

RESOLUTION NO. 209771

JAN 29 1974

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO,  
CALIFORNIA, MAKING FINDINGS AND OVERRULING PROTESTS  
AND OBJECTIONS, CONFIRMING DIAGRAM AND ASSESSMENT,  
AS AMENDED, AND ORDERING ACQUISITION

(Soledad Mountain Park District - Park  
District No. 4)

WHEREAS, in proceedings under Division 8 of the San Diego Park District Procedural Ordinance of 1969, as amended, which incorporates by reference provisions of the Municipal Improvement Act of 1913 (commencing with Section 10000, Streets and Highways Code) the Council adopted its resolution of intention, Resolution No. 209037, 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 the description and depiction of the proposed acquisition, an estimate of the costs and expenses of said acquisition, a diagram showing the assessment district, and the proposed assessment of the costs and expenses of the proposed acquisition, said Report being on file with the City Clerk; and

WHEREAS, the Council, by Resolution No. 209038, 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 the public convenience and necessity require such acquisition 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. 209037 and 209038 were duly published, posted and mailed, as provided by said Act, and said hearing was duly held at the time and place so fixed; and

WHEREAS, the Council adopted Resolution No. 209770 ordering certain changes and modifications; and

WHEREAS, at said hearing 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 acquisition, 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 acquisition, whether the Special Assessment Investigation, Limitation and Majority Protest Act of 1913 and the debt limitation and majority protest provisions thereof shall apply, said changes and modifications thereto, and 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 acquisition, the amended boundaries of the proposed assessment district, the amended 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 acquisition has not been made by the owners of more than one-half of the area of the land included within the assessment district to be assessed for the acquisition. Each and all oral and written protests and objections, if any, made or filed in the matter are hereby overruled and denied.

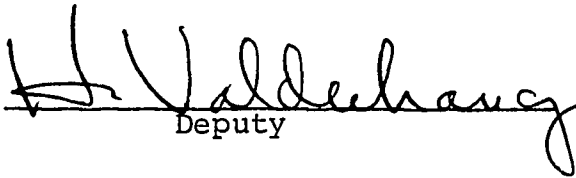
Section 2. The assessment contained in said Report, as modified by Resolution No. 209770, is hereby confirmed.

Section 3. The Council hereby declares that the Report, including the modified boundaries of the district and modified assessment, is approved and orders the acquisition to be made, as described in the resolution of intention and said Report, as amended. Reference is hereby made to said resolution of intention, said Report, and Resolution No. 209770 for a full and complete description of said acquisition and for further particulars.

Section 4. The Council finds and determines that the public convenience and necessity require such acquisition

and that the same is feasible and such acquisition shall be and is hereby 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:   
Deputy

Passed and adopted by the Council of The City of San Diego on **JAN 29 1974**,  
 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<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"/>
Jim Ellis	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Eplanda Limon*, Deputy.

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Resolution **209771** Adopted **JAN 29 1974**  
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