

(R-97-810)
(Cor. Copy)

RESOLUTION NUMBER R- 288402

ADOPTED ON MAR 04 1997

RESOLUTION OF INTENTION TO LEVY, COLLECT AND
CONFIRM ASSESSMENTS AND ORDER THE
MAINTENANCE ON STONECREST LANDSCAPE AND
LIGHTING 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. Irrigation
- b. Fertilization
- c. Removal of weeds, trash and litter
- d. Pruning of trees and shrubs
- e. Replacement of dead or diseased trees and shrubs
- f. Repair of facilities

The maintenance shall be for Fiscal Year 1998.

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 "Stonecrest Landscape and Lighting Maintenance District" consisting of 1 pages and filed in the office of the City Clerk under Document No.

M-411-2-98, 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 to assess the total amount of maintenance costs of the district, plus the incidental expenses thereto, less a City contribution for median maintenance, to all the real property within the district in conformance with the provisions of the San Diego Maintenance District Procedural Ordinance of 1986 and in proportion to the estimated benefits from the maintenance to be received by the individual parcel of real property.

The Council may order a portion of the costs of maintenance to be paid by the City from appropriate funds.


A statement of the proposed assessments levied against the several lots or parcels of land as shown on the map referred to in Section 2 above, is on file in the office of the Street Superintendent for Public Inspection. Assessments will be levied pursuant to Chapter VI, Article 5, Division 2 of the San Diego Municipal Code.

Section 4. Hearing Waived. NOTICE IS HEREBY GIVEN that because the property owners have unanimously waived their rights to any notice of hearing on the proposed formation of the district pursuant to Streets and Highways Code Section 22608.1, the hearing normally required will not be held. Failure to make objections at the time of passage of this resolution 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 prior to the date the City Council acts upon this resolution.

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. Notice Waived. In light of the unanimous petition of the property owners and the attached waiver of notice signed by all of the property owners within the proposed district, the City Council, acting pursuant to California Streets and Highways Code Section 22608.1, waives the noticing required for the formation of this district.

APPROVED: CASEY GWINN, City Attorney

By 
Theresa C. McAteer
Deputy City Attorney

TCM:cmg
03/10/97
Or.Dept:Fin.&Tech.Svcs.
R-97-810
(Cor. Copy)
Form=ilcar.frm