

RESOLUTION NUMBER R- 286203
ADOPTED ON AUG 07 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. 3879 (Mira Mesa Boulevard)]

WHEREAS, this City Council 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. 3879 (MIRA MESA BOULEVARD) (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 Parcel Map No. 17508 (hereinafter referred to as 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 First Modification to Final Engineer's Report (hereafter referred to as the "First 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 City of San Diego, as follows:

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

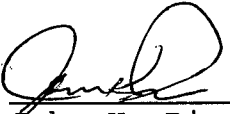
Section 2. That this legislative body hereby orders those changes and modifications as set forth in the First Modification to Report pursuant to the authority as set forth in Section 10352 of the Streets and Highways Code of the State of California (the "Municipal Improvement Act of 1913").

Section 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.

Section 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
Deputy City Attorney

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Or.Dept:Eng.
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