

RESOLUTION NO. 203234 ADOPTED July 22, 1971

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, PROPOSING TO MAKE CHANGES IN THE IMPROVEMENT AND THE ASSESSMENT DISTRICT ORDERED BY RESOLUTION NO. 201560; DETERMINING THAT CITY-OWNED PROPERTY SHALL BE OMITTED FROM ASSESSMENT AND PROPOSING TO PROVIDE FOR A CONTRIBUTION BY THE CITY.

(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 heretofore adopted Resolution No. 201560 ordering certain improvements and the formation of an assessment district, all in accordance with a Report prepared by the City Engineer containing a modified diagram, assessment, plans and specifications and ordering the formation of the assessment district and the improvements; and

WHEREAS, the owners of certain property southerly of "C" Street between 3rd and 1st Avenues have filed a written request with the City Clerk, Document No. 736675, requesting the construction of additional work westerly of 3rd Avenue, the inclusion of the property of such owners in the assessment district and the levy of a supplemental assessment on such property to pay the costs and expenses of said additional work; and

WHEREAS, The City of San Diego is the owner of certain property northerly of "C" Street between 3rd and 1st Avenues, said property being in use in the performance of a public function and known as the Community Concourse, and the Council desires to provide for the construction of additional work westerly of 3rd Avenue, for the inclusion of the city-owned

property in the assessment district, for the omission of the city-owned property from the supplemental assessment hereafter to be made and for a contribution by the city of a portion of the costs and expenses of the additional work; and

WHEREAS, the City Engineer has made and filed a Supplemental Report with the City Clerk, Document No. 736676, containing plans and specifications for the proposed additional work, an estimate of the costs and expenses of the additional work, a map showing the proposed modification in the boundaries of the assessment district by the addition of territory thereto, a supplemental diagram showing said additional territory and the dimensions of lots, parcels and subdivisions of land therein, and a proposed supplemental assessment of the total amount of the costs and expenses of the proposed additional work remaining after deducting the amount of the contribution to be made by The City of San Diego; NOW, THEREFORE,

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

Section 1. The Council hereby proposes and declares its intention to order the following changes to be made:

A. Certain grading, the removal of certain existing improvements, and the construction of certain sidewalks, crosswalks, paving, electrical facilities and traffic signal facilities and appurtenances and appurtenant work on portions of:

"C" STREET

between the easterly line of 3rd Avenue and the westerly line of 1st Avenue.

B. The inclusion of additional territory within the assessment district, the boundaries of the additional territory being shown on a map of the assessment district designated "Revised Plat No. 3820," on file in the office of the City Clerk.

C. To levy assessments on certain parcels of land within said additional territory, all such parcels and the amounts proposed to be assessed thereon being as shown and described in the proposed supplemental diagram and supplemental assessment on file in the office of the City Clerk.

Section 2. The Council has considered and passed on the Supplemental Report of the City Engineer and said Report, as filed, is hereby approved. The Supplemental Report, including the plans, specifications, map showing the proposed modification in the boundaries of the assessment district, supplemental diagram and supplemental assessment are on file in the office of the City Clerk and may be examined by any interested person. Reference is hereby made to said supplemental Report for a description of the additional work, and the amounts proposed to be assessed against certain parcels within the additional territory proposed to be included in the assessment district.

Section 3. Revised Plat No. 3820 is hereby approved and reference is made thereto for a description of the additional territory proposed to be included within the assessment district. The City Clerk is hereby directed to endorse his certificate on the original and a copy of said map and to file the original of said map in the office of the City Clerk and to file said copy with the County Recorder of the County of San Diego.

Section 4. The estimated increase in the costs and expenses of the improvement by reason of said additional work is as follows:

Estimated cost of construction	
of improvements	\$64,808.00
Estimated incidental expenses,	
including bond discount	<u>19,150.76</u>
Total estimated costs and expenses	\$83,958.76
LESS contribution by The	
City of San Diego	<u>41,979.38</u>
Remainder of estimated costs	
and expenses to be assessed	
upon additional territory	\$41,979.38
within the assessment district	

Section 5. The Council finds that all city-owned property located within the territory proposed to be added to the assessment district is in use in the performance of a public function and hereby declares that all lots and parcels of land owned by The City of San Diego shall be

omitted from the supplemental assessment hereafter to be made to cover the costs and expenses of the proposed additional work. The Council further proposes to provide for a contribution by the city towards the cost and expense of said additional work in the amount of \$41,979.38.

Section 6. The Council hereby determines and declares that no bonds shall be issued to represent unpaid assessments and that all assessments not paid within 30 days after they become due shall become delinquent and shall be enforced in the manner provided in the Municipal Improvement Act of 1913.

Section 7. NOTICE IS HEREBY GIVEN that AUGUST 10, 1971, at the hour of 9:30 A.M. in the Council Chambers of the Council at the City Administration Building, 202 "C" Street in said city, are the day, hour, and place when and where any interested person having any objection to the changes proposed herein may appear before the Council and show cause why such changes should not be ordered. Written objections to the proposed changes may be filed with the City Clerk by any interested person at any time not later than the time set for hearing.

Section 8. The City Clerk is further directed to publish this resolution in THE DAILY TRANSCRIPT, a newspaper of general circulation published and circulated in said city, said publication to be given at the time and in the form and manner provided by law.

APPROVED: JOHN W. WITT, City Attorney

By C. Alan Sumption  
C. Alan Sumption, Deputy

Passed and adopted by the Council of The City of San Diego on July 22, 1971,  
 by the following vote:

RECEIVED  
 CITY CLERK'S OFFICE  
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Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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.  
EDVARD NIELSEN  
 City Clerk of The City of San Diego, California.

(Seal)

By Stella Theodorou, Deputy.

Office of the City Clerk, San Diego, California

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