

RESOLUTION NUMBER R- 301255

DATE OF FINAL PASSAGE FEB 28 2006

Resolution approving payment of \$106,612 06 in settlement to Barratt American Inc , Lee Living Trust, et al (*City of San Diego v Barratt American, Inc , Lee Living Trust, et al* , San Diego Superior Court Case No GIC 771344-1), for attorneys' fees and costs awarded by the San Diego Superior Court after trial and appeal (\$3,307 06 for interest owed on trial court attorney fee award and \$103,305 for attorneys' fees on appeal)


APPROVED MICHAEL J. AGUIRRE, City Attorney

By   
Leslie A FitzGerald  
Deputy City Attorney

LAF my  
02/27/06  
AudCert 2600626  
Or Dept:Atty  
R-2006-756

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 28 2006

ELIZABETH S MALAND  
City Clerk

By   
Deputy City Clerk

Approved: Feb 28, 06  
(date)

  
JERRY SANDERS, Mayor

Vetoed. \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2600626

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 \_\_\_\_\_

Purpose \_\_\_\_\_

Date \_\_\_\_\_

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**

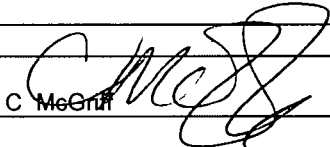
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego, and I do hereby further certify, in conformity with the 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 \$106,612 06

Vendor Barratt American Inc, Lee Living Trust

Authorizing final court settlement payment for legal fees and interest owed associated with Right of Way acquisition for a portion of State Route 56

Date February 10, 2006

C. McGriff 

ACCOUNTING DATA

ACCTG LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	30244	30244	107	4638	524635		38959		106,612 06
TOTAL										\$106,612 06

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2600626

R-301255

FEB 28 2006