

RESOLUTION NO. R- 254673

JUL 21 1981

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, APPROVING THE REPORT PREPARED PURSUANT TO THE MUNICIPAL IMPROVEMENT ACT OF 1913: FIXING THE TIME AND PLACE FOR HEARING PROTESTS AND OBJECTIONS THERETO; DETERMINING WHETHER THE PUBLIC CONVENIENCE AND NECESSITY REQUIRES SUCH WORK AND IMPROVEMENTS; AND GIVING NOTICE OF SAID HEARING.

(Assessment District No. 3970 - Carroll Canyon Centre)

WHEREAS, the Council of the City of San Diego has heretofore adopted its Resolution of Intention No. R- 254672 declaring its intention to order certain street and utility improvements, work and related facilities and improvements appurtenant thereto within the City of San Diego (hereinafter sometimes referred to as the "improvements") under and pursuant to the Municipal Improvement Act of 1913 (Division 12 of the Streets and Highways Code), and referring the improvements described therein to the Engineer of Work, and directing the Engineer of Work to cause the making and filing with the City Clerk of a Report in writing containing all the matters required by said Municipal Improvement Act of 1913; and

WHEREAS, said Report has been made and filed with the City Clerk, Document No. D2227-4, and the City Clerk has presented the Report to the Council for consideration; and

WHEREAS, this proceeding has been initiated by a petition signed by the owners of more than 60% of the area of the land to be assessed, and accordingly the provisions of the

Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and of Sections 61.0101 et seq. of the Municipal Code shall not apply.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of San Diego as follows:

Section 1. The Council has considered and passed upon the Report. The Report, including all exhibits thereto, as filed is hereby approved. The Report, including the improvement plans, drawings, profiles, cross-sections and specifications, the estimate of costs and expenses, the proposed assessments, the diagram, and description of the work, is on file in the Office of the City Clerk and may be examined by any person interested. Reference is made to the legal description and to City Drawings Nos. 19208-1-D through 19208-36-D, inclusive, for a full and detailed description of the plans, drawings, profiles, cross-sections and specifications and any additional rights-of-way to be acquired.

Section 2. NOTICE IS HEREBY GIVEN THAT on the 25th day of August, 1981, at the hour of 10:30 o'clock a.m., in the Council Chambers of the Council at the City Administration Building, 202 "C" Street, San Diego, California, are the day, hour, and place fixed for the hearing by the Council of any and all protests and objections. Any and all persons having any protest or objection to the proposed

improvements, the extent of the assessment district or the proposed assessment may appear before the Council at the hearing and show cause why the proposed improvements should not be made and the proposed assessment and diagram confirmed, all in accordance with the Resolution of Intention and Report. Protests and objections must be in writing and must be delivered to the City Clerk of the City at or before the time set for the hearing as set forth above. Any protest or objection must contain a description of the property in which each signer is interested sufficient to identify the same and, if the signers are not shown on the last equalized assessment roll as the owners of the property, must contain or be accompanied by written evidence that the signers are the owners of the property.

Section 3. The City Clerk is hereby directed to cause notices of the passage of this Resolution to be posted and is also directed to mail notices of the adoption of the Resolution of Intention and the filing of the Report, which Notices shall be given at the time and in the form and manner as provided by law.

Section 4. The Clerk is further directed to cause a Notice of Improvement to be published twice in the San Diego Daily Transcript, a newspaper of general circulation published

and circulated in The City of San Diego, the first such publication to be made at least 20 days before the date set forth herein for the hearing of protests.

APPROVED:

JOHN W. WITT, City Attorney

By James Benjamin Gardner
Deputy

JUL 21 1981

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Charles G. Abdelnour*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number **R-254673** Adopted **JUL 21 1981**