

(R-89-223)

RESOLUTION NUMBER R- 271642

ADOPTED ON AUG 08 1988

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

(Assessment District No. 4019 [Otay International Center, Phase II])

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. 4019 (OTAY INTERNATIONAL CENTER, PHASE II) (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.

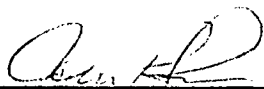
Section 3. That said Petition shall be filed with the transcript of these proceedings, and shall remain open to public inspection.

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:8900148  
R-89-223  
Form=r.none-r.pet

**The City of San Diego**  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE AC 8900148

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 \$ \_\_\_\_\_ Fund \_\_\_\_\_

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

**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 \$ 40,000.00

Vendor GREAT AMERICAN DEVELOPMENT COMPANY/ M. F. WHIPPLE/ BROWN & DIVEN

Purpose Authorizing the expenditure of funds for acceptance of petition -

International Business Center Assessment District

Date July 26, \_\_\_\_\_, 19 88 By: *Tracy McManis*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			79470		4118	001020				\$25,000.00
2			79470		4114	001010				12,000.00
3			79470		4151	001030				3,000.00
TOTAL AMOUNT										\$40,000.00

FUND OVERRIDE

**R-271642**

**AUG 08 1988**

AC 8900148

#128 (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 Struikma	<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 *Maureen L. Paley*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <b>R-271642</b>	Adopted <b>AUG 08 1988</b>

RECEIVED  
CITY CLERK'S OFFICE

1988 JUL 27 PM 4:15

SAN DIEGO, CALIF.

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