

R-76-2707

**216321**

RESOLUTION OF INTENTION NO. \_\_\_\_\_

**JUN 30 1976**

TO LEVY AND COLLECT ASSESSMENTS ON  
THE TIERRASANTA OPEN SPACE MAINTENANCE DISTRICT

BE IT RESOLVED, that the Council of the City of San Diego proposes and intends to levy and collect assessments to pay the costs of maintenance of all trees, shrubs, plants, etc., planted or placed within the open space areas as designated, located within the boundaries of the district, hereinafter described, in said City under the provisions of the San Diego Maintenance District Procedural Ordinance of 1975, authorized by Article XIII, Section 17 of the California Constitution and provided for in Section 65.0201 through 65.0220 of the San Diego Municipal Code. Such maintenance being more particularly described as follows:

Section 1.

DESCRIPTION OF MAINTENANCE

The proposed maintenance consists in general of the following:

- a) Irrigation
- b) Fertilization
- c) Removal of weeds, trash and litter
- d) Pruning of trees and shrubs
- e) Replacement of dead or diseased trees and shrubs
- f) Repair of equipment and facilities
- g) Weed abatement
- h) Trail maintenance

The maintenance shall be for a period commencing July 1, 1976 and ending on June 30, 1977.

Section 2.

DESCRIPTION OF MAINTENANCE DISTRICT

The expenses of the contemplated maintenance hereinbefore mentioned are made chargeable upon the district hereinafter described and the Council does declare said district to be the district benefited by the maintenance and to be assessed to pay the costs and expenses thereof. The district is described as follows:

All that real property in said City of San Diego included within the exterior boundary lines of the map designated as "Tierrasanta Open Space Maintenance District," consisting of thirty-eight sheets and filed in the office of the City Clerk under Document No. 751938, excepting therefrom all public streets, public lands, roads, alleys, avenues and highways. Reference is hereby made to the map for a further full and more particular description of the maintenance district and the map so on file shall govern for all details as to the extent of the maintenance district.

Section 3.

ASSESSMENT OF COST AND EXPENSE

It is proposed to assess the total amount of the maintenance costs of the district, plus the incidental expenses thereto, to all the real property within the district in conformance with the provisions of the San Diego Maintenance District Procedural Ordinance of 1975 and in proportion to the estimated benefits from the maintenance to be received by the individual parcel of real property.

(2)

**216321**

The Council may order a portion of the costs of maintenance to be paid by the City from appropriate funds.

Estimated Cost of Maintenance	\$ 94,034
Estimated Cost of Improvements	-0-
Estimated Cost of Incidentals	<u>18,316</u>
Estimated Total Cost	\$112,350

A statement of the proposed assessments levied against the several lots or parcels of land as shown on the map referred to in Section 2 above is on file in the office of the Street Superintendent for public inspection. Assessments will be levied pursuant to Chapter VI, Article 5, Division 2 of the San Diego Municipal Code.

Section 4.

TIME AND PLACE OF HEARING

NOTICE IS HEREBY GIVEN that on JUL 28 1976 in the Council Chambers of the City Administration Building, The Charles C. Dail Concourse, 202 "C" Street, San Diego, California, is the day, hour and place for the hearing when any person interested may object to the proposed maintenance or the amount of the assessment. Failure to make objections at that time will 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.

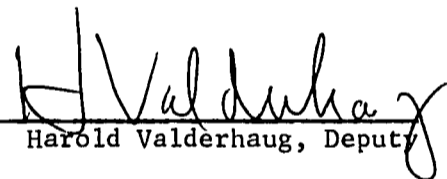
Section 5.

PUBLICATION OF NOTICE

The City Clerk is directed to cause a notice, as required in Section 22550 et seq. of the California Streets and Highways Code, to be published at least ten days before the date of the hearing in the City's Official Newspaper.

The City Clerk is directed to mail a copy of such notice, postage prepaid, to all property owners specified in Section 65.0216, whose names and addresses appear on the last equalized County Assessment Roll, all in the manner provided for in the San Diego Maintenance District Procedural Ordinance of 1975.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold Valderhaug, Deputy

HOV:s 717.3  
6-17-76  
Or.Dept. E&D

**216321**

JUN 30 1976

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

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Tom Gade	<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"/>
Jess D. Haro	<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.

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

By Kathleen Martinez, Deputy.

RECEIVED  
CITY CLERK'S OFFICE  
1976 JUN 21 AM 8:47  
SAN DIEGO, CALIF.

CC-1276 (REV. 12-75)

Office of the City Clerk, San Diego, California

Resolution Number **216321** Adopted **JUN 30 1976**