

RESOLUTION OF INTENTION NO. 186409

To improve Hollister Street, Palm Avenue, Citrus Avenue, Conifer Avenue, Elm Avenue and U. S. Highway 101.

BE IT RESOLVED that the Council of The City of San Diego proposes and intends to order the following work to be done and improvements to be made in said City under the provisions of the Improvement Act of 1911 and amendments thereto, and that the alternate procedures provided for in Sections 61.0101 through 61.0111 of the San Diego Municipal Code shall be followed in lieu of the procedures of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, such work being more particularly described as follows:

That vitrified clay pipe sewer main, Portland cement concrete manholes and Portland cement concrete cradle be constructed in HOLLISTER STREET, in said City, between the easterly prolongation of the northerly line of Lot 18, Nestor Acres, and the easterly extension of the northerly line of Conifer Avenue. That foundation rock be used as determined necessary.

That vitrified clay pipe sewer main, Portland cement concrete manholes and Portland cement concrete cradle be constructed in PALM AVENUE, in said City, between the westerly line of Hollister Street and the easterly line of U. S. Highway 101. That foundation rock be used as determined necessary.

That vitrified clay pipe sewer main and Portland cement concrete manholes be constructed in CITRUS AVENUE, in said City, between the westerly line of Hollister Street and the easterly line of U. S. Highway 101. That foundation rock be used as determined necessary.

That vitrified clay pipe sewer main and Portland cement concrete manholes be constructed in CONIFER AVENUE, in said City, between the westerly line of Hollister Street and the easterly line of U. S. Highway 101. That foundation rock be used as determined necessary.

That vitrified clay pipe sewer main, Portland cement concrete manholes, Portland cement concrete cradle and steel casing be constructed in ELM AVENUE, in said City, between the westerly line of Hollister Street and a line parallel to and distant 100 feet westerly of the northerly prolongation of the easterly line of Bay-view Drive-in Theatre Tract No. 2. That foundation rock be used as determined necessary.

That vitrified clay pipe sewer main be constructed in U. S. HIGHWAY 101, in said City, at its intersection with Palm Avenue and that vitrified clay pipe sewer main and steel pipe casing be constructed in U. S. HIGHWAY 101, in said City, at its intersection with Elm Avenue.

That the said work hereinabove described on HOLLISTER STREET, between the easterly prolongation of the northerly line of Lot 18, Nestor Acres, and the easterly extension of the northerly line of Conifer Avenue; PALM AVENUE, between the westerly line of Hollister Street and the easterly line of U. S. Highway 101; CITRUS AVENUE, between the westerly line of Hollister Street and the easterly line of U. S. Highway 101; CONIFER AVENUE, between the westerly line of Hollister Street and the easterly line of U. S. Highway 101; ELM AVENUE, between the westerly line of Hollister Street and a line parallel to and distant 100 feet westerly of the northerly prolongation of the easterly line of Bayview Drive-in Theatre Tract No. 2; and U. S. HIGHWAY 101, at its intersection with Palm Avenue, and U. S. HIGHWAY 101, at its intersection with Elm Avenue, all in said City, shall be done as indicated on the plans and profiles on file in the office of the City Clerk of said City, and reference is hereby made to said plans and profiles from which the work is to be done.

All of said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, of the dimensions, and to the official grades thereof as shown upon and in accordance with the plans, profiles, drawings typical cross-sections and specifications therefore contained in Document No.:

