

RESOLUTION NUMBER R- 262491

ADOPTED ON FEB 11 1985

RESOLUTION OF INTENTION TO DETACH A PORTION OF THE PENASQUITOS EAST LANDSCAPE MAINTENANCE DISTRICT AND TO LEVY AND COLLECT ASSESSMENT IN THE PARK VILLAGE LANDSCAPE MAINTENANCE DISTRICT.

BE IT RESOLVED, that the Council of The City of San Diego proposes and intends to detach a portion of the Penasquitos East Landscape Maintenance District and to levy and collect assessments to pay the cost of future maintenance of all trees, plants, etc, planted or placed within the open space areas as designated, located within the boundaries of the district, in said City under the provisions of the San Diego Maintenance District Procedural Ordinance of 1975, Sections 65.0201 through 65.0220 of the San Diego Municipal Code, the Landscaping and Lighting Act of 1972, California Streets and Highways Code section 22500, et seq., such maintenance being more particularly described as follows:

Section 1

DESCRIPTION OF MAINTENANCE

The proposed landscape maintenance consists in general of the following:

- a. Irrigation
- b. Fertilization
- c. Removal of weeds, trash and litter
- d. Pruning of trees and shrubs
- e. Replacement of dead or diseased trees and shrubs
- f. Repair of facilities

The maintenance shall be for a period commencing July 1, 1985 and ending on June 30, 1986.

Section 2

DESCRIPTION OF DETACHMENT AND MAINTENANCE DISTRICT

The exterior boundaries of the territory to be detached from the Penasquitos East Landscape Maintenance District are coterminous with the exterior boundaries of the proposed district described herein.

The expenses of the contemplated maintenance hereinbefore mentioned are made chargeable upon the district hereinafter described and the Council does declare said district to be the district benefitted by the maintenance and to be assessed to pay the costs and expenses thereof. The district is described as follows:

All that real property in said City of San Diego included within the exterior boundary lines of the map designated as the Park Village Landscape Maintenance District consisting of 13 sheets and filed in the office of the City Clerk under Document No. 769105, excepting therefrom all public streets, public lands, roads, alleys, avenues and highways. Reference is hereby made to the map for a further full and more particular description of the maintenance district on the map, so on file, shall govern for all details as to the extent of the maintenance district.

Section 3

ASSESSMENT OF COST AND EXPENSE

It is proposed to assess the total amount of maintenance costs of the district, plus the incidental expenses thereto, less

a City contribution of \$1,000 for open space lands to be maintained, to all the real property within the district in conformance with the provisions of the San Diego Maintenance District Procedural Ordinance of 1975 and in proportion to the estimated benefits from the maintenance to be received by the individual parcel of real property.

The Council may order a portion of the costs of maintenance to be paid by the City from appropriate funds.

A state of the proposed assessments levied against the several lots or parcels of land as shown on the map referred to in Section 2 above, is on file in the office of the Street Superintendent for public inspection. Assessments will be levied pursuant to Chapter VI, Article 5, Division 2 of the San Diego Municipal Code.

Section 4

NOTICE WAIVED

In light of the unanimous petition of the property owners and the attached waiver of notice signed by all of the property owners within the proposed district the City Council acting pursuant to California Streets and Highways Code Section 22608.1 waives the noticing required for the formation of this district.

APPROVED: John W. Witt, City Attorney

By 
John K. Riess, Deputy

JKR:mem:1/29/85
Or.Dept:E&D
R-85-1363
Form=r.ilca

BEFORE THE CITY COUNCIL OF THE CITY
OF SAN DIEGO, STATE OF CALIFORNIA

In the Matter of the formation)	CONSENT TO FORMATION OF
of the Park Village Lighting)	ASSESSMENT DISTRICT AND
and Landscape Maintenance)	WAIVER OF NOTICE AND HEAR-
Assessment District)	ING AND FILING OF AN
)	ENGINEER'S REPORT (Street
)	and Highways Code sec-
)	tion 22608.1)

To: City Council of City of San Diego, California:

We, the undersigned, declare that:

Status of Petitioners

1. We are all of the owners of the property within the territory proposed to be formed into a lighting and landscape maintenance district as described in that certain "Petition for Formation of Lighting and Landscape Maintenance Pursuant to San Diego Maintenance District Procedural Ordinance of 1975" dated December 11, 1984, for the Penasquitos Park Village Community area and filed with the Clerk of the City Counsel.

Waiver of Notice of Hearing

2. We, and each of us, waive the notice of hearing pursuant to California Streets and Highways Code section 22068.1.

Waiver of Hearing

3. We, and each of us, waive the hearing in connection with the formation of the assessment district pursuant to California Streets and Highways Code section 22068.1.

Waiver of Engineer's Report

4. We, and each of us, waive the requirement of an engineer's report in connection with the formation of the assessment district pursuant to California Streets and Highways Code section 22068.1.

R- 262491

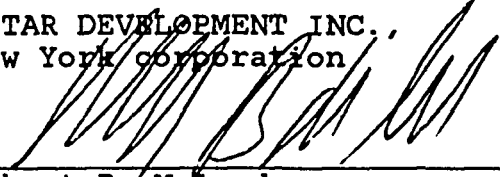
Acknowledgment
of Document Review

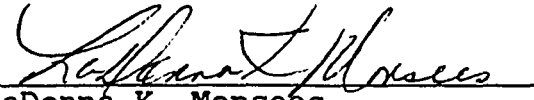
5. We, and each of us, acknowledge that we have received a copy of the "Petition for Formation of Lighting and Landscape Maintenance District Pursuant to San Diego Maintenance District Procedural Ordinance of 1975" dated December 11, 1984, for the Penasquitos Park Village Community area and have had the opportunity to review it. (A copy of the petition is attached hereto.)

WHEREFORE, we request that the notice and the hearing of objections to the formation of the assessment district not be required by this council.


Dated: December __, 1984 .

GENSTAR DEVELOPMENT INC.
a New York corporation

By 
Robert B. McLeod
Vice President

By 
LaDonna K. Monsees
Assistant Secretary

THE FIELDSTONE COMPANY,
a California corporation

By 
Keith A. Johnson
Executive Vice President

By 
Lofi R. Williams
Assistant Secretary

CHRISTOPHER HOMES DEVELOPMENT, a
California general partnership

By CHRISTOPHER HOMES, INC., a
California corporation

By Christopher Cold
President

By Magnum Summings
Secretary

WESTANA BUILDERS/DEVELOPERS, a
California general partnership

By FONTANA CORPORATION, a
California corporation,
General Partner

By William Fontana
William Fontana, President

By MUDGE CORPORATION, a
California corporation,
General Partner

By Wesley Mudge
Wesley Mudge, President

FEB 11 1985

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 Struiksmma	<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.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-* **262491** FEB 11 1985
Number Adopted

RECEIVED
CITY CLERK'S OFFICE
1984 JAN 30 PM 1:44
SAN DIEGO, CALIF.

FEB 1 1982

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