

RESOLUTION NO. R-258563

(R-83-1836)

RESOLUTION OF THE COUNCIL OF THE CITY  
OF SAN DIEGO, CALIFORNIA, PASSING ON  
THE REPORT OF THE ENGINEER, GIVING  
PRELIMINARY APPROVAL, AND SETTING A  
TIME AND PLACE FOR PUBLIC HEARING

MAY 31 1983

(Assessment District No. 3990 - Lopez Canyon Sewer and Retention Basin)

WHEREAS, the CITY COUNCIL of the CITY OF SAN DIEGO, CALIFORNIA, has instituted proceedings for the construction of certain public works of improvement and appurtenances under provisions of the "Municipal Improvement Act of 1913", being Division 12 of the Streets and Highways Code of the State of California, in a special assessment district known and designated as

ASSESSMENT DISTRICT NO. 3990  
(LOPEZ CANYON SEWER AND RETENTION BASIN)

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

WHEREAS, there has been prepared and filed with the City Council a "Report" provided for in Sections 10203 and 10204 of the Streets and Highways Code of the State of California, and this "Report" has been presented to Council for its consideration; and,

WHEREAS, a Resolution of Intention for this improvement was previously adopted; and the "Report" as now presented shall stand as the "Report" for the purpose of subsequent proceedings hereunder.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

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

SECTION 2. That the "Report" of the Engineer referred to herein- above is considered adopted, passed upon, and preliminarily approved, as follows:

A. That the plans and specifications for the proposed improvements to be made, contained in said "Report" be, and they are hereby preliminarily approved and adopted;

B. That the Engineer's estimate of the itemized and total

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costs and expenses of said acquisition, where necessary, and improvements, and of the incidental expenses in connection therewith, contained in said "Report", be, and each of them are hereby preliminarily approved and adopted;

C. That the diagram showing the Assessment District referred to and described in said Resolution of Intention, and also the boundaries and dimensions of the respective subdivisions of land within said Assessment District, as the same existed at the time of the passage of said Resolution of Intention, each of which subdivisions have been given a separate number upon said diagram, as contained in said "Report", be, and it is hereby preliminarily approved and adopted;

D. That the proposed assessment upon the several subdivisions of land in said Assessment District, in proportion to the estimated benefits to be received by such subdivisions, respectively, from said acquisition and improvements, and of the incidental expenses thereof, as contained in said "Report", be, and they are hereby preliminarily approved and adopted;

E. That the maps and descriptions of the lands and easements to be acquired, as contained in said "Report" be, and the same are hereby preliminarily approved;

F. That said "Report" shall stand as the Engineer's "Report" for the purpose of all subsequent proceedings had pursuant to said Resolution of Intention.

SECTION 3. NOTICE IS HEREBY GIVEN THAT ON TUESDAY, THE 12TH DAY OF JULY, 1983, AT THE HOUR OF 9:00 O'CLOCK A.M., IN THE COUNCIL CHAMBERS, CITY ADMINISTRATION BUILDING, 202 "C" STREET, SAN DIEGO, CA, ANY AND ALL PERSONS HAVING ANY OBJECTIONS TO THE PROPOSED WORK OR ASSESSMENT OR EXTENT OF THE ASSESSMENT DISTRICT OR TO THE PROPOSED GRADES, MAY APPEAR AND SHOW CAUSE WHY SAID WORK SHOULD NOT BE DONE OR CARRIED OUT IN ACCORDANCE WITH THE RESOLUTION OF INTENTION AND THE "REPORT" OF THE ENGINEER. PROTESTS MUST BE IN WRITING AND MUST BE DELIVERED AT OR BEFORE THE TIME SET FOR THE PUBLIC HEARING.

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SECTION 4. That the City Clerk is hereby directed to give notice of said Public Hearing by causing to be conspicuously posted on all open streets within the Assessment District, not more than 300 feet apart on each street so posted, but not less than 3 in all, notice of the passage of the Resolution of Intention and of this Resolution, all in accordance with the provisions of said Division 12.

SECTION 5. That the City Clerk is hereby directed to give notice of said Public Hearing and of the passage of the Resolution of Intention and this Resolution by causing such notice to be published in accordance with Section 6066 of the Government Code, in the newspaper previously designated for all publications as required by law and as necessary for completion of this Assessment District.

SECTION 6. That the City Clerk is hereby directed to mail notice of said Public Hearing and the adoption of the Resolution of Intention and of the filing of the "Report" to all persons owning real property proposed to be assessed, whose names and addresses appear on the last equalized assessment roll for County taxes prior thereto, or as known to the City Clerk, and to all other persons as prescribed in accordance with the provisions of said Division 12.

SECTION 7. That the City Clerk is hereby further directed to file a copy of the proposed boundary map in the Office of the County Recorder within fifteen (15) days of the adoption of the proposed boundary map; said boundary map to be in the manner and form as set forth in Division 4.5 of the Streets and Highways Code of the State of California.

APPROVED:

JOHN W. WITT, City Attorney

By: 

for John K. Riess, Deputy

5/16/83  
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MAY 3 1 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 type="checkbox"/>            | <input type="checkbox"/> | <input checked="" 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 Roger Hedgecock | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Janet A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-258563 Adopted MAY 3 1 1983