

RESOLUTION NO. 88-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST OF DETERMINATION, UNDER DIVISION 4 OF THE STREETS AND HIGHWAYS CODE, TO PROCEED WITH PROCEEDINGS FOR ACQUISITIONS AND IMPROVEMENTS

STREET IMPROVEMENT PROJECT NO. 17-E

ASSESSMENT DISTRICT NO. 17

RESOLVED, by the City Council of the City of Ridgecrest, California, that

WHEREAS, in accordance with the order of this Council a report has been filed with this Council pursuant to Division 4 of the Streets and Highways Code for the acquisition and construction of public improvements in and for said City described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, Wednesday, the 16th day of March, 1988, at the hour of seven o'clock (7:00) p.m. at the Council Chambers, City Hall, 139 Balsam Street, Ridgecrest, California were fixed by this Council as the time and place for hearing upon said report; and notice of said hearing has been duly given to all persons interested in the manner and for the time provided by law, as appears from affidavits thereof on file with the City Clerk; and

WHEREAS, this Council determined that said report should be heard before this Council, it being the legislative body of said City, and at said hearing on the report, the report, except as to the map, plat or diagram and the assessed valuations, true valuations and estimated assessments upon each parcel of land was read before protests were considered; and

WHEREAS, all persons interested desiring to be heard were fully heard, and all oral protests or objections made at the hearing to the ordering of things proposed to be done, and all written protests to the ordering of said things or relating to the regularity or sufficiency of the proceedings setting forth the irregularity or defect to which objection was made, and which were filed with the Clerk of this City at or before the time fixed for the hearing, were fully heard and considered by this Council;

NOW, THEREFORE, IT IS ORDERED, as follows:

1. That said acquisitions and improvements constitute a single comprehensive scheme for the construction of said improvements as described in Resolution No. 86-33 of Preliminary Determination for these proceedings heretofore adopted by this Council on April 16, 1986.

2. That the owners of more than one-half of the area of the property to be assessed for the improvements have not filed with the Clerk of this City at or before the time fixed for said hearing, or at all, written protests or objections to the ordering of the things proposed to be done, contained in said report.

3. That the owners of more than one-half of said area to be assessed have not, either orally or in writing, protested or objected to the ordering of said things proposed to be done, and that each and all of said protests are hereby overruled.

4. That said report and the proceedings heretofore had thereon or therefore are valid and fully conform with the provisions of Division 4 of the Streets and Highways Code, and all protests in writing relating to the regularity or sufficiency of the proceedings filed with the Clerk of this City at or before the time fixed for said hearing, are hereby overruled.

5. That the public interest, convenience and necessity require the acquisitions and improvements set forth in said report, that said proposed project is feasible and that the lands to be assessed therefore will be able to carry the burden of such proposed assessments and the limitations on the amounts of the assessments provided for in said Division 4 may be disregarded, both with respect to the limitations on the district as a whole, and as to the limitations on individual, specific assessments.

6. The lands proposed to be specially assessed to pay the costs and expenses of said improvements, are all as shown on the diagram of the proposed assessment district, which is a part of the report.

7. Proceedings for the acquisition and construction of said improvements will be had pursuant to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and the Municipal Improvement Act of 1913, and the bonds upon the unpaid assessments will be issued pursuant to the Improvement Bond Act of 1915.

APPROVED AND ADOPTED this 16th day of March, 1988 by the following vote:

AYES: Mayor Mower, Councilmembers Wiknich, Condos and Corlett.

NOES: None.

ABSENT: None.

ABSTAIN: Councilmember Bergens.

  
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Michael R. Mower, Mayor

ATTEST:

  
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Joyce M. Taft, City Clerk