

CITY OF OAKLAND



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April 3, 2007

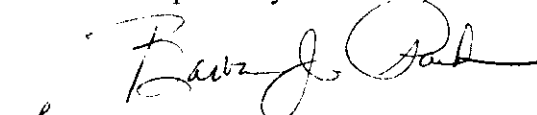
HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council and Redevelopment Agency

Subject: A Resolution Authorizing And Directing The City Attorney/Agency Counsel To Compromise And Settle The Following Litigation For A Total Principal Amount Of Two Million Seven Hundred and Forty Four Thousand One Hundred and Twenty Five Dollars (\$2,744,125): Redevelopment Agency Of The City Of Oakland v. Alex Hahn et al. (Santa Clara County Superior Court Case No. 1-05-CV-038886), an Eminent Domain Action Asking the Court to Determine the Appropriate Compensation For The Condemnation Of Approximately 20,225 Square Feet Of Land Located At The Intersection Of Telegraph Avenue And Thomas L. Berkley Way In Oakland.

Pursuant to Section 401 of the Charter, the City Attorney/Agency Counsel has prepared and recommends settlement of the above-entitled claims for the total sum of Two Million Seven Hundred and Forty Four Thousand One Hundred and Twenty Five Dollars (\$2,744,125), payable to Alex Hahn, Jae Hahn, Sang Hahn, and Haitan Hahn, and Star Park Corporation to settle their claims in the above-referenced actions. This was heard in closed session on March 20, 2007.

Respectfully submitted,


for JOHN A. RUSSO
City Attorney

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2007 MAR 22 PM 1:32

Approved as to Form and Legality

A. Hillner
Oakland City Attorney's Office

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

Resolution No. _____ C.M.S.

A Resolution Authorizing And Directing The City Attorney/Agency Counsel To Compromise And Settle The Following Litigation For A Total Principal Amount Of Two Million Seven Hundred And Forty Four Thousand One Hundred And Twenty Five Dollars (\$2,744,125): Redevelopment Agency Of The City Of Oakland V. Alex Hahn Et Al. (Santa Clara County Superior Court Case No. 1-05-CV-038886), An Eminent Domain Action Asking The Court To Determine The Appropriate Compensation For The Condemnation Of Approximately 20,225 Square Feet Of Land Located At The Intersection Of Telegraph Avenue And Thomas L. Berkley Way In Oakland.

RESOLVED: That the City Attorney/Agency Counsel is authorized and directed to compromise and settle the case of *Redevelopment Agency of the City of Oakland V. Alex Hahn et al.* (Santa Clara County Superior Court Case No. 1-05-CV-038886), for a total principal sum of Two Million Seven Hundred and Forty Four Thousand One Hundred and Twenty Five Dollars (\$2,744,125) (which includes \$1.6 million previously appropriated by the Agency and deposited with the court for the defendants' account), payable to Alex Hahn, Jae Hahn, Sang Hahn, and Haitan Hahn, and Star Park Corporation, in accordance with the settlement agreement among the parties; and be it

FURTHER RESOLVED: That the Agency hereby appropriates funds in the amount of One Million One Hundred and Forty Four Thousand, One Hundred and Twenty-Five dollars (\$1,144,125) from Fund 9533, Org. 98400, Project P128660, Account 57120, which when added to the \$1.6 million previously appropriated by the Agency and deposited with the court for the defendants' account, equals the total settlement amount of Two Million Seven Hundred and Forty Four Thousand, One Hundred and Twenty-Five dollars (\$2,744,125), and

authorizes the Agency Administrator or her designee to allocate said funds toward payment of the above-referenced settlement; and be it

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

FURTHER RESOLVED: That the sum of Two Million Seven Hundred and Forty Four Thousand One Hundred and Twenty Five Dollars (\$2,744,125) (which includes \$1.6 million previously appropriated by the Agency and deposited with the court for the defendants' account), be paid to Alex Hahn, Jae Hahn, Sang Hahn, and Haitan Hahn, and Star Park Corporation, in accordance with the settlement agreement among the parties.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

Attest: _____

LATONDA SIMMONS
CLERK OF THE REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND, CALIFORNIA