

# Resolutions - Book # 64

## RESOLUTION NO. 72613

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Democratic Club for Izac, by William B. Roe, for permission to conduct a public display of fireworks on October 30, 1940, from 7:00 P.M. to 9:00 P.M. on the beach at the foot of Jenner Street and the Community House in La Jolla; subject to Sections 12500-12513 of the Health and Safety Code, the Rules and Regulations adopted by the State Fire Marshal and Ordinance No. 1313 New Series of the City of San Diego, as filed under Document No. 324045, be and it is hereby granted.

## RESOLUTION NO. 72614

WHEREAS, The United States of America has applied for and this day been granted a lease of certain Pueblo Lands belonging to The City of San Diego, for military purposes, and desires, chiefly for fire control purposes in connection therewith, permission to use an area of Torrey Pines Park contiguous to and westerly of said leased lands; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Manager be, and he is hereby authorized to issue to The United States of America a revocable permit to occupy that area of Torrey Pines Park lying within the westerly portion of Pueblo Lots 1331, 1325 and 1324 of the Pueblo Lands of The City of San Diego; the form of the permit hereby authorized being on file in the office of the City Clerk bearing Document No. 324112.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 30th day of October, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION NO. 72615

WHEREAS, The United States of America has applied to The City of San Diego for a lease of the building located on the Southwest corner of Fifth Avenue and G Street, which said building was formerly occupied as the City Hall, to be used as Headquarters of Selective Service Local Board No. 163; and

WHEREAS, said building is not presently being used by the City or occupied for any purpose, and the City desires to co-operate with the Federal Government to the fullest extent reasonably possible in the National Defense Program; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said property at the sum of \$10,000.00; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with The United States of America for said above described building, for a period ending June 30, 1941, with the option of extending the term of said lease to October 29, 1941, at a rental for said term of One Dollar (\$1.00); the form of which said lease being attached hereto, marked Exhibit "A", and made a part of this resolution.

BE IT FURTHER RESOLVED that Resolution No. 72594, passed and adopted October 29, 1940, be, and the same is hereby rescinded.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 30th day of October, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## EXHIBIT "A"

### LEASE

BETWEEN THE CITY OF SAN DIEGO AND THE UNITED STATES OF AMERICA.

1. THIS LEASE, made and entered into this 30th day of October, in the year one thousand nine hundred and forty, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, whose address is Civic Center, San Diego, California, hereinafter called the Lessor, and THE UNITED STATES OF AMERICA, hereinafter called the Government, WITNESSETH:

2. The parties hereto for the considerations hereinafter mentioned covenant and agree as follows:

3. The Lessor hereby leases to the Government the following described premises, viz:

That certain building located upon the Southwest corner of Fifth Avenue and G Street, in The City of San Diego, formerly known as the San Diego City Hall;

to be used exclusively for the following purposes: Headquarters, Selective Service Local Board No. 163.

4. TO HAVE AND TO HOLD the said premises, with their appurtenances, for the term beginning on the 30th day of October, 1940, and ending on the 30th day of June, 1941.

5. This lease may at the option of the Government be renewed for an additional period ending October 29, 1941, provided notice be given in writing to the Lessor at least thirty (30) days before this lease would otherwise expire.

6. The Government shall not assign this lease in any event, and shall not sublet the demised premises, and will not permit the use of any of said premises by any one other than the Government, and the agents and servants of the Government.

7. The Government shall pay the Lessor for the premises the sum of One Dollar (\$1.00) for the term hereby granted. Payment shall be made at the end of the current fiscal year year as of June 30, 1941.

8. The Government shall take the building hereby leased in its present condition, and the Lessor shall be under no obligation to make any repairs to or changes in said building of any character whatsoever.

9. The Government shall be responsible for all utility bills and other incidental expenses that may be involved in the use of said building for the purpose above indicated.

10. It is understood and agreed that this lease may be cancelled upon thirty (30) days' notice in writing by either the Lessor or the Government, the Director of Selective Service, or the Governor.

11. The Government hereby covenants and agrees to assume and does by the execution of this instrument assume all liability for loss, injury, expenses or damage from any cause whatsoever to any person or property, including the premises demised herein, that may happen or occur as the result of the possession, use and occupancy, or the failure to use and occupy the leased premises, during said term. The Government hereby assumes all liability for accidents to persons that may occur in, about or in connection with the leased premises during the term of this lease, and will save the Lessor harmless from any and all liability arising therefrom.

12. The Government shall have the right, during the existence of this lease, to make alterations, attach fixtures and erect additions, structures or signs in or upon the premises hereby leased, which fixtures, additions or structures so placed in or upon or attached to the said premises shall be and remain the property of the Government, and may be removed therefrom by the Government prior to the termination of this lease, or within a reasonable time thereafter, and the Government, if required by the Lessor, shall, before the expiration of this lease, or within a reasonable time thereafter, restore the premises to the same condition as that existing at the time of entering upon the same under this lease, reasonable and ordinary wear and tear and damage by the elements or by circumstances over which the Government has no control excepted; provided, however, that if the Lessor requires such restoration it shall give written notice thereof to the Government thirty (30) days before the termination of this lease.

13. No member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this lease or to any benefit to arise therefrom. Nothing, however, herein contained shall be construed to extend to any incorporated company, if the lease be for the general benefit of such corporation or company.

IN WITNESS WHEREOF, this Lease is executed by The City of San Diego, acting by and through the City Manager of said City; thereunto duly authorized by resolution of the Council of said City, and by The United States of America, acting by and through thereunto duly authorized, the day and year first hereinabove written.

THE CITY OF SAN DIEGO

Lessor.

By \_\_\_\_\_

City Manager.

THE UNITED STATES OF AMERICA

Lessee.

By \_\_\_\_\_

I hereby approve the form of the foregoing Lease, this 30th day of October, 1940.

City Attorney

By \_\_\_\_\_ Assistant City Attorney

#### RESOLUTION NO. 72616

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager, for and on behalf of The City of San Diego, be, and he is hereby authorized to execute and file with the Works Projects Administration an application for the construction of an intercepting trunk line sewer project, estimated to cost \$1,500,000; the City's sponsorship contribution to said project being estimated at the sum of approximately \$70,500.

Approved as to form by H. B. DANIEL

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 72613 to 72616 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 30th day of October, 1940.

FRED W. SICK

City Clerk of the City of San Diego, California

By \_\_\_\_\_

*Helen M. Willig*

Deputy

#### RESOLUTION NO. 72617

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The verbal protests of John F. Valleau, Jennie S. Rounds and A. M. Hopkins, against the Engineer's estimate on the cost for the proposed work of improving the ALLEY IN BLOCK 6 SUBDIVISION OF BLOCKS 3, 6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, between the north line of Wightman Street and the south line of University Avenue; and WIGHTMAN STREET, between the southerly prolongation of the west line of the Alley in Block 6, Subdivision of Blocks 3, 6, 9 and 12, City Heights Annex No. 1 and the southerly prolongation of the east line of said alley, be and they are hereby denied, and all other protests are hereby denied.

#### RESOLUTION NO. 72618

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The proceedings heretofore taken for the proposed improvement of HUGO STREET between the northwesterly line of Rosecrans Street and the southeasterly line of Willow Street, be and they are hereby abandoned, based on the City Engineer's report that more than one half the true value of all lands to be assessed, and in the case of 26 parcels of land, the estimated cost of the improvement will exceed one half the true value of each parcel.

## R E S O L U T I O N NO. 72619

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Renee Ramey Kennedy, Pickwick Hotel, to conduct a floor show with paid entertainment at the College Inn, 109 West "C" Street, where dancing is conducted and liquor is sold. This permission is subject to the regular license fee, and to compliance with existing regulations.

## R E S O L U T I O N NO. 72620

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Phil H. Doughty, 3128 El Cajon Blvd., to construct an auto court consisting of ten units on Lot 2 Block 35 Normal Heights, at 3153 Adams Avenue.

## R E S O L U T I O N NO. 72621

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Freeoff Theatre Corporation, 2175 Logan Avenue, to operate the Metro Theatre, with a seating capacity of 400, be and it is hereby granted.

## R E S O L U T I O N NO. 72622

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from Senator Ed Fletcher, Bearing Document No. 324169, requesting the City of San Diego to take official action on the location of the Cabrillo statue, be and it is hereby referred to the City Planning Engineer for recommendation as to location, said recommendation to be presented to the Council at next week's meeting.

## R E S O L U T I O N NO. 72623

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The request of Marie M. Herney, member of the Civil Service Commission of the City of San Diego, for leave of absence from duties as Commissioner, for a period commencing October 31, 1940 to and including March 1, 1941, to leave the City, be and it is hereby granted.

## R E S O L U T I O N NO. 72624

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Mrs. M. E. Waite, 2933 Newton Avenue, San Diego, filed in the office of the City Auditor and Comptroller on October 10, 1940, against the City of San Diego, in the amount of \$4.50; said amount claimed to be due on account of damages done to her automobile by a city-owned truck, be and it is hereby allowed.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be, and he is hereby authorized and directed to make payment from the Small Claims Payment Fund of the sum of \$4.50, in full settlement of said claim, upon the delivery to said City Auditor and Comptroller of a duly executed release, the form of which shall be approved by the City Attorney.

## R E S O L U T I O N NO. 72625

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of J. J. DeKeyser, 3042 Hawthorn Street, filed in the office of the City Auditor and Comptroller on October 26, 1940, in the amount of \$19.95, against the City of San Diego; said amount claimed to be due on account of damages to his automobile by a city-owned truck, be and it is hereby denied.

## R E S O L U T I O N NO. 72626

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The request of Rey Neal, 4969 East Mountain View Drive, et al, for the dumping of certain street sweepings on property located at 4969 East Mountain View Drive, contained in Document No. 323841, be and it is hereby granted, as recommended by the Director of Public Works.

## R E S O L U T I O N NO. 72627

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Engineer is hereby authorized and directed to prepare and present an ordinance establishing the official grade of the alley running north and south, on the east side of and adjacent to the County Library, 3532 Meade Avenue.

BE IT FURTHER RESOLVED, that the City Attorney is hereby authorized and directed to prepare the necessary papers releasing the jurisdiction to the County of San Diego over that portion of said alley, adjacent to the County Library property, for a distance of approximately 300 feet, for the purpose only of improving said alley.

## R E S O L U T I O N NO. 72628

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Clerk is hereby authorized and directed to notify the San Diego Seat Advertising Company that application has been made by the Bench Advertising Agency for the placing of benches with advertising at the following locations: northeast corner 30th and University, southeast corner 5th and University, northeast corner 30th and Imperial, northwest corner 25th and Broadway, northwest corner Goldfinch and Washington, and the southeast corner Park Boulevard and University Avenue, as recommended by the City Manager under date of November 6, 1940.

## RESOLUTION OF AWARD NO. 72629

Arthur Avenue

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 29th day of October, 1940, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72071, adopted by the Council on August 20, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of ARTHUR AVENUE, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: to GRIFFITH COMPANY, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |         |
|---|---------|
| Excavation, per cubic yard  | \$ .50  |
| Preparation of subgrade, per square foot  | \$ .01  |
| Pavement, per square foot   | \$ .113 |
| Sidewalk, per square foot   | \$ .50  |
| Curb, per lineal foot   | \$ 1.00 |
| 4" cast iron water main, with fittings, connections and appurtenances as shown on the plans, laid, per lineal foot, | \$ 1.20 |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF AWARD NO. 72630

Northwesterly and Southeasterly Alley in Block 72, Ocean Beach,  
and Portion of Newport Avenue and Public Right of Way.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 29th day of October, 1940, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72129, adopted by the Council on August 28, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the SOUTHEASTERLY AND NORTH-WESTERLY ALLEY IN BLOCK 72, OCEAN BEACH, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To GRIFFITH COMPANY at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |         |
|---|---------|
| Excavation, per cubic yard  | \$ 1.00 |
| Embankment, per cubic yard  | \$ .20  |
| Preparation of subgrade, per square foot  | \$ .01  |
| Pavement, per square foot   | \$ .118 |
| 4" sewer laterals, installed, EACH  | \$20.00 |
| 12" reinforced concrete pipe culvert, with fittings, connections and appurtenances, as shown on the plans, laid, per lineal foot, | \$ 2.00 |
| Standard Type D catch basins, installed, EACH   | \$80.00 |

The City Clerk of said City is hereby directed to cause a notice of award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



## RESOLUTION ORDERING WORK NO. 72631

Monroe Avenue and Ohio Street

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72354, adopted by the Council on October 1, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of MONROE AVENUE and OHIO STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72298, adopted on the 24th day of September, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## RESOLUTION NO. 72632

Directing Notice Inviting Sealed Proposals, Adams Avenue  
Lighting District No. 1

BE IT RESOLVED By the Council of the City of San Diego, California, as follows:  
That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on ADAMS AVENUE, between Boundary Street and 36th Street, in the City of San Diego, California. Such furnishing of electric current shall be for a period of one year from and including August 28, 1940, to-wit, to and including August 27, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Adams Avenue Lighting District No. 1," filed September 20, 1940, in the office of the City Clerk of said City.

That The San Diego Union, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL) FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## RESOLUTION NO. 72633

DIRECTING NOTICE INVITING SEALED PROPOSALS EL CAJON BOULEVARD  
LIGHTING DISTRICT NO. 1

BE IT RESOLVED By the Council of the City of San Diego, California, as follows:  
That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on EL CAJON BOULEVARD, between the west line of Texas Street and the west

line of Fairmount Avenue, in the City of San Diego, California.

Such furnishing of electric current shall be for the period of one year from and including December 1, 1940, to-wit: to and including November 30, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 1," filed in the office of the City Clerk of said City on September 16, 1940.

That The San Diego Union, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 72634

Boston Avenue

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and curbing of BOSTON AVENUE, in said City, between the east line of 28th Street and the west line of 30th Street, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on October 16, 1940, under Document No. 323756, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1808, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

#### RESOLUTION OF INTENTION NO. 72635

Boston Avenue

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of BOSTON AVENUE, in said City, between the east line of 28th Street and the west line of 30th Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base, and that Portland cement concrete curb be constructed therein.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 323756, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1808, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72544, adopted on the 22nd day of October, 1940, that 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, is as follows:

|                           | Per 8 hour day | Per hour |
|---------------------------|----------------|----------|
| Asphalt raker             | \$ 5.00        | \$ 0.625 |
| Asphalt spreader          | 5.00           | 0.625    |
| Auto mechanic             | 6.00           | 0.75     |
| Backfill machine operator | 6.00           | 0.75     |
| Blacksmith                | 6.00           | 0.75     |
| Blademan                  | 6.00           | 0.75     |

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Bricklayer                         | \$12.00        | \$ 1.50  |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one-half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 3rd day of December, 1940, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



R E S O L U T I O N NO. 72636  
RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN FENELON  
STREET, BETWEEN ROSECRANS STREET AND WILLOW STREET.

BE IT RESOLVED By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, paving and otherwise improving of FENELON STREET, between the northwesterly line of Rosecrans Street and the southeasterly line of Willow Street, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 324014. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 72637  
APPROVING ENGINEER'S REPORT AND FIXING TIME AND PLACE FOR  
HEARING THEREON. ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS.

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 24th day of October, 1940, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of the ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS, in said City, between the south line of Madison Avenue and the north line of Tract 3, Partition Map of the East 1/2 of Pueblo Lot G, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 10th day of December, 1940, at 10:00 o'clock in the forenoon of said day and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



## R E S O L U T I O N NO. 72638

WHEREAS, the City Engineer of The City of San Diego, California, in accordance with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and amendments thereto, and as directed by Resolution No. 71647 of the Council of said City, has prepared and filed in the office of the City Clerk of said City, under Document No. 322884, a report upon the proposed improvement of FLORENCE STREET, in said City, between the east line of 37th Street and the west line of 38th Street; and

WHEREAS, said report of the City Engineer shows that the estimated total cost of the improvement is less than one-half of the true value of all lands to be assessed, but that in the case of each of 11 parcels the proposed assessment will exceed one-half the true value of that parcel; and

WHEREAS, this Council has considered the said report of the City Engineer; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the proposed improvement of FLORENCE STREET, in said City, between the east line of 37th Street and the west line of 38th Street, is hereby determined to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading, paving and otherwise improving of FLORENCE STREET, within the limits hereinabove particularly described.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 72639

WHEREAS, the City Engineer of The City of San Diego, California, in accordance with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and amendments thereto, and as directed by Resolution No. 71648 of the Council of said City, has prepared and filed in the office of the City Clerk of said City, under Document No. 323071, a report upon the proposed improvement of IVY STREET, in said City, between the west line of Bancroft Street and the west line of 33rd Street; and

WHEREAS, said report of the City Engineer shows that the estimated total cost of the improvement is less than one-half of the true value of all lands to be assessed, but that in the case of each of 5 parcels the proposed assessment will exceed one-half the true value of that parcel; and

WHEREAS, this Council has considered the said report of the City Engineer; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the proposed improvement of IVY STREET, in said City, between the west line of Bancroft Street and the west line of 33rd Street, is hereby determined to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for grading, paving and construction of curb in IVY STREET, within the limits hereinabove particularly described.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 72640

DETERMINING THAT THE PROPOSED ASSESSMENT FOR THE IMPROVEMENT OF STRANDWAY, IN THE CITY OF SAN DIEGO, WILL NOT EXCEED THE LIMITATIONS OF THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931, AND AMENDMENTS THERETO.

WHEREAS, The City Engineer of The City of San Diego, California, did on the 28th day of August, 1940, file with the Clerk of the Council of said City a written report on the proposed improvement of STRANDWAY, within the limits and as particularly described in Resolution No. 71171, adopted by the Council of said City April 9, 1940, in conformity with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, and amendments thereto; and

WHEREAS, all investigations and reports provided for by said Act in connection with the said proposed improvement have been completed; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the proposed assessment for the improvement of STRANDWAY, within the limits and as particularly described in said Resolution No. 71171, will not exceed the limitations of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, and amendments thereto.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for grading and paving and otherwise

improving of said STRANDWAY, in said City, within the limits and as particularly described in said Resolution No. 71171.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 72641

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED  
BY THE CITY ENGINEER, MONROE AVENUE AND OHIO STREET.

WHEREAS, the Council of The City of San Diego, did on the 1st day of October, 1940, pass Resolution of Intention No. 72354, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72354, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

#### R E S O L U T I O N NO. 72642

DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION OF THE CITY  
ENGINEER - MONROE AVENUE AND OHIO STREET.

WHEREAS, the Council of The City of San Diego did, on the 1st day of October, 1940, pass its Resolution of Intention No. 72354 to order certain work to be done and improvement to be made in MONROE AVENUE and OHIO STREET, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 6th day of November, 1940, duly pass its Resolution Ordering Work No. 72631, ordering said work to be done and said improvement to be made in said Monroe Avenue and Ohio Street, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

#### R E S O L U T I O N NO. 72643

Portions of Ibsen Street

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading and paving of IBSEN STREET, between the northwesterly line of Rosecrans Street and the southeasterly line of Evergreen Street, in said City; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite

sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

#### R E S O L U T I O N NO. 72644

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Menlo Avenue in said City of San Diego, as described in Resolution of Intention No. 71730, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated November 2nd, 1940, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.



## R E S O L U T I O N NO. 72645

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Alley in Block 27, Resubdivision of Blocks K and L, Teralta in said City of San Diego, as described in Resolution of Intention No. 71874, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated July 23rd, 1940, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

## R E S O L U T I O N NO. 72646

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on 36th Street, in said City of San Diego, as described in Resolution of Intention No. 71811, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated July 16th 1940, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

## R E S O L U T I O N NO. 72647

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on The Alley in Block B, Altadena in said City of San Diego, as described in Resolution of Intention No. 71532, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated June 4th, 1940, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

## R E S O L U T I O N NO. 72648

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the deed of C. W. Rodecker and Marjorie R. Rodecker, husband and wife, bearing date of October 25, 1940, granting and conveying to The City of San Diego an easement and right of way for a public highway and incidents thereto, through, over, along and across the East Half of the East Half of the Northeast Quarter of Pueblo Lot 1774 of the Pueblo Lands of The City of San Diego, according to Map thereof made by James Pascoe in the year 1870, filed as Miscellaneous Map No. 36, in the office of the County Recorder of said County of San Diego, as particularly described in said deed, be, and the said deed is hereby accepted; and the lands therein conveyed are hereby set aside and dedicated to the public use, as and for public streets and highways in said City; and all that portion of said easement particularly described in said deed lying northerly of a line parallel to and distant 25 feet southerly from the east and west center line of the north half of Pueblo Lot 1774, be, and the same is hereby named LA JOLLA RANCHO ROAD; and all that portion of said easement particularly described in said deed lying southerly of a line parallel to and distant 25 feet southerly from the east and west center line of the north half of Pueblo Lot 1774, be, and the same is hereby named LA JOLLA SCENIC DRIVE.

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72649

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Wm. H. Schmidt and Lucille H. Schmidt, executed in favor of The City of San Diego, bearing date October 30, 1940, conveying to said City an easement and right of way for sewer purposes, through, along and across Lot 451 Crown Point, according to Map 1891 filed in the Office of the County Recorder of San Diego County March 2, 1926, in the City of San Diego, County of San Diego, State of California, be, and the said deed is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this Resolution.

## R E S O L U T I O N NO. 72650

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Wallace C. Zirkle, executed in favor of The City of San Diego, bearing date October 26, 1940, conveying to said City an easement and right of way for sewer purposes, through, along and across the west four (4) feet of lot (26) twenty-six, block forty-seven (47), Ocean Beach, Calif., Map No. 279, on file in the Office of the Recorder of San Diego County, California, be, and the said deed is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this Resolution.

## R E S O L U T I O N NO. 72651

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bills submitted by the San Diego City and County Convention Bureau in the sum of \$684.15, for expenses incurred in connection with conventions coming to San Diego, as approved by the Advertising Control Committee under date of November 1st, 1940, be and the said bills are hereby approved for payment; and

BE IT FURTHER RESOLVED that a requisition be and it is hereby authorized to be drawn against the allocation set up in the 1940-41 budget for said purpose for said amount.

## R E S O L U T I O N NO. 72652

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized



and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with pipe manifolds to replace flumes in University Heights Filter Plant, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 324160.

Approved as to form HARRY S. CLARK

#### R E S O L U T I O N NO. 72653

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager of The City of San Diego be, and he is hereby authorized and empowered to execute for and on behalf of The City of San Diego an agreement by and between The City of San Diego and the San Diego & Arizona Eastern Railway Company, a corporation, wherein and whereby said San Diego & Arizona Eastern Railway grants to said City an easement for the construction, maintenance and operation of two 36" and one 27" sewers and appurtenances across the main line east of 32nd Street and the Lakeside Branch east of Imperial Avenue, of said railway company.

Approved as to form MOREY P. LEVENSON

#### R E S O L U T I O N NO. 72654

WHEREAS, the State Highway Commission and The City of San Diego have entered into a Memorandum of Agreement, a copy of which is filed in the office of the City Clerk of said City under Document No. 304478, under date of September 7, 1937, and supplemented by Document No. 311269, under date of December 8, 1938, covering the work to be done on streets of major importance within the City limits, in accordance with the provisions of Chapter 767, Statutes of 1933; and

WHEREAS, Project 5b of the above mentioned agreements provides for the acquisition of certain lands for the extension of Washington Street, in the City of San Diego, from Fifth Avenue to Lincoln Avenue; and

WHEREAS, the City Manager has recommended the purchase of the following described parcel of real property:

##### PARCEL 2:

That portion of Lot A, G.A.Bush Addition, according to the Map thereof No. 1915, filed in the Office of the County Recorder of the County of San Diego, State of California, particularly described as follows, to-wit:

Commencing at the Northeasterly corner of said Lot A; thence South 89° 40' 30" West (Record: South 89° 44' 00" West) along the Northerly line of said Lot A, a distance of 82.19 feet to the Northwesterly corner thereof; thence South 38° 54' 30" West along a Northwesterly line of said Lot A, being also along a Southeasterly line of Sixth Street Extension as located and established at this date, viz: July 6, 1939, a distance of 82.19 feet to a point; thence South 26° 01' 30" West along said Southeasterly line of said Sixth Street Extension, a distance of 3.28 feet to a point; thence North 87° 00' 00" East a distance of 135.74 feet to a point on the Easterly line of said Lot A which bears South 0° 17' 30" East 60.27 feet from the point of commencement; thence North 0° 17' 30" West a distance of 60.27 feet to the point of commencement.

