

RESOLUTION NO. R-258353

APR 26 1983

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY REQUIRE CERTAIN ACQUISITION AND IMPROVEMENTS, AND THAT THE "SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931" SHALL NOT APPLY

(Assessment District No. 3987 - Otay Mesa Road)

WHEREAS, the CITY COUNCIL of the CITY OF SAN DIEGO, CALIFORNIA, has held a public hearing, for which reasonable notice has been given by publication and posting, to determine the public convenience and necessity for certain street rights-of-way acquisition, together with appurtenances, in a special assessment district known and designated as

ASSESSMENT DISTRICT NO. 3987
(OTAY MESA ROAD)

(hereinafter referred to as the "Assessment District"); and,

WHEREAS, this City Council has heard and considered all the evidence, both oral and written, relative to the public convenience and necessity for the aforesaid acquisition; and,

WHEREAS, said City Council is now satisfied as to the improvements and acquisition as proposed.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That it is hereby found and determined that the public convenience and necessity require the following acquisition, to-wit:

The financing of acquisition costs necessary to widen OTAY MESA ROAD to an 80-foot width, from a point Easterly of INTERSTATE HIGHWAY 805, thence extending Easterly to a point Westerly of HARVEST ROAD: together with the acquisition of certain street right-of-way to open a public right-of-way 80-

feet in width in the vicinity of HARVEST ROAD, running Southeasterly from OTAY MESA ROAD to the proposed Second Border Crossing, a a point approximately 1800 feet Easterly of HARVEST ROAD.

SECTION 3. That it is further determined that the provisions and limitations of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" shall not be applicable to proceedings for this improvement.

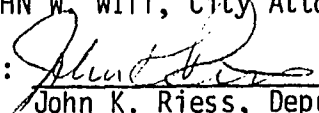
SECTION 4. That this project for acquisition shall proceed in accordance with the terms and provisions of the "Municipal Improvement Act of 1913", being Division 12 of the Streets and Highways Code of the State of California, and that bonds, for purposes of financing said project, shall be issued in accordance with the terms and provisions of the City of San Diego Improvement Procedural Ordinance of 1982 (Division 23, San Diego Municipal Code), and applicable Sections of the "Improvement Bond Act of 1915", being Division 10 of said Code.

SECTION 5. By this Resolution, it is the intention of this City Council to make all findings by the affirmative four-fifths (4/5) vote of all members thereof that all determinations as to feasibility and necessity to disregard the limitations and proceedings set up in Division 4 as therein provided be made and determined, and further, to meet the requirements of Section 2804 of the Streets and Highways Code and Section 19 of Article XVI of the Constitution of the State of California.

APPROVED:

JOHN W. WITT, City Attorney

By:


John K. Riess, Deputy

R-258353
02100

APR 26 1983

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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

BILL CLEATOR

Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Raymond L. Fontenow*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California	
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