

RESOLUTION NO. 208841 SEP 18 1973

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, DECLARING ITS INTENTION TO ORDER CERTAIN IMPROVEMENTS AND ESTABLISH OFFICIAL GRADES WITHIN SAID CITY PURSUANT TO THE IMPROVEMENT ACT OF 1911; DESCRIBING THE WORK AND IMPROVEMENTS TO BE DONE; DESCRIBING THE DISTRICT TO BE BENEFITED AND TO BE ASSESSED TO PAY THE COST AND EXPENSE THEREOF; DECLARING THAT BONDS SHALL ISSUE TO REPRESENT UNPAID ASSESSMENTS; AND SETTING A HEARING THEREON.

(Camino de la Reina Assessment District)

WHEREAS, one-hundred per cent (100%) of the property owners of the property proposed to be assessed to pay the costs and expenses of the work and improvements hereinafter described have filed with the City Clerk a petition and waiver, in which, among other things, said property owners have expressly waived the proceedings required and all investigations, limitations and rights of protest, under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, and Article 13 of Section 14 of the California Constitution, and Division 1 of Article 1 of Chapter VI of the San Diego Municipal Code, such petition and waiver being on file in the Office of the City Clerk as Document No. 744807 and having been approved by Resolution No. 208765 of the Council; and, therefore, such proceedings are not required; and

WHEREAS, the Council, having before it for consideration and having considered that certain Environmental

Impact Report under File No. 72-11-1064P; and

WHEREAS, the Council finds that the public interest and convenience require the work and improvements hereinafter described;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of San Diego hereby declares its intention to order the work and improvements hereinafter described to be done and improvements to be made in the City of San Diego under the provisions of the Improvement Act of 1911, and amendments thereto.

Section 1

GENERAL DESCRIPTION OF WORK

That CAMINO DE LA REINA between Camino del Este and a point approximately 550 feet westerly of Mission Center Road be graded, that certain paving, curbs, gutters, sidewalks, water and sewer mains, storm drains, traffic signals, safety lighting, and appurtenances and appurtenant work in connection with all of the foregoing, be constructed therein, and the grade thereof established.

That a portion of MISSION CENTER ROAD between Camino del Rio North and a point approximately 950 feet northerly of Camino de la Reina be graded, that certain paving, curbs, gutters, sidewalks, water and sewer mains, storm drains, traffic signals, safety lighting, and appurtenances and appurtenant work in connection with all of the foregoing, be constructed

therein, and the grade thereof established.

That certain DRAINAGE EASEMENTS northerly of and adjacent to Camino de la Reina be improved with pipe, rip-rap, and related and other appurtenances and appurtenant work.

Section 2

PLANS, PROFILES, DRAWINGS AND SPECIFICATIONS

The work and improvements hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, of the dimensions, and to the official grades as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 744873 on file in the office of the City Clerk, copies of which are on file in the office of the City Engineer, and by this reference thereto all said plans, profiles, drawings, typical cross-sections and specifications are made a part hereof.

Section 3

DESCRIPTION OF ASSESSMENT DISTRICT

The costs and expenses of such work and improvements are hereby made chargeable upon the district hereinafter described, and the Council hereby declares said district to be the district benefited by the work and improvements, and to be assessed to pay the costs and expenses thereof. The district is described as follows:

All that real property in the said City of San Diego

within the exterior boundary lines of said district, as shown upon Plat No. 3871, which plat, approved by the Council, is on file in the office of the City Clerk, excepting therefrom all public streets, roads, alleys, avenues and highways. Reference is hereby made to the plat for a further, full and more particular description of the assessment district, and said plat so on file shall govern for all details as to the extent of the assessment district.

Section 4

DESCRIPTION OF BONDS

Serial bonds bearing interest at the rate of seven per cent (7%) per annum shall be issued to represent each assessment of fifty dollars (\$50) or more remaining unpaid for 30 days after the date of recording the assessment, to represent the costs and expenses of the acquisition, work and improvement, all as provided by the "Improvement Act of 1911," being Part 5, Division 7, of the Streets and Highways Code. The bonds shall extend over a period ending fourteen (14) years from the second day of January next succeeding the next September 1st following their date. Payments on the principal of unpaid assessments and interest thereon shall be made by property owners to the City Treasurer, and the same shall be disbursed by said City Treasurer, all as provided in the "Improvement Act of 1911" hereinabove referred to. If said bonds are redeemed before maturity and before commencement of

proceedings for sale, in addition to all other sums unpaid and accrued, a premium of five per cent (5%) of the unmatured principal shall be paid.

Section 5

TIME AND PLACE OF HEARING

NOTICE IS HEREBY GIVEN that OCTOBER 11, 1973

at 9:30 o'clock a.m. in the Council Chamber of the City Administration Building, Community Concourse, 202 C Street, in the City of San Diego, California, is the day, hour and place for the hearing when and where any and all persons having any objections or protests to the proposed work or improvement, to the grades at which the work is to be done, or to the extent of the district to be assessed, may appear and show cause why the proposed improvement should not be carried out in accordance with this Resolution of Intention. Failure to make objections at that time shall be deemed to be a waiver of all objections and shall operate as a bar for any claim for damages. Such protest, if any, must be in writing and must contain a description of the property in which each signer thereof is interested, sufficient to identify the same and shall be delivered to and filed with the City Clerk at a time no later than the hour set for the hearing, all as more particularly provided in Division 7 of the Streets and Highways Code of the State of California.

Section 6

IMPROVEMENT ACT

All of the work herein proposed shall be done in

pursuance of an act of the Legislature of the State of California designated as the "Improvement Act of 1911," and amendments thereto, being Division 7 of the Streets and Highways Code of the State of California.

Section 7

PUBLICATION OF RESOLUTION OF INTENTION

The City Clerk is directed to cause this Resolution of Intention to be published twice at least ten days before the date of the hearing in the City Official Newspaper.

The City Clerk is directed to mail notices of the adoption of this Resolution of Intention, postage prepaid, to all persons owning real property proposed to be assessed, whose names and addresses appear on the last equalized County Assessment Roll, all in the manner and form provided for under California Streets and Highways Code, Sections 5070, 5194 and 5195.

Section 8

POSTING OF NOTICE OF IMPROVEMENT

The Street Superintendent shall cause to be conspicuously posted along the line of the contemplated work or improvement and along all open streets within the district liable to be assessed for the work, notices of the passage of this Resolution of Intention in time, form and manner provided by the Streets and Highways Code.

APPROVED: JOHN W. WITT, City Attorney

By John W. Witt
Bob Bennett

Passed and adopted by the Council of The City of San Diego on **SEP 18 1973**,
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *LaVerne E Miller*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **208841** Adopted **SEP 18 1973**