##### PARCEL 3:

Lot 34, G.A.Bush Addition, according to the Map thereof No. 1915, filed in the Office of the County Recorder of the County of San Diego, State of California.

##### PARCEL 4:

Lot 35, G.A.Bush Addition, according to the Map thereof No. 1915, filed in the Office of the County Recorder of the County of San Diego, State of California.

##### PARCEL 5:

That portion of Lot 36, G.A.Bush Addition, according to the Map thereof No. 1915, filed in the Office of the County Recorder of the County of San Diego, State of California, particularly described as follows, to-wit:

Commencing at the Northwesterly corner of said Lot 36; thence North 89° 40' 30" East (Record: North 89° 44' 00" East) along the Northerly line of said Lot 36, a distance of 99.43 feet to the Northeasterly corner of said Lot 36; thence South 0° 17' 30" East along the Easterly line of said Lot 36, a distance of 2.54 feet to a point; thence South 87° 00' 00" West a distance of 99.54 feet to a point on the Westerly line of said Lot 36 which bears South 0° 17' 30" East 7.19 feet from the point of commencement; thence North 0° 17' 30" West along the Westerly line of said Lot 36, a distance of 7.19 feet to the point of commencement.

for the following price, to-wit: the sum of Three Hundred Fifty Dollars (\$350.00); and

WHEREAS, there has heretofore been deposited in Court a portion of said purchase price, to-wit: the sum of Two Hundred Dollars (\$200.00); and it is necessary to provide an additional sum of One Hundred Fifty Dollars (\$150.00) for said purchase; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager be, and he is hereby authorized to purchase the real property hereinabove described, at and for the price hereinabove set forth, all for the purpose of extending Washington Street, in the City of San Diego, California, from Fifth Avenue to Lincoln Avenue, in accordance with the provisions of Project 5b of the Agreement hereinabove mentioned; and said City Manager is hereby authorized to draw a requisition on the Right of Way Trust and Revolving Fund, in the amount hereinabove set forth.

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized to expend the sum of Fifty Dollars (\$50.00), or any portion thereof, necessary for the payment of any escrow charges or incidental expenses in connection with the acquisition of the real property hereinabove described, said funds to be withdrawn by requisition of the Manager from said Rights of Way Trust and Revolving Fund.

Approved as to form MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

## R E S O L U T I O N NO. 72655

WHEREAS, pursuant to Resolution No. 72357, adopted by the Council of The City of San Diego on 1st day of October, 1940, authorizing the Purchasing Agent of said City to publish a notice in the official newspaper of said City of the intention of said Council to dispose of the real property described therein, pursuant to the provisions of Section 9.03 of the Administrative Code of said City, the following described property situate in the City of San Diego, State of California, was offered for sale at public auction:

Right of Way Lot No. 134, as shown on Partition Map of Middletown  
by J. E. Jackson, filed in the office of the County Clerk of the  
County of San Diego, California;

and

WHEREAS, at said auction sale the Frontier Enterprises, Incorporated, offered the sum of Five Hundred Dollars (\$500.00) for said property, which was the highest and best bid made at said sale, and said property was sold to the said Frontier Enterprises, Incorporated; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the Mayor and City Clerk of The City of San Diego be, and they are hereby authorized and directed to execute for and on behalf of The City of San Diego a deed granting and conveying to the said Frontier Enterprises, Incorporated, the property hereinabove described.

Approved as to form by HARRY S. CLARK

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 72656

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby requested to bring in a recommendation, at his earliest convenience, regarding the existing lease between the City of San Diego and Wayne W. Dailard, et al, for the operation of the Mission Beach Amusement Center.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 72617 to 72656 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 6th day of November, 1940.

FRED W. SICK  
City Clerk of the City of San Diego, California

By Aelan M. Willig Deputy

## R E S O L U T I O N NO. 72657

A RESOLUTION DECLARING THE RESULT OF THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF SAN DIEGO, CALIFORNIA, ON TUESDAY, NOVEMBER 5TH, 1940, UPON PROPOSITIONS FOR THE INCURRING OF BONDED INDEBTEDNESS.

WHEREAS, a Special Municipal Election was held in The City of San Diego, California, on the 5th day of November, 1940, in pursuance of the provisions of Ordinance No. 1932 (New Series) of the ordinances of said City, entitled, "An Ordinance calling a special election in The City of San Diego, California, and submitting to the voters thereof propositions for the incurring of bonded indebtedness," passed and adopted September 10, 1940; and

WHEREAS, at said special municipal election there were submitted to the qualified voters of said City, in pursuance of the provisions of said Ordinance No. 1932 (New Series) the following propositions, namely:

## PROPOSITION I.

Shall The City of San Diego incur a bonded indebtedness of \$1,300,000.00 for the acquisition, construction and completion of improvements, extensions and additions to the water distribution system of The City of San Diego, as follows:

(1) The purchase and installation of water transmission mains:

- (a) From vicinity of Upas Street and California Street to Rosecrans Street and Ingraham Street;
- (b) From Otay-San Diego Second Main Pipe Line, vicinity of Broadway, to Bonita Pipe Line at Hilltop Drive and 45th Street;
- (c) From University Heights Reservoir to Upas Street Pipe Line;
- (d) From Upas Street at Canyada Way to Eleventh Avenue and A Street;
- (e) From Rosecrans Street and Ingraham Street to Pacific Beach Reservoir;
- (f) From University Heights Reservoir to and along Camino del Rio to Taylor Street;
- (g) From Hilltop Drive to Main Street, vicinity of 35th Street;
- (h) Along Dwight Street from Van Dyke Street to Felton Street;
- (i) From Pacific Highway to Coast Guard Base;
- (j) Along La Jolla Shores Drive from Plata Street to the Biological Institute;
- (k) From Murray Reservoir to El Capitan pipe line.

(2) The purchase and installation of additional water treatment facilities and additional filters at University Heights filter plant.

(3) In addition to the foregoing, other necessary improvements, extensions and additions to the City's water distribution system.

## PROPOSITION II.

Shall The City of San Diego incur a bonded indebtedness of \$3,000,000.00 for the acquisition, construction and completion of a gravity section concrete dam at a location known as the San Vicente Damsite on the San Vicente Creek, a tributary of the San Diego River, in the County of San Diego, State of California, and the acquisition, construction and completion of a pipeline to connect the reservoir to be created by said dam to the existing El Capitan pipeline; the relocation and construction of such roads or highways as may become necessary by reason of the construction of said dam and reservoir; and the

clearing of said reservoir basin; together, also, with the acquisition of lands and rights of way necessary or convenient in connection with said project; all for the purpose of developing, impounding, conserving, storing and distributing an additional water supply for the use of the inhabitants of The City of San Diego (the estimated cost of said improvements is \$3,550,000.00, and of said sum \$550,000.00 is available for the construction of said dam and pipeline from moneys in the Sutherland Dam Bond Fund which will be used therefor)?

AND WHEREAS, all the various election boards appointed pursuant to the provisions of said Ordinance No. 1932 (New Series) and in Resolution No. 72371, passed and adopted by the City Council on the 4th day of October, 1940, have made returns of the said election to the City Clerk and to the Council, all as required by law; and

WHEREAS, said Council did on the second day next succeeding the date of said election then and there proceed to publicly open and canvass the said returns, and said canvass having been postponed from day to day until all absent voter ballots have been received and canvassed, and the result thereof determined; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the result of said special municipal election be, and it is hereby declared to be as follows:

That the whole number of ballots cast in said City at said special municipal election is Eighty-seven thousand six hundred ninety-two (87,692)

That on the proposition, hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION I. Shall The City of San Diego incur a bonded indebtedness of \$1,300,000.00 for the acquisition, construction and completion of improvements, extensions and additions to the water distribution system of The City of San Diego, as follows:

- (1) The purchase and installation of water transmission lines:
  - (a) From vicinity of Upas Street and California Street to Rosecrans Street and Ingraham Street;
  - (b) From Otay-San Diego Second Main Pipe Line, vicinity of Broadway, to Bonita Pipe Line at Hilltop Drive and 45th Street;
  - (c) From University Heights Reservoir to Upas Street Pipe Line;
  - (d) From Upas Street at Canyada Way to Eleventh Avenue and A Street;
  - (e) From Rosecrans Street and Ingraham Street to Pacific Beach Reservoir;
  - (f) From University Heights Reservoir to and along Camino del Rio to Taylor Street;
  - (g) From Hilltop Drive to Main Street, vicinity of 35th Street;
  - (h) Along Dwight Street from Van Dyke Street to Felton Street;
  - (i) From Pacific Highway to Coast Guard Base;
  - (j) Along La Jolla Shores Drive from Plata Street to the Biological Institute;
  - (k) From Murray Reservoir to El Capitan pipe line.
- (2) The purchase and installation of additional water treatment facilities and additional filters at University Heights filter plant.
- (3) In addition to the foregoing, other necessary improvements, extensions and additions to the City's water distribution system?"

the vote was:

|                          |              |
|--------------------------|--------------|
| For said proposition     | 65,439 votes |
| Against said proposition | 13,368 votes |
| Void ballots             | 5,572        |

That the total number of votes given in said City in favor of said proposition is Sixty-five thousand four hundred thirty-nine (65,439), and the total number of votes given against said proposition is Thirteen thousand three hundred sixty-eight (13,368), and the total number of void ballots is Five thousand five hundred seventy-two (5,572); and said proposition has received the vote of two-thirds of all the voters voting thereon at said election.

That on the proposition, hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION II. Shall The City of San Diego incur a bonded indebtedness of \$3,000,000.00 for:

- The acquisition, construction and completion of a gravity section concrete dam at a location known as the San Vicente Damsite on the San Vicente Creek, a tributary of the San Diego River, in the County of San Diego, State of California;
- The acquisition, construction and completion of a pipeline to connect the reservoir to be created by said dam to the existing El Capitan pipe line;
- The relocation and construction of such roads or highways as may become necessary by reason of the construction of said dam and reservoir; and
- The clearing of said reservoir basin; together, also, with
- The acquisition of lands and rights of way necessary or convenient in connection with said project;

All for the purpose of developing, impounding, conserving, storing and distributing an additional water supply for the use of the inhabitants of The City of San Diego (the estimated cost of said improvements is \$3,550,000.00, and of said sum \$550,000.00 is available for the construction of said dam and pipeline from moneys in the Sutherland Dam Bond Fund which will be used therefor)?"

the vote was:

|                          |              |
|--------------------------|--------------|
| For said proposition     | 61,912 votes |
| Against said proposition | 16,229 votes |
| Void ballots             | 5,572        |

That the total number of votes given in said City in favor of said proposition is Sixty-one thousand nine hundred twelve (61,912), and the total number of votes given against said proposition is Sixteen thousand two hundred twenty-nine (16,229), and the total number of void ballots is Five thousand five hundred seventy-two (5,572); and said proposition has received the vote of two-thirds of all the voters voting thereon at said election.

Passed and adopted by the said Council of the said City of San Diego, California, this 12th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers  
 NAYS - Councilmen: None  
 ABSENT-Mayor Benbough

ATTEST: A. E. FLOWERS

(SEAL)

Vice Mayor of the City of San Diego, California

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 72658

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Harry Williams, 1665 Froude Street, to construct an 8-unit bungalow court on Lots 11 and 12 Block 92 Roseville, not closer to the property line on Keats Street than five feet.

The provisions of Setback Ordinance No. 12321 be, and they are hereby suspended in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 72659

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Josephine A. Jackson, M.D., 7817 Prospect Place, to construct a stairway to the living quarters at that address, on Lot 7 Block 46 La Jolla Park, not closer to the property line on Park Row (Coast Blvd.) than 0 feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 72660

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to E. B. Mattingly, 3111 Quince Street, to erect a residence on Lots 19 and 20 Block 11 Frary Heights, not closer to the property line on Quince Street than two feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 72661

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Fred E. Dodge, 4364 Hawk Street, to construct an addition to the residence at 4364 Hawk Street, on the north 50 feet of Lot 18 Avalon Heights, with a side yard of 5 feet six inches, a rear yard of 8 feet and a lot coverage of 37 per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be and it is hereby granted on the property mentioned above.

#### R E S O L U T I O N NO. 72662

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to E. L. Coleman, 4321 Maryland Street, to construct a three car garage with one-unit apartment above, on Lots 19 and 20 Block 96 University Heights.

Variance to the restrictions of Ordinance No. 12988 be and it is hereby granted on the property mentioned above.

#### R E S O L U T I O N NO. 72663

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Arthur Ingham, 3482 Myrtle Avenue, to construct four single-family residences on Lots 25 to 28 block 17 City Heights, provided a setback of fifteen feet is maintained along Myrtle Avenue and a setback of ten feet is maintained along Vancouver Street.

Variance to the restrictions of Ordinance No. 12820 be and it is hereby granted on the property mentioned above.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 72664

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Ralph E. Oversmith, 3343 Russell Street, for permission to erect and operate a single-family residence and apartment over a garage, with four-foot rear yard, on Lot 7 Block 149 Roseville, and for variance to the restrictions of Ordinance No. 31 New Series, be and it is hereby denied.

#### R E S O L U T I O N NO. 72665

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Blanche Youngs, 3646 Granada Street, for variance to the restrictions of Ordinance No. 13175, to permit the erection of a garage and apartment above, on Lot 1 Block 17 West End, be and it is hereby denied.

#### R E S O L U T I O N NO. 72666

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Walter B. Brenner and Mrs. Evelyn J. Brenner, for variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, to permit the construction of an apartment over a garage on Lots 32 and 33 Block I La Jolla Strand, with a side yard of 3 feet, a rear yard of 5 feet and a lot coverage of 50 per cent, be and it is hereby denied.

#### R E S O L U T I O N NO. 72667

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Vitriified Products Corporation, by D.M.Denton, 4570 Pacific Highway, to enlarge the present auto trailer camp on portions of Blocks 401, 402, 403, 404, 405, 430 and 431 Old San Diego, to permit the conduct of 150 total units, on the conditions that the trailer spaces be 100 feet back from Pacific Highway, and that the



grounds be appropriately landscaped.

#### R E S O L U T I O N NO. 72668

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Harry Epstein and Lee McKinney, by Lee McKinney, 400 "B" Street, to conduct an auto trailer camp consisting of thirty units, on Lots 1 and 2 Block 379 Old San Diego, on Gaines Street between Juan Street and Sunset Boulevard, for a period of three years, provided the site is properly landscaped.

#### R E S O L U T I O N NO. 72669

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for the change of zone on property including portions of Boulevard Gardens and Pueblo Lot 256, from light manufacturing zone to Zone R-4, as petitioned for under Document No. 324303, is hereby referred to the City Attorney for the preparation and presentation to the Council, of the necessary ordinance to effect the change.

#### R E S O L U T I O N NO. 72670

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of San Diego Unified School District, bearing Document No. 322943, for changing the zone of property in Glenartney Subdivision from Zone R-1 to Zone R-2 to permit the construction of a school, is hereby referred to the City Attorney for the preparation and presentation to the Council, of the necessary ordinance to effect the change.

#### R E S O L U T I O N NO. 72671

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving the east and west Alley in Block 121 University Heights, contained in Document No. 324193, be and it is hereby granted. Type of pavement to be 5 inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

#### R E S O L U T I O N NO. 72672

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to J. B. McLees, 3732 Strandway, et al, to pave the Alley in Block 181 Mission Beach by private contract and at their own expense.

The work is to be done to the established grade of the alley, and in accordance with a plan of the work to be done, which shall be submitted to the City Engineer for record.

#### R E S O L U T I O N NO. 72673

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of property owners for the closing of the north 20 feet of Elm Street, between the east line of 32nd Street and the west line of Bancroft Street, contained in Document No. 323787, be and it is hereby denied.

#### R E S O L U T I O N NO. 72674

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Planning Engineer that the site for the Cabrillo statue be near the waterfront in the La Playa district, at the intersection of Harbor Drive and Canon Street, as shown on blue print attached to Document No. 324169, be and it is hereby adopted.

#### R E S O L U T I O N NO. 72675

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of residents for angle parking on the north side of Wall Street, between Herschell Avenue and the alley east of said Avenue, and the recommendation of the Traffic Commission that said petition be granted, bearing Document No. 324305, be and said documents are hereby referred to the City Attorney for the preparation and presentation to the Council of an ordinance permitting angle parking at that point.

#### R E S O L U T I O N NO. 72676

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Consolidated Gas & Electric Company is hereby authorized and directed to install a 600 c.p. street light at the intersection of Pacific Highway and Witherby Street, in The City of San Diego, California.

#### R E S O L U T I O N NO. 72677

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas & Electric Co. is hereby authorized and directed to install a 400 c.p. street light at the intersection of Brooklyn and Fergus Streets.

#### R E S O L U T I O N NO. 72678

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Jack Berman, 3629 - 28th Street, to construct an addition to a garage on a portion of Lot 8 Mission Hills #2, not closer to the property line on Pine Street than 16.5 feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended on the property mentioned above.

#### R E S O L U T I O N NO. 72679

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of J. B. Witherow for the construction of a new composition roof on Shed No. 1, "B" Street Pier, for the sum of \$5761.00 be, and the same is hereby accepted; and the contract for same is hereby awarded to said J. B. Witherow.

BE IT FURTHER RESOLVED that the Harbor Commission of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said J. B. Witherow, for the construction of said roof, pursuant to

the plans and specifications therefor on file in the office of the City Clerk.  
That the City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.  
Approved as to form H. B. DANIEL

# R E S O L U T I O N NO. 72680

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for removal of acacia trees from the parkings in the sidewalks along University Avenue, between Boundary Street and Euclid Avenue, bearing Document No. 323286, is hereby granted without making the customary replacements, provided that the permits are secured under the terms of the Street Tree Ordinance No. 1778 (N.S.), as recommended by the City Manager.

# RESOLUTION ORDERING WORK NO. 72681

Polk Avenue

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72398, adopted by the Council on October 8, 1940, and on file in the office of the City Clerk of said City for the grading and paving and otherwise improving of POLK AVENUE, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72346, adopted on the 1st day of October, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the SAN DIEGO UNION a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 12th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

# R E S O L U T I O N NO. 72682

Alley in Block 164, Mission Beach.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of the ALLEY IN BLOCK 164, MISSION BEACH, in said City, between the easterly line of Strandway and the westerly line of Mission Boulevard, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on September 23, 1940, under Document No. 323173, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1805, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said alley hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

# RESOLUTION OF INTENTION NO. 72683

Alley in Block 164, Mission Beach.

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That the ALLEY IN BLOCK 164, MISSION BEACH, in said City, between the easterly line of Strandway and the westerly line of Mission Boulevard, be graded; and the subgrade prepared and paved with a Portland cement concrete pavement, and that cast iron sewer laterals and appurtenances and copper water service connections and appurtenances be constructed therein.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 323173, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1805, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72348, adopted on the 1st day of October, 1940, that 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, is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 10th day of December, 1940, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 12th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 72684  
DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME  
AND PLACE OF HEARING THEREOF

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1713 made to cover the costs and expenses of the work done upon 36th Street in said City, under Resolution of Intention No. 71811, adopted July 16th, 1940, by said Council and also of the time and the place to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

R E S O L U T I O N NO. 72685  
APPROVING ENGINEER'S REPORT AND FIXING TIME AND PLACE FOR  
HEARING THEREON, NORTH AND SOUTH ALLEY IN BLOCK 107,  
UNIVERSITY HEIGHTS.

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 4th day of November, 1940, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of the NORTH AND SOUTH ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS, in the City of San Diego, California, between the south line of Meade Avenue and the north line of the east and west alley in said block 107, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 17th day of December, 1940, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 12th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.



(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 72686  
RESOLUTION DETERMINING THAT THE PROPOSED ASSESSMENT FOR THE  
IMPROVEMENT OF THE ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS  
3, 6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, AND WIGHTMAN STREET,  
WILL NOT EXCEED THE LIMITATIONS OF THE SPECIAL ASSESSMENT  
INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931,  
AND AMENDMENTS THERETO.

WHEREAS, the City Engineer of The City of San Diego, California, did on the 23rd day of September, 1940, file with the Clerk of the Council of said City a written report on the proposed improvement of the ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, and WIGHTMAN STREET, in said City, within the limits and as particularly described in Resolution No. 71013, adopted by the Council of said City March 19, 1940, in conformity with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, and amendments thereto; and

WHEREAS, all investigations and reports provided for by said Act in connection with the said proposed improvement have been completed; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the proposed assessment for the improvement of the ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, and WIGHTMAN STREET, in said City, within the limits and as particularly described in said Resolution No. 71013, will not exceed the limitations of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, and amendments thereto.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading, paving and otherwise improving of the said Alley in Block 6, Subdivision of Blocks 3, 6, 9 and 12, City Heights Annex No. 1, and Wightman Street, within the limits and as particularly described in said Resolution No. 71013.

Passed and adopted by the said Council of the said City of San Diego, California, this 12th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 72687

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Siesta Drive, Madison Avenue and Cajon Way in said City of San Diego, as described in Resolution of Intention No. 71938, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated November 8th, 1940, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

R E S O L U T I O N NO. 72688

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on Date Street between Granada Avenue and Dale Street as particularly described in Resolution of Intention No. 71986 and to be assessed to pay the expenses thereof.

R E S O L U T I O N NO. 72689

Strandway

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading and paving of STRANDWAY, between the southerly line of San Jose Place and the southerly line of Santa Rita Place, in said City; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                           | Per 8 hour day | Per hour |
|---------------------------|----------------|----------|
| Asphalt raker             | \$ 5.00        | \$ 0.625 |
| Asphalt spreader          | 5.00           | 0.625    |
| Auto mechanic             | 6.00           | 0.75     |
| Backfill machine operator | 6.00           | 0.75     |
| Blacksmith                | 6.00           | 0.75     |
| Blademan                  | 6.00           | 0.75     |
| Bricklayer                | 12.00          | 1.50     |
| Bricklayer tender         | 7.00           | 0.875    |
| Bulldozer operator        | 6.00           | 0.75     |

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Bulldozer operator over 50 HP      | \$10.00        | \$ 1.25  |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 12th day of November, 1940, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy  
I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
(SEAL) City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 72690  
44th Street

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, paving and otherwise improving of 44TH STREET, in said City, between the north line of El Cajon Boulevard and the north line of Orangewood, according to Map No. 1293, filed in the office of the Recorder of San Diego County, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                           | Per 8 hour day | Per hour |
|---------------------------|----------------|----------|
| Asphalt raker             | \$ 5.00        | \$ 0.625 |
| Asphalt spreader          | 5.00           | 0.625    |
| Auto mechanic             | 6.00           | 0.75     |
| Backfill machine operator | 6.00           | 0.75     |
| Blacksmith                | 6.00           | 0.75     |
| Blademan                  | 6.00           | 0.75     |
| Bricklayer                | 12.00          | 1.50     |
| Bricklayer tender         | 7.00           | 0.875    |
| Bulldozer operator        | 6.00           | 0.75     |

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Bulldozer operator over 50 HP      | \$10.00        | \$ 1.25  |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 12th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 72691

Alley in Block 190, San Diego Land and Town Company's Addition.

