

RESOLUTION NUMBER R- 285201

ADOPTED ON JAN 17 1995

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, ORDERING CERTAIN CHANGES AND MODIFICATIONS TO THE ENGINEER'S "REPORT" IN A SPECIAL ASSESSMENT DISTRICT.

[Assessment District No. 4013 (Calle Cristobal)]

WHEREAS, the Council of The City of San Diego, California, has previously undertaken proceedings to form and did form an assessment district under the provisions of the "Municipal Improvement Act of 1913," being Division 12 of the Streets and Highways Code of the State of California, to finance the construction of certain public works of improvement to benefit properties within the boundaries of a special assessment district, said assessment district known and designated as Assessment District No. 4013 (Calle Cristobal) (hereinafter referred to as the "Assessment District"); and

WHEREAS, this legislative body has received a request from the owners of certain properties within the Assessment District commonly referred to as Monarch Pointe (the "Subject Properties") to consider making changes and modifications to the assessments as currently apportioned and levied on the Subject Properties; and

WHEREAS, pursuant to such request, the Superintendent of Streets has prepared and presented to this legislative body a

proposed Third Modification to Final Engineer's Report ("Third Modification to Report"); and

WHEREAS, this legislative body has received the consent of all of the owners of the Subject Properties to the proposed modification to assessments and the waiver by all of the owners of the Subject Properties to any further notice pertaining to the proposed increase in the assessment against any portion of the Subject Properties and to any and all right which such owners may have to protest such modification to the assessment; and

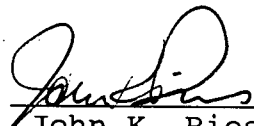
WHEREAS, this legislative body is ready to proceed to take action on the proposed changes and modifications; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That the above recitals are all true and correct.
2. That this legislative body hereby orders those changes and modifications as set forth in the Third Modification to Final Engineer's Report pursuant to the authority as set forth in Section 10352 of the Streets and Highways Code of the State of California (the "Municipal Improvement Act of 1913").
3. That the decisions and determinations of this legislative body ordering the above-referenced changes and modifications shall be final and conclusive upon all persons entitled to appeal thereon.
4. That the Final Engineer's Report, the Assessment Roll, and all related documentation, as herein modified, are for the best interests of the property owners within the Assessment

District, and the assessment, as modified and apportioned, is in accordance with the benefits received, and said modified Report shall stand as the Final Engineer's Report for all subsequent proceedings relating to this Assessment District.

APPROVED: JOHN W. WITT, City Attorney

By 

John K. Riess
Senior Deputy City Attorney

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