

RESOLUTION NUMBER R- 300500

ADOPTED ON JUN 06 2005

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is authorized and directed, for and on behalf of the City, to execute an agreement with DMIG, FUND 47, a California limited partnership, and for settlement of its lawsuit against the City of San Diego, under the terms and conditions set forth in the Settlement Agreement, a copy of which is on file in the office of the City Clerk as Document No. RR-300500.

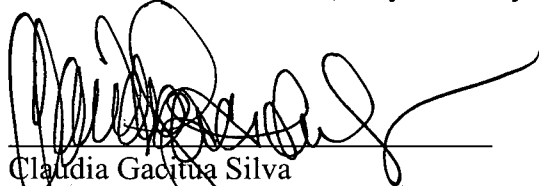
BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to amend the FY 2005 Capital Improvements Program by amending CIP-52-463.0 by increasing the appropriation in an amount not to exceed \$5,371,000 from Fund No. 79015, for settlement of the inverse condemnation proceedings entitle "DMIG Fund 47 v. City of San Diego" (SDSC GIC 837823) regarding the acquisition of property rights required for the State Route 56-Camino Del Sur Interchange west exit ramps.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$5,371,000 from CIP- 52-463.0 is hereby authorized.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By



\_\_\_\_\_  
Claudia Gacina Silva  
Deputy City Attorney

CGS:ccm  
06/01/2005  
Or.Dept:READ  
R-2005-1266

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2501048

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: \$5,371,000.00 Fund: 79015

Purpose: Authorizing the appropriation and expenditures for ROW related cost associated with Camino Del Sur Interchange.

Date: June 1, 2005

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	79015			9544					\$5,371,000.00
TOTAL AMOUNT										\$5,371,000.00

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