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, paving and otherwise improving of the ALLEY IN BLOCK 190, SAN DIEGO LAND AND TOWN COMPANY'S ADDITION, in said City, between the northwesterly line of Sampson Street and the southeasterly line of Evans Street; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |

|                                    | <u>Per 8 hour day</u> | <u>Per hour</u> |
|------------------------------------|-----------------------|-----------------|
| Carpenter                          | \$ 8.00               | \$ 1.00         |
| Caulker                            | 6.00                  | 0.75            |
| Cement finisher                    | 10.00                 | 1.25            |
| Clerk                              | 6.00                  | 0.75            |
| Compressor operator                | 10.00                 | 1.25            |
| Concrete mixerman                  | 7.00                  | 0.875           |
| Concrete spreader                  | 5.00                  | 0.625           |
| Concrete tamper                    | 5.00                  | 0.625           |
| Crane operator                     | 9.00                  | 1.125           |
| Driller                            | 7.00                  | 0.875           |
| Drill sharpener                    | 6.00                  | 0.75            |
| Electrician                        | 10.00                 | 1.25            |
| Engineer, hoisting                 | 10.00                 | 1.25            |
| Engineer, asphalt plant            | 10.00                 | 1.25            |
| Finish machine operator            | 6.00                  | 0.75            |
| Form setter                        | 6.00                  | 0.75            |
| Jackhammer man                     | 7.00                  | 0.875           |
| Kettleman, asphalt or lead         | 6.00                  | 0.75            |
| Laborer, common                    | 5.00                  | 0.625           |
| Materialman                        | 6.00                  | 0.75            |
| Pipelayer                          | 6.00                  | 0.75            |
| Plumber                            | 10.00                 | 1.25            |
| Powderman                          | 6.00                  | 0.75            |
| Pumpman                            | 6.00                  | 0.75            |
| Reinforcing steel worker           | 10.00                 | 1.25            |
| Road grader operator               | 6.00                  | 0.75            |
| Roller operator                    | 10.00                 | 1.25            |
| Shovel operator, 1 yard and over   | 10.00                 | 1.25            |
| Shovel operator, less than 1 yard  | 8.00                  | 1.00            |
| Shovel fireman and watchman        | 7.00                  | 0.875           |
| Shovel oiler                       | 6.00                  | 0.75            |
| Teamster                           | 5.00                  | 0.625           |
| Tractor operator, over 50 HP       | 10.00                 | 1.25            |
| Tractor operator, 50 HP and under  | 6.00                  | 0.75            |
| Time keeper                        | 6.00                  | 0.75            |
| Trenching machine operator         | 10.00                 | 1.25            |
| Truck driver, 15,500 lbs and under | 5.44                  | 0.68            |
| Truck driver, over 15,500 lbs      | 6.00                  | 0.75            |
| Watchman                           | 5.00                  | 0.625           |
| Welder                             | 11.00                 | 1.375           |
| Skilled labor not above listed     | 8.00                  | 1.00            |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 12th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 72692

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Evelyn B. McFarland, a widow, executed in favor of The City of San Diego, bearing date October 29, 1940, granting to said City an easement and right of way for sewer purposes through, along and across the westerly 15 feet of the southerly 140 feet of Lot 18, in Country Paradise, in the City of San Diego, California, according to the Map thereof No. 1110, filed for record in the office of the County Recorder of said County of San Diego, be, and the said deed is hereby accepted.

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 72693

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Edward J. Ruppel and Dena I. Ruppel, husband and wife, executed in favor of The City of San Diego, bearing date August 26, 1940, granting to said City an easement and right of way for sewer purposes through, along and across the southerly six feet of Lot 3 of Country Paradise, in the City of San Diego, California, according to the Map thereof No. 1110, filed for record in the office of the County Recorder of said County of San Diego, the southerly line of said easement being the southerly line of said Lot, be, and the said deed is hereby accepted.

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.



## R E S O L U T I O N NO. 72694

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Mollie L. Mosher, widow, individually, and as Administratrix of the estate of Lorenzo Dow Mosher, deceased, and Ida Blanch Mosher O'Keefe, executed in favor of The City of San Diego, bearing date August 26, 1940, granting to said City an easement and right of way for sewer purposes through, along and across the southerly six feet of Lot 2 of Country Paradise, in the City of San Diego, California, according to the Map thereof No. 1110, filed for record in the office of the County Recorder of said County of San Diego, the southerly line of said easement being the southerly line of said Lot, be, and the said deed is hereby accepted.

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72695

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of William Roemer and Mina Roemer, husband and wife, executed in favor of The City of San Diego, bearing date September 10, 1940, granting to said City an easement and right of way for sewer purposes through, along and across all that portion of the easterly twelve feet of the westerly one-half of Lot 13, in Lemon Villa, in the City of San Diego, California, according to the Map thereof No. 734, filed for record in the office of the County Recorder of said County of San Diego, be, and the said deed is hereby accepted.

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72696

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of John J. Worth and Pearl Mabel Worth, husband and wife, executed in favor of The City of San Diego, bearing date of November 6, 1940, granting to said City an easement and right of way for sewer purposes through, over, along and across the southerly six feet of Lot 5 of Country Paradise, in the City of San Diego, California, according to the Map thereof No. 1110, filed for record in the office of the County Recorder of said County of San Diego, the southerly line of said easement being the southerly line of said lot 5, be, and the said deed is hereby accepted.

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72697

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Leah Viola Mosher Ruch, executed in favor of The City of San Diego, bearing date September 7, 1940, granting to said City an easement and right of way for sewer purposes through, along and across the southerly six feet of Lot 2 of Country Paradise, in the City of San Diego, California, according to the Map thereof No. 1110, filed for record in the office of the County Recorder of said County of San Diego, the southerly line of said easement being the southerly line of said lot, be, and the said deed is hereby accepted.

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72698

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Mollie Cobey Mosher Campbell, executed in favor of The City of San Diego, bearing date September 9, 1940, granting to said City an easement and right of way for sewer purposes through, along and across the southerly six feet of Lot 2 of Country Paradise, in the City of San Diego, California, according to the Map thereof No. 1110, filed for record in the office of the County Recorder of said County of San Diego, the southerly line of said easement being the southerly line of said lot, be, and the said deed is hereby accepted.

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72699

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of S. M. Long and Hattie M. Long, husband and wife, executed in favor of The City of San Diego, bearing date September 5, 1940, granting to said City an easement and right of way for sewer purposes through, along and across the southerly six feet of Lot 4 of Country Paradise, in the City of San Diego, California, according to the Map thereof No. 1110, filed for record in the office of the County Recorder of said County of San Diego, the southerly line of said easement being the southerly line of said lot, be, and the said deed is hereby accepted.

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72700

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of The M. Hall Company, a corporation, executed in favor of The City of San Diego, bearing date June 18, 1938, granting and conveying to said City an easement and right of way for a public highway and incidents thereto, through, over, along and across Lots 1 and 4, Block 539, Old San Diego, according to the Map thereof made by James Pascoe in the year 1870, a copy of which map is filed as Miscellaneous Map No. 40, in the office of the County Recorder of San Diego County, California, as particularly described in said deed, be, and the said deed is hereby accepted; and the lands therein conveyed are hereby set aside and dedicated to the public use as and for a public street in said City, and the same is hereby named MOORE STREET.

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the Office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72701

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby requested to authorize the Director of Public Works to attend the California State Highway Commission budget hearings in Sacramento, on November 14 and 15, 1940.

## R E S O L U T I O N NO. 72702

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the Certificate of Sale on Foreclosure of Mortgage, dated October 26, 1940, signed by Fred S. Young, Commissioner, certifying that on October 26, 1940, there was sold at public auction under and by virtue of a decree of foreclosure rendered in and by the Superior Court of the State of California, in and for the County of San Diego, in that certain action entitled, "The Federal Land Bank of Berkeley, a corporation, plaintiff, vs. Amelie Menvielle, a widow; A. R. Honnold, Valle Mitchell; First Doe, Second Doe and Third Doe, Defendants," No. 100115, to The City of San Diego, a municipal corporation, all that real property situate in the County of San Diego, State of California particularly described as follows:

The southeast quarter of the southwest quarter of Section 29, and the west half of the northeast quarter of the northwest quarter of Section 32, all in Township 12 south, Range 1 west, San Bernardino Base and Meridian; containing 60 acres, more or less.

EXCEPTING all that portion of the southeast quarter of the southwest quarter of Section 29, Township 12 south, Range 1 west, San Bernardino Base and Meridian, being a strip of land 60 feet wide, 30 feet each side of a center line described as follows: Beginning at a point on the east line of said southeast quarter of the southwest quarter, said Section 29, said point being north 0° 08' west 371.4 feet from the south one-quarter corner of said section, and running thence from said point of beginning, north 82° 06' west 1182.8 feet to the beginning of a curve to the right having a radius of 700 feet; thence along said curve through an angle of 13° 55' 30" a distance of 42.64 feet to a point on the west line of said southeast quarter of the southwest quarter of said section, said point being north 0° 20' 20" west 586.73 feet from the southwest corner of said quarter-quarter section.

Subject to existing right of ways of record.

Together with all rights of every kind and nature, however evidenced, to the use of water, ditches and canals for the irrigation of said premises.

Together with all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

be, and the said Certificate of Sale on Foreclosure of Mortgage is hereby accepted.

And the City Clerk of said City be, and he is hereby authorized and directed to file the said Certificate of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

Approved as to form by JAMES J. BRECKENRIDGE

## R E S O L U T I O N NO. 72703

RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - POLK AVENUE.

WHEREAS, the Council of The City of San Diego did, on the 8th day of October, 1940, pass its Resolution of Intention No. 72398, to order certain work to be done and improvement to be made in POLK AVENUE, between the westerly line of Arizona Street and the easterly line of Louisiana Street, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 12th day of November, 1940, duly pass its Resolution Ordering Work No. 72681, ordering said work to be done and said improvement to be made in said Polk Avenue, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 12th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

(SEAL)

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 72704

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER, POLK AVENUE.

WHEREAS, the Council of The City of San Diego, did on the 8th day of October, 1940, pass Resolution of Intention No. 72398, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72398, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 12th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 72657 to 72704 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 12th day of November 1940.

FRED W. SICK  
City Clerk of the City of San Diego, California  
By Helen M. Wilby Deputy

R E S O L U T I O N NO. 72705

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The recommendation of the City Manager, bearing Document No. 324512, that the Cabrillo School playground be operated on a restricted basis, lighted three nights each week, with the lights on until 9:00 P.M. with use limited to young people, no use by adult softball teams or other adult organizations, with a minimum of annoyance to persons living near the playgrounds be, and it is hereby adopted.

R E S O L U T I O N NO. 72706

CONFIRMING THE CITY ENGINEER'S ASSESSMENT NO. 1712 FOR WORK  
UPON GARRISON STREET AND EVERGREEN STREET IN THE CITY OF SAN  
DIEGO, CALIFORNIA, UNDER RESOLUTION OF INTENTION NO. 71582.

Notice of the time and place fixed for the hearing of appeals in the matter of Assessment No. 1712, made by the City Engineer of said City to cover the cost and expenses of the work done upon Garrison Street and Evergreen Street in said City, under Resolution of Intention No. 71582, adopted by the Council on the 11th day of July, 1940, having been duly given and made in the manner required by law, and the legal time for filing such appeals and the time fixed for hearing thereon having passed and elapsed, and no appeals in the matter of said assessment having been filed, and the Council being satisfied with the correctness of said assessment; NOW THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego, that the said Assessment No. 1712 of the said City Engineer made to cover the cost and expenses of the work done upon Garrison Street and Evergreen Street within the limits as described in said Resolution of Intention No. 71582, be, and the same is hereby approved and confirmed, and the City Engineer is hereby authorized to attach his warrant thereto and record the same in the manner and form required by law. Said warrant shall bear date of this order.

R E S O L U T I O N NO. 72707

La Jolla Lighting District No. 1

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of LA JOLLA BOULEVARD, between the westerly production of the southerly line of Genter Street and the southeasterly line of Prospect Street; PROSPECT STREET, between La Jolla Boulevard and Cave Street; PROSPECT PLACE, between Cave Street and Blue Bird Lane; GIRARD AVENUE, between Silverado Street and Prospect Street; HERSCHEL AVENUE, between Silverado Street and Prospect Street, and WALL STREET, between Girard Avenue and Ivanhoe Avenue, in the City of San Diego, California, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for La Jolla Lighting District No. 1," filed in the office of said City Clerk October 11, 1940, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

R E S O L U T I O N NO. 72708

Eighth Avenue Lighting District No. 1

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of EIGHTH AVENUE, between the northerly line of Pennsylvania Avenue produced easterly and a line parallel to and distant 125 feet north of the north line of Brookes Avenue; and on PENNSYLVANIA AVENUE, between the west line of Eighth Avenue and the east line of the Alley in Block 7, Crittenden's Addition, produced south, in the City of San Diego, California, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for Eighth Avenue Lighting District No. 1," filed in the office of said City Clerk October 11, 1940, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

R E S O L U T I O N NO. 72709

Seventh Avenue Lighting District No. 1

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of SEVENTH AVENUE, between the north line of Upas Street and a line parallel to and distant 680 feet north of the north line of Upas Street, in the City of San Diego, California, made and filed with

the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for Seventh Avenue Lighting District No. 1," filed in the office of said City Clerk October 11, 1940, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

#### R E S O L U T I O N NO. 72710

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to V. H. Ratliff, 1106 Broadway to erect a residence on the south 15 feet of Lot C and the north 45 feet of Lot D Block 337 Horton's Addition, not closer to the property line on Curlew Street than 10.5 feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 72711

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Helen Berghli and Adeline M. Taber, 3050 Fir Street, to erect two single-family residences and garages on a portion of Lot 2 J. P. Christensen's Subdivision, not closer to the property line on Fir Street than 5 feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 72712

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Laurence Gennette, by Mrs. Jeannette Gennette, 3618 Cherokee Avenue, to erect three additional living units on Lots 28 and 29 Block 84 City Heights.

Variance to the restrictions of Ordinance No. 13057 be and it is hereby granted in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 72713

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of the Building Committee, Veterans of Foreign Wars of the U.S., by Thomas C. Ryan, Treasurer, for free inspection permits to sponsor Clark's Greater Shows at the foot of Market Street and the Embarcadero, during the period of February 20 to March 2, 1941, be and it is hereby denied.

#### R E S O L U T I O N NO. 72714

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of M. R. Essery, 4141 El Cajon Boulevard, for permission to connect a frame stucco model home at 4149 El Cajon Boulevard, with the present sewer line serving 4141 El Cajon Boulevard, be and it is hereby denied.

#### R E S O L U T I O N NO. 72715

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Property Owners for the paving, under the 1911 Act, of the Alley in Block 67 W.P. Herbert's Subdivision with 4" asphalt concrete, provided that the cost of the paving does not exceed \$50.00 for a 50-foot lot with narrow lots in proportion, be and it is hereby denied.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to notify the petitioners that if they wish, the Council can initiate a proceeding, or they may bring in a new petition.

#### R E S O L U T I O N NO. 72716

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of A. A. Bayless, et al, for modification of the proceedings for paving Bayside Lane so as to eliminate the paving of that portion of the Alley in Block 234 lying easterly of the line joining the southwest corner of Lot C with the northwest corner of Lot J in said block, all in Mission Beach, be and it is hereby denied.

#### R E S O L U T I O N NO. 72717

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Leo Greenbaum, 524-540 J Street, for the establishing of a loading zone to serve his warehouse and garage at 605 to 631 K Street, with entrance at 607 K Street, be and it is hereby granted.

The City Manager is hereby authorized and directed to cause a fifty-foot loading zone to be painted on the south side of K Street, starting at a point fifty feet east of the Sixth Avenue property line.

#### R E S O L U T I O N NO. 72718

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of John B. Gates, 2877 El Cajon Boulevard, for a refund on his laundry license #2100, bearing Document No. 324145, be and it is hereby denied.

#### R E S O L U T I O N NO. 72719

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of Andy Woods to furnish The City of San Diego with two (2) 1-1/2 ton trucks for the sum of \$1880.78 be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said Andy Woods.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Andy Woods for furnishing of said trucks, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

That the City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.

Approved as to form D. L. AULT



CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Nov. 16, 1940

J. S. BARBER  
Auditor and Comptroller of the City of San Diego, California.  
By JOHN McQUILKEN  
Chief Deputy

To be paid out of GE5 - limited to \$1,880.78.

R E S O L U T I O N NO. 72720

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the Campbell Chevrolet Company to furnish The City of San Diego with one (1) 1/2 ton pickup truck for the sum of \$634.95 be, and the same is hereby awarded to said Campbell Chevrolet Company.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Campbell Chevrolet Company for furnishing of said pickup truck pursuant to the plans and specifications therefor on file in the office of the City Clerk.

That City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.

Approved as to form D. L. AULT

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Nov. 16, 1940.

J. S. BARBER  
Auditor and Comptroller of the City of San Diego, California  
By JOHN McQUILKEN  
Chief Deputy

To be paid out of GE5 - limited to \$634.95.

R E S O L U T I O N NO. 72721

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of William P. McGuire, 4927 Long Branch, et al, that proceedings be started for the opening and extending of the Alley in Block 1 Ocean Beach Park westerly through Lot 7 Block 89 Ocean Beach Extension No. 2 to a connection with Bacon Street, be and it is hereby denied.

R E S O L U T I O N NO. 72722

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby instructed to proceed against the owners of the Colonial Hotel to force them to eliminate the slippery surface of the sidewalk at the corner of Jenner and Prospect Streets, La Jolla, as recommended by the Director of Public Works, under Document No. 324511.

R E S O L U T I O N NO. 72723

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare the proper papers authorizing the San Diego Electric Railway Company to erect a concrete shelter on the west side of Park Boulevard immediately north of University Avenue, as petitioned for under Document No. 322857, and as recommended by the City Manager and the Traffic Commission, et al.

R E S O L U T I O N NO. 72724

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The Municipal License No. 5966 for two card talbes, issued to Jess B. Ellis, 3829 Granada Avenue, be and it is hereby revoked, pursuant to the authority granted in Section 14 of Ordinance No. 915 N.S.

R E S O L U T I O N NO. 72725

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The license to operate two card tables, under Municipal License No. 1204, issued to William Collins, 2974 Imperial Avenue, be and it is hereby revoked, pursuant to the authority granted in Section 14 of Ordinance No. 915 N.S.

R E S O L U T I O N NO. 72726

Dickens Street and Emerson Street

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of DICKENS STREET, between the southeasterly line of Evergreen Street and the northeasterly prolongation of the southeasterly line of Lot 10, Block 29, Roseville; and EMERSON STREET, between the southeasterly line of Rosecrans Street and the northwesterly line of Scott Street, in the City of San Diego, California, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on September 23, 1940, under Document No. 323222, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1814, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said streets hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

R E S O L U T I O N   N O .   7 2 7 2 7

Alley in Block 37, Amended Map of City Heights

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the improvement of the ALLEY IN BLOCK 37, AMENDED MAP OF CITY HEIGHTS, in said City, between the north line of University Avenue and the south line of Polk Avenue, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on October 19, 1940, under Document No. 323822, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1809, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said alley hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

R E S O L U T I O N   O F   A W A R D   N O .   7 2 7 2 8

Elizabeth Street and Ocean View Boulevard

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 6th day of November, 1940, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the improvement described in Resolution of Intention No. 72175, adopted by the Council on September 3, 1940, and on file in the office of the City Clerk of said City for the construction of a sewer main in ELIZABETH STREET and OCEAN VIEW BOULEVARD, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To WALTER H. BARBER, at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

6" concrete sewer main, laid, per lineal foot,.....\$ 1.60  
Cement concrete manholes, each.....\$90.00  
Cement concrete dead ends, each.....\$23.00

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the SAN DIEGO UNION, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

(SEAL)

Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N   O F   A W A R D   N O .   7 2 7 2 9

Main Street

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 12th day of November, 1940, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72211, adopted by the Council on September 10, 1940, and on file in the office of the City Clerk of said City for the grading and construction of sidewalk on MAIN STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To V.R.DENNIS, an individual doing business under the firm name and style of V. R. DENNIS CONSTRUCTION COMPANY, at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

Excavation, per cubic yard, .....\$0.25  
Embankment, per cubic yard, .....\$0.25  
Sidewalk, per square foot, .....\$0.142

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### RESOLUTION OF AWARD NO. 72730

##### Pacific Highway Lighting District No. 1

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 6th day of November, 1940, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

PACIFIC HIGHWAY, between the northerly line of Broadway and the southerly line of Harasthy Street.

Such furnishing of electric current shall be for a period of one year from and including November 5, 1940, to-wit, to and including November 4, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Pacific Highway Lighting District No. 1," filed August 26, 1940, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit:

To: SAN DIEGO GAS & ELECTRIC COMPANY, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: TWO THOUSAND SIX HUNDRED FIFTEEN and 76/100 DOLLARS(\$2,615.76).

And said Council does hereby require and fix the sum of SIX HUNDRED FIFTY-FOUR DOLLARS (\$654.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said San Diego Gas & Electric Company, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said San Diego Gas & Electric Company on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### RESOLUTION OF AWARD NO. 72731

##### Logan Avenue Lighting District

##### No. 1

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 12th day of November 1940, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets in the City of San Diego, California, to-wit:

LOGAN AVENUE, between the northwesterly line of Evans Street and the easterly line of 26th Street;

26TH STREET, between the westerly prolongation of the southerly line of Marcy Avenue and the northerly line of National Avenue.

Such furnishing of electric current shall be for a period of one year from and including November 16, 1940, to-wit, to and including November 15, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Logan Avenue Lighting District No. 1," filed September 7, 1940, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit:

To: SAN DIEGO GAS & ELECTRIC COMPANY, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: THREE HUNDRED EIGHTY-FIVE and 80/100 DOLLARS (\$385.80).

And said Council does hereby require and fix the sum of NINETY-SEVEN DOLLARS (\$97.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.



The Clerk of said City of San Diego is hereby directed to serve written notice upon the said San Diego Gas & Electric Company, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said San Diego Gas & Electric Company on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### RESOLUTION ORDERING WORK NO. 72732

Alley in Block K, Altadena.

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72474, adopted by the Council on October 15, 1940, and on file in the office of the City Clerk of said City for the grading and paving of the ALLEY IN BLOCK K, ALTADENA, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72345, adopted on the 1st day of October, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the SAN DIEGO UNION a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### RESOLUTION ORDERING WORK, NO. 72733

Hampton Court, Valle Court, Holly Court, Martin Court, Greely Court  
and a portion of 29th Street.

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require the work hereinafter described to be done, and the time prescribed during which objections to said work and improvement might be made having expired, and no objection thereto having been made, and said Council hereby finding that no assessment is necessary therefor:

NOW, THEREFORE, the said Council hereby orders the following work to be done in said city, to-wit:

The closing of those portions of HAMPTON COURT, VALLE COURT, HOLLY COURT, MARTIN COURT, GREELY COURT and portions of 29TH STREET, described as follows:

HAMPTON COURT, between the west line of 30th Street and the southerly prolongation of the west line of Lot A, Block 2, La Binda Park, according to Map thereof No. 1538, on file in the office of the County Recorder of San Diego County, California;

VALLE COURT, between the west line of 30th Street and the southerly prolongation of the west line of Lot N, Block 4, said La Binda Park;

HOLLY COURT, between the west line of 30th Street and the southerly prolongation of the west line of Lot P, Block 5, said La Binda Park;

MARTIN COURT, between the west line of 30th Street and the southerly prolongation of the west line of Lot P, Block 7, said La Binda Park;

GREELY COURT, between the west line of 30th Street and the southerly prolongation of the west line of Lot P, Block 9, said La Binda Park;

Any portions of 29TH STREET, lying within the above described limits of said Hampton Court, Valle Court, Holly Court, Martin Court and Greely Court; and

29TH STREET, between a line parallel to and distant 500.00 feet southerly from the south line of Ocean View Boulevard and the south line of Greely Court, including any portion of Holly Court, Martin Court and Greely Court lying within the above described limits of said 29th Street;

And the said portions of said streets are hereby closed.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF INTENTION NO. 72734

Dickens Street and Emerson Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That portions of DICKENS STREET, in said City, between the southeasterly line of Evergreen Street and the northeasterly prolongation of the southeasterly line of Lot 10, Block 29, Roseville, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base; and that Portland cement concrete curb; cement concrete sewer laterals and appurtenances; cast iron water main, connections, fittings and appurtenances; copper water service connections and appurtenances; cast iron fire hydrants, connections, fittings and appurtenances complete with steel clamp and shackle anchors complete, and steel clamp and shackle anchor for cast iron plug, be constructed therein.

That the said work hereinabove described on DICKENS STREET, between the northwesterly line of Scott Street and a line parallel to and distant 25.00 feet southeasterly from the southeasterly line of Scott Street, shall be done to the modified grade shown and indicated upon the plans and profiles on file in the office of the City Clerk of said City, and hereinafter referred to; and reference is hereby made to said plans and profiles for the description of the grade at which the work is to be done.

That a portion of EMERSON STREET, in said City, between the southeasterly line of Rosecrans Street and the northwesterly line of Scott Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base, and that Portland cement concrete curb; cement concrete sewer laterals and appurtenances; cast iron water main, connections, fittings and appurtenances; copper water service connections and appurtenances, and steel clamp and shackle anchor for cast iron plug, be constructed therein.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 323222, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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 line of said district, as shown upon that certain plat No. 1814, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72347, adopted on the 1st day of October, 1940, that 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, is as follows:

|                               | Per 8 hour day | Per Hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Carpenter                          | \$ 8.00        | \$ 1.00  |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 17th day of December, 1940, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



## RESOLUTION OF INTENTION NO. 72735

Alley in Block 37, Amended Map of City Heights.

