

RESOLUTION NO. 205841 JUN 20 1972

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.

(Calle Del Cielo 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. 205602, ordering the City Manager to cause the Report required by said Act to be prepared, and pursuant thereto the City Manager caused said Report to be prepared, consisting of plans 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. 205603 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. 205602 and 205603 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

WHEREAS, the Council adopted Resolution No. 205840 ordering certain changes; 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, 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. 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 assessment contained in said Report, as modified by Resolution No. 205840 is hereby confirmed.

Section 3. The Council hereby declares that the Report, including the modified assessment, is approved and orders the improvements to be made, as described in the resolution of intention and said Report. Reference is hereby made to said resolution of intention and said Report for a full and complete description of said improvements and for further particulars.

Section 4. Such improvements shall be 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 *D. J. Delisch*  
Deputy

Passed and adopted by the Council of The City of San Diego on JUN 20 1972,  
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
 Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN  
 City Clerk of The City of San Diego, California.

By *Janet A. Hiller*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number	<u>205841</u> Adopted <u>JUN 20 1972</u>
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