

(R-89-221)

RESOLUTION NUMBER R- **271640**

ADOPTED ON **AUG 08 1988**

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO, CALIFORNIA, MAKING FINDINGS ON
PETITION.

(Assessment District No. 4036 [International Business Center])

WHEREAS, the City Council of The City of San Diego, California, has been presented by certain property owners an executed Petition requesting the acquisition of certain public improvements, together with appurtenances and appurtenant work in connection therewith, 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. 4036 (INTERNATIONAL BUSINESS CENTER) (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 improvement. 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, 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.

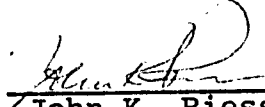
Section 3. That said Petition shall be filed with the transcript of these proceedings, and shall remain open to public inspection.

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 mortgagee 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

JKR:wk
07/25/88
Or.Dept:E&D
Aud.Cert:8900149
R-89-221
Form=r.none-r.pet

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8900149

ORIGINATING DEPT. NO.: 540

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ 72,000.00 Fund 79400

Purpose Authorizing the expenditure of funds for Otay International Center
Phase II Assessment District

Date July 26, 19 88

By: Macy Mc Murray
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			79400		4114	001010				\$ 5,000.00
2			79400		4118	001020				30,000.00
3			79400		4151	001030				2,500.00
4			79400		4151	001040				34,500.00
TOTAL AMOUNT										\$72,000.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ _____

Vendor _____

Purpose _____

Date _____, 19 _____

By: _____
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

R- 271640

AUG 08 1988

AC 8900149

#127 (A)
(A-B)

AUG 08 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.

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

(Seal)

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution **R-271640** **AUG 08 1988**

Number Adopted

RECEIVED
CITY CLERK'S OFFICE

1988 JUL 27 PM 4:20

SAN DIEGO, CALIF.

400 98 8288

400 98 8288