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of the ALLEY IN BLOCK 37, AMENDED MAP OF CITY HEIGHTS, in said City, between the north line of University Avenue and the south line of Polk Avenue, be graded, and the sub-grade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base; and that a cement concrete sewer lateral and appurtenances; copper water service connection and appurtenances and cast iron water main, connections, fittings and appurtenances be constructed therein.

That the said work hereinabove described on the ALLEY IN BLOCK 37, AMENDED MAP OF CITY HEIGHTS, between a line parallel to and distant 480.00 feet northerly from the north line of University Avenue and the south line of Polk Avenue, shall be done to the modified grade shown and indicated upon the plans and profiles on file in the office of the City Clerk of said City, and hereinafter referred to; and reference is hereby made to said plans and profiles for the description of the grade at which the work is to be done.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 323822, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1809, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72588, adopted on the 29th day of October, 1940, that 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, is as follows:

|                                   | Per 8 hour day | Per hour |
|-----------------------------------|----------------|----------|
| Asphalt raker                     | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                  | 5.00           | 0.625    |
| Auto mechanic                     | 6.00           | 0.75     |
| Backfill machine operator         | 6.00           | 0.75     |
| Blacksmith                        | 6.00           | 0.75     |
| Blademan                          | 6.00           | 0.75     |
| Bricklayer                        | 12.00          | 1.50     |
| Bricklayer tender                 | 7.00           | 0.875    |
| Bulldozer operator                | 6.00           | 0.75     |
| Bulldozer operator over 50 HP     | 10.00          | 1.25     |
| Carpenter                         | 8.00           | 1.00     |
| Caulker                           | 6.00           | 0.75     |
| Cement finisher                   | 10.00          | 1.25     |
| Clerk                             | 6.00           | 0.75     |
| Compressor operator               | 10.00          | 1.25     |
| Concrete mixerman                 | 7.00           | 0.875    |
| Concrete spreader                 | 5.00           | 0.625    |
| Concrete tamper                   | 5.00           | 0.625    |
| Crane operator                    | 9.00           | 1.125    |
| Driller                           | 7.00           | 0.875    |
| Drill sharpener                   | 6.00           | 0.75     |
| Electrician                       | 10.00          | 1.25     |
| Engineer, hoisting                | 10.00          | 1.25     |
| Engineer, asphalt plant           | 10.00          | 1.25     |
| Finish machine operator           | 6.00           | 0.75     |
| Form setter                       | 6.00           | 0.75     |
| Jackhammer man                    | 7.00           | 0.875    |
| Kettleman, asphalt or lead        | 6.00           | 0.75     |
| Laborer, common                   | 5.00           | 0.625    |
| Materialman                       | 6.00           | 0.75     |
| Pipelayer                         | 6.00           | 0.75     |
| Plumber                           | 10.00          | 1.25     |
| Powderman                         | 6.00           | 0.75     |
| Pumpman                           | 6.00           | 0.75     |
| Reinforcing steel worker          | 10.00          | 1.25     |
| Road grader operator              | 6.00           | 0.75     |
| Roller operator                   | 10.00          | 1.25     |
| Shovel operator, 1 yard and over  | 10.00          | 1.25     |
| Shovel operator, less than 1 yard | 8.00           | 1.00     |
| Shovel fireman and watchman       | 7.00           | 0.875    |
| Shovel oiler                      | 6.00           | 0.75     |
| Teamster                          | 5.00           | 0.625    |
| Tractor operator, over 50 HP      | 10.00          | 1.25     |
| Tractor operator, 50 HP and under | 6.00           | 0.75     |
| Time keeper                       | 6.00           | 0.75     |

|                                    |       |       |
|------------------------------------|-------|-------|
| Trenching machine operator         | 10.00 | 1.25  |
| Truck driver, 15,500 lbs and under | 5.44  | 0.68  |
| Truck driver, over 15,500 lbs      | 6.00  | 0.75  |
| Watchman                           | 5.00  | 0.625 |
| Welder                             | 11.00 | 1.375 |
| Skilled labor not above listed     | 8.00  | 1.00  |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 17th day of December, 1940, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION NO. 72736  
RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN PORTIONS  
OF 32ND STREET AND DATE STREET.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading and paving of 32ND STREET, between the northerly line of Cedar Street and the southerly line of Elm Street; and DATE STREET, between the easterly line of 32nd Street and the westerly line of Bancroft Street, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 324334. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 72737  
 SPECIAL ASSESSMENT PROCEEDINGS FOR THE IMPROVEMENT OF A  
 PORTION OF FRONT STREET

WHEREAS, this Council did by its Resolution No. 72340, do and determine all the things required by Sections 2 and 13 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and

WHEREAS, the owners of more than fifteen per cent of the area of the proposed assessment district, as described in said Resolution No. 72340, did by their return post cards demand the investigation provided for by said Act; NOW, THEREFORE,

BE IT RESOLVED by this Council that it be, and it is hereby determined that the owners of more than fifteen per cent of the area of said assessment district by their return post cards did demand the making of the investigation as provided by said Act.

BE IT FURTHER RESOLVED, that the City Engineer of said City be, and he is hereby authorized and directed to prepare a written report upon the proposed improvement of FRONT STREET, between the westerly prolongation of the northerly line of Palm Street and the southerly line of Quince Street, in the City of San Diego, California, which report shall contain, in addition to the matters mentioned in Section 2 of said Act, the following information, to-wit:

- A. Map, plat or diagram showing:
  1. The nature, location and extent of the improvement.
  2. Each separate lot or parcel of land to be assessed.
- B. The total estimated improvement cost:
  1. Incidental expenses to be separately shown.
  2. Cost of each class of construction must be separately shown.
- C. Assessed value as per latest equalized County Assessment Roll.
  1. Of each parcel to be assessed.
  2. The total assessed value of lands to be assessed.
- D. The total assessed value of improvements within the district.
- E. Total true value of all lands to be assessed, determined as per Section 2 of said Act.
- F. The true value of each parcel of the lands to be assessed.
- G. The per parcel, and the total outstanding special assessments (exclusive of interest and penalties); showing:
  1. Direct special assessments (as under 1911 Street Act).
  2. Unpaid, levied advalorem special assessments.
- H. Unlevied advalorem special assessments which will be levied upon each parcel of land to be assessed to pay principal of bonds theretofore issued.
  1. Estimated on each parcel of land to be assessed.
  2. Total estimated amount of such special assessments upon all the lands to be assessed. Said estimates to be proportioned according to the assessed value on said last equalized assessment roll, and also proportioned according to zones (if any), and the percentages of such zones.
- I. Estimated direct and advalorem special assessments in all proceedings in which a resolution ordering work has been adopted, but assessment unlevied, showing:
  1. Such estimates against each parcel of land to be assessed.
  2. Total upon all the parcels of land to be assessed. The advalorem assessments to be computed in the manner provided in paragraph (1) of Section 3 of said Limitation Act.
- J. Estimated assessments to be levied in this proceeding as follows:
  1. Estimated assessments upon each parcel of land to be assessed.
  2. Total assessment to be levied upon all the lands to be assessed.
- K. Serial bonds to be issued to represent assessments of \$25.00 or over.
  1. Number of years to run.
  2. Actual rate of interest.

The full report to be made in conformity with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and particularly with Section 3 thereof, and delivered to the Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM, Deputy

RESOLUTION NO. 72738  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - ALLEY IN BLOCK K, ALTADENA.

WHEREAS, the Council of The City of San Diego did, on the 15th day of October, 1940, pass its Resolution of Intention No. 72474 to order certain work to be done and improvement to be made in the ALLEY IN BLOCK K, ALTADENA, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 19th day of November, 1940, duly pass its Resolution Ordering Work No. 72732, ordering said work to be done and said improvement to be made in said Alley in Block K, Altadena, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

RESOLUTION NO. 72739  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED  
BY THE CITY ENGINEER - ALLEY IN BLOCK K, ALTADENA.

WHEREAS, the Council of The City of San Diego, did on the 15th day of October, 1940, pass Resolution of Intention No. 72474, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72474, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

RESOLUTION NO. 72740  
Portion of Florence Street

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, paving and otherwise improving of FLORENCE STREET, between the east line of 37th Street and the west line of 38th Street, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |
| Carpenter                     | 8.00           | 1.00     |
| Caulker                       | 6.00           | 0.75     |



|   | Per 8 hour day | Per hour |
|---|----------------|----------|
| Cement finisher   | \$10.00        | \$ 1.25  |
| Clerk   | 6.00           | 0.75     |
| Compressor operator   | 10.00          | 1.25     |
| Concrete mixerman   | 7.00           | 0.875    |
| Concrete spreader   | 5.00           | 0.625    |
| Concrete tamper   | 5.00           | 0.625    |
| Crane operator  | 9.00           | 1.125    |
| Driller   | 7.00           | 0.875    |
| Drill sharpener   | 6.00           | 0.75     |
| Electrician   | 10.00          | 1.25     |
| Engineer, hoisting  | 10.00          | 1.25     |
| Engineer, asphalt plant   | 10.00          | 1.25     |
| Finish machine operator   | 6.00           | 0.75     |
| Form setter   | 6.00           | 0.75     |
| Jackhammer man  | 7.00           | 0.875    |
| Kettleman, asphalt or lead  | 6.00           | 0.75     |
| Laborer, common   | 5.00           | 0.625    |
| Materialman   | 6.00           | 0.75     |
| Pipelayer   | 6.00           | 0.75     |
| Plumber   | 10.00          | 1.25     |
| Powderman   | 6.00           | 0.75     |
| Pumpman   | 6.00           | 0.75     |
| Reinforcing steel worker  | 10.00          | 1.25     |
| Road grader operator  | 6.00           | 0.75     |
| Roller operator   | 10.00          | 1.25     |
| Shovel operator, 1 yard and over  | 10.00          | 1.25     |
| Shovel operator, less than 1 yard   | 8.00           | 1.00     |
| Shovel fireman and watchman   | 7.00           | 0.875    |
| Shovel oiler  | 6.00           | 0.75     |
| Teamster  | 5.00           | 0.625    |
| Tractor operator, over 50 HP  | 10.00          | 1.25     |
| Tractor operator, 50 HP and under   | 6.00           | 0.75     |
| Time keeper   | 6.00           | 0.75     |
| Trenching machine operator  | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under  | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs   | 6.00           | 0.75     |
| Watchman  | 5.00           | 0.625    |
| Welder  | 11.00          | 1.375    |
| Skilled labor not above listed  | 8.00           | 1.00     |
| Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one-half. |                |          |

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION NO. 72741  
Portions of the Alley in Block 173, University Heights, and  
Lincoln Avenue.

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, paving and removal of paving and otherwise improving of the ALLEY IN BLOCK 173, UNIVERSITY HEIGHTS, between the south line of Polk Avenue and the north line of Lincoln Avenue; and LINCOLN AVENUE, between the southerly production of the easterly and westerly lines of the Alley in Block 173, University Heights, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Carpenter                          | \$ 8.00        | \$ 1.00  |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 72742  
Portion of Ivy Street

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, paving and construction of curb in IVY STREET, between the west line of Bancroft Street and the west line of 33rd Street, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Carpenter                          | \$ 8.00        | \$ 1.00  |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 72743

North and South Alley in Block 46, W.P.Herbert's Subdivision

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading and paving of the NORTH AND SOUTH ALLEY IN BLOCK 46, W.P.HERBERT'S SUB-DIVISION, between the south line of Meade Avenue and the north line of the east and west alley in said Block 46, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Carpenter                          | \$ 8.00        | \$ 1.00  |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL) ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
(SEAL) City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 72744  
BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on the Alley in Block 18, Sub. of Lots 20 to 50, Block N, Teralta as particularly described in Resolution of Intention No. 72037 and to be assessed to pay the expenses thereof.

R E S O L U T I O N NO. 72745  
SETTING APART AND DEDICATING TO THE PUBLIC USE AS AND FOR PUBLIC HIGHWAY PURPOSES CERTAIN PORTIONS OF THE LANDS IN MISSION BAY STATE PARK GRANTED TO THE CITY OF SAN DIEGO, CALIFORNIA.  
WHEREAS, by an act of the Legislature of the State of California, entitled, "An Act granting to The City of San Diego certain parcels of state-owned lands in Mission Bay State Park upon certain trusts and conditions," approved July 24, 1939 (Statutes 1939, page 2979), the jurisdiction and control of said certain parcels of land to be used for public park and boulevard purposes was vested in The City of San Diego, California; and  
WHEREAS, certain portions of said lands granted to said City of San Diego are required and necessary to be set apart and dedicated for the public use as portions of a public boulevard in said city; NOW, THEREFORE,  
BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That the parcels of land situated in the City of San Diego, County of San Diego, State of California, particularly described as follows, to-wit:  
PARCEL 1.  
Commencing at the intersection of the center line of Mission Boulevard as shown on the map of Mission Beach No. 1809, filed for record in the office of the County Recorder of San Diego County, California, with the southerly line of Ventura Place; thence S 87° 11' 25" W (being shown as S 87° 12' 00" W on said map of Mission Beach) along the southerly line of



Ventura Place, a distance of 40.09 feet to the TRUE POINT OF BEGINNING, said true point of beginning being a point on a curve concaved westerly having a radius of 5523.32 feet and whose center bears S 83° 19' 02" W from said true point of beginning; thence southerly along the arc of said curve a distance of 4.42 feet to the point of a reverse curve concaved easterly having a radius of 1000.00 feet; thence southerly along the arc of the last described curve a distance of 46.48 feet to a point of tangency; thence S 9° 18' 00" E a distance of 66.49 feet to the point of intersection of the westerly line of West Way with the westerly line of Mission Boulevard (formerly a portion of the westerly line of said West Way), said last named point being on a curve concaved westerly having a radius of 158.91 feet and whose center bears N 82° 59' 15" W from said last named point; thence northerly along the arc of the last described curve, being also along the westerly line of said Mission Boulevard, a distance of 35.42 feet to a point of compound curve having a radius of 5698.98 feet; thence northerly along the arc of said compound curve, being also along the westerly line of said Mission Boulevard, a distance of 81.59 feet to a point on the southerly line of said Ventura Place distant thereon N 87° 11' 25" E 9.34 feet from the true point of beginning; thence westerly along the southerly line of said Ventura Place a distance of 9.34 feet to the true point of beginning; also

PARCEL 2.

Commencing at the intersection of the north line of Subway with the west line of West Way (also known as West Drive of Mission Boulevard) which point bears S 23° 40' 05" E a distance of 852.23 feet from the southwesterly corner of Block 96, Mission Beach, according to the map thereof No. 1809 filed for record in the office of the County Recorder of San Diego County, California, said point of commencement being described as the true point of beginning of Parcel No. 2 of the said lands granted to The City of San Diego by the Legislature of the State of California; thence N 87° 12' 00" E a distance of 180.40 feet to the TRUE POINT OF BEGINNING of this description of Parcel 2, said true point of beginning being at the most southerly end of a course described as bearing S 2° 48' E a distance of 28.83 feet in the description of the said lands granted to the said City of San Diego by said Legislature; thence S 2° 48' 00" E a distance of 27.46 feet to a point on a course described as bearing S 87° 12' W, 158.70 feet in the description of said lands granted to The City of San Diego, a distance of 40.00 feet to a point; thence N 2° 48' 00" W a distance of 27.46 feet to a point on a course described as bearing N 87° 12' E, 131.85 feet in the description of the said lands granted to the said City of San Diego; thence S 87° 12' 00" W along the said course described as bearing N 87° 12' E, 131.85 feet in the description of said lands granted to the said City of San Diego, a distance of 40.00 feet to the true point of beginning of this description of Parcel 2; also

PARCEL 3.

Commencing at the point of commencement of Parcel 2 of this instrument; thence N 87° 12' 00" E a distance of 106.91 feet to the TRUE POINT OF BEGINNING of this description of Parcel 3; thence S 2° 48' 00" E a distance of 226.10 feet to a point on a westerly line of Mission Boulevard; thence N 87° 12' 00" E a distance of 2.00 feet to a point on a westerly line of said Mission Boulevard; thence N 2° 48' 00" W along the last mentioned westerly line of said Mission Boulevard, a distance of 266.35 feet to a point; thence S 87° 12' 00" W a distance of 2.00 feet to a point thence S 2° 48' 00" E a distance of 40.25 feet to the true point of beginning of this description of Parcel 3; also

be, and the same are hereby set aside and dedicated to the public use as and for a public boulevard, and the same are hereby named MISSION BOULEVARD.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 72746

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the zones regulating parking as detailed in Document No. 324466, filed November 18th, 1940, in the office of the City Clerk, be, and they are hereby established; and that all resolutions in conflict herewith and all zones regulating parking established thereby be, and the same are hereby repealed and/or abolished.

That the City Manager be, and he is authorized and directed to cause the curbs adjacent to the zones regulating parking herein established to be painted as provided therefor by the Vehicle Code of California.

Approved as to form by HARRY S. CLARK

R E S O L U T I O N NO. 72747

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

The following claims, attached to Transmittal No. 52 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Order Number |                                      | Net Amount of Claim | Claim Number |
|--------------------|--------------------------------------|---------------------|--------------|
| Date Number        |                                      |                     |              |
| 11/7/40            | 0738-0756                            |                     |              |
| "                  | 0782 Crane Company                   | 33.51               | 0584         |
| "                  | 0751 Coast Electric Company          | 6.41                | 0585         |
| "2                 | 0758                                 |                     |              |
| "                  | 0774-0808 Whitney & Company          | 221.70              | 0586         |
| "                  | 0759 City of San Diego Storeroom     | 2.88                | 0587         |
| "                  | 0760-0790 W.P.Fuller & Co.           | 17.73               | 0588         |
| "                  | 0763 S.D.Ice & Cold Storage Company  | .52                 | 0589         |
| "                  | 0764 S.D.Fertilizer Company          | 20.60               | 0590         |
| "                  | 0766 Fred C. Silverthorn & Sons Inc. | 74.16               | 0591         |
| "                  | 0769 A. O. Reed Plumbing Company     | 2.55                | 0592         |
| "                  | 0770 Millar Seed Company             | 4.89                | 0593         |
| "                  | 0775 State Blind Shop                | 4.89                | 0594         |

| Claim Date | Order Number |  | Net Amount of Claim | Claim Number |
|------------|--------------|--|---------------------|--------------|
| 11/7/40    | 0777         | Frazee's                               | 2.68                | 0595         |
| "          | 0778         | California Fertilizer Company          | 30.90               | 0596         |
| "          | 0779         | Balboa Venetian Blind Company          | 10.30               | 0597         |
| "          | 0780         | Hazard Gould & Company                 | 1.04                | 0598         |
| "          | 0781         | General Electric Supply Corporation    | 44.43               | 0599         |
| "          | 0784-0807    | Pacific Chemical Company               | 25.09               | 0600         |
| "          | 0785         | Zellerbach Paper Company               | 50.47               | 0601         |
| "          | 0786-0799    | County of San Diego-Stores Division    | 5.92                | 0602         |
| "          | 0787         | Robbins Marine Engine Works            | 5.15                | 0603         |
| "          | 0788         | Southwest Onyx & Marble Company        | 7.00                | 0604         |
| "          | 0791         | Sears, Roebuck & Company               | 43.38               | 0605         |
| "          | 0792         | Western Metal Supply Company           | 55.56               | 0606         |
| "          | 0793         | S.D.Consolidated Gas & Electric Co.    | 673.42              | 0607         |
| "          | 0794         | City Water Department                  | 205.40              | 0608         |
| "          | 0795         | County Telephone Department            | 3.65                | 0609         |
| "          | 0796         | Austin Safe & Desk Company             | 10.00               | 0610         |
| "          | 0797         | Otis Elevator Company                  | 115.50              | 0611         |
| "          | 0798         | W. E. Roberts                          | 25.00               | 0612         |
| "          | 0800         | San Diego County Garage                | 10.32               | 0613         |
| "          | 0801         | Kelley Laundry Co.                     | 4.58                | 0614         |
| "          | 0803         | Don Shira - Kelite Products            | 33.05               | 0615         |
| "          | 0804         | San Diego Janitor Supply               | 80.00               | 0616         |
| "          | 0805         | Kniesel Boiler Compound & Chemical Co. | 41.20               | 0617         |
|            |              |  | \$1,823.88          |              |

#### RESOLUTION NO. 72748

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized to execute for and on behalf of The City of San Diego, a severance agreement with the United States Department of Agriculture, Farm Security Administration, wherein Reuben E. Reiland, of Ramona, California, as security for a loan from the said Farm Security Administration, is permitted to consider such brooder and chicken houses placed on the following described premises:

The South half of the Northeast Quarter of Section 32, Township 12 South, Range 1 East, S.B.B. & M., containing 80 acres of land, more or less, as personal property, subject to removal upon the terms and conditions expressed in said severance agreement.

Approved as to form by HARRY S. CLARK

#### RESOLUTION NO. 72749

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to enter into a contract with F.S.CURRIE for professional services as consulting engineer on the design of a sewage disposal plant to be constructed by the City, together with investigation and preliminary studies of preliminary plans and final plans and specifications during a period of from thirty (30) to sixty (60) days as the City may deem necessary, at the rate of Three Hundred Dollars (\$300.00) for each thirty-day period of said employment, together with costs of necessary travel and living expenses not to exceed the sum of One Hundred Eighty Dollars (\$180.00) for each thirty-day period; and thereafter to provide consulting engineering services in connection with the construction of said plant at the rate of Fifty Dollars (\$50.00) per day, plus necessary travel and living expenses, as per copy of that certain contract filed with the City Clerk of The City of San Diego as Document No. 324438.

Approved as to form by JAMES J. BRECKENRIDGE

#### CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Nov. 18, 1940

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California.

By JOHN MC QUILKEN

Chief Deputy

To be paid out of GB 5532 - not to exceed \$1,000.00

#### RESOLUTION NO. 72750

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Emma A. Davis, executed in favor of The City of San Diego, bearing date November 5, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the north 3 feet of Lot 7, Block 105, of Middletown, according to the Jackson map thereof on file in the office of the County Clerk of San Diego County, California, be, and the same is hereby accepted on the conditions therein conveyed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 72751

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of A. Burns Smythe and Elizabeth C. Smythe, executed in favor of The City of San Diego, bearing date November 1, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across all those portions of Farm Glen and Playa de las Arenas Avenue, as vacated and closed to public use June 26, 1922, by Resolution No. 27874 of the Common Council of the City of San Diego, being in the First Addition to South La Jolla, according to Map thereof No. 891, filed in the office of the Recorder of San Diego County March 3, 1903, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72752

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Harry C. Clark and Georgia L. Clark, executed in favor of The City of San Diego, bearing date November 8, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the north 4 feet of Lot 4, Block 140, Middletown Addition, as shown on Jackson's Map, filed October 19, 1874 in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72753

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of the Santa Fe Land Improvement Company, executed in favor of The City of San Diego, bearing date August 26, 1940, conveying to said City an easement and right of way for street purposes through, along and across a portion of Pueblo Lot 327 of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in the year 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, lying between the northerly line of West Atlantic Street Addition, according to Map No. 2070, records of said San Diego County, and the northerly line of that part of Barnett Avenue closed by Resolution No. 40016 of the Common Council of The City of San Diego, dated December 20, 1926, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the Public use as and for a public street, and the same is hereby named PACIFIC HIGHWAY;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72754

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Sweetwater Fruit Company of California, Inc., executed in favor of The City of San Diego, bearing date November 8, 1940, conveying to said City an easement and right of way for installation, construction, operation, maintenance of cathodic protection for the Bonita Pipe Line over, along and across a portion of Quarter Section 84 of the Subdivision of Rancho de la Nacion, according to the map thereof No. 166 on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72755

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Bank of America National Trust and Savings Association, executed in favor of The City of San Diego, bearing date November 8, 1940, conveying to said City an easement and right of way for installation, construction, operation, maintenance of cathodic protection for the Bonita Pipe Line over, along and across a portion of the Southwest Quarter of Quarter Section 82 of the Subdivision of Rancho de la Nacion, according to the map thereof No. 166 on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72756

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the quitclaim deed of Evelyn Loomis, executed in favor of The City of San Diego, bearing date November 9, 1940, quitclaiming unto said City a portion of Lot 15, Ex Mission Rancho, formerly known as Re-subdivision of Florence 1st Sub. as shown on Map No. 1687 filed in the office of the County Recorder of San Diego County, State of California, on July 5, 1916, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said quitclaim deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72757

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the improvement of Laurel Street, by the construction of sidewalk thereon, on the south side, between Pacific Highway and Kettner Boulevard.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 72705 to 72757 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 19th day of November, 1940.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Wilby Deputy



## R E S O L U T I O N NO. 72758

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the protest of Albert B. King, filed in the office of the City Clerk on October 3, 1940, under Document No. 323431, the oral protests of Mrs. Ada B. Beach and Mrs. Louisa B. Stoaks, against the Engineer's estimate on the cost for the proposed work of improving the Alley Block 83, City Heights, be and said protests are hereby denied, and all other protests are hereby denied.

