

(R-89-1370)

RESOLUTION NUMBER R- 272734

ADOPTED ON JAN 23 1989

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, PASSING ON THE "REPORT" OF THE ENGINEER, GIVING PRELIMINARY APPROVAL, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING.

(Assessment District No. 4011 [De La Fuente Business Park, Phase I])

WHEREAS, the City Council of The City of San Diego, California, has instituted proceedings for the acquisition of certain public works of improvement and appurtenances under 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. 4011 (DE LA FUENTE BUSINESS PARK, PHASE I) (hereinafter referred to as the "Assessment District"); and

WHEREAS, there has been prepared and filed with the City Council a "Report" provided for in Sections 10203 and 10204 of the Streets and Highways Code of the State of California, and this "Report" has been presented to said Council for its consideration; and

WHEREAS, a resolution of intention for this improvement was previously adopted; and the "Report" as now presented shall stand as the "Report" for the purpose of subsequent proceedings hereunder; NOW, THEREFORE,

BE IT RESOLVED, as follows:

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

Section 2. That the "Report" of the Engineer referred to hereinabove, Document No. D2265-8, is considered adopted, passed upon, and preliminarily approved, as follows:

A. That the "as-built" plans and specifications for the proposed improvements to be made, contained in said "Report" be, and they are hereby preliminarily approved and adopted.

B. That the Engineer's estimate of the itemized and total costs and expenses of said acquisition, where necessary, and improvements, and of the incidental expenses in connection therewith, contained in said "Report," be and each of them are hereby preliminarily approved and adopted.

C. That the diagram showing the Assessment District referred to and described in said resolution of intention, and also the boundaries and dimensions of the respective subdivisions of land within said Assessment District, as the same existed at the time of the passage of said resolution of intention, each of which subdivisions have been given a separate number upon said diagram, as contained in said "Report," be and it is hereby preliminarily approved and adopted.

D. That the proposed assessment upon the several subdivisions of land in said Assessment District, in proportion to the estimated benefits to be received by such subdivisions, respectively, from said acquisition and improvements, and of the incidental expenses thereof, as contained in said "Report," be and they are hereby preliminarily approved and adopted.

E. That the maps and descriptions of the lands and easements to be acquired, as contained in said "Report," be and the same are hereby preliminarily approved.

F. That said "Report" shall stand as the Engineer's "Report" for the purpose of all subsequent proceedings had pursuant to said resolution of intention.

Section 3. NOTICE IS HEREBY GIVEN, that on Tuesday, the 28th day of February 1989, at the hour of 10:00 o'clock a.m., in the Council Chambers, City Administration Building, 202 "C" Street, San Diego, California, any and all persons having any objections to the proposed work, or assessment, or extent of the Assessment District, or to the proposed grades, may appear and show cause why said work should not be done or carried out in accordance with the resolution of intention and the "Report" of the Engineer. Protests must be in writing and must be delivered at or before the time set for the public hearing.

Section 4. That the City Clerk is hereby directed to give notice of said public hearing by causing to be conspicuously posted on all open streets within the Assessment District, not more than three hundred (300) feet apart on each street so posted, but not less than three (3) in all, notice of the passage of the resolution of intention and of this resolution, all in accordance with the provisions of said Division 12.


Section 5. That the City Clerk is hereby directed to give notice of said public hearing and of the passage of the resolution of intention and this resolution by causing such notice to be published in accordance with Section 6066 of the

Government Code, in the newspaper previously designated for all publications as required by law and as necessary for completion of this Assessment District.

Section 6. That the City Clerk is hereby directed to mail notice of said public hearing and the adoption of the resolution of intention and of the filing of the "Report" to all persons owning real property proposed to be assessed, whose names and addresses appear on the last equalized assessment roll for County taxes prior thereto, or as known to the City Clerk, and to all other persons as prescribed in accordance with the provisions of said Division 12.

Section 7. That the City Clerk is hereby further directed to file a copy of the proposed boundary map in the office of the County Recorder within fifteen (15) days of the adoption of the proposed boundary map; said boundary map to be in the manner and form as set forth in Division 4.5 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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JAN 23 1989

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 Struiksmma	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-272734* Adopted JAN 23 1989

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SAN DIEGO, CA

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