

R-82-1703  
REV.

RESOLUTION NO. R-256257

APR 20 1982

RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF SAN DIEGO, CALIFORNIA, MAKING FINDINGS,  
CONFIRMING DIAGRAM AND ASSESSMENT, AS  
AMENDED, AND ORDERING WORK

(Assessment District No. 3969 -- Rio Vista Center)

WHEREAS, in proceedings under the Municipal Improve-  
ments Act of 1913, the Council adopted its Resolution of Inten-  
tion, Resolution No. R-256004, ordering the Engineer  
of Work to cause the Report required by said Act to be  
prepared, and pursuant thereto the Engineer of Work caused said  
Report to be prepared, consisting of the description and  
depiction of the work and improvements, an estimate of the  
costs and expenses of said work and improvements, a diagram  
showing the assessment district, and a proposed assessment of  
the costs and expenses of the proposed work and improvements,  
said Report being on file with the City Clerk as Document  
No. D2228-5; and

WHEREAS, the Council, by Resolution No. R-256005,  
approved said Report, as filed, and appointed a time and place  
of hearing thereon and also on the question 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 Resolution  
Nos. R-256004 and R-256005 were duly published,

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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. R-256256 ordering certain changes and modifications in the Report; 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 the Council gave all persons present an opportunity to hear and be heard with respect to said Report, the diagram and assessment, the work and improvements, the boundaries of the proposed assessment district, the bonds to be issued to represent unpaid assessments, the question whether the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and the debt limitation and majority protest provisions thereof shall apply, said changes and modifications, 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 work and improvements, the boundaries of the proposed assessment district, the assessment, said changes and modifications, and the special benefits to the property to be included in the proposed assessment district;

NOW, THEREFORE, the Council of the City of San Diego, State of California, DOES HEREBY FIND, RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. 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 Council finds that each of the lots and parcels of land proposed to be assessed will be specially benefitted by the work and improvements substantially in proportion to the amount of the proposed assessment against such lot and parcel, and, accordingly, the assessment contained in said Report, and the diagram, as amended by Resolution No. R-256256, is hereby confirmed.

Section 3. The Council hereby declares that the Report, as amended, is approved, and orders the work and improvements 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. R-256256, for a full and complete description of the work and improvements and for further particulars.

Section 4. The Council finds and determines that the owners of more than 60% of the lands to be assessed have waived the application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and the debt limitation and majority protest provisions thereof, and, further, that the total estimated amount of the assessment, as referenced in the Report, as amended, will not exceed 75% of the fair market value of the land proposed to be assessed after the proposed

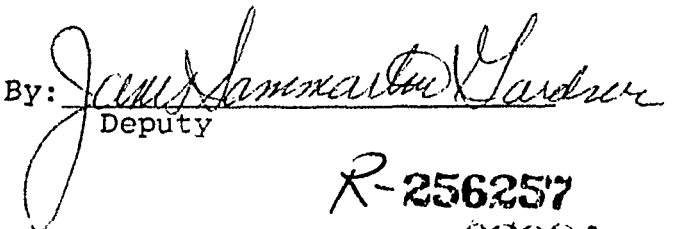
public improvements shall have been constructed; and, accordingly, said Act shall not apply to these proceedings.

Section 5. The Street Superintendent is hereby instructed to record the assessment and diagram, as so amended, in his office in accordance with the provisions of Section 10600 of the Streets and Highways Code.

Section 6. The City Clerk is hereby directed to file a copy of the assessment diagram and a notice of assessment, with attached list of owners of property assessed pursuant to Section 27288.1 of the Government Code, with the County Recorder as required by law.

Section 7. The City Clerk shall cause a Notice of Recordation of Assessment and Statement of Assessments Due and Payable to be published in The Daily Transcript, as required by law; and the Street Superintendent shall mail individual Notices of Recordation of Assessments and Statements of Assessments Due and Payable to the property owners, as required by law. Said notices shall provide that payments of assessments shall be made to the City Treasurer, which officer is hereby designated by the Council as the official to make collection of said assessments.

APPROVED: JOHN W. WITT, City Attorney

By:   
Deputy

Passed and adopted by the Council of The City of San Diego on APR 20 1982,  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

(Seal)

By Ellen Bovard, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-256257 Adopted APR 20 1982