## R E S O L U T I O N NO. 72759

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the oral protest of Edna Ralph, against the work of installing a sewer in Alleys in Blocks J and K, Tract Number Two of Alta Vista Suburb, Franklin Avenue, and Ocean View Boulevard, in said City, as per Resolution of Intention No. 72570, adopted October 28, 1940, be and said protest and all other protests are hereby denied.

## R E S O L U T I O N NO. 72760

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the petition of Irving Bromberg for license to operate Mechanical Play Device in San Diego, under Ordinance No. 1874 (New Series), be and said request is hereby denied.

## R E S O L U T I O N NO. 72761

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Pearl White Sweet, 4275 Hermosa Way, to convert a dwelling into a duplex, on Villa Lot 46, Mission Hills; with no material change in the exterior of the building.

Variance to the restrictions of Ordinance No. 12990, is hereby granted on the property mentioned above.

## R E S O L U T I O N NO. 72762

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Annasa L. Miles & Edna A. Miles, 3264 Estrella Street to erect a Contractor's Shop and Garage, 24' x 30' in Zone R-4; on Lots 21-22, Block 46, Fairmount (Tract 1368); upon the following conditions:

1. That it be revocable by the City Council if it results in a nuisance.
2. That no signs be displayed on the premises.
3. That no work be performed at night or on Sundays.

Variance to the restrictions of Ordinance No. 13559 be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72763

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Robert C. Shaw and L. Margaret Shaw, 3890 Eagle Street to erect a Triplex dwelling in Zone R-2, on Lots 1 to 4 & 1/2 of 5, Block 483, Seaman's Sub. of P.L. 1122.

Variance to the restrictions of Ordinance No. 12988 be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72764

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Ralph E. Whitney, 4431 - 34th Street, to erect a single residence and Duplex over garage, in Zone R-2, on Lots 3 and 4, Block 65, Park Villas.

Variance to the restrictions of Ordinance No. 12889 be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72765

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to D. S. Simison, 1222 W. Arbor Drive, to erect two additional residences in Zone R-1, on Lots 7 to 12, Block 18, Arnold and Choates Subdivision; on condition that the Commission pass upon the architecture of the buildings to see if they are suitable for the neighborhood.

Variance to the restrictions of Ordinance No. 12988 be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72766

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to H. L. Nelson, 4130 Estrella Street to convert a commercial chicken ranch at 4140 Estrella Street into a commercial nursery in Zone R-4 on N. 20 feet of Lot 32 and all of Lots 33 to 36, Block 31, Fairmount Subdivision; upon condition that the variance be revocable by the City Council, and that any signs to be erected be first approved by the Planning Commission.

Variance to the restrictions of Ordinance No. 13559 be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72767

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to August Kasitz 6948 Amherst Street, to erect two residences on a portion of a 2.24 acre tract facing on 69th Street in Zone R-1, on Lot 12 (portion) Ex-Mission Subdivision provided that an easement to widen 69th Street be granted to the City; said easement to be 30 feet in width.

Variance to the restrictions of Ordinance No. 117 (New Series) be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72768

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Lenora T. Giaciolli, 4715 Choctaw Dr. to realign Lots 42 and 43 Acacia Park to face upon Catoctin Drive to allow building of two residences in Zone R-1.

Variance to the restrictions of Ordinance No. 13558 be and it is hereby granted in so far as they relate to the property mentioned above.



RESOLUTION NO. 72769

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
Permission is hereby granted to Eban B. McGregor, Box 277, Lemon Grove, California, to construct an auto court consisting of 11 units on Lots 15, 16, Block 31, Mission Bay Park Tract, which is on Pacific Highway near Balboa Avenue.

RESOLUTION NO. 72770

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
Permission is hereby granted to Ella M. Leahy and Agnes Sutherland, 1120 Ft. Stockton Dr. to extend an existing garage three and one-half feet in length on Lots 45 and 46 (East 50') Block 11, Teralta with a side yard of 0 feet; with a rear yard of 0 feet; and with a lot coverage of 60%.  
Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be and it is hereby granted on the property mentioned above.

RESOLUTION NO. 72771

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
Permission is hereby granted to A. N. Entringer, 3040 Browning Street, to construct servant's quarters over the existing garage in the rear of 3040 Browning Street on Lot 1, Block 236; Roseville; provided no kitchen is installed as long as the property is in Zone R-1, with a side yard of 5 feet; with a rear yard of 0 feet; with a lot coverage of 50%.  
Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be and it is hereby granted on the property mentioned above.

RESOLUTION NO. 72772

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
Permission is hereby granted to The Equitable Life Assurance Society, by O. W. Cotton, Agent, 524 B Street, to construct an addition (3' x 8') to an existing garage at 1042 Alberta Place on Lot 6, Alberta Addition, with lot coverage of 50%.  
Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be and it is hereby granted on the property mentioned above.

RESOLUTION NO. 72773

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the petition of Kay Jewelers, 1026 Fifth Avenue, by Albert A. Gabbs, Display Manager for a Christmas display on a pole at the edge of the sidewalk in front of said Kay Jewelers and Christmas display on top of store; be and said petition is hereby denied.

RESOLUTION NO. 72774

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The matter of installation of parking meters in the City of San Diego is hereby referred to conference in the Mayor's office.  
The Mayor of said City to set the time of said conference and notify persons interested.

RESOLUTION NO. 72775

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The interested City departments are hereby authorized and directed to accept the amount shown below for delinquent street improvement bond held in Mount Hope Cemetery Fund, as recommended by the City Funds Commission, under Document No. 324673;  
Bonds 13 and 14, Series 814 - Lots 39 and 40, Block 194, Pacific Beach amount offered by Mrs. Alice L. Nolan 1359 Garnet Avenue, Pacific Beach, California - \$51.96.

RESOLUTION NO. 72776

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The license of Carroll W. Weathers, to drive a taxicab, (taxicab driver's license #222) be and it is hereby revoked.

RESOLUTION NO. 72777

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the claim of Frank C. Hermance, 1228 Front Street, filed on October 30, 1940, against the City of San Diego, in the amount of \$3.50 alleged to be due on account of damages to his automobile by reason of a rubbish container being thrown upon it, is hereby granted.  
The City Auditor is hereby authorized and directed to pay Frank C. Hermance, the sum of \$3.50 from the "Small Claims Payment Fund", in full settlement of this claim.

RESOLUTION NO. 72778

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The claim of E. A. Strout, in the amount of \$50.91 on account of damages to his automobile by a City disposal truck, be and it is hereby granted.  
The City Attorney is hereby authorized and directed to prepare an ordinance in the sum of \$50.91 from the Unappropriated Balance Fund for payment of said claim.

RESOLUTION NO. 72779

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The claim of Perry M. Watt, 3211 - 32nd Street, in the amount of \$180.10 on account of damages done by stopping of a sewer to his properties located at 3211-1/2, 3215-1/2, 3217-1/2 and 3219-1/2 32nd Street, be and it is hereby compromised at \$112.50.  
The City Attorney is hereby authorized and directed to prepare an ordinance in the sum of \$112.50 from the Unappropriated Balance Fund for payment of said claim.

RESOLUTION NO. 72780

BE IT RESOLVED, by the Council of the City of San Diego, as follows:  
That the Board of Supervisors of the County of San Diego be, and they are hereby requested to enter into a co-operative agreement with The City of San Diego for the improve-

ment by oil surfacing of 35th Street, from Main Street to National Avenue; Rigel Street, from Main Street to National Avenue; Cottonwood Street, from Pluto Street to Rigel Street, and Boston Avenue, from 35th Street to 36th Street, on the following basis, to-wit: That The City of San Diego will furnish the oil required for said surfacing, and that the County will furnish the labor and equipment necessary for laying and placing said oil surfacing; and that the City Manager of said City be, and he is hereby authorized to enter into said co-operative agreement with the Board of Supervisors of the County of San Diego.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to cause a certified copy of this resolution to be transmitted forthwith to said Board of Supervisors.

Approved as to form by H. B. DANIEL

#### R E S O L U T I O N NO. 72781

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to the Bureau of Radio & Electrical Appliances of San Diego County by W. C. Gill, 3853 - 6th Avenue, to install temporary wiring in the Federal Housing Building in Balboa Park for the Fourth Annual Electrical Exposition to be held from December 3d to 8th, inclusive, 1940; without fees.

The installation and removal of the wiring shall be under the supervision of the City Electrical Department, and the wiring shall be removed when the electrical show closes.

#### R E S O L U T I O N NO. 72782

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the Western Pipe & Steel Company of California to furnish The City of San Diego with pipe manifolds to replace flumes in University Heights Filter Plant for the sum of \$3885.00 be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said Western Pipe & Steel Company of California.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Western Pipe & Steel Company of California, for furnishing of said pipe manifolds pursuant to the plans and specifications therefor on file in the office of the City Clerk.

Approved as to form H. B. DANIEL

#### CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Nov. 25, 1940.

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California

To be paid out of FAA 5535 - not to exceed \$3885.00.

#### R E S O L U T I O N NO. 72783

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego, for Police Department, the following equipment:

|         |      |                  |
|---------|------|------------------|
| Eight   | (8)  | Four-door sedans |
| Two     | (2)  | Coupes           |
| Sixteen | (16) | Motorcycles      |

in accordance with Notice to Bidders, Specifications and Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 324608.

Approved as to form H. B. DANIEL

#### R E S O L U T I O N NO. 72784

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the claim of A. J. Hopkins, 1068 - 21st Street, against the City of San Diego, in the amount of \$16.00 alleged to be due on account of damage done to his automobile by a city truck, is hereby granted.

The City Auditor is hereby authorized and directed to pay A. J. Hopkins, the sum of \$16.00 from the "Small Claims Payment Fund," in full settlement of this claim.

#### R E S O L U T I O N NO. 72785

THAT WHEREAS, on or about August 20, 1940, application was made by The City of San Diego to the Federal Works Agency, Works Projects Administration for Southern California, for the construction of outfall sanitary sewer structures and facilities in The City of San Diego, California, which application is numbered Special National Defense Projects Application No. 1105-4897; and

WHEREAS, said application was on or about September 30, 1940, approved by said Work Projects Administration; and

WHEREAS, there has been allocated and appropriated for this and other projects in Account GB-553-2, Department of Public Works Fund, as provided by Section 31 of Ordinance No. 1880 (New Series) of the ordinances of said City, the sum of \$68,000.00; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized to proceed with said Special National Defense Project, Application No. 1105-4897, for the construction of outfall sanitary sewer structures and facilities, and to make available from time to time, as the Work Projects Administration may require, from said Account GB-553-2, Department of Public Works Fund, so much thereof as may be required, as the City's contribution to said project.

BE IT FURTHER RESOLVED that the City Manager be, and he is hereby authorized and empowered to make and execute, on behalf of The City of San Diego, such documents, papers and records as may be required of him by the Work Projects Administration, to accomplish the construction of said project.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Fish

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By HELEN M. WILLIG,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By HELEN M. WILLIG,  
 Deputy

#### RESOLUTION NO. 72786

THAT WHEREAS, on or about September 17, 1940, application was made by The City of San Diego to the Federal Works Agency, Work Projects Administration for Southern California, for the construction of a sewage disposal and treatment plant in The City of San Diego, California, which application is numbered Special National Defense Projects Application No. 1105-4912; and

WHEREAS, said application was on or about September 30, 1940, approved by said Work Projects Administration; and

WHEREAS, there has been allocated and appropriated for this and other projects in Account GB-553-2, Department of Public Works Fund, as provided by Section 31 of Ordinance No. 1880 (New Series) of the ordinances of said City, the sum of \$68,000.00; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized to proceed with said Special National Defense Project, Application No. 1105-4912, for the construction of said sewage disposal and treatment plant, and to make available from time to time, as the Work Projects Administration may require, from said Account GB-553-2, Department of Public Works Fund, so much thereof as may be required, as the City's contribution to said project.

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized and empowered to make and execute, on behalf of The City of San Diego, such documents, papers and records as may be required of him by the Work Projects Administration, to accomplish the construction of such project.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Fish

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By HELEN M. WILLIG,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By HELEN M. WILLIG,  
 Deputy

#### RESOLUTION OF AWARD NO. 72787

ALLEY BLOCK 12, SUBDIVISION OF LOTS 20 to 50, BLOCK N, TERALTA.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 19th day of November, 1940, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All street work and improvement described in Resolution of Intention No. 72249, adopted by the Council on September 17, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK 12, SUBDIVISION OF LOTS 20 to 50, BLOCK N, TERALTA, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To WALTER H. BARBER, at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|  |          |
|--|----------|
| Excavation, per cubic yard,.....   | \$ 0.46  |
| Preparation of subgrade, per square foot, .....  | \$ 0.01  |
| Pavement, per square foot, .....   | \$ 0.154 |
| 6" cast iron water main, with appurtenances, as shown on the plans, laid, per lineal foot, ..... | \$ 1.23  |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Fish

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

RESOLUTION ORDERING WORK NO. 72788  
Alley in Block A, Altadena.

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72534, adopted by the Council on October 22, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK A, ALTADENA, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72297, adopted on the 24th day of September, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Fish

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

RESOLUTION ORDERING WORK, NO. 72789  
Alley in Block 4, La Mesa Colony

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require the work hereinafter described to be done, and the time prescribed during which objections to said work and improvement might be made having expired, and no objection thereto having been made, and said Council hereby finding that no assessment is necessary therefor:

NOW, THEREFORE, the said Council hereby orders the following work to be done in said city, to-wit:

The closing of the ALLEY IN BLOCK 4, LA MESA COLONY, according to the map thereof No. 346, filed for record in the office of the County Recorder of San Diego County, California, between the east line of 68th Street, as it now exists, and the west line of 69th Street, as it now exists;

And the said portion of said alley is hereby closed.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Fish

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy



## RESOLUTION ORDERING IMPROVEMENT NO. 72790

## Eighth Avenue Lighting District No. 1

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City, and therefore the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on EIGHTH AVENUE, between the northerly line of Pennsylvania Avenue produced easterly and a line parallel to and distant 125 feet north of the north line of Brookes Avenue; and on PENNSYLVANIA AVENUE, between the west line of Eighth Avenue and the east line of the Alley in Block 7, Crittenden's Addition, produced south, in the City of San Diego, California. Such furnishing of electric current shall be for the period of one year, from and including January 1, 1941, to-wit, to and including December 31, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Eighth Avenue Lighting District No. 1," filed October 11, 1940, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 19th day of November, 1940, said Council did by Resolution No. 72708 confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement, heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for Eighth Avenue Lighting District No. 1," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district, more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego, the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

## RESOLUTION ORDERING IMPROVEMENT NO. 72791

## Seventh Avenue Lighting District No. 1

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City, and therefore the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on SEVENTH AVENUE, between the north line of Upas Street and a line parallel to and distant 680 feet north of the north line of Upas Street, in the City of San Diego, California.

Such furnishing of electric current shall be for a period of one year from and including January 1, 1941, to-wit, to and including December 31, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Seventh Avenue Lighting District No. 1," filed October 11, 1940, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 19th day of November, 1940, said Council did by Resolution No. 72709 confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for Seventh Avenue Lighting District No. 1," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district, more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego, the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

## RESOLUTION ORDERING IMPROVEMENT NO. 72792

## La Jolla Lighting District No. 1

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City, and therefore the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

LA JOLLA BOULEVARD, between the westerly production of the southerly line of Genter Street and the southeasterly line of Prospect Street; PROSPECT STREET, between La Jolla Boulevard and Cave Street; PROSPECT PLACE, between Cave Street and Blue Bird Lane; GIRARD AVENUE, between Silverado Street and Prospect Street; HERSCHEL AVENUE, between Silverado Street and Prospect Street; and WALL STREET, between Girard Avenue and Ivanhoe Avenue.

Such furnishing of electric current shall be for the period of one year from and including January 1, 1941, to-wit, to and including December 31, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for La Jolla Lighting District No. 1," filed October 11, 1940, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 19th day of November, 1940, said Council did by Resolution No. 72707 confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement, heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for La Jolla Lighting District No. 1," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego, the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

(SEAL)

ATTEST: P.J. BENBOUGH

Mayor of The City of San Diego, California.

FRED W. SICK

City Clerk of The City of San Diego, California

By HELEN M. WILLIG,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

FRED W. SICK

(SEAL)

City Clerk of The City of San Diego, California

By HELEN M. WILLIG,

Deputy

## RESOLUTION NO. 72793

## Santa Clara Place

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of SANTA CLARA PLACE, in said City, between the easterly line of Ocean Front Walk and the westerly line of Bayside Walk, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on October 19, 1940, under Document No. 323823, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1823, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

## RESOLUTION OF INTENTION NO. 72794

## Santa Clara Place

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That portions of SANTA CLARA PLACE, in said City, between the easterly line of Ocean Front Walk and the westerly line of Bayside Walk, be graded, and the subgrade prepared and paved with a Portland cement concrete pavement.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 323823, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1823, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72587, adopted on the 29th day of October, 1940, that 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, is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 31st day of December, 1940, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form



and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

R E S O L U T I O N NO. 72795  
Ibsen Street

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of IBSEN STREET, between the northwesterly line of Rosecrans Street and the southeasterly line of Evergreen Street, in said City, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on October 29, 1940, under Document No. 324069, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1813, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

RESOLUTION OF INTENTION NO. 72796  
Ibsen Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That portions of IBSEN STREET, in said City, between the northwesterly line of Rosecrans Street and the southeasterly line of Evergreen Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 324069, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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.1813, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72643, adopted on the 6th day of November, 1940, that 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, is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |
| Carpenter                     | 8.00           | 1.00     |



|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Caulker                            | \$ 6.00        | \$ 0.75  |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 31st day of December, 1940, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,

Deputy

R E S O L U T I O N NO. 72797  
DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND  
PLACE OF HEARING THEREOF

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1714 made to cover the costs and expenses of the work done upon Alley in Block 8, Subdivision of Lots 20 to 50 Block N, Teralta in said City, under Resolution of Intention No. 71760, adopted July 9th, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

R E S O L U T I O N NO. 72798  
DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND  
PLACE OF HEARING THEREOF - ALLEY IN BLOCK 27, TERALTA

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1715 made to cover the costs and expenses of the work done upon The Alley in Block 27, Resubdivision of Blocks K and L, Teralta in said City, under Resolution of Intention No. 71874, adopted July 23rd, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

R E S O L U T I O N NO. 72799  
RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN A PORTION  
OF LANDIS STREET.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading and paving of LANDIS STREET, between the easterly line of Alabama Street and the westerly line of Mississippi Street, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 324508. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

R E S O L U T I O N NO. 72800  
SPECIAL ASSESSMENT PROCEEDINGS FOR THE IMPROVEMENT OF THE ALLEY  
IN BLOCK 150, UNIVERSITY HEIGHTS.

WHEREAS, this Council did by its Resolution No. 72405, do and determine all the things required by Sections 2 and 13 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and

WHEREAS, the owners of more than fifteen per cent of the area of the proposed assessment district, as described in said Resolution No. 72405, did by their return post cards demand the investigation provided for by said Act; NOW, THEREFORE,

BE IT RESOLVED by this Council that it be, and it is hereby determined that the owners of more than fifteen per cent of the area of said assessment district by their return post cards did demand the making of the investigation as provided by said Act.

BE IT FURTHER RESOLVED, that the City Engineer of said City be, and he is hereby authorized and directed to prepare a written report upon the proposed improvement of the ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, between the north line of Polk Avenue and the south line of Howard Avenue, in the City of San Diego, California, which report shall contain, in addition to the matters mentioned in Section 2 of said Act, the following information, to-wit:

- A. Map, plat or diagram showing:
  - 1. The nature, location and extent of the improvement.
  - 2. Each separate lot or parcel of land to be assessed.
- B. The total estimated improvement cost:
  - 1. Incidental expenses to be separately shown.
  - 2. Cost of each class of construction must be separately shown.
- C. Assessed value as per latest equalized County Assessment Roll.
  - 1. Of each parcel to be assessed.
  - 2. The total assessed value of lands to be assessed.
- D. The total assessed value of improvements within the district.
- E. Total true value of all lands to be assessed, determined as per Section 2 of said Act.
- F. The true value of each parcel of the lands to be assessed.
- G. The per parcel, and the total outstanding special assessments (exclusive of interest and penalties); showing:
  - 1. Direct special assessments (as under 1911 Street Act).
  - 2. Unpaid, levied advalorem special assessments.
- H. Unlevied advalorem special assessments which will be levied upon each parcel of land to be assessed to pay principal of bonds theretofore issued.
  - 1. Estimated on each parcel of land to be assessed.
  - 2. Total estimated amount of such special assessments upon all the lands to be assessed. Said estimates to be proportioned according to the assessed value on said last equalized assessment roll, and also proportioned according to zones (if any), and the percentages of such zones.
- I. Estimated direct and advalorem special assessments in all proceedings in which a resolution ordering work has been adopted, but assessment unlevied, showing:
  - 1. Such estimates against each parcel of land to be assessed.
  - 2. Total upon all the parcels of land to be assessed. The advalorem assessments to be computed in the manner provided in paragraph (1) of Section 3 of said Limitation Act.
- J. Estimated assessments to be levied in this proceeding as follows:
  - 1. Estimated assessments upon each parcel of land to be assessed.
  - 2. Total assessment to be levied upon all the lands to be assessed.
- K. Serial bonds to be issued to represent assessments of \$25.00 or over.
  - 1. Number of years to run.
  - 2. Actual rate of interest.

the full report to be made in conformity with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and particularly with Section 3 thereof, and delivered to the Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Fish

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By HELEN M. WILLIG, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By HELEN M. WILLIG, Deputy

R E S O L U T I O N NO. 72801  
 SPECIAL ASSESSMENT PROCEEDINGS FOR THE IMPROVEMENT PORTIONS  
 OF MAPLE STREET AND 32ND STREET.

WHEREAS, this Council did by its Resolution No. 72406, do and determine all the things required by Sections 2 and 13 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and

WHEREAS, the owners of more than fifteen per cent of the area of the proposed assessment district, as described in said Resolution No. 72406, did by their return post cards demand the investigation provided for by said Act; NOW, THEREFORE,

BE IT RESOLVED by this Council that it be, and it is hereby determined that the owners of more than fifteen per cent of the area of said assessment district by their return post cards did demand the making of the investigation as provided by said Act.

BE IT FURTHER RESOLVED, that the City Engineer of said City be, and he is hereby authorized and directed to prepare a written report upon the proposed improvement of MAPLE STREET, between the easterly line of 32nd Street and the center line of 33rd Street; and 32nd STREET, between the westerly prolongation of the northerly and southerly lines of Maple Street, in the City of San Diego, California, which report shall contain, in addition to the matters mentioned in Section 2 of said Act, the following information, to-wit:

- A. Map, plat or diagram showing:
  - 1. The nature, location and extent of the improvement.
  - 2. Each separate lot or parcel of land to be assessed.
- B. The total estimated improvement cost:
  - 1. Incidental expenses to be separately shown.
  - 2. Cost of each class of construction must be separately shown.
- C. Assessed value as per latest equalized County Assessment Roll.
  - 1. Of each parcel to be assessed.
  - 2. The total assessed value of lands to be assessed.
- D. The total assessed value of improvements within the district.
- E. Total true value of all lands to be assessed, determined as per Section 2 of said Act.
- F. The true value of each parcel of the lands to be assessed.



G. The per parcel, and the total outstanding special assessments (exclusive of interest and penalties); showing:

1. Direct special assessments (as under 1911 Street Act).
2. Unpaid, levied advalorem special assessments.

H. Unlevied advalorem special assessments which will be levied upon each parcel of land to be assessed to pay principal of bonds theretofore issued.

1. Estimated on each parcel of land to be assessed.
2. Total estimated amount of such special assessments upon all the lands to be assessed. Said estimates to be proportioned according to the assessed value on said last equalized assessment roll, and also proportioned according to zones (if any), and the percentages of such zones.

