

101247

AN ORDINANCE

AN ORDINANCE AUTHORIZING PAYMENT IN THE AMOUNT OF \$128,500.00, FOR THE FULL AND FINAL SETTLEMENT OF THE LAWSUIT STYLED *FARMCO TRUST; RICHARD SCHAEFER AND MARY SCHAEFER V. CITY OF SAN ANTONIO*, CAUSE NO. 2003-CI-05122.

* * * * *

WHEREAS, Farmco Trust, Richard Schaefer and Mary Schaefer are the owners of properties located in within the City of San Antonio to which liens were attached pursuant to City Code; and

WHEREAS, a dispute arose over the validity of said liens; and

WHEREAS, the Plaintiffs have agreed to accept total payment from the City of San Antonio in an amount of \$128,500.00 and release of all liens at issue in this lawsuit as full and final settlement of this lawsuit; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Release of all liens on Plaintiffs' property made the subject of this litigation and payment in the amount of \$128,500.00 is hereby authorized to be made as full and final settlement of the lawsuit *Farmco Trust; Richard Schaefer and Mary Schaefer v. City of San Antonio*, Cause No. 2003-CI-05122.

SECTION 2. The amount of \$128,500.00 is authorized to be paid from Fund 75-001000, Insurance Reserve Fund, in G/L 5402530, entitled General Liability Claims, in Cost Center 1009020001, and made payable to Farmco Trust; Richard Schaefer, Nancy Schaefer, John M. Schaefer and Mary Schaefer for settlement of all claims in Cause No. 2003-CI-05122.

SECTION 3. The release of liens and payment of funds to Plaintiffs shall be contingent upon the execution of a Full and Final Release Agreement by Plaintiffs releasing any and all causes of action that were brought or could have been brought in the above referenced lawsuit and the execution of any other documents as required by the settlement agreement entered into on August 3, 2005, to include a definitive list of liens subject to release.

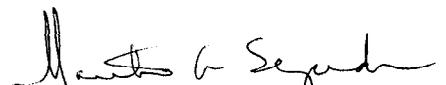
SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director, may subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance shall be effective on the tenth day after passage hereof.

PASSED and APPROVED this 18th day of August, 2005.


M A Y O R

ATTEST:  PHIL HARDBERGER
ASSISTANT City Clerk

APPROVED AS TO FORM: 
Acting City Attorney