

ORDINANCE NO. **10478**  
(New Series)

Adopted Jan. 12, 1971

AN ORDINANCE AMENDING CHAPTER VI,  
ARTICLE 5, DIVISION 1 OF THE SAN  
DIEGO MUNICIPAL CODE.

BE IT ORDAINED, by the Council of The City of San  
Diego, as follows:

Section 1. That Section 65.0113 of the San Diego  
Municipal Code be, and the same is hereby amended to  
read as follows:

SEC. 65.0113 SAME - EXECUTION OF DEED TO PROPERTY

If the property has not been redeemed, the City  
Treasurer shall, after the expiration of 3 years but  
before the expiration of 4 years from the date of  
sale, execute to the City a deed of land sold, in  
which shall be recited substantially the matters  
contained in the certificate, and the fact that no  
person has redeemed the land.

The City Treasurer shall, at least 30 days before  
execution of such deed, cause to be served upon the  
owner of the land, and upon the occupant of the land,  
if it is occupied, a written notice setting forth:

- (a) A description of the land;
- (b) That the land has been sold for a delinquent  
assessment (specifying the improvement for which the  
assessment was made);
- (c) The amount for which the land was sold;

**MICROFILMED**  
APR 28 1978

(d) The amount necessary to redeem at the time of giving notice;

(e) The date when the City Treasurer will deed it to the City.

If the owner cannot be found, after due diligence, the notice shall be posted in a conspicuous place upon the land at least 30 days before the date stated therein, at which the application for a deed will be made. The person actually serving the notice shall file with the City Treasurer an affidavit showing that the notice has been given, as required, and if the notice was not served on the owner of the land personally, that due diligence was used to find the owner. The City Treasurer shall receive and file such affidavit in his office.

If the redemption of the land is made after affidavits are filed, the person making such redemption shall pay to the City Treasurer, in addition to the other amounts required, \$2.00 for the service of notice and making of such affidavit. No deed for any land sold for delinquent assessments shall be executed by the City Treasurer until all the provisions of this Section have been complied with.

The deed of the City Treasurer shall be prima facie evidence of the truth of all matters recited therein, and of the regularity of all proceedings

prior to the execution thereof, and of the title in the grantee.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By   
Clifton E. Reed, Deputy

CER:rb  
12-3-70

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Passed and adopted by the Council of The City of San Diego on JAN 12 1971,  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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CITY CLERK'S OFFICE

1970 DEC 23 PM 12:04

SAN DIEGO, CALIF.

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 29 1970

JAN 12 1971

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance  
Number

**10478**

Adopted

JAN 12 1971

MICROFILMED

APR 28 1978

ATTORNEY (S)

\* CITY OF SAN DIEGO  
202 C Street  
Community Concourse  
San Diego, California

## CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 5,  
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE

### ORDINANCE NO. 10478 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 5, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows: Section 1. That Section 65.0113 of the San Diego Municipal Code be, and the same is hereby amended to read as follows:

SEC. 65.0113 SAME-EXECUTION OF DEED TO PROPERTY

If the property has not been redeemed, the City Treasurer shall, after the expiration of 3 years but before the expiration of 4 years from the date of sale, execute to the City a deed of land sold, in which shall be recited substantially the matters contained in the certificate, and the fact that no person has redeemed the land.

The City Treasurer shall, at least 30 days before execution of such deed, cause to be served upon the owner of the land, and upon the occupant of the land, if it is occupied, a written notice setting forth:

(a) A description of the land;  
(b) That the land has been sold for a delinquent assessment (specifying the improvement for which the assessment was made);

(c) The amount for which the land was sold;

(d) The amount necessary to redeem at the time of giving notice;

(e) The date when the City Treasurer will deed it to the City.

If the owner cannot be found, after due diligence, the notice shall be posted in a conspicuous place upon the land at least 30 days before the date stated therein, at which the application for a deed will be made. The person actually serving the notice shall file with the City Treasurer an affidavit showing that the notice has been given, as required, and if the notice was not served on the owner of the land personally, that due diligence was used to find the owner. The City Treasurer shall receive and file such affidavit in his office.

If the redemption of the land is made after affidavits are filed, the person making such redemption shall pay to the City Treasurer, in addition to the other amounts required, \$2.00 for the service of notice and making of such affidavit. No deed for any land sold for delinquent assessments shall be executed by the City Treasurer until all the provisions of this Section have been complied with.

The deed of the City Treasurer shall be prima facie evidence of the truth of all matters recited therein, and of the regularity of all proceedings prior to the execution thereof, and of the title in the grantee.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on December 20, 1970.  
Passed and adopted by the Council of The City of San Diego on January 12, 1971.

AUTHENTICATED BY:

FRANK CURRAN,  
Mayor of The City of  
San Diego, California.  
JOHN LOCKWOOD,  
City Clerk of The City of  
San Diego, California.  
By ELFA F. HAMEL,  
Deputy.

(SEAL)

Published Jan. 21, 1971

D-832

I, Patricia M. Applestill hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

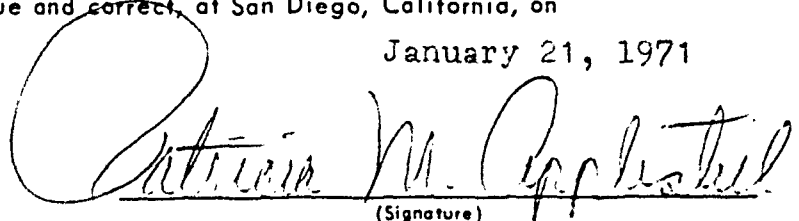
ORDINANCE NO. 10478 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

January 21, 1971

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

January 21, 1971

  
(Signature)

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1971 JAN 22 AM 11:10  
SAN DIEGO, CALIF.