, 751, 777, 779 and 781 Manning Way have agreed to grant to the City of San Diego a public street easement in approximately 28 feet of their real property in exchange for a City of San Diego credit for one Equivalent Dwelling Unit (EDU) sewer capacity charge and construction of one sewer lateral to the property line for each of the respective properties;

WHEREAS, each of the owners of the residential real property commonly referred to as 745, 751, 777, 779 and 781 Manning Way acknowledge that any work to further connect to the sewer lateral beyond the property line shall be the sole responsibility of the respective property owner;

WHEREAS, the City Manager has confirmed that the value of the property rights to be acquired are at least equal in value to the credit for the sewer capacity charge and the construction of sewer laterals; NOW THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the acceptance by the City Manager of public street easement deeds of Alvey P. Sherman and Loreta Sherman (two separate grant deeds bearing date of 11/19/97); Rodger M. Carruth and Sonya A. Carruth bearing date of 11/22/97; James O. Cooper and Eloise L. Cooper (two separate grant deeds bearing date of 12/4/97); Leticia Valdez, and Felipe Valdez and Alberto Valdez bearing date of 12/1/97, executed in favor of The City of San Diego, a copy of which is on file in the office of the City Clerk as Document Nos. RR- 292024-1, 292024-2, 292024-3, 292024-4, 292024-5, and 292024-6, granting to said City public street easements, as more particularly described in the deeds, and dedicated as and for a public street named Manning Way between Elm and Palm Avenues on the east side of Manning Way at 745, 751, 777, 779 and 781 Manning Way for future street widening, are approved.

BE IT FURTHERRESOLVED, that after acceptance by the City Manager of the public street easement deeds the construction of sewer laterals at 745, 751, 777, 779 and 781 Manning Way is authorized.

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed to cause the deeds and a certified copy of this resolution, attested by him under seal, to be recorded in the office of the County Recorder at no fee for the benefit of the City, with no documentary tax due.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroler is authorized to expend an amount not to exceed \$75,000 from TransNet Fund No. 30300, CIP 17-001.0, Minor Drain and Seepage Problems, for Sewer Lateral Construction at Manning Way.

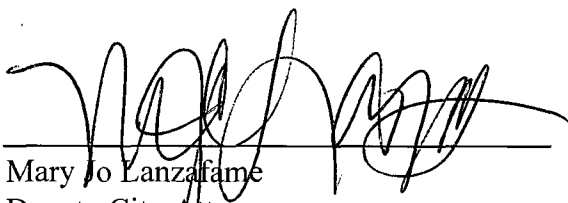
BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to

reprogram the remainder of the funding, if any, back to CIP 58-001.0, New Developments.

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to deliver both deeds, and a certified copy of this resolution, attested by him under seal, to the Real Estates Assesst Department for further handling.

BE IT FURTHER RESOLVED that the City Clerk shall cause the deeds, and a certified copy of this resolution, attested by him under seal, to be recorded in the office of the County Recorder, the easement deeds recorded at no fee, for the benefit of the City, with no documentary tax due.

APPROVED: CASEY GWINN, City Attorney

By 
Mary Jo Lanzafame
Deputy City Attorney

MJL:cdk
06/10/99
08/11/99 COR. COPY
Or.Dept:Plan.&Dev.Rev.
Job:580010
Aud.Cert.9901286
R-99-1495
Form=deedr.frm

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 9901286

ORIGINATING DEPT. NO.: 1300

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 \$ 75,000.00 Fund 30244
 Purpose Authorizing the expenditures for the right-of-way acquisition for sewer laterals along Manning Way.

Date 06/09/99

By: 

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	30244	30244	101	4279	170119				\$75,000.00
TOTAL AMOUNT										\$75,000.00

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 07/20/99

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										

AC 9901286

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