

RESOLUTION NO. 217096 NOV 10 1976

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, PROPOSING TO CHANGE THE DATE OF CERTAIN BONDS; FIXING THE TIME AND PLACE FOR HEARING PROTESTS AND OBJECTIONS TO THE CHANGE AND GIVING NOTICE THEREOF.

(Standley Park Assessment District)

WHEREAS, in proceedings under the Municipal Improvement Act of 1913 (commencing with Section 10000, Streets and Highway Code), the Council on December 19, 1974 adopted resolution of intention, Resolution No. 212224, ordering the Superintendent of Streets to prepare the Report required by the Act and, pursuant thereto, the Report was made and filed; and

WHEREAS, the Council approved the Report, as filed, and appointed a time and place of hearing thereon and by Resolution No. 212226, adopted on December 19, 1974 invited bids for the purchase of the bonds to be issued to represent unpaid assessments; and

WHEREAS, notice of the hearing was duly published, posted, and mailed, the hearing was duly held and, at the conclusion thereof, the Council on January 30, 1975 ordered the project and confirmed the diagram and assessment and adopted Resolution No. 212539 awarding the sale of the bonds to Stone & Youngberg; and

WHEREAS, Resolution No. 212226 contained the form of notice inviting bids for purchase of the bonds, the notice fixing the bond date as the thirty-first day after the date of recordation of the assessment, such date of recordation being February 14, 1975 and such bond date being March 17, 1975; and

WHEREAS, subsequent to the hearing and the award of the bonds, two lawsuits were commenced against the city seeking to invalidate the assessment and to enjoin the issuance of the bonds and the collection of individual assessments and, during pendency of the lawsuits, the city has been unable to issue and deliver the bonds and to collect individual assessments; and

WHEREAS, in one lawsuit a voluntary dismissal of action has been filed in court and in the second lawsuit a judgment entered in favor of the city will become final in October, 1976; and

WHEREAS, the Council deems it advisable to change the date of the bonds to a more recent date and the bond purchaser, Stone & Youngberg, has agreed to such change;  
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 date of the bonds to be issued to represent unpaid assessments to be changed from March 17, 1975, as fixed by Resolution No. 212226, to September 17, 1976.

Section 2. The proposed change in the bond date will not increase or decrease the total amount of the assessment nor the amounts of any of the individual assessments shown in the assessment roll.

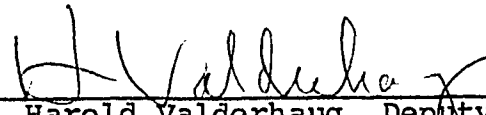
Section 3. NOTICE IS HEREBY GIVEN that DEC 8, 1976, at the hour of 2:00 P.M. in the Council Chambers at the City Administration Building, 202 "C" Street, San Diego, California, are the day, hour and place when and where any interested persons having any objection to the change proposed herein may appear before the Council and show cause why the change should not be ordered. Written objections to the proposed changes may be filed with the City Clerk by any interested person not later than the time set for hearing. Any and all persons having any protest or objection to the change may appear before the Council at the hearing and show cause why the change should not be ordered. Inquiries concerning the hearing and the proposed change in the bond date may be made in person or by mail to the Special Assessments Section, City Treasurer's office, 3rd floor, City

Operations Building, 1222 1st Avenue, San Diego, California  
92101, or by calling that office at telephone number  
(714) 236-6180.

Section 4. The City Clerk is directed to mail a copy of this resolution to all persons owning real property within the assessment district whose names and addresses appear on the last equalized county assessment roll (including the roll of state-assessed property) or are known to the City Clerk. The City Clerk is further directed to publish this resolution in the SAN DIEGO DAILY TRANSCRIPT, a newspaper of general circulation published and circulated in the city, such publication to be given at the time and in the manner provided by law.

APPROVED: JOHN W. WITT, City Attorney

By

  
Harold Valderhaug, Deputy

Passed and adopted by the Council of The City of San Diego on **NOV 10 1976**,  
 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"/>            |
| 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.

(Seal)

By *Kathleen Marting*, Deputy.

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|---|----------------------------|
| Office of the City Clerk, San Diego, California |                            |
| Resolution Number <b>217096</b>                 | Adopted <b>NOV 10 1976</b> |