

RESOLUTION NUMBER R- **287353**

ADOPTED ON **MAY 28 1996**

RESOLUTION OF INTENTION TO LEVY AND COLLECT
ASSESSMENTS ON DEL MAR TERRACE STREET REPAIR
AND MAINTENANCE DISTRICT.

BE IT RESOLVED, by the Council of The City of San Diego,
that this Council proposes and intends to levy and collect
assessments to pay the cost of future maintenance of all trees,
plants, etc., planted or placed within the open space areas as
designated, located within the boundaries of the district, in
said City under the provisions of the San Diego Maintenance
District Procedural Ordinance of 1975, sections 65.0201 through
65.0220 of the San Diego Municipal Code, the Landscaping and
Lighting Act of 1972, California Streets and Highways Code
section 22500 et seq. Such maintenance being more particularly
described as follows:

Section 1

DESCRIPTION OF MAINTENANCE

The proposed landscape maintenance consists in general of
the following:

- a. Monitoring the repair work completed in Fiscal Year
1995
- b. Provide street repair and maintenance as needed
- c. Administer the District

The maintenance shall be for a period of one year,
terminating on June 30, 1997.

Section 2

DESCRIPTION OF MAINTENANCE DISTRICT

The expenses of the contemplated maintenance hereinbefore mentioned are made chargeable upon the district hereinafter described and the Council does declare said district to be the district benefitted by the maintenance and to be assessed to pay the costs and expenses thereof. The district is described as follows:

All that real property in said City of San Diego included within the exterior boundary lines of the map designated as the "Del Mar Terrace Street Repair and Maintenance District" consisting of one (1) page and filed in the office of the City Clerk under Document No. M-394-1, excepting therefrom all public streets, public lands, roads, alleys, avenues and highways. Reference is hereby made to the map for a further full and more particular description of the maintenance district on the map, so on file, shall govern for all details as to the extent of the maintenance district.

Section 3

ASSESSMENT OF COST AND EXPENSE

It is proposed that the City's charges for administrative charges and periodic inspection of the asphalt paving to determine if a seal coat and asphalt overlay is required be withdrawn from the District's Reserve Fund. There will be a zero assessment to all parcels within the District.

Section 4

TIME AND PLACE OF HEARING

NOTICE IS HEREBY GIVEN that on July 2, 1996 at 10:00 a.m. in the Council Chambers of the City Administration Building, Community Concourse, 202 C Street, in the City of San Diego, California, is the day, hour and place for the hearing when any person interested may object to the proposed maintenance or the amount of the assessment. Failure to make objections at the time will be deemed to be a waiver of all objections and shall operate as a bar for any claim for damages. Such protest, if any, must be in writing and must contain a description of the property in which each signer thereof is interested, sufficient to identify the same and shall be delivered to and filed with the City Clerk at a time no later than the hour set for the hearing.

Persons desiring to make inquiries regarding these proceedings are hereby advised that they may contact the Street Superintendent at the City Operations Building, 1222 First Avenue, San Diego, California 92101 or telephone (619) 236-6010.

Section 5

PUBLICATION OF NOTICE

The City Clerk is directed to cause a notice, as required in section 22550 et seq. of the California Streets and Highways Code, to be published at least ten (10) days before the date of the hearing in the City's official newspaper. The City Clerk is directed to mail a copy of such notice, postage prepaid, to all property owners specified in section 65.0216 of the San Diego Municipal Code, whose names and addresses appear on the last

equalized County Assessment Roll, all in the manner and form provided for in the San Diego Maintenance District Procedural Ordinance of 1975.

APPROVED: JOHN W. WITT, City Attorney

By 
John K. Riess
Senior Deputy City Attorney

JKR:pev
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Or.Dept:Fin.&Tech.
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