

RESOLUTION NO. R-266557

(R-87-256)

RESOLUTION OF THE COUNCIL OF THE
CITY OF SAN DIEGO, CALIFORNIA,
MAKING FINDINGS AND DETERMINATIONS
AND OVERRULING AND DENYING PROTESTS
IN A SPECIAL ASSESSMENT DISTRICT

SEP 9 1986

(Assessment District No. 4006 [Via de la Valle Sewer])

WHEREAS, the CITY COUNCIL of the CITY OF SAN DIEGO, CALIFORNIA, has heretofore commenced proceedings pursuant to the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", being Division 4 of the Streets and Highways Code of the State of California, for the construction of certain public works of improvement, together with appurtenances and appurtenant work, in a special assessment district, said assessment district known and designated as ASSESSMENT DISTRICT NO. 4006 (VIA DE LA VALLE SEWER) (hereinafter referred to as the "Assessment District"); and,

WHEREAS, this City Council set a time and place for public hearing pursuant to said "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and,

WHEREAS, notice of the public hearing was given in the manner and form as required by law, and, at the time for said public hearing, all protests, written or oral, to the proceedings, and all matters related to the report for the Assessment District were heard and considered, and all persons had an opportunity to appear and present testimony relating to said Assessment District; and,

WHEREAS, at said time of the public hearing, all matters as to the method and formula of the assessment spread and the determination as to whether or not the property did receive a benefit, and whether the assessments were apportioned in accordance to benefit were considered.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

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

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SECTION 2. That all protests and objections of every kind and nature be, and the same hereby are, overruled and denied, and it is further determined that said protests and objections are made by the owners of less than one-half (1/2) of the area of property to be assessed for said improvements within said Assessment District.

SECTION 3. That it is hereby further determined that all properties within the boundaries of the Assessment District receive a local and direct benefit from the works of improvement as proposed for said Assessment District, and it is hereby further determined and declared that all assessable costs and expenses have been apportioned and spread over the properties within the boundaries of the Assessment District in direct proportion to the benefits received thereby.

SECTION 4. That the Engineer's method of spread and apportionment of all costs is hereby adopted and approved as being a correct and proper apportionment and distribution of all assessable costs for these works of improvement.

APPROVED:

JOHN W. WITT, City Attorney

By: 
John K. Riess, Deputy

JKR:mem
08/08/86
Or.Dept:E&D
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Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-266557* Adopted **SEP 9 1986**

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