

1 [Extension Of One Year Tolling Agreement.]

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3 **Resolution approving one year extension of mutual tolling agreement between the City**
4 **of Daly City ("Daly City") and the City and County of San Francisco ("San Francisco").**

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6 WHEREAS, Effective December 28, 2004, through December 27, 2005, Daly City and
7 San Francisco entered into a mutual Tolling Agreement for claims arising from flooding in the
8 Westlake Neighborhood of Daly City and adjacent to Lake Merced in San Francisco; and

9 WHEREAS, effective December 28, 2005, Daly City and San Francisco extended the
10 term of the original tolling agreement through December 28, 2006; and,

11 WHEREAS, in a partial settlement agreement approved on June 6, 2006, Daly City and
12 San Francisco extended the term of the tolling agreement through January 28, 2007; and

13 WHEREAS, Daly City and San Francisco each wishes to extend the second Tolling
14 Agreement for a period of six months; and

15 WHEREAS, the City Attorney of the City and County of San Francisco has
16 recommended that San Francisco extend the Tolling Agreement for a period of six months;
17 and

18 WHEREAS, a copy of the proposed six-month Extension Of Mutual Tolling Agreement
19 is on file with the Clerk of the Board of Supervisors in File No. _____, which is hereby
20 declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

21 RESOLVED, That the entry by San Francisco into the proposed six-month Extension of
22 Mutual Tolling Agreement with Daly City is hereby approved.

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APPROVED AS TO FORM:

DENNIS J. HERRERA
City Attorney

JOANNE HOEPER
Chief Trial Deputy

RECOMMENDED:

San Francisco Public Utilities Commission

SUSAN LEAL
General Manager

APPROVED:

Secretary
San Francisco Public Utilities Commission