

RESOLUTION NO. 201560

DEC 30 1970

RESOLUTION OF THE COUNCIL OF THE CITY
OF SAN DIEGO, CALIFORNIA, MAKING FINDINGS
AND OVERRULING PROTESTS AND OBJECTIONS,
CONFIRMING DIAGRAM AND ASSESSMENT AND
ORDERING IMPROVEMENTS.

(Centre City Way Assessment District)

WHEREAS, in proceedings under the Municipal Improvement Act of 1913 (commencing with Section 10000, Streets and Highways Code) the Council adopted resolution of intention, Resolution No. 201168, ordering the City Engineer to prepare the Report required by said Act and pursuant thereto the City Engineer prepared said Report, consisting of plans and specifications describing the proposed improvements, an estimate of the costs and expenses of said improvements, a diagram showing the assessment district and a proposed assessment of the costs and expenses of the proposed improvements, said Report being on file with the City Clerk; and

WHEREAS, the Council by Resolution No. 201169 approved said Report, as filed, and appointed a time and place of hearing thereon and also for a public hearing on the question of whether public convenience and necessity require such improvements and whether the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and the debt limitation and majority protest provisions thereof shall apply; and

WHEREAS, notices of the passage of said Resolution Nos. 201168 and 201169 were duly published, posted and mailed, as provided by said Act, and said hearings were duly held at the time and place so fixed and all continuances thereof, if any, were duly made and ordered; and

WHEREAS, the Council adopted Resolution No. 201559
ordering certain changes; and

WHEREAS, the City Council does not desire to select any
of the deductive alternates provided for in the Proposal for
the construction of the work; and

WHEREAS, at said hearings all persons desiring to be
heard were fully heard and all oral and written protests and
objections, if any, were fully heard and this Council gave all
persons present an opportunity to hear and be heard in
respect to said Report, the diagram and assessment, the
proposed improvements, the boundaries of the proposed
assessment district, the serial bonds to be issued to
represent unpaid assessments, the question of whether public
convenience and necessity require such improvements, whether
the Special Assessment Investigation, Limitation and Majority
Protest Act of 1913 and the debt limitation and majority protest
provisions thereof shall apply, or in any way relating to the
Report and the proceedings proposed by said resolution of
intention; and

WHEREAS, the Council has received evidence relating to the
Report, the proposed improvements, the boundaries of the proposed
assessment district, the assessment, said proposed changes and
the benefits to the property to be included in the proposed
assessment district; NOW, THEREFORE,

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

Section 1. Written protest or objection against the proposed improvements has not been made by the owners of more than one-half of the area of the land included within the assessment district or of the area of property to be assessed. Except to the extent of any changes ordered by the Council, each and all oral and written protests and objections, if any, made or filed in the matter are hereby overruled and denied.

Section 2. The diagram and assessment, as modified by Resolution No. 201559, is hereby confirmed.

Section 3. The Council hereby declares that the Report, including the modified diagram, assessment, plans and specifications, is approved. The Council rejects all of the deductive alternates provided for in the Proposal for the construction of the work and orders that none of the work, as shown on Sheets 14403-68-D and 14403-69-D of the San Diego Plans, shall be performed. The Council hereby orders the improvements to be made in accordance with the base bid of the Proposal and as described in the resolution of intention, and as more particularly shown and described in the specifications and City of San Diego Plans, consisting of 67 sheets, numbered 14403-1-D to 14403-67-D, inclusive. Reference is hereby made to said resolution of intention, said Resolution No. 201559 and said Report for a full and complete description of said improvements and for further particulars.

Section 4. The Council finds and determines that public convenience and necessity requires the improvements and such

improvements are ordered without the application of the
Special Assessment Investigation, Limitation and Majority
Protest Act of 1931 and the debt limitation and majority protest
provisions thereof.

APPROVED: JOHN W. WITT, City Attorney

By


Don S. Peterson, Deputy

201560

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Passed and adopted by the Council of The City of San Diego on
by the following vote:

RECEIVED
CITY CLERK'S OFFICE

1970 DEC 18 PM 3:48

SAN DIEGO, CALIF.

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"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

By Stella Thudalos, Deputy. *kr*

Office of the City Clerk, San Diego, California

Resolution Number 201560 Adopted DEC 30 1970