

2007 MAY 26 PM 4:15

BWA
Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. 80597 C.M.S.

JLW:dw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF SILVEIRA V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG03-112177 IN THE AMOUNT OF \$2,000,000.00 (PUBLIC WORKS AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Silveira v. City of Oakland, Alameda County Superior Court Case No. RG03-112177, City Attorney's File No. X01999, in the amount of Two Million Dollars and No Cents (\$2,000,000.00), plus customary real estate closing costs in Alameda County, and to purchase, using a portion of the settlement proceeds, the real property at Tunnel Road designated as APN 048H-7520-007-04.

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

FURTHER RESOLVED: That the sum of Two Million Dollars and No Cents (\$2,000,000.00) be paid to J.W. SILVEIRA AND BARBARA O. SILVEIRA, as Trustees of THE J.W. SILVEIRA AND BARBARA O. SILVEIRA FAMILY TRUST, and SHAPIRO, BUCHMAN, PROVINE & PATTON LLP, their attorneys.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 5 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, KERNIGHAN, NADEL, QUAN, ~~BRUNNER~~, REID, CHANG, and PRESIDENT DE LA FUENTE - 7

NOES- Brooks

ABSENT- 0

ABSTENTION- 0

ATTEST: Latonda Simmons
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California