RESOLUTION NUMBER R- **270476**

ADOPTED ON   MAR 07 1988

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO, CALIFORNIA, MAKING FINDINGS ON
APPOINTMENTS AND APPROVING AGREEMENTS IN
SPECIAL ASSESSMENT DISTRICT PROCEEDINGS
(ASSESSMENT DISTRICT NO. 4025, MISSION VALLEY
HEIGHTS).

WHEREAS, the City Council of The City of San Diego,

California, is considering the formation of a special assessment

district, 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, for the construction of

certain public works of improvements, together with appurtenances

and appurtenant work, said special assessment district to be

known and designated as ASSESSMENT DISTRICT NO. 4025 (MISSION

VALLEY HEIGHTS) (hereinafter referred to as the "Assessment

District"); and

WHEREAS, at this time this City Council is desirous of making

the required appointments and designating persons to perform

certain duties in order to allow the proceedings to go forward to

completion in accordance with the provisions of law; 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 THOMAS O. MEADE is hereby appointed to perform all of the duties and functions of the Superintendent of Streets as said duties are specified and designated in the "Municipal Improvement Act of 1913", being Division 12 of the Streets and Highways Code of the State of California, for the above referenced Assessment District.

Section 3. That the place for recordation of the assessment roll and diagram shall be in the Office of the Superintendent of Streets, and said assessment roll and diagram, upon recordation, shall be kept as a permanent record.

Section 4. That the DAILY TRANSCRIPT is hereby designated as the newspaper for all publications as required by law and as necessary for completion of this Assessment District.
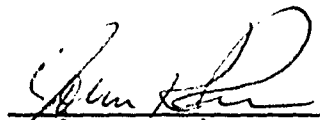
Section 5. That BROWN & DIVEN, Attorneys at Law, is hereby appointed to act as Bond Counsel for the purposes of preparing proceedings and issuing an approving opinion attesting to the validity of the proceedings and the enforceability of the bonds, pursuant to the terms and conditions of a Special Counsel Agreement submitted herewith, being Document No. __D2273 -2__, is hereby approved and authorized for execution by the City Attorney.

Section 6. That the reimbursement agreement executed and submitted by certain property owners within the Assessment District, being Document No. __D2273-3__, is hereby accepted and approved for execution by the City Manager.

Section 7. That this City Council hereby authorizes the Auditor and Comptroller to establish a special improvement fund

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designated as Special Assessment District Fund 79440, and into said fund shall be placed all funds advanced or loaned to the Assessment District, including an initial advance from certain property owners in the amount of $25,000.00, and all proceeds from the sale of bonds and cash collections. In order to expedite the improvements or acquisition under these proceedings and as authorized by law, funds from any available source may be transferred into said special fund. Any funds transferred are a loan to the fund and shall be repaid out of the proceeds of the sale of bonds, all as required and authorized by law, and specifically Section 10210 of the Streets and Highways Code of the State of California. Any monies on deposit in this fund may be expended by the Auditor and Comptroller for Assessment District purposes.

APPROVED: John W. Witt, City Attorney

By _____
     John K. Riess
     Deputy City Attorney

JKR:wk
02/23/88
02/29/88 (REV. 1)
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	☑	☐	☐	☐
Ron Roberts	☑	☐	☐	☐
Gloria McColl	☑	☐	☐	☐
H. Wes Pratt	☑	☐	☐	☐
Ed Struiksma	☑	☐	☐	☐
J. Bruce Henderson	☑	☐	☐	☐
Judy McCarty	☑	☐	☐	☐
Bob Filner	☑	☐	☐	☐
Mayor Maureen O'Connor	☑	☐	☐	☐

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 .... Jena M. Martin .... ; Deputy.

Office of the City Clerk, San Diego, California

Resolution Number ....R-270476.... Adopted ....MAR 07 1988....

CC-1276 (Rev. 12-87)