

RESOLUTION NO. R- **268494**

JUN 2 1987

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

(Assessment District No. 4007 - First San Diego River Improvement Project (FSDRIP))

WHEREAS, the CITY COUNCIL of the CITY OF SAN DIEGO, CALIFORNIA, has, by Resolution, declared its intention to order the construction of certain public works of improvement, pursuant to 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, in a special assessment district known and designated as ASSESSMENT DISTRICT NO. 4007 - FIRST SAN DIEGO RIVER IMPROVEMENT PROJECT (FSDRIP) (hereinafter referred to as the "Assessment District"); and,

WHEREAS, certain owners of property liable to be assessed for improvements have filed written protests or objections and delivered the same not later than the hour set for hearing such objections; and,

WHEREAS, at the time set for said Public Hearing, all protests and objections were duly heard and considered, and 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 heard and considered.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

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

SECTION 2. That the public hearing on the Assessment District is hereby closed.

SECTION 3. 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 of the area of property to be assessed for said improvements within said Assessment District.

SECTION 4. 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 5. 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:mrh  
Or. Dept: E&D  
R-87-2366

R- 268494

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Passed and adopted by the Council of The City of San Diego on JUN 2 1987,  
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 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"/> |
| Judy McCarty           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Celia Ballesteros      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 June G. Blackwell, Deputy.

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|---|---------------------------|
| Office of the City Clerk, San Diego, California |                           |
| Resolution Number <u>R-268494</u>               | Adopted <u>JUN 2 1987</u> |