I. Estimated direct and advalorem special assessments in all proceedings in which a resolution ordering work has been adopted, but assessment unlevied, showing:

1. Such estimates against each parcel of land to be assessed.
2. Total upon all the parcels of land to be assessed. The advalorem assessments to be computed in the manner provided in paragraph (1) of Section 3 of said Limitation Act.

J. Estimated assessments to be levied in this proceeding as follows:

1. Estimated assessments upon each parcel of land to be assessed.
2. Total assessment to be levied upon all the lands to be assessed.

K. Serial bonds to be issued to represent assessments of \$25.00 or over.

1. Number of years to run.
2. Actual rate of interest.

The full report to be made in conformity with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and particularly with Section 3 thereof, and delivered to the Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

#### R E S O L U T I O N NO. 72802

RELATING TO DEMAND OF PROPERTY OWNERS FOR REPORT UNDER THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931 - PORTIONS OF 53rd STREET, MEADE AVENUE, TROJAN AVENUE, AND PUBLIC RIGHTS OF WAY.

It appearing to the Council that more than thirty (30) days have elapsed since the postcard notices have been served on the property owners in the proposed district to be assessed to pay the costs and expenses of the installation of a sewer system in 53rd STREET, between the southerly line of El Cajon Boulevard and the southerly termination of said 53rd Street in Country Paradise; MEADE AVENUE, between the easterly line of 53rd Street and the easterly line of Country Paradise; TROJAN AVENUE, between the southerly prolongation of the easterly line of the west one-half of Lot 13, Lemon Villa and a line parallel to and distant 40 feet westerly therefrom; and PUBLIC RIGHTS OF WAY across Lots 2, 3, 4, 5 and 18, Country Paradise, and Lot 13, Lemon Villa, in the City of San Diego, California; and that the return postcards of such property owners demanding an investigation and report under said Act have been by this Council fully considered and computed; NOW, THEREFORE,

BE IT RESOLVED, and it is hereby ordered and determined that the owners of 15% of the area of the proposed district have not demanded such investigation and report.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the installation of a sewer system in 53rd STREET, MEADE AVENUE, TROJAN AVENUE, and PUBLIC RIGHTS OF WAY, within the above described limits.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

#### R E S O L U T I O N NO. 72803

ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, AND PORTION OF WIGHTMAN STREET.

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, paving and otherwise improving of the ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, between the north line of Wightman Street and the south line of University Avenue, and WIGHTMAN STREET, between the southerly prolongation of the west line of the Alley in Block 6, Subdivision of Blocks 3, 6, 9 and 12, City Heights Annex No. 1 and the southerly prolongation of the east line of said alley, in the City of San Diego, California; and



WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

#### R E S O L U T I O N NO. 72804

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on The Alley in Block 1, Carmel Heights as particularly described in Resolution of Intention No. 72127 and to be assessed to pay the expenses thereof.

## R E S O L U T I O N NO. 72805

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor and Comptroller be, and he is hereby authorized and directed to transfer the sum of \$200.00 from Account FA-B-261 (Water for Indigents), "Maintenance and Support," to Account FA-B-551-1 (Filing Cabinets), "Outlay," Water Department Fund, Division of Distribution, as provided by Section 24 of Ordinance No. 1880 (New Series) of the ordinances of The City of San Diego.

Presented by F. A. RHODES

Approved as to form by H. B. DANIEL

Approved - Funds available

J. S. BARBER, City Auditor & Comptr

Nov. 25/40

## R E S O L U T I O N NO. 72806

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That any liability under the bond of Frederic A. Rhodes executed by the said Frederic A. Rhodes and the Great American Indemnity Company to The City of San Diego, dated May 7, 1940, for any acts of said Frederic A. Rhodes in the performance of his duty as City Manager of The City of San Diego, on and after October 9, 1940, be considered as not covered by the terms of said bond; and that from and after said date of October 9, 1940, said Great American Indemnity Company as surety, be released from future liability for any act committed by the said Frederic A. Rhodes subsequent to said date.

Approved as to form by J. H. McKINNEY

## R E S O L U T I O N NO. 72807

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the Mayor and the City Clerk of The City of San Diego be, and they are hereby authorized and directed to execute for and on behalf of The City of San Diego an easement and right of way for highway purposes, to the Department of Public Works, Division of Highways, of the State of California, through and across that certain real property situate in the County of San Diego, State of California, particularly described as follows:

All that part of the San Diego and Arizona Eastern Railway Company right of way, 100 feet wide, lying within Lot 53 of El Cajon Valley Co.'s Lands, as said lands are delineated on the map filed as Map No. 289, Records of San Diego County; said right of way being more particularly described in the deed to the San Diego, Cuyamaca and Eastern Railway Company, recorded January 19, 1892, in Deed Book 194, page 229, Records of San Diego County.

Approved as to form by Harry S. Clark.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By HELEN M. WILLIG,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By HELEN M. WILLIG,

Deputy

## R E S O L U T I O N NO. 72808

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the Mayor and the City Clerk of The City of San Diego be, and they are hereby authorized and directed to execute for and on behalf of The City of San Diego a quitclaim deed to the Department of Public Works, Division of Highways, of the State of California, to that certain real property situate in the County of San Diego, State of California, particularly described as follows:

A portion of the railway right of way granted to "The San Diego Cuyamaca and Eastern Rail Road Company" by deed recorded July 10, 1889, in Deed Book No. 152, page 59, Records of San Diego County, in "El Cajon Valley Co.'s Lands", as said Lands are delineated on the map filed as Map No. 289, Records of San Diego County; which portion is that part lying Northerly of the Northerly line of Lakeside, according to Map No. 353, Records of San Diego County, and lying Westerly of the following described line: Beginning at a point in the North line of Block 16 of Lakeside according to said Map No. 353, which point bears N. 81° 10' E., 54.86 feet from Engineer's Station 325+38.60 of the Department of Public Works Survey, between Lakeside and one mile North, Road XI-SD-198-B, and which station bears N. 81° 10' E., 15.07 feet from the Northwest corner of said Block 16; thence, from a tangent which bears N. 14° 54' 25" E., along a curve to the left, concentric with the center line of said survey, with a radius of 1196.28 feet, through an angle of 26° 03' 25" a distance of 544.04 feet; thence, N. 11° 09' W., 300 feet.

Approved as to form by HARRY S. CLARK

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By HELEN M. WILLIG,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By HELEN M. WILLIG,

Deputy

## R E S O L U T I O N NO. 72809

RESOLUTION RELINQUISHING JURISDICTION TO THE COUNTY OF SAN DIEGO OF THE SOUTHERLY 300 FEET OF THE ALLEY IN BLOCK "A", TERALTA

HEIGHTS, IN THE CITY OF SAN DIEGO.

WHEREAS, the Board of Supervisors of the County of San Diego has filed a petition with the Council of The City of San Diego, which said petition is contained in Document No.

324048, on file in the office of the City Clerk of said City, requesting The City of San Diego to relinquish jurisdiction to the County of San Diego of the southerly 300 feet of the alley in Block "A", Teralta Heights, in said City, adjacent to the County Library, in order that said alley may be improved by the County of San Diego; and

WHEREAS, the City Manager of said City has recommended the granting of said petition; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That The City of San Diego does hereby relinquish jurisdiction to the County of San Diego of the southerly 300 feet of the alley in Block "A", Teralta Heights, adjacent to the County Library, in said City, for the purpose only of improving the said alley; said jurisdiction to be returned to The City of San Diego upon the completion of said improvement.

Approved as to form by J. H. McKINNEY

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Fish

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

#### R E S O L U T I O N NO. 72810

WHEREAS, L. W. Brawner is desirous of leasing certain lands owned by The City of San Diego, hereinafter described, for agricultural and/or stock grazing purposes; and

WHEREAS, the lands proposed to be leased are described as follows:

That portion of the Rancho San Bernardo, in the County of San Diego, State of California, described as follows:

Beginning at a stake marked "S.B.1" on the map or plat of the Survey of said Rancho made by Hays, and running thence North  $77-1/3^\circ$  West along the northern boundary of said Rancho, 4861.5 feet; thence South  $15-1/2^\circ$  West 6370 feet; thence South  $84-1/4^\circ$  East 4913.2 feet to the Eastern boundary of said Rancho; thence North  $15-1/2^\circ$  East along said Rancho line 5799.1 feet to the place of beginning; excepting from the above described property all that portion thereof conveyed by Fred H. Roberts and Elizabeth Roberts, his wife, to Elbert Ward, by deed dated February 14, 1911, and recorded June 28, 1911, in Book 528, page 58 of Deeds, and described as follows:

Beginning at a point on the east line of the Rancho San Bernardo 5799.1 feet in a southerly direction from corner "S.B.1" on the map or plat of the Survey made by Hays of Rancho San Bernardo; thence running in a westerly direction as deeded to Fred H. Roberts by David T. Oaks, a distance of 600 feet; thence in a northeasterly direction 3230 feet to an intersection with the east line of the Rancho San Bernardo; thence in a southerly direction along the east line of said Rancho to point of beginning; ALSO, EXCEPTING from the above described property all that portion thereof lying above an elevation of 395 feet above sea level according to the United States Geological Survey datum; subject to all liens and encumbrances whatsoever; and

WHEREAS, said lands are not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$18,800.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with L. W. Brawner for said above-described lands for a period of five years, commencing on July 1, 1941 and ending on June 30, 1946, at a rental of Six Hundred Ten Dollars (\$610.00) per year, payable quarterly in equal installments in advance; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

Approved as to form by J. H. McKINNEY

Presented by H. W. JORGENSEN

Approved Nov 23 1940 WALTER W. COOPER

EXHIBIT "A"  
L E A S E

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_, by and between THE CITY OF SAN DIEGO, a municipal corporation of the County of San Diego, State of California, hereinafter designated as the City, and L. W. BRAWNER, hereinafter called the Lessee, WITNESSETH:

That the City, for and in consideration of the payment of the rent to be paid by the Lessee, as hereinafter set forth, and in consideration of the covenants of the Lessee hereinafter set out and their faithful performance by such Lessee, and upon and subject to the terms, conditions and reservations herein set forth, does by these presents lease, demise and let unto the said Lessee the following described property, situate in the County of San Diego, State of California, to-wit:

That portion of the Rancho San Bernardo, in the County of San Diego, State of California, described as follows:

Beginning at a stake marked "S.B.1" on the map or plat of the Survey of said Rancho made by Hays, and running thence North  $77-1/3^\circ$  west along the northern boundary of said Rancho, 4861.5 feet; thence South  $15-1/2^\circ$  West 63.70 feet; thence South  $84-1/4^\circ$  East 4913.2 feet to the Eastern boundary of said Rancho; thence North  $15-1/2^\circ$  East along said Rancho line 5799.1 feet to the place of beginning; excepting from the above described property all that portion thereof conveyed by Fred H. Roberts and Elizabeth Roberts, his wife, to Elbert Ward, by deed dated February 14, 1911, and recorded June 28, 1911, in Book 528, page 58 of Deeds, and described as follows:

Beginning at a point on the east line of the Rancho San Bernardo 5799.1 feet in a southerly direction from corner "S.B.1" on the map or plat of the Survey made by Hays of Rancho San Bernardo; thence running in a westerly direction as deeded to Fred H. Roberts by David T. Oaks, a distance of 600 feet; thence in a northeasterly direction 3230 feet to an intersection with the east line of the Rancho San Bernardo; thence in a southerly direction along the east line of said Rancho to point of beginning; ALSO, EXCEPTING from the above described property all that portion thereof lying above an elevation of 395 feet above



sea level according to the United States Geological Survey datum; subject to all liens and encumbrances whatsoever;

For a term of five (5) years, beginning on the 1st day of July, 1941, and ending on the 30th day of June, 1946, at the following rentals: Six Hundred Ten Dollars (\$610.00) per year payable in advance at the office of the Lessor quarterly during said term.

In consideration of the covenants herein contained the parties hereto agree as follows:

First: That the above described premises are leased to said lessee for agricultural and/or stock grazing purposes only, and for no other purpose or purposes; EXCEPTING that no commercial hog raising will be permitted.

Second: That this lease shall not be assigned or transferred, nor shall the said lessee have the right to sublet the leased premises, or any part thereof, without the consent in writing of the Council of said City.

Third: That the City reserves all gas, oil and mineral rights in and on said premises herein leased, with the right to go upon said property and prospect or drill for oil, gas and minerals.

Fourth: That the lessee shall keep and maintain said premises in as good repair and condition as he may receive them at his own expense (ordinary wear and tear and the acts of God excepted) and the said City shall not be called upon to make any expenditures or repairs on said premises.

Fifth: The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same, and/or for the purpose of drilling, operating and maintaining wells and pipelines on said premises, and for the purpose of making repairs to or developing the water system of said City; but the City shall not be required to furnish any water on said premises, except for domestic purposes, where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series).

Sixth: That the said lessee, paying the said rent and performing the covenants and agreements aforesaid, shall and may at all times during the said term, peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

Seventh: Said lessee agrees that on the last day of said term, or other sooner termination of this lease, the said lessee shall and will peaceably and quietly leave, surrender and yield up unto said City the said premises, in as good state and condition as the same are now in or may be put into, reasonable use and wear thereof and damage by the elements excepted.

Eighth: It is understood and agreed by the said parties that the said City may terminate this lease at any time by giving sixty (60) days' notice of such termination to the lessee, and by tendering to said lessee a proportionate part of any rentals paid in advance by said lessee.

Ninth: It is further agreed by and between the parties hereto that in case of the violation by the lessee of any of the terms and conditions of this lease, the City may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the lessee and for its account.

It is understood and agreed that a waiver by the City of any default hereunder shall not be considered, nor held to be, a waiver of any subsequent or other default, and also that consent to the subletting of said premises or any part thereof, or to the assignment of this lease, shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

It is further understood and agreed that if the Lessee shall make default in the performance of any of the terms, conditions or covenants of this lease by the Lessee to be kept, observed or performed, Lessee will in such case pay to the City the expenses and costs incurred by the City in any action which may be commenced by the City based on, or arising out of, any such default, including a reasonable attorney's fee.

IN WITNESS WHEREOF, this agreement is executed by the City of San Diego, acting by and through the City Manager of said City, under and pursuant to Resolution No. \_\_\_\_\_ of the Council, authorizing such execution, and said Lessee has hereunto subscribed his name, the day and year first hereinabove written.

THE CITY OF SAN DIEGO, Lessor,  
By \_\_\_\_\_ City Manager

\_\_\_\_\_  
Lessee.

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Fish

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By HELEN M. WILLIG

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By HELEN M. WILLIG

Deputy.

#### R E S O L U T I O N NO. 72811

WHEREAS, the City Manager has recommended that the City purchase 8.12 acres of land in Mission Beach, lying south of the Amusement Center, in the City of San Diego, for the sum of \$10,000.00, said recommendation being filed in the office of the City Clerk under Document No. 324463; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized to purchase the following described real property:

All that real property situated in Pueblo Lot 1803 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe, being a portion of the Unnumbered Lot lying between the northerly line of San Fernando Place and the southerly line of Ventura Place, according to and as delineated on Map No. 1809 of Mission Beach on file in the office of the County Recorder of San Diego County, bounded and described as follows:

#### PARCEL 1:

Beginning at the intersection of the common center line of the State of California Department of Public Works' Survey in the City of San Diego, Road XI-SD-Mission Boulevard, also known as Miscellaneous Map No. 148 on file in the office of the County Recorder of San Diego County, and of Mission Boulevard as delineated on Map No. 1809, Records of San Diego County, with the northerly line of San Fernando Place, which intersection is Engineer's



Station 54 plus 84.19 of said Survey; thence along the said northerly line of San Fernando Place, South 87° 10' 07" West (Record South 87° 12' West) 40.13 feet, to a point on a curve concave to the West having a radius of 4512.96 feet and whose center bears North 88° 08' 01" West from said point; thence northerly along said curve through a central angle of 0° 56' 24" an arc distance of 74.04 feet; thence tangent to said curve, north 0° 55' 35" East, 21.99 feet; thence North 2° 44' East, 75.09 feet to the true point of beginning, being a point of intersection with the East line of West Drive of Mission Boulevard as conveyed by Mission Beach Company to the City of San Diego by deed recorded March 6, 1924, in Book 999, page 64, of Deeds, in said Recorder's Office; thence continuing North 2° 44' East 131.77 feet to a point of curve; thence along the arc of a curve concave to the West, tangent to last described course, having a radius of 1980.00 feet through a central angle of 5° 32' a distance of 191.22 feet to a point which bears South 87° 12' West 20.00 feet from Engineer's Survey Station 59 plus 77.24 of said Department of Public Works' Survey; thence tangent to the last described curve North 2° 48' West 76.50 feet, to the south line of Parcel 2 in the deed from Mission Beach Company to the State of California, recorded September 27, 1934, in Book 323, page 340, of Official Records in said Recorder's Office; thence along said south line, South 87° 12' West 90.05 feet to the easterly line of Mission Boulevard, West Drive; thence along said easterly line of Mission Boulevard, West Drive, South 2° 48' East 193.50 feet; thence continuing along said easterly line of Mission Boulevard, West Drive, along the arc of a curve concave to the northeast, tangent to last described course, having a radius of 331.58 feet, through an angle of 33° 57' 40", a distance of 196.54 feet to a point of reverse curvature with a curve concave to the southwest having a radius of 176.00 feet; thence continuing southerly along said easterly line of Mission Boulevard, West Drive, along the arc of said reverse curve, through an angle of 7° 29', a distance of 22.99 feet to the true point of beginning.

PARCEL 2:

Beginning at a point (at the intersection of the South line of Prado with the west line of the West Drive, also known as the West Way, of Mission Boulevard), which bears South 22° 18' 30" East, 910.25 feet from the southwest corner of Block 96, Mission Beach, according to Map No. 1809, and R. of S. Map No. 856, filed in the County Recorder's Office, San Diego, California, as the true point of beginning; thence from the true point of beginning, South 87° 12' West along the south line of Prado, a distance of 446.78 feet to the westerly edge of the steps west of the sea wall at Prado; thence southerly along the westerly edge of the said steps and said sea wall the following courses and distances; South 5° 48' East, a distance of 12.90 feet; thence North 84° 12' East, a distance of 16.55 feet; thence South 5° 48' East, a distance of 130.06 feet; thence South 84° 12' West, a distance of 13.30 feet; thence South 5° 48' East, a distance of 79.13 feet; thence North 84° 12' East, a distance of 13.30 feet; thence South 5° 48' East, a distance of 129.84 feet; thence South 84° 12' West, a distance of 13.30 feet; thence South 5° 48' East, a distance of 73.93 feet; thence North 84° 12' East, a distance of 13.30 feet; thence South 5° 48' East, a distance of 298.01 feet; thence South 84° 12' West, a distance of 13.30 feet; thence South 5° 48' East, a distance of 10.50 feet; to an intersection with the northerly line of San Fernando Place produced westerly thence North 87° 12' East along said northerly line of San Fernando Place produced westerly and the northerly line of San Fernando Place for a distance of 485.31 feet to an intersection with the westerly line of the West Drive of Mission Boulevard, said point of intersection being a point on a curve concave to the west whose radius point bears North 88° 04' 05" West, a distance of 4553.09 feet; thence northerly along the west line of said West Drive of Mission Boulevard through a central angle of 1° 01' 55", a distance of 82.00 feet to a point of compound curve whose radius point bears North 89° 06' West, a distance of 159.17 feet; thence northwesterly along said curve through a central angle of 37° 39' 40", a distance of 104.62 feet to a point of reverse curve, the radius of which bears North 53° 14' 20" East, a distance of 348.41 feet; thence northerly along said curve through a central angle of 33° 57' 40", a distance of 206.51 feet; thence tangent to said curve North 2° 48' West along the said westerly line of said West Drive for a distance of 357.59 feet to the true point of beginning;

EXCEPTING therefrom that portion thereof included within the land conveyed by the Mission Beach Company, a corporation, to City of San Diego, a municipal corporation, by deed dated September 5, 1940, and recorded September 13, 1940, in the office of the County Recorder of San Diego County and described as follows:

Beginning at the intersection of the common center line of the State of California Department of Public Works' Survey in the City of San Diego, Road XI-SD-SD-Mission Boulevard, and of Mission Boulevard as delineated on said Map No. 1809, on file in the office of the County Recorder of San Diego County, with the northerly line of San Fernando Place, which intersection is Engineer's Station 54 plus 84.19 of said survey; thence along the said northerly line South 87° 10' 07" West (Record South 87° 12' West) 40.13 feet to the true point of beginning; said point being on a curve concave to the west having a radius of 4512.96 feet and whose center bears North 88° 08' 01" West from said point; thence northerly along said curve through a central angle of 0° 56' 24" an arc distance of 74.04 feet; thence tangent to said curve North 0° 55' 35" East, 21.99 feet; thence North 2° 44' East, to intersection with the west line of Mission Boulevard, West Drive, as conveyed to the City of San Diego by deed recorded March 6, 1924, in Book 999, page 64, of Deeds, in said Recorder's Office; thence southerly along said west line of Mission Boulevard, West Drive, to intersection with the north line of San Fernando Place; thence South 87° 10' 07" West along said north line of San Fernando Place to the true point of beginning.

Subject to liens for unpaid taxes and assessments, if any; and all rights of San Diego Consolidated Gas and Electric Company, and all liens and encumbrances of record.

for the sum of Ten Thousand Dollars (\$10,000.00); and said City Manager is hereby authorized to draw requisition on "Outlay" (Purchase, various properties), General Appropriations, as provided by Section 34 of Ordinance No. 1880 (New Series) of the Ordinances of said City, in the amount hereinabove set forth.

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized to expend the sum of Twenty-five Dollars (\$25.00), or any portion thereof, necessary for the payment of any escrow charges or incidental expenses in connection with the purchase of said property, said funds to be withdrawn by requisition of the City Manager from said "Outlay" (Purchase, various properties), General Appropriations.

Approved as to form by: H.B.DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Fish

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By HELEN M. WILLIG

Deputy.

(SEAL)

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG Deputy.

R E S O L U T I O N NO. 72812

WHEREAS, the City of San Diego has acquired certain lands hereinafter described, by quitclaim deed from Evelyn Loomis, dated November 9, 1940, in connection with cathodic protection, Bonita Pipe Line; and

WHEREAS, the City Council, by Resolution No. 72756, adopted on the 19th day of November, 1940, accepted said quitclaim deed, reference to which resolution is hereby made for further particulars; and

WHEREAS, said lands were encumbered with unpaid tax liens for several years prior and up to the date of said resolution of acceptance; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Attorney be, and he is hereby directed to file a petition with the Board of Supervisors of the County of San Diego, State of California, requesting that the said taxes against said premises be cancelled, and/or to take whatever other legal steps he may deem necessary to secure the cancellation of said taxes in accordance with the provisions of Section 3804-a of the Political Code of the State of California.

Said property is described as follows:

ALL THAT REAL PROPERTY situate in the City of San Diego, County of San Diego, State of California, bounded and described as follows:

All that portion of Lot 15, Ex Mission Rancho, formerly known as Re-subdivision of Florence 1st Sub. as shown on Map No. 1687 filed in the office of the County Recorder, of San Diego County, State of California, on July 5, 1916 and lying easterly of a Northerly and Southerly line described as follows:

Beginning at the most southeasterly corner of said subdivision, thence South 71° 48' West along the southerly line of said Resub. of Florence 1st Sub., a distance of 400 feet to the true point of beginning of said northerly and southerly line; thence along said northerly and southerly line North 18° 12' West to an intersection with the southerly boundary line of Paradise Road, as shown on said Map No. 1687, the northerly end of said northerly and southerly line.

Approved as to form by: JAMES J. BRECKENRIDGE

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Fish

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG Deputy.

(SEAL)

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG Deputy.

R E S O L U T I O N NO. 72813

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That diagonal parking on the north side of WALL STREET, between Herschel Avenue and the west line of the alley east of Herschel Avenue be, and the same is hereby established; and

That the City Manager be, and he is hereby authorized and directed to paint the adjacent pavement according to the provisions of this resolution.

Approved as to form by: HARRY S. CLARK

Passed and adopted by the said Council of the said City of San Diego, California, this 26th day of November, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Fish

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG Deputy.

(SEAL)

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG Deputy.

R E S O L U T I O N NO. 72814

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of A.L.Bryan and Margaret A. Bryan, executed in favor of the City of San Diego, bearing date October 29, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the north 4 feet of Lot 25, in Talmadge Park, according to the Map thereof No. 1869, filed for record in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.