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on file in the office of the City Clerk of said City, and copies of which are on file in the office of the City Engineer of said City, and by this reference thereto all said plans, profiles, drawings, typical cross-sections and specifications are made a part hereof.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local ordinary public benefit, and the expenses of such work and improvement are made chargeable upon the district hereinafter described, and said Council does hereby declare said district to be the district benefited by said work and improvement, and to be assessed to pay the costs and expenses thereof. Said district is described as follows, to-wit: All that real property in the said City of San Diego included within the exterior boundary lines of said District, as shown upon that certain Plat No. 3698, which plat, approved by the Council, is on file in the office of the City Engineer of said City; excepting therefrom all public streets, roads, alleys, avenues and highways. Reference is hereby made to said plat for a particular description of such district.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of fifty dollars or more remaining unpaid after the full expiration of thirty days from the date of the warrant, to represent the expenses of said work and improvement. Said serial bonds shall extend over a period ending nine years from the second day of January next succeeding the ~~next~~ September 1st following their date, and at the expiration of said time the whole sum then unpaid shall be due and payable; but on the second day of January of each year following the ~~next~~ September 1st after their date, an even annual proportion of its whole amount shall be due and payable, upon presentation of the coupon therefor, until the whole is paid. Said bonds shall bear interest at the rate of six per cent per annum, interest payable semi-annually by coupon, on all sums unpaid until the whole of said principal and interest are paid. Said bonds shall be issued and the principal and interest thereof shall be paid under and in pursuance to the Improvement Act of 1911, and amendments thereto; and if said bonds are redeemed before maturity and before commencement of proceedings for sale, in addition to all other sums unpaid and accrued a premium of five percent (5%) of the unmatured principal shall be paid.

The Council, ~~in accordance with the provisions of Art. XII of the Charter of said City,~~ ^{has} ascertained and declared by the adoption of Resolution No. 185322, on October 26 19 65, the prevailing rate of per diem wages paid by private employers in the said City of San Diego, for the same quality of service for a day of eight (8) hours for each craft, labor, type of workman or mechanic needed to execute said work, and by this reference thereto said Resolution is made a part hereof.

NOTICE IS HEREBY GIVEN, that Tuesday, MAR 29 1966 at 9:00 o'clock A.M. in the Council Chamber of the City Building, Community Concourse, 202 "C" Street, in the City of San Diego, California, are hereby fixed as the time and place when and where any and all persons having any objections to the proposed work or improvement, to the official grade to be established at which said work is to be done, or to the extent of the district to be assessed to pay the costs and expenses of said proposed work or improvement, may appear and show cause why said proposed improvement and establishment of the official grade should not be carried out in accordance with this resolution. Failure to make protest at that time shall be deemed to be a waiver of all objections to the proposed establishment of official grade and shall operate as a bar to 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 of said City. No other protests or objections will be considered.

That the Clerk of said City be and he is hereby directed to cause this Resolution of Intention to be published twice at least ten days before the date of said hearing in The San Diego Union, a daily newspaper published and circulated in said City and hereby designated for that purpose by the City Council.

That the Clerk of said City be, and he is hereby directed to mail notice of the adoption of this Resolution of Intention, postage prepaid, to all persons owning real property proposed to be assessed, whose names and addresses appear on the last equalized County Assessment Roll, at his address as shown upon such roll, or as known to the Clerk, and to any person, whether owner in fee or having a lien upon, or legal or equitable interest in any land within said proposed district, who has filed his name and address and the designation of the land in which he is interested with the Clerk of said City, and to the owners of all property assessed by the State of California under Section 14 of Article XIII of the Constitution of the State of California, all in the time, form and manner required by law. The Clerk of said City, shall, upon completion of the mailing of said notices, file with the City Council an affidavit setting forth time and manner of the compliance with the above requirements for mailing such notices.

That the Street Superintendent of said City shall, after the adoption of this Resolution of Intention, cause to be conspicuously posted along the line of said contemplated work or improvement at not more than 300 feet in distance apart but not less than three in all notice of the passage of this Resolution of Intention setting forth the time and place of said hearing which shall also briefly describe the proposed improvement, and when the work to be done is chargeable upon a district he shall cause such notices to be conspicuously posted upon all open streets within such district at not more than 300 feet in distance apart on each street so posted, and when the work to be done is only upon an entire crossing or intersection or any part thereof he shall cause such notices to be conspicuously posted in front of each quarter block or irregular block liable to be assessed; all in the time, form and manner required by law; and thereupon said Street Superintendent shall cause to be filed in the office of the City Clerk of said City an affidavit showing the posting of said notices of improvement.

All of the herein proposed work shall be done in pursuance of an Act of the Legislature of the State of California, designated as the "Improvement Act of 1911", and amendments thereto.