

(R-88-1655)

RESOLUTION NUMBER R- 270475

ADOPTED ON MAR 07 1988

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, MAKING FINDINGS ON PETITION (ASSESSMENT DISTRICT NO. 4025, MISSION VALLEY HEIGHTS).

WHEREAS, the City Council of The City of San Diego, California, has been presented by certain property owners an executed Petition requesting the construction of certain public improvements, together with appurtenances and appurtenant work in connection therewith, said improvements to be constructed 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. 4025 (MISSION VALLEY HEIGHTS) (hereinafter referred to as the "Assessment District"); and

WHEREAS, it has been reported that said Petition contains the signatures of more than sixty percent (60%) of the property owners of the assessable area of the property to be subject to assessment for the proposed works of improvements. Said Petition meets the requirements of Section 2804 of Division 4 of the Streets and Highways Code of the State of California; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

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

Section 2. That it is hereby found that said Petition has been signed by owners owning land constituting more than sixty percent (60%) of all assessable land within the boundaries of the proposed Assessment District.

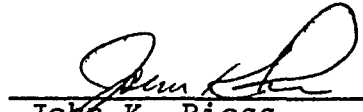
Section 3. That said Petition shall be filed with the transcript of these proceedings, and shall remain open to public inspection.

Section 4. That said Petition meets the requirements of Section 2804 of Division 4 of the Streets and Highways Code of the State of California, and further proceedings and limitations under the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" shall not be applicable to these proceedings.

Section 5. This City Council hereby further finds and determines, based on written evidence submitted, that the total estimated amount of the proposed assessments will not exceed seventy-five percent (75%) of the estimated fair market value of the land proposed to be assessed after the proposed public improvements shall have been constructed.

Section 6. That it is hereby further determined and found that said Petition has been signed by not only the property owners, as specified in Section 2804 of the Streets and Highways Code, but also any mortgage or beneficiary under any such existing mortgage or deed of trust, as required by Section 2804.2 of the Streets and Highways Code of the State of California.

APPROVED: John W. Witt, City Attorney

By 

John K. Riess
Deputy City Attorney

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Or.Dept:E&D
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Passed and adopted by the Council of The City of San Diego on MAR 07 1988,
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"/> |
| Ron Roberts | <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"/> |
| H. Wes Pratt | <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"/> |
| J. Bruce Henderson | <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"/> |
| Bob Filner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Maureen O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 Jana M. Martin, Deputy.

Office of the City Clerk, San Diego, California

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