## R E S O L U T I O N NO. 72815

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Charles B. Hellickson and Gorda A. Hellickson, executed in favor of the City of San Diego, bearing date November 12, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the south 4 feet of the east 45 feet of Lot 1, in Block 26, of Normal Heights, according to Map thereof No. 985 filed in the office of the County Recorder of San Diego County, California, May 9, 1906, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72816

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Crispin Andrade and Narciza Andrade, executed in favor of the City of San Diego, bearing date October 24, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 6, in Block 43, Sherman's Addition, according to Map thereof No. 278 on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72817

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of the Union Title Insurance and Trust Company, executed in favor of the City of San Diego, bearing date October 25, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 33 of Lemon Villa, according to the Map thereof No. 734, filed for record in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72818

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of James P. Converse, executed in favor of the City of San Diego, bearing date October 23, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of the southeast quarter of the southwest quarter of the southeast quarter of the northeast quarter of Section 33, Township 16, South, Range 2 West, S.B.M., be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72819

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Capital Incomes Corporation, executed in favor of the City of San Diego, bearing date November 11, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of the northeast quarter of Lot 20 in Horton's Purchase of Ex-Mission lands of San Diego, according to the Map thereof No. 283, filed for record in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72820

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Grover L. Fisher and Ruth L. Fisher, executed in favor of the City of San Diego, bearing date November 14, 1940, conveying to said City an easement and right of way to place and maintain earth material embankment slopes and construct, operate and maintain a drain pipe or drain pipes through, along and across the north 50 feet of Lot 523, in Talmadge Park Unit Three, according to the Map thereof No. 1900, filed for record in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72821

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That Fred A. Rhodes, Director of Public Works, and Fred W. Simpson be, and they are hereby authorized to attend the State Highway Commission meetings in Sacramento, starting November 26th, 1940, for the consideration of highway projects in budget session; and to incur the necessary expenses in connection with said trip.

## R E S O L U T I O N NO. 72822

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Board of Supervisors of the County of San Diego be, and they are hereby requested to enter into a co-operative agreement with the City of San Diego for the improvement by oil surfacing of 28TH STREET, in said City, from the mean high tide line to Date Street, on the following basis, to-wit: That The City of San Diego will furnish the oil required for said surfacing, and that the County will furnish the labor and equipment necessary for the laying and placing of said oil surfacing; and that the City Manager of said City be, and he is hereby authorized to enter into said co-operative agreement with the Board of Supervisors of the County of San Diego.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a certified copy of this resolution to be transmitted forthwith to said Board of Supervisors.

Approved as to from by: H.B.DANIEL

## R E S O L U T I O N NO. 72823

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Board of Supervisors of the County of San Diego be, and they are hereby requested to enter into a co-operative agreement with The City of San Diego for the improvement by oil surfacing of 32ND STREET, in said City, from Broadway Extension to National Avenue, on the following basis, to-wit: That The City of San Diego will furnish the oil required for said surfacing, and that the County will furnish the labor and equipment necessary for the laying and placing of said oil surfacing; and that the City Manager of said City be, and he is hereby authorized to enter into said co-operative agreement with the Board of Supervisors of the County of San Diego.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to cause a certified copy of this resolution to be transmitted forthwith to said Board of Supervisors.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 72758 to 72823 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 26th day of November, 1940.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Willis Deputy.

## R E S O L U T I O N NO. 72824

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The protest of Fred A. Wetzell, filed in the office of the City Clerk on December 3, 1940, under Document No. 324832, protest of C. Stella Davis, filed in the office of the City Clerk on December 3, 1940, under Document No. 324833, and the verbal protest of Mrs. Anne F. Noble, against the Engineer's estimate on the cost for the proposed work of improving the ALLEY IN BLOCK 6, HARTLEY'S NORTH PARK and BLOCK C McFADDEN AND BUXTON'S NORTH PARK between the northerly line of Landis Street and the southerly line of Wightman Street, be and they are hereby denied, and all other protests are hereby denied.

## R E S O L U T I O N NO. 72825

CONFIRMING THE CITY ENGINEER'S ASSESSMENT NO. 1713 FOR  
WORK UPON 36TH STREET IN THE CITY OF SAN DIEGO, CALIFORNIA,  
UNDER RESOLUTION OF INTENTION NO. 71811.

Notice of the time and place fixed for the hearing of appeals in the matter of Assessment No. 1713, made by the City Engineer of said City to cover the cost and expenses of the work done upon 36th Street in said City, under Resolution of Intention No. 71811, adopted by the Council on the 16th day of July, 1940, having been duly given and made in the manner required by law, and the legal time for filing such appeals and the time fixed for hearing thereon having passed and elapsed, and no appeals in the matter of said assessment having been filed, and the Council being satisfied with the correctness of said assessment; NOW THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, that the said Assessment No. 1713 of the said City Engineer made to cover the cost and expenses of the work done upon 36th Street within the limits as described in said Resolution of Intention No. 71811, be, and the same is hereby approved and confirmed, and the City Engineer is hereby authorized to attach his warrant thereto and record the same in the manner and form required by law. Said warrant shall bear date of this order.

## R E S O L U T I O N NO. 72826

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Helen Gleason Johnson, 3255 Front Street, to erect a residence on the east 85 feet of Lots 21-24 Block 3 Arnold & Choate's Addition, with a side yard of 5 feet; a rear yard of 12 feet; a lot coverage of 30 per cent; not closer to the property line on Jackdaw Street than 15 feet.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be and it is hereby granted; and the provisions of Setback Ordinance are hereby suspended on the property mentioned above.

## R E S O L U T I O N NO. 72827

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for the closing of the north 10 feet and the south 10 feet of Cypress Avenue from the east line of Florida Street to the west line of Alabama Street, be and it is hereby denied.

## R E S O L U T I O N NO. 72828

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to North Park Business Men's Association, by O.H. Stevenson, 3415 Olive Street, to decorate University Avenue between 28th and 32nd Streets, and 30th Street between Lincoln Avenue and Gunn Street for the Christmas holiday season. Permission is given to use temporary wiring, and a free electrical permit therefor is granted.

## R E S O L U T I O N NO. 72829

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized to install 400 c.p. street lights at the following locations:

Cass Street at Missouri Street; Winona Avenue at Adams Avenue; Winona Avenue at Madison Avenue; Winona Avenue at Monroe Avenue.

## R E S O L U T I O N NO. 72830

ADAMS AVENUE LIGHTING DISTRICT NO.1.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 26th day of November, 1940, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on ADAMS AVENUE, between Boundary Street and 36th Street, in the City of San Diego, California. Such furnishing of electric current shall be for a period of one year from and including August 28, 1940, to-wit, to and including August 27, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled,



"Engineer's Report and Assessment for Adams Avenue Lighting District No. 1," filed September 20, 1940, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit: To: SAN DIEGO GAS & ELECTRIC COMPANY, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: NINE HUNDRED DOLLARS (\$900.00).

And said Council does hereby require and fix the sum of TWO HUNDRED TWENTY-FIVE DOLLARS (\$225.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said SAN DIEGO GAS & ELECTRIC COMPANY, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said SAN DIEGO GAS & ELECTRIC COMPANY on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

(SEAL)

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

#### RESOLUTION OF AWARD NO. 72831 MONROE AVENUE AND OHIO STREET.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 26th day of November, 1940, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72354, adopted by the Council on October 1, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of MONROE AVENUE and OHIO STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To DALEY CORPORATION, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |          |
|---|----------|
| Excavation, per cubic yard, - - - - -               | \$ 0.45  |
| Embankment, per cubic yard, - - - - -               | \$ 0.10  |
| Preparation of subgrade, per square foot, - - - - - | \$ 0.02  |
| Pavement, per square foot, - - - - -                | \$ 0.159 |
| Sidewalk, per square foot, - - - - -                | \$ 0.14  |
| Curb, per lineal foot, - - - - -                    | \$ 0.70  |

6" cast iron water main, with fittings,  
connections and appurtenances, as shown  
on the plans, laid, per lineal foot, - - - - \$ 1.35

2" cast iron water main, with fittings,  
connections and appurtenances, as shown  
on the plans, laid, per lineal foot, - - - - \$ 0.50

3/4" water services, installed, EACH, - - - - \$15.00

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

(SEAL)

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

R E S O L U T I O N NO. 72832  
DIRECTING NOTICE INVITING SEALED PROPOSALS. EIGHTH  
AVENUE LIGHTING DISTRICT NO. 1.

BE IT RESOLVED by the Council of the City of San Diego, California, as follows:

That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on EIGHTH AVENUE, between the northerly line of Pennsylvania Avenue produced easterly and a line parallel to and distant 125 feet north of the north line of Brookes Avenue; and on PENNSYLVANIA AVENUE, between the west line of Eighth Avenue and the east line of the Alley in Block 7, Crittenden's Addition, produced south, in the City of San Diego, California. Such furnishing of electric current shall be for the period of one year, from and including January 1, 1941, to-wit, to and including December 31, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document for Eighth Avenue Lighting District No. 1," filed October 11, 1940, in the office of the City Clerk of said City.

That The SAN DIEGO UNION, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

R E S O L U T I O N NO. 72833  
DIRECTING NOTICE INVITING SEALED PROPOSALS. SEVENTH  
AVENUE LIGHTING DISTRICT NO. 1.

BE IT RESOLVED by the Council of the City of San Diego, California, as follows:

That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on SEVENTH AVENUE, between the north line of Upas Street and a line parallel to and distant 680 feet north of the north line of Upas Street, in the City of San Diego, California.

Such furnishing of electric current shall be for a period of one year from and including January 1, 1941, to-wit, to and including December 31, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Seventh Avenue Lighting District No. 1", filed October 11, 1940, in the office of the City Clerk of said City.

That The SAN DIEGO UNION, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

R E S O L U T I O N NO. 72834  
DIRECTING NOTICE INVITING SEALED PROPOSALS. LA JOLLA  
LIGHTING DISTRICT NO. 1.

BE IT RESOLVED by the Council of the City of San Diego, California, as follows:

That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

LA JOLLA BOULEVARD, between the westerly production of the southerly line of Genter Street and the southeasterly line of Prospect Street;

PROSPECT STREET, between La Jolla Boulevard and Cave Street;

PROSPECT PLACE, between Cave Street and Blue Bird Lane;

GIRARD AVENUE, between Silverado Street and Prospect Street;

HERSCHEL AVENUE, between Silverado Street and Prospect Street; and

WALL STREET, between Girard Avenue and Ivanhoe Avenue.

Such furnishing of electric current shall be for the period of one year from and including January 1, 1941, to-wit, to and including December 31, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for La Jolla Lighting District No. 1," filed October 11, 1940, in the office of the City Clerk of said City.

That The SAN DIEGO UNION, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

#### RESOLUTION OF AWARD NO. 72835

##### EL CAJON BOULEVARD LIGHTING DISTRICT NO.1.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 26th day of November, 1940, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on EL CAJON BOULEVARD, between the west line of Texas Street and the west line of Fairmount Avenue, in the City of San Diego, California.

Such furnishing of electric current shall be for the period of one year from and including December 1, 1940, to-wit: to and including November 30, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 1," filed in the office of the City Clerk of said City on September 16, 1940.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit: To: SAN DIEGO GAS & ELECTRIC COMPANY, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: TWO THOUSAND THREE HUNDRED SEVENTY-ONE AND 20/100 DOLLARS (\$2,371.20).

And said Council does hereby require and fix the sum of FIVE HUNDRED NINETY-THREE DOLLARS (\$593.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said SAN DIEGO GAS & ELECTRIC COMPANY, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said SAN DIEGO GAS & ELECTRIC COMPANY on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

#### RESOLUTION NO. 72836

##### 44TH STREET

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of 44TH STREET, between the north line of El Cajon Boulevard and the north line of Orangewood, in said City, as prepared by the City Engineer of the City of San Diego and filed in the office of the City Clerk of said City on November 6, 1940, under Document No. 324231, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1800, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

#### RESOLUTION OF INTENTION NO. 72837

##### 44TH STREET

RESOLVED, that it is the intention of the Council of the City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

*Rec'd*



That portions of 44TH STREET, in said City, between the north line of El Cajon Boulevard and the north line of Orangewood, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base; and that cement concrete sewer laterals and appurtenances; cast iron water main, connections, fittings and appurtenances; and copper water service connections and appurtenances be constructed therein.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 324231, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1800, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72690, adopted on the 12th day of November, 1940, that 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, is as follows:

|                                    | <u>Per 8 hour day</u> | <u>Per hour</u> |
|------------------------------------|-----------------------|-----------------|
| Asphalt raker                      | \$ 5.00               | \$0.625         |
| Asphalt spreader                   | 5.00                  | 0.625           |
| Auto mechanic                      | 6.00                  | 0.75            |
| Backfill machine operator          | 6.00                  | 0.75            |
| Blacksmith                         | 6.00                  | 0.75            |
| Blademan                           | 6.00                  | 0.75            |
| Bricklayer                         | 12.00                 | 1.50            |
| Bricklayer tender                  | 7.00                  | 0.875           |
| Bulldozer operator                 | 6.00                  | 0.75            |
| Bulldozer operator over 50 HP      | 10.00                 | 1.25            |
| Carpenter                          | 8.00                  | 1.00            |
| Caulker                            | 6.00                  | 0.75            |
| Cement finisher                    | 10.00                 | 1.25            |
| Clerk                              | 6.00                  | 0.75            |
| Compressor operator                | 10.00                 | 1.25            |
| Concrete mixerman                  | 7.00                  | 0.875           |
| Concrete spreader                  | 5.00                  | 0.625           |
| Concrete tamper                    | 5.00                  | 0.625           |
| Crane operator                     | 9.00                  | 1.125           |
| Driller                            | 7.00                  | 0.875           |
| Drill sharpener                    | 6.00                  | 0.75            |
| Electrician                        | 10.00                 | 1.25            |
| Engineer, hoisting                 | 10.00                 | 1.25            |
| Engineer, asphalt plant            | 10.00                 | 1.25            |
| Finish machine operator            | 6.00                  | 0.75            |
| Form setter                        | 6.00                  | 0.75            |
| Jackhammer man                     | 7.00                  | 0.875           |
| Kettleman, asphalt or lead         | 6.00                  | 0.75            |
| Laborer, common                    | 5.00                  | 0.625           |
| Materialman                        | 6.00                  | 0.75            |
| Pipelayer                          | 6.00                  | 0.75            |
| Plumber                            | 10.00                 | 1.25            |
| Powderman                          | 6.00                  | 0.75            |
| Pumpman                            | 6.00                  | 0.75            |
| Reinforcing steel worker           | 10.00                 | 1.25            |
| Road grader operator               | 6.00                  | 0.75            |
| Roller operator                    | 10.00                 | 1.25            |
| Shovel operator, 1 yard and over   | 10.00                 | 1.25            |
| Shovel operator, less than 1 yard  | 8.00                  | 1.00            |
| Shovel fireman and watchman        | 7.00                  | 0.875           |
| Shovel oiler                       | 6.00                  | 0.75            |
| Teamster                           | 5.00                  | 0.625           |
| Tractor operator, over 50 HP       | 10.00                 | 1.25            |
| Tractor operator, 50 HP and under  | 6.00                  | 0.75            |
| Time keeper                        | 6.00                  | 0.75            |
| Trenching machine operator         | 10.00                 | 1.25            |
| Truck driver, 15,500 lbs and under | 5.44                  | 0.68            |
| Truck driver, over 15,500 lbs      | 6.00                  | 0.75            |
| Watchman                           | 5.00                  | 0.625           |
| Welder                             | 11.00                 | 1.375           |
| Skilled labor not above listed     | 8.00                  | 1.00            |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 7th day of January, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any



and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:  
YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS-Councilmen: None  
ABSENT-Councilmen: None

(SEAL) ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM Deputy.  
I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
(SEAL) City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM Deputy.

R E S O L U T I O N NO. 72838  
ALLEY IN BLOCK 190, SAN DIEGO LAND AND TOWN COMPANY'S  
ADDITION.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:  
That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of the ALLEY IN BLOCK 190, SAN DIEGO LAND AND TOWN COMPANY'S ADDITION, between the northwesterly line of Sampson Street and the southeasterly line of Evans Street, in said City, as prepared by the City Engineer of the City of San Diego and filed in the office of the City Clerk of said City on November 6, 1940, under Document No. 324230, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.  
BE IT FURTHER RESOLVED, that that certain Plat No. 1799, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said alley hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

RESOLUTION ORDERING WORK NO. 72839  
ALLEY IN BLOCK M, TRACT NUMBER TWO OF ALTA VISTA SUBURB  
AND FRANKLIN AVENUE.

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:  
All the improvement described in Resolution of Intention No. 72572, adopted by the Council on October 29, 1940, and on file in the office of the City Clerk of said City for the improvement of the ALLEY IN BLOCK M, TRACT NUMBER TWO OF ALTA VISTA SUBURB, and FRANKLIN AVENUE, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.  
For a particular description of the work reference is hereby made to said Resolution of Intention.  
The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.  
The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.  
For further particulars, reference is hereby made to said Resolution of Intention.  
The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72542, adopted on the 22nd day of October, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:  
 YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
 NAYS-Councilmen: None  
 ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM  
 Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM  
 Deputy.

#### RESOLUTION ORDERING WORK NO. 72840

ALLEYS IN BLOCKS J AND K, TRACT NUMBER TWO OF ALTA VISTA  
 SUBURB, FRANKLIN AVENUE, AND OCEAN VIEW BOULEVARD.

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the improvement described in Resolution of Intention No. 72570, adopted by the Council on October 29, 1940, and on file in the office of the City Clerk of said City for the improvement of the ALLEYS IN BLOCKS J AND K, TRACT NUMBER TWO OF ALTA VISTA SUBURB, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72543, adopted on the 22nd day of October, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
 NAYS-Councilmen: None  
 ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM  
 Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM  
 Deputy.

#### RESOLUTION OF INTENTION NO. 72841

ALLEY IN BLOCK 190, SAN DIEGO LAND AND TOWN COMPANY'S ADDITION.

RESOLVED, that it is the intention of the Council of the City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of the ALLEY IN BLOCK 190, SAN DIEGO LAND AND TOWN COMPANY'S ADDITION, in said City, between the northwesterly line of Sampson Street and the southeasterly line of Evans Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base, and that a cement concrete sewer lateral and appurtenances be constructed therein.

That the said work hereinabove described on the ALLEY IN BLOCK 190, SAN DIEGO LAND AND TOWN COMPANY'S ADDITION, between the northwesterly line of Sampson Street and a line parallel to and distant 60.00 feet southeasterly from the southeasterly line of Evans Street, shall be done to the modified grade shown and indicated upon the plans and profiles on file in the office of the City Clerk of said City, and hereinafter referred to; and reference is hereby made to said plans and profiles for the description of the grade at which the work is to be done.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 324230, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1799, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72691, adopted on the 12th day of November, 1940, that 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, is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$0.625  |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time Keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday the 7th day of January, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, and to any persons, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three



in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

#### RESOLUTION ORDERING WORK NO. 72842

##### COAST BOULEVARD SOUTH

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require the work hereinafter described to be done, and the time prescribed during which objections to said work and improvement might be made having expired, and no objection thereto having been made, and said Council hereby finding that no assessment is necessary therefor:

NOW, THEREFORE, the said Council hereby orders the following work to be done in said City, to-wit:

The closing of all that portion of COAST BOULEVARD SOUTH bounded and described as follows:

Commencing at the northeasterly corner of Lot 25, Block 16, La Jolla Park, according to the map thereof No. 352, filed for record in the Office of the County Recorder of San Diego County, California, said point of commencement being on the westerly line of Prospect Street, from which said point of commencement the northerly line of said Lot 25 bears N 86° 38' 00" W; thence southerly along the arc of a curve concaved easterly having a radius of 425.00 feet and whose center bears N 86° 33' 10" E from said point of commencement a distance of 6.16 feet to a point; thence S 4° 16' 40" E tangent to said curve a distance of 58.91 feet to the point of a tangent curve concaved westerly having a radius of 20.00 feet; thence southerly along the arc of the last described curve to an intersection with the southerly line of said Lot 25, the true point of beginning, said true point of beginning being on the northerly line of said Coast Boulevard South; thence continuing southwesterly along the arc of the last described curve to the point of a compound curve concaved northerly having a radius of 92.00 feet and whose center bears N 11° 52' 00" W from said last described point; thence westerly and northwesterly along the arc of the last described curve a distance of 76.83 feet to a point; thence N 54° 01' 00" W tangent to the last described curve a distance of 59.70 feet to the southwesterly corner of said Lot 25 from which corner the westerly line of said Lot 25 bears N 3° 22' 00" E; thence southeasterly and easterly along the southwesterly and southerly line of said Lot 25, being also along the northeasterly and northerly line of said Coast Boulevard South, to the true point of beginning;

And the said portion of said street is hereby closed.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

#### R E S O L U T I O N NO. 72843

##### RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND

##### SIGNED BY THE CITY ENGINEER - ALLEY IN BLOCK M, TRACT

##### NUMBER TWO OF ALTA VISTA SUBURB AND FRANKLIN AVENUE.

WHEREAS, the Council of the City of San Diego, did on the 29th day of October, 1940, pass Resolution of Intention No. 72572, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72572, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
 NAYS-Councilmen: None  
 ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK

City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM

Deputy.

R E S O L U T I O N NO. 72844  
 RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE  
 DIRECTION OF THE CITY ENGINEER - ALLEY IN BLOCK M,  
 TRACT NUMBER TWO OF ALTA VISTA SUBURB AND FRANKLIN  
 AVENUE.

WHEREAS, the Council of the City of San Diego did, on the 29th day of October, 1940, pass its Resolution of Intention No. 72572 to order certain work to be done and improvement to be made in the ALLEY IN BLOCK M, TRACT NUMBER TWO OF ALTA VISTA SUBURB AND FRANKLIN AVENUE, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 3rd day of December, 1940, duly pass its Resolution Ordering Work No. 72839, ordering said work to be done and said improvement to be made in said Alley in Block M, Tract Number Two of Alta Vista Suburb and Franklin Avenue, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
 NAYS-Councilmen: None  
 ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California.  
 FRED W. SICK

City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM

DEPUTY.

R E S O L U T I O N NO. 72845  
 RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND  
 SIGNED BY THE CITY ENGINEER - ALLEYS IN BLOCKS J AND  
 K, TRACT NUMBER TWO OF ALTA VISTA SUBURB, FRANKLIN  
 AVENUE, AND OCEAN VIEW BOULEVARD.

WHEREAS, the Council of the City of San Diego, did on the 29th day of October, 1940, pass Resolution of Intention No. 72570, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72570, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
 NAYS-Councilmen: None  
 ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK

City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM

Deputy.

R E S O L U T I O N NO. 72846  
 RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE  
 DIRECTION OF THE CITY ENGINEER - ALLEYS IN BLOCKS  
 J AND K, TRACT NUMBER TWO OF ALTA VISTA SUBURB,  
 FRANKLIN AVENUE AND OCEAN VIEW BOULEVARD.

WHEREAS, the Council of the City of San Diego did, on the 29th day of October, 1940, pass its Resolution of Intention No. 72570 to order certain work to be done and im-

provement to be made in the ALLEYS IN BLOCKS J AND K, TRACT NUMBER TWO OF ALTA VISTA SUBURB, FRANKLIN AVENUE AND OCEAN VIEW BOULEVARD, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 3rd day of December, 1940, duly pass its Resolution Ordering Work No. 72840, ordering said work to be done and said improvement to be made in said Alleys in Blocks J and K, Tract Number Two of Alta Vista Suburb, Franklin Avenue and Ocean View Boulevard, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS-Councilmen: None  
ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
DEPUTY.

(SEAL)

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

(SEAL)

R E S O L U T I O N NO. 72847

WHEREAS, the City Engineer of the City of San Diego, California, in accordance with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" and amendments thereto, and as directed by Resolution No. 72261 of the Council of said City, has prepared and filed in the office of the City Clerk of said City, under Document No. 323654, a report upon the proposed improvement of the ALLEY IN BLOCK 83, CITY HEIGHTS, between the north line of Dwight Street and the south line of Landis Street, in said City; and

WHEREAS, said report of the City Engineer shows that the estimated total cost of the improvements is less than one-half of the true value of all lands to be assessed, but that in the case of one parcel the proposed assessment will exceed one-half of the true value of that parcel; and

WHEREAS, this Council has considered the said report of the City Engineer; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the proposed improvement of the ALLEY IN BLOCK 83, CITY HEIGHTS, in said City, between the north line of Dwight Street and the south line of Landis Street, is hereby determined to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading and paving of the ALLEY IN BLOCK 83, CITY HEIGHTS, in said City, between the north line of Dwight Street and the south line of Landis Street.

