

RESOLUTION NO. 375

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST, CALIFORNIA, CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS ON THE COST OF CONSTRUCTION AND CONFIRMING AND LEVYING ASSESSMENTS IN CHAPTER 27 PROCEEDINGS UNDER THE IMPROVEMENT ACT OF 1911, FOR CHAPTER 27 PROJECT NO. 3.

WHEREAS, construction of certain improvements at locations described and set forth in Resolution No. 340 of this City Council have been completed pursuant to proceedings under Chapter 27, Part 3, Improvement Act of 1911;

WHEREAS, the Superintendent of Streets has caused notice of the cost of construction to be given in the form and manner specified by law, said notice specifying the day, hour and place for hearing and passing upon the report by the Superintendent of Streets; and

WHEREAS, all property owners and other interested persons present at said hearing having been heard, and all objections and protests, if any, having been considered; and

WHEREAS, the cost of construction includes a proportionate share of the cost of improvements constructed in a place other than in front of a parcel of property which are required for the proper functioning of the improvements in front of the parcel; and

WHEREAS, it is desired to confirm the report of the Superintendent of Streets, and confirm and levy such costs of construction as assessments against the parcels of property fronting upon sidewalks and curbs, as provided by law;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIDGECREST HEREWITH RESOLVES AND ORDERS:

1. That all proceedings heretofore conducted pursuant to Chapter 27 of the Improvement Act of 1911 for the construction of certain improvements at location described and set forth in Resolution No. 340 of this City Council have been conducted in the form and manner required by law, and are herewith confirmed and approved.

2. That the report of the Superintendent of Streets, as revised, corrected or modified by the City Council, is herewith approved and confirmed.

3. That the cost of construction is confirmed and assessed against the parcels of property fronting upon the sidewalks and curbs so constructed, including a proportionate share of the cost of improvements constructed in a place other than in front of a parcel of property which are required for the proper functioning of the improvements in front of the parcels, but excluding those costs assumed and agreed to be paid by the City of Ridgecrest, all as set

3. Cont'd

forth in the report of the Superintendent of Streets, which report, as revised, corrected or modified by the City Council, is referred to and incorporated herein by reference as though fully set forth.

4. That all such costs so assessed, if not paid within five (5) days from the date hereof, shall constitute a special assessment against the respective parcels of property involved, and shall be a lien on the property for the amount thereof from the time of recordation of the notice of lien, which lien shall continue until the assessment and all interest thereon is paid, or until it is discharged of record.

5. That the Superintendent of Streets shall file in the office of the County Recorder of Kern County a certificate of notice of lien in the form and manner required or permitted by law.

6. That pursuant to Resolution No. 374, heretofore adopted, any unpaid costs confirmed and assessed as provided herein which remain unpaid on the 31st day after confirmation of the assessments may be paid to the City of Ridgecrest in three (3) annual installments, and the payment of assessments so deferred shall bear interest on the unpaid balance at the rate of seven percent (7%), said interest to commence on the thirty-first (31st) day after confirmation of the assessments.

APPROVED AND ADOPTED this 6th day of January, 1972, by the following vote:

AYES: Mayor Smith, Councilmen Edwards, Fox, and Kessler.

NOES: None

ABSENT: Councilman Shacklett

Kenneth M. Smith
KENNETH M. SMITH, Mayor

ATTEST:

James R. Heck
JAMES R. HECK, City Clerk

