

RESOLUTION NUMBER R- 305640

DATE OF FINAL PASSAGE MAR 15 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE ALLOCATION OF SETTLEMENT FUNDS IN THE CASE OF *PACIFIC TORREY RESERVE HOLDINGS, L.P. V. CITY OF SAN DIEGO* SAN DIEGO SUPERIOR COURT CASE GIC 851874

WHEREAS on September 9, 2005, Pacific Reserve Holdings, LP [PTRH] filed the case entitled, *Pacific Torrey Reserve Holdings, L.P. v. City of San Diego*, San Diego Superior Court Case No. GIC 851874[Action] requesting the court declare PTRH’s remaining rights under a 1989 Development Agreement [DA] with the City; and

WHEREAS the Action was thereafter appealed and was remanded to the trial court for further findings; and

WHEREAS on September 9, 2009, the City Council approved settlement of all remaining issues in the Action for the amount of \$145,000.00 by a vote of 6-0-2, with Council Districts 6 and 8 absent,

NOW THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego that the Council authorizes:

- 1. The sum of \$145,000.00 to be paid from the Public Liability Fund (720045) in full and final settlement of the Action;

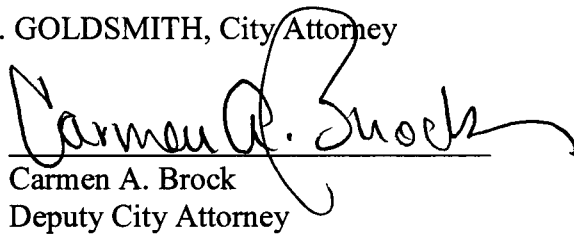
2. The Chief Financial Officer to issue one check in the amount of \$145,000.00 made payable to PTRH and its attorneys of record, Seltzer Kaplan, McMahon & Vitek in final settlement of the Action;

3. The expenditure of \$145,000.00 from the Public Liability Fund No.720045.

APPROVED AS TO FORM:

JAN I. GOLDSMITH, City Attorney

By


Carmen A. Brock
Deputy City Attorney

CAB:mc
01/20/10
Or.Dept: City Attorney
R-2010-520

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 2 2010.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 3.15.10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor