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[Signature]
City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 85123 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CITY OF OAKLAND V. FAIRMOUNT WEST DEVELOPMENT CO., INC., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14718973, CITY ATTORNEY'S FILE NO. X04012, FOR A SUM NOT TO EXCEED NINETY NINE THOUSAND FIFTY ONE DOLLARS AND THIRTY CENTS (\$99,051.30) (FINANCE)

WHEREAS, Fairmount West Development failed to pay Business License Taxes to the City of Oakland for the calendar years 2005 through 2012 ; and

WHEREAS, Fairmount West Development has agreed to pay to the City of Oakland all outstanding business license taxes for the years 2005 through 2012 without penalties and interest ; and

WHEREAS, it is in the best interest of the City of Oakland to accept payment of the unpaid taxes for the years 2005 through 2012 without penalties and interest to avoid the cost of further litigation; now, therefore, be it

RESOLVED: That the City of Oakland is authorized and directed to compromise and settle the case of City of Oakland v. Fairmount West Development Co. Inc., Alameda County Superior Court Case No. RG14718973, City Attorney's File No. X04012, for a sum not to exceed Ninety Nine Thousand Fifty One Dollars and Thirty Cents (\$99,051.30); and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of Ninety Nine Thousand Fifty One Dollars and Thirty Cents (\$99,051.30) be paid to The City of Oakland in compromise of its action against Fairmount West Development.

IN COUNCIL, OAKLAND, CALIFORNIA, = JUL 29 2014

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~REID~~, SCHAAF, AND PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

[Signature: Latonda Simmons]
LATONDA SIMMONS
City Clerk and Clerk of the Council of the City of Oakland, California