

RESOLUTION NUMBER R- 271521

ADOPTED ON JUL 26 1988

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA, CONFIRMING THE  
ASSESSMENT, ORDERING THE ACQUISITION MADE,  
TOGETHER WITH APPURTENANCES, AND APPROVING THE  
ENGINEER'S "REPORT."

(Assessment District No. 4010 [Otay International Center].)

WHEREAS, the City Council of The City of San Diego,  
California, did on the 20th day of June, 1988, adopt its  
Resolution of Intention for the acquisition of certain public  
works of improvement, together with appurtenances and appurtenant  
work, in a special assessment district known and designated as  
ASSESSMENT DISTRICT No. 4010 (OTAY INTERNATIONAL CENTER)  
(hereinafter referred to as the "Assessment District"); and

WHEREAS, this legislative body is further desirous to accept  
the works of improvement as installed and subject to acquisition  
under these proceedings; and

WHEREAS, pursuant to said Resolution of Intention, a  
"Report," as therein provided, was presented, considered and  
approved; and

WHEREAS, said "Report," as preliminarily approved, contained  
all the matters and items called for by law and as pursuant to  
the provisions of the "Municipal Improvement Act of 1913," being  
Division 12 of the Streets and Highways Code of the State of  
California, including the following:

1. Estimate of cost;
2. Diagram of Assessment District;

3. An assessment according to benefits;
  4. A description of the works of improvement to be acquired;
- and

WHEREAS, all protests have been heard and considered and a full hearing has been given, all in the manner provided by law; and

WHEREAS, notices of said hearing were duly and regularly posted, mailed and published in the time, form and manner required by law and as evidenced by affidavits on file with the transcript of these proceedings; and

WHEREAS, the owners of one-half (1/2) of the area assessed for the cost of the project did not file written protests against the said proposed acquisition and this after providing a full hearing, all protests and objections were overruled and denied; and

WHEREAS, this legislative body is now satisfied with the assessment and all matters contained in the "Report" as now updated and submitted; NOW, THEREFORE,

BE IT RESOLVED, as follows:

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

Section 2. That the "Report," as now updated and submitted, consisting of the assessment and diagram for the acquisition, together with appurtenances and appurtenant work in connection therewith, is hereby confirmed.

Section 3. That the public interest and convenience require the proposed acquisition to be made, and therefore it is hereby ordered that said acquisition and improvements be made, together with appurtenances and appurtenant work in connection therewith,

in said Assessment District, as set forth in the Resolution of Intention previously adopted and as set forth in the "Report" presented and considered, and as now submitted.

Section 4. That the works of improvement to be acquired under this Assessment District are hereby approved and accepted by this legislative body.

Section 5. That the assessment contained in said "Report" is hereby levied upon the respective subdivisions of land in the Assessment District as set forth in said "Report."

Section 6. That the City Clerk shall forthwith deliver to the Superintendent of Streets the said assessment, together with the diagram attached thereto and made a part thereof, as confirmed by this legislative body, with a certificate of such confirmation attached and the date thereof; and that said Superintendent of Streets shall then immediately record said diagram and assessment in his office in a suitable book to be kept for that purpose and attach thereto his certificate of the date of such recording.

Section 7. That said Superintendent of Streets, upon the recording of said diagram and assessment, shall mail to each owner of real property within the Assessment District at his last known address, as the same appears on the tax rolls of the County or as on file in the office of the City Clerk, or to both addresses if said address is not the same, or to General Delivery when no address so appears, a statement containing a designation by street number or other description of the property assessed sufficient to enable the owner to identify the same, the amount

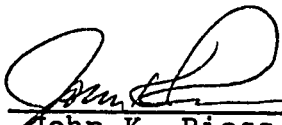
of the assessment, the time and place of payment thereof, the effect of failure to pay within such time, and a statement of the fact that bonds will be issued on unpaid assessments pursuant to the "Improvement Bond Act of 1915."

Section 8. That said Superintendent of Streets shall also give notice by publishing a copy of a notice of recording of assessment in the newspaper previously selected to publish all notices as provided by law, giving notice that said assessment has been recorded in his office and that all sums assessed thereon are due and payable immediately, and that the payment of said sums is to be made within thirty (30) days after the date of recording the assessment, which date shall be so stated in said notice, and of the fact that securities will be issued upon unpaid assessments.

Section 9. Upon confirmation of the assessments and recordation of the assessment roll and diagram, a certified copy of the assessment diagram shall be immediately filed in the office of the County Recorder. Immediately thereafter, a copy of the notice of assessment shall be recorded in the office of the County Recorder in the manner and form as set forth by law and specifically Section 3114 of the Streets and Highways Code of the State of California.

Section 10. That the Treasurer is hereby authorized and directed to establish a special fund account to be known as the IMPROVEMENT FUND, and designated by the name of this Assessment District, into which fund shall be paid all payments to be received upon said assessment.

APPROVED: John W. Witt, City Attorney

By   
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John K. Riess  
Deputy City Attorney

JKR:wk  
06/30/88  
Or. Dept: E&D  
R-88-2650  
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JUL 26 1988

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"/>
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: *June G. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

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