

City settles Mount Soledad landslide cases

Matthew T. Hall, San Diego Union-Tribune, 4-14-10

The legal fight that followed the Oct. 3, 2007, La Jolla landslide ended Tuesday when the San Diego City Council agreed to pay affected homeowners almost \$284,000.

That's a fraction of the more than \$100 million the city might have owed the homeowners if it hadn't prevailed in a Superior Court trial in October.

No one was hurt in the landslide, but dozens of homes were evacuated or damaged that day. Three were demolished.

Tuesday's 8-0 City Council vote ends the litigation. In exchange for the homeowners agreeing not to appeal the October verdict, the city agreed not to seek \$186,100 in certain legal costs it could have recovered.

Beyond that, the city will pay up to \$75,000 to demolish a house at 5695 Soledad Mountain Road, \$72,884 to demolish a house at 5734 Desert View Drive and repair its lot and landscaping, and \$14,000 to repair a deck and replace a chain-link fence at 5735 Soledad Mountain Road.

The city will also compensate the owners of six damaged homes in the area a total of \$121,700 to record easements on their properties for the placement of shear pins and drains installed to stabilize the area.

In all, 65 homeowners had sued the city, most claiming diminished property values as a result of a slide their attorneys argued was caused by a city water leak.

The city spent \$6 million on outside lawyers who blamed the slide on shifting Mount Soledad earth, and Judge Ronald Styn ruled in their favor after a five-week trial.

"The city is pleased that this matter is closed and everyone — both the city and homeowners alike — can now move forward," said attorney Doug Butz, whose firm represented the city.