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS-Councilmen: None  
ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

(SEAL)

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

(SEAL)

R E S O L U T I O N NO. 72848

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on Arthur Avenue as particularly described in Resolution of Intention No. 72071 and to be assessed to pay the expenses thereof.

R E S O L U T I O N NO. 72849

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on Alley in Block 72, Ocean Beach as particularly described in Resolution of Intention No. 72129 and to be assessed to pay the expenses thereof.

R E S O L U T I O N NO. 72850

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Date Street in said City of San Diego, as described in Resolution of Intention No. 71986, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of the City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated November 27th, 1940, be, and the same is hereby approved.



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And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

R E S O L U T I O N NO. 72851

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on The Alley in Block 18, Subdivision of Lots 20 to 50, Block N, Teralta in said City of San Diego, as described in Resolution of Intention No. 72037, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of the City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated November 30th, 1940, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

R E S O L U T I O N NO. 72852

A RESOLUTION AUTHORIZING THE SAN DIEGO ELECTRIC RAILWAY  
COMPANY TO ERECT A CONCRETE SHELTER ON THE WEST SIDE OF  
PARK BOULEVARD IMMEDIATELY NORTH OF UNIVERSITY AVENUE.

WHEREAS, the San Diego Electric Railway Company petitioned this Council on the 23d day of August, 1940, for permission to build a concrete shelter, including a long bench in connection therewith, for the purpose of more adequately serving the general public at said location in the use of its transportation facilities, which petition was filed in the office of the City Clerk on the 4th day of September, 1940, as Document No. 322857, reference to which is hereby made for further particulars; and

WHEREAS, the Traffic Commission of the City of San Diego, after a proper investigation and report thereon from the Police Department, the City Engineer and the City Attorney of said City, recommended that said petition be granted as per report of said Commission received by the City Clerk's office on the 16th day of September, 1940, reference to which is hereby made for further particulars; and

WHEREAS, the City Manager of said City, in a communication to this Council dated the 18th day of November, 1940, has recommended that permission be granted said railway company to construct said shelter in accordance with the terms of said Document No. 322857, which communication of said City Manager was filed in the office of the City Clerk on the 18th day of November, 1940, as Document No. 324510, reference to which is hereby made for further particulars; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That permission be, and the same is hereby granted to the San Diego Electric Railway Company to construct a concrete shelter on the west side of Park Boulevard immediately north of University Avenue in the City of San Diego, in accordance with and as per the terms of said petition filed as Document No. 322857 as aforesaid, which permission is hereby granted subject to the approval of the City Engineer and the Planning Commission of The City of San Diego with respect to the design and the precise location of said concrete shelter.

Approved as to form by: JAMES J. BRECKENRIDGE

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

R E S O L U T I O N NO. 72853

WHEREAS, Julia S.G. Porter is desirous of leasing certain lands owned by the City of San Diego, hereinafter described, for stock grazing and/or agricultural purposes; and

WHEREAS, the lands proposed to be leased are described as follows:

Beginning at the intersection of the northerly line of M. Barnett Tract of the Rancho San Bernardo, in the County of San Diego, State of California, according to the Map thereof in Book 2, page 462 of Patents, filed in the office of the County Recorder of said County of San Diego, with the center line of the County Road known as County Highway Mission Road No. 1-A; thence South 6° 42' East along the center line of Mission Road No. 1-A, a distance of 808.73 feet; thence leaving the center line of Mission Road No. 1-A and running South 84° 05' East 473.85 feet; thence North 05° 55' East, a distance of 425.20 feet; thence North 84° 05' West 80.0 feet; thence North 5° 55' East a distance of 364 feet to a point on the north line of said M. Barnett Tract; thence North 84° 05' West along the north line of said M. Barnett Tract a distance of 571.6 feet to the point of beginning; excepting all public highways and subject to all liens and encumbrances whatsoever; being 8 acres of land, more or less;

and

WHEREAS, said lands are not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$1200.00; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with Julia S.G. Porter for said above-described lands for a period of three years, commencing on November 1, 1940 and ending on October 30, 1943, at a rental of Twenty Dollars (\$20.00) per year, payable yearly in advance; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

EXHIBIT "A"

L E A S E

THIS AGREEMENT, made and entered into this \_\_\_\_ day of December, 1940, by and between THE CITY OF SAN DIEGO, A municipal corporation of the County of San Diego, State of California, hereinafter designated as the City, and JULIA S.G. PORTER, hereinafter called

the Lessee, WITNESSETH:

That the City, for and in consideration of the payment of the rent to be paid by the Lessee, as hereinafter set forth, and in consideration of the covenants of the Lessee hereinafter set out and their faithful performance by such Lessee, and upon and subject to the terms, conditions and reservations herein set forth, does by these presents lease, demise and let unto the said Lessee the following described property, situate in the County of San Diego, State of California, to-wit:

Beginning at the intersection of the northerly line of M. Barnett Tract of the Rancho San Bernardo, in the County of San Diego, State of California, according to the Map thereof in Book 2, Page 462 of Patents, filed in the office of the County Recorder of said County of San Diego, with the center line of the County Road known as County Highway Mission Road No. 1-A; thence South 6° 42' East along the center line of Mission Road No. 1-A, a distance of 808.73 feet; thence leaving the center line of Mission Road No. 1-A and running South 84° 05' East 473.85 feet; thence North 05° 55' East, a distance of 425.20 feet; thence North 84° 05' West 80.0 feet; thence North 5° 55' East a distance of 364 feet to a point on the north line of said M. Barnett Tract; thence North 84° 05' West along the north line of said M. Barnett Tract a distance of 571.6 feet to the point of beginning; excepting all public highways and subject to all liens and encumbrances whatsoever; being 8 acres of land, more or less.

For a term of three (3) years, beginning on the 1st day of November, 1940, and ending on the 30th day of October, 1943, at the following rentals: Twenty Dollars (\$20.00) payable in advance at the office of the Lessor annually during said term.

In consideration of the covenants herein contained the parties hereto agree as follows:

First. That the above described premises are leased to said lessee for stock grazing and/or agricultural purposes only, and for no other purpose or purposes.

Second. That this lease shall not be assigned or transferred, nor shall the said lessee have the right to sublet the leased premises, or any part thereof, without the consent in writing of the Council of said City.

Third. That the City reserves all gas, oil and mineral rights in and on said premises herein leased, with the right to go upon said property and prospect or drill for oil, gas and minerals.

Fourth. That the lessee shall keep and maintain said premises in as good repair and condition as he may receive them at his own expense (ordinary wear and tear and the acts of God excepted) and the said City shall not be called upon to make any expenditures or repairs on said premises.

Fifth. The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same, and/or for the purpose of drilling, operating and maintaining wells and pipelines on said premises, and for the purpose of making repairs to or developing the water system of said City; but the City shall not be required to furnish any water on said premises, except for domestic purposes, where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series).

Sixth. That the said lessee, paying the said rent and performing the covenants and agreements aforesaid, shall and may at all times during the said term, peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

Seventh. Said lessee agrees that on the last day of said term, or other sooner termination of this lease, the said lessee shall and will peaceably and quietly leave, surrender and yield up unto said City the said premises, in as good state and condition as the same are now in or may be put into, reasonable use and wear thereof and damage by the elements excepted.

Eighth. It is understood and agreed by the said parties that the said City may terminate this lease at any time by giving sixty (60) days' notice of such termination to the lessee, and by tendering to said lessee a proportionate part of any rentals paid in advance by said lessee.

Ninth. It is further agreed by and between the parties hereto that in case of the violation by the lessee of any of the terms and conditions of this lease, the City may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the lessee and for its account.

It is understood and agreed that a waiver by the City of any default hereunder shall not be considered, nor held to be, a waiver of any subsequent or other default, and also that consent to the subletting of said premises or any part thereof, or to the assignment of this lease, shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

It is understood and agreed that if the Lessee shall make default in the performance of any of the terms, conditions or covenants of this lease by the Lessee to be kept, observed or performed, Lessee will in such case pay to the City the expenses and costs incurred by the City in any action which may be commenced by the City based on, or arising out of, any such default, including a reasonable attorney's fee.

IN WITNESS WHEREOF, this agreement is executed by the City of San Diego, acting by and through the City Manager of said City, under and pursuant to Resolution No. \_\_\_\_\_ of the Council, authorizing such execution, and said Lessee has hereunto subscribed her name, the day and year first hereinabove written.

THE CITY OF SAN DIEGO,  
By \_\_\_\_\_ City Manager

\_\_\_\_\_  
Lessee

I HEREBY APPROVE the form of the foregoing Lease this \_\_\_\_\_ day of December, 1940.

D.L.AULT, City Attorney  
By \_\_\_\_\_ Deputy City Attorney.

Presented by: WALTER W. COOPER

Approved as to form by: J.H.McKINNEY

Passed and adopted by the said Council of the said City of San Diego, California, this 3rd day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

(SEAL)

(SEAL)

## R E S O L U T I O N NO. 72854

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and directed to execute on behalf of the City an agreement with the Building Committee, Veterans of Foreign Wars of the U.S., Department of California, whereby said Committee shall at its own expense repair and rehabilitate the Medical Science Building in Balboa Park, in accordance with certain plans and specifications on file in the office of the City Clerk, bearing Document No. 324767, save and except that the Committee shall not be required to furnish or lay the flooring in the west wing and in the east portion of said building, as called for in said specifications, and that upon the completion of the work to be done by said Committee to the satisfaction of the Park Director the City will thereupon at its own expense cause said flooring to be laid. Said agreement shall further provide that immediately upon the completion of the repair and renovation of said building, as contemplated by said specifications, and in any event not later than February 1, 1941, said Committee will vacate and cause the local Post of Veterans of Foreign Wars of the U.S. to vacate the O'Rourke Building, and thereafter said O'Rourke Building, or any portion thereof, shall not be used by the Committee or said local Post for any purpose whatsoever. Said agreement shall further provide that the City will issue to the local Post of Veterans of Foreign Wars of the U.S. a use and occupancy permit similar in terms to that heretofore issued to other organizations of veterans, for the use and occupancy of said Medical Science Building, as headquarters and a meeting place. Approved as to form by: H.B.DANIEL

## R E S O L U T I O N NO. 72855

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the quitclaim deed of the Mission Beach Company, executed in favor of the City of San Diego, bearing date October 17, 1940, quitclaiming unto said City those portions of Mission Boulevard shown on Sheets 3 and 4 of Map No. 1809 of Mission Boulevard shown on Sheets 3 and 4 of Map No. 1809 of Mission Beach, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County, November 13, 1924, as conveyed to the City of San Diego by deed dated January 30, 1924, and recorded March 6, 1924, in Book 999, page 624, of Deeds, in said Recorder's Office, and also shown on Miscellaneous Map No. 148 on file in said Recorder's Office as Mission Boulevard, East Drive, and Mission Boulevard, West Drive, particularly described in said deed, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 72856

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of the Mission Beach Company, executed in favor of the City of San Diego, bearing date September 5, 1940, conveying to said City a portion of the real property situated in Pueblo Lot 1803 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe, being a portion of the Unnumbered Lot lying between the northerly line of San Fernando Place and the southerly line of Ventura Place, according to and as delineated on Map No. 1809 of Mission Beach on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 72824 to 72856 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 3d day of December, 1940.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Willing Deputy.

## R E S O L U T I O N NO. 72857

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The protest of Harney C. Archias and Ada Moore Archias, by H.C. Archias, filed in the office of the City Clerk September 6, 1940, under Document No. 322868, against the work of paving and otherwise improving the Alley in Block 164, Mission Beach, between the easterly line of Strandway and the westerly line of Mission Boulevard, under Resolution of Intention No. 72683, adopted November 12, 1940, be and said protest and all other protests be and they are hereby overruled and denied.

## R E S O L U T I O N NO. 72858

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Merchants of Ocean Beach to decorate Newport Avenue from Cable Street to Abbott Street, and from Santa Monica to Niagara on Bacon Street, with lighted Christmas trees on the street light poles and electric poles for the Christmas holiday season. Permission is given to use temporary wiring, and a free electrical permit therefor is granted.

## R E S O L U T I O N NO. 72859

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to East San Diego Chamber of Commerce to decorate University Avenue between 47th Street and Central Street for the Christmas holiday season. Permission is given to use temporary wiring, and a free electrical permit therefore is granted.

APPROVED DEC 9 1940 WALTER W. COOPER, City Manager.

## R E S O L U T I O N NO. 72860

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to the Adams Avenue Business Mens Association to decorate Adams Avenue between 33rd and 34th Streets for the Christmas holiday season. Permission is given to use temporary wiring, and a free electrical permit therefor is granted.

APPROVED DEC 9 1940 WALTER W. COOPER, City Manager.



## R E S O L U T I O N NO. 72861

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to the La Jolla Junior Chamber of Commerce to decorate Girard Street between Silverado and Prospect, and Wall Street between Girard and Herschel for the Christmas holiday season; twelve strings of lights to be strung across the streets - ten on Girard and two on Wall. Permission is given to use temporary wiring, and a free electrical permit therefor is granted.

## R E S O L U T I O N NO. 72862

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Edith Wahlberg, 5724 Bellevue Avenue, to operate a guest home (elderly persons) on the north half of Lot 21, all Lot 22 Block 9 Bird Rock By the Sea, limited to six guests. There shall be no advertising signs, no mental or alcoholic patients and no communicable diseases permitted on the premises.

Variance to the restrictions of Ordinance No. 13294 be and it is hereby granted on the property mentioned above, for one year from the date of this resolution.

## R E S O L U T I O N NO. 72863

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Agnes Bailey, 5048 Lotus Street, to erect an 11-unit bungalow court on Lots 5-8 Block 33 Ocean Beach.

Variance to the restrictions of Ordinance No. 12793 be, and it is hereby granted on the property mentioned above.

## R E S O L U T I O N NO. 72864

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Dr. B.J. Elander, 3738 Pacific Highway, for amendment to Resolution 69853, adopted August 29, 1940, so that he may be permitted to operate a kennel in connection with the dog and cat clinic on Lot 11 Block 253 Middletown, be and it is hereby denied.

## R E S O L U T I O N NO. 72865

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Claire R. Morgan, 3540 Central, Kansas City, Mo., by Emily Morgan Walker, 7431 Olivetas, La Jolla, to erect a single-family residence and guest cottage in addition to the existing duplex, on Lots 1 and 2 Block 1, J.D. Burns Addition.

Variance to the restrictions of Ordinance No. 13294 be and it is hereby granted on the property mentioned above.

## R E S O L U T I O N NO. 72866

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Rodney E. Luscomb, 2749 - 28th Street, to erect and operate two additional auto court units on Lot 2 Block 187 Middletown.

## R E S O L U T I O N NO. 72867

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Louise T. Lords, 4030 El Cajon Blvd., to erect a residence and garage on Lot 36 Block 7 Point Loma Heights not closer to the property line on Poe Street than 5.00 feet, on the following provision: that the owner is to grant to the City of San Diego an easement over the rear 22-1/2 feet of the lot to widen Wabaska Drive, as provided for in the Major Street Plan.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72868

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of property owners for the adoption of an ordinance establishing a five-foot building setback line on the westerly side of Poe Street adjoining Lots 22 to 39 Block 7 and those portions of Lot 20 and 21 in said block lying within Pueblo Lot 200, all in Point Loma Heights, be and it is hereby granted, on the condition that before the ordinance creating the setback is passed, the owners shall grant to the City of San Diego an easement of 22-1/2 feet across the rear of the property to widen Wabaska Drive, in accordance with the Major Street Plan.

The City Attorney is hereby authorized and directed to prepare and present the necessary ordinance creating said setback line.

## R E S O L U T I O N NO. 72869

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Geo. A. Lane, 4725 - 35th Street, for the closing of the north 20 feet of Elm Street, between the east line of 32nd Street and the west line of Bancroft Street, as petitioned for under Document No. 325009, be, and it is denied.

## R E S O L U T I O N NO. 72870

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving the Alley in Block 47 University Heights, between Madison Avenue and Monroe Avenue, contained in Document No. 324746, be and it is hereby granted. Type of pavement to be four inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

## R E S O L U T I O N NO. 72871

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving the east and west alley in Block 21 Normal Heights, contained in Document No. 324745, be and it is hereby granted. Type of pavement to be four inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

## R E S O L U T I O N NO. 72872

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare the necessary ordinance amending the Major Street Plan to provide for an ultimate width of Juan Street of 60 feet, instead of 80 feet as originally drawn.

## R E S O L U T I O N NO. 72873

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare the necessary papers accepting the offer of Bruce Weston, 4319 Kansas Street, for an easement for the extension of Orten Street through Lot 123 Morena, as recommended by the City Engineer and the City Planning Engineer, as shown on blue print attached to Document No. 324682.

## R E S O L U T I O N NO. 72874

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Cleo Ross, 3018 Island Avenue, San Diego, filed in the office of the City Auditor & Comptroller on November 26, 1940, against the City of San Diego in the amount of \$25.25; said amount claimed to be due on account of damages caused to claimant's automobile by a pile of rubbish on 31st Street, between Imperial Avenue and Commercial Avenue, be and it is hereby denied.

## R E S O L U T I O N NO. 72875

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The Municipal License No. 5427 for two card tables, one pool table, cigars and tobacco, issued to Joe W. Turner, 457 - 6th Avenue, be and it is hereby revoked, pursuant to authority granted in Section 14 of Ordinance No. 915 N.S.

## R E S O L U T I O N NO. 72876

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of the Down Town Tabernacle, 627 - 6th Avenue, by Rev. J.D.Wells, requesting permission to use a public address system for the benefit of men standing in front of the labor office and chauffeurs' union next door to that address, be and it is hereby denied.

## R E S O L U T I O N NO. 72877

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of the Peniel Mission, 720 - 5th Avenue, by Miss E. Bennett and Miss C.L.Warren, Superintendents, requesting permission to use a public address system inside the hall at that address so it could be heard by passersby, be and it is hereby denied.

## R E S O L U T I O N NO. 72878

NORTH AND SOUTH ALLEY IN BLOCK 46, W.P.HERBERT'S SUBDIVISION.

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of the NORTH AND SOUTH ALLEY IN BLOCK 46, W.P.HERBERT'S SUBDIVISION, in said City, as prepared by the City Engineer of the City of San Diego and filed in the office of the City Clerk of said City on November 6, 1940, under Document No. 324239, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED that that certain Plat No. 1830, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said alley hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

## R E S O L U T I O N NO. 72879

STRANDWAY

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of STRANDWAY, between the southerly line of San Jose Place and the southerly line of Santa Rita Place, in said City, as prepared by the City Engineer of the City of San Diego and filed in the office of the City Clerk of said City on November 6, 1940, under Document No. 324236, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED that that certain Plat No. 1807, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

## RESOLUTION OF AWARD NO. 72880

POLK AVENUE

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 3rd day of December, 1940, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72398, adopted by the Council on October 8, 1940, and on file in the office of the City Clerk of said City for the grading and paving and otherwise improving of POLK AVENUE, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention. Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To V.R.DENNIS, an individual doing business under the firm name and style of V.R.DENNIS CONSTRUCTION COMPANY, at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

- Excavation, per cubic yard, - - - - - \$ 0.75
- Embankment, per cubic yard, - - - - - \$ 0.50
- Preparation of subgrade, per square foot, - - - - - \$ 0.015
- Pavement, per square foot, - - - - - \$ 0.12
- Sidewalk, per square foot, - - - - - \$ 0.19
- Curb, per lineal foot, - - - - - \$ 0.65

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS-Councilmen: None  
ABSENT-Councilmen: None

(SEAL) ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

RESOLUTION OF INTENTION NO. 72881

NORTH AND SOUTH ALLEY IN BLOCK 46, W.P.HERBERT'S SUBDIVISION.

RESOLVED, that it is the intention of the Council of the City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of the NORTH AND SOUTH ALLEY IN BLOCK 46, W.P. Herbert's Subdivision, in said City, between the south line of Meade Avenue and the north line of the east and west alley in said Block 46, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 324239, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1830, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72743, adopted on the 19th day of November, 1940, that 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, is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$0.625  |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |
| Carpenter                     | 8.00           | 1.00     |
| Caulker                       | 6.00           | 0.75     |
| Cement finisher               | 10.00          | 1.25     |
| Clerk                         | 6.00           | 0.75     |
| Compressor operator           | 10.00          | 1.25     |
| Concrete mixerman             | 7.00           | 0.875    |
| Concrete spreader             | 5.00           | 0.625    |
| Concrete tamper               | 5.00           | 0.625    |



|   |       |       |
|---|-------|-------|
| Crane operator  | 9.00  | 1.125 |
| Driller   | 7.00  | 0.875 |
| Drill sharpener   | 6.00  | 0.75  |
| Electrician   | 10.00 | 1.25  |
| Engineer, hoisting  | 10.00 | 1.25  |
| Engineer, asphalt plant   | 10.00 | 1.25  |
| Finish machine operator   | 6.00  | 0.75  |
| Form setter   | 6.00  | 0.75  |
| Jackhammer man  | 7.00  | 0.875 |
| Kettleman, asphalt or lead  | 6.00  | 0.75  |
| Laborer, common   | 5.00  | 0.625 |
| Materialman   | 6.00  | 0.75  |
| Pipelayer   | 6.00  | 0.75  |
| Plumber   | 10.00 | 1.25  |
| Powderman   | 6.00  | 0.75  |
| Pumpman   | 6.00  | 0.75  |
| Reinforcing steel worker  | 10.00 | 1.25  |
| Road grader operator  | 6.00  | 0.75  |
| Roller operator   | 10.00 | 1.25  |
| Shovel operator, 1 yard and over  | 10.00 | 1.25  |
| Shovel operator, less than 1 yard   | 8.00  | 1.00  |
| Shovel fireman and watchman   | 7.00  | 0.875 |
| Shovel oiler  | 6.00  | 0.75  |
| Teamster  | 5.00  | 0.625 |
| Tractor operator, over 50HP   | 10.00 | 1.25  |
| Tractor operator, 50 HP and under   | 6.00  | 0.75  |
| Time keeper   | 6.00  | 0.75  |
| Trenching machine operator  | 10.00 | 1.25  |
| Truck driver, 15,500 lbs and under  | 5.44  | 0.68  |
| Truck driver, over 15,500 lbs   | 6.00  | 0.75  |
| Watchman  | 5.00  | 0.625 |
| Welder  | 11.00 | 1.375 |
| Skilled labor not above listed  | 8.00  | 1.00  |
| Legal holidays, including Sundays and Saturdays where crafts work a five day day week, and other overtime when permitted by law, to be paid for at the rate of time and one-half. |       |       |

NOTICE IS HEREBY GIVEN, that on Tuesday, the 14th day of January, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said the City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

(SEAL)

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

(SEAL)

RESOLUTION OF INTENTION NO. 72882  
STRANDWAY

RESOLVED, that it is the intention of the Council of the City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of STRANDWAY, in said City, between the southerly line of San Jose Place and the southerly line of Santa Rita Place, be graded, and the subgrade prepared and paved with a Portland cement concrete pavement.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and speci-

fications therefor contained in Document No. 324236, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1807, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72689, adopted on the 12th day of November, 1940, that 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 or workman or mechanic needed to execute said work, is as follows:

|                                    | <u>Per 8 hour day</u> | <u>Per hour</u> |
|------------------------------------|-----------------------|-----------------|
| Asphalt raker                      | \$ 5.00               | \$0.625         |
| Asphalt spreader                   | 5.00                  | 0.625           |
| Auto mechanic                      | 6.00                  | 0.75            |
| Backfill machine operator          | 6.00                  | 0.75            |
| Blacksmith                         | 6.00                  | 0.75            |
| Blademan                           | 6.00                  | 0.75            |
| Bricklayer                         | 12.00                 | 1.50            |
| Bricklayer tender                  | 7.00                  | 0.875           |
| Bulldozer operator                 | 6.00                  | 0.75            |
| Bulldozer operator over 50HP       | 10.00                 | 1.25            |
| Carpenter                          | 8.00                  | 1.00            |
| Caulker                            | 6.00                  | 0.75            |
| Cement finisher                    | 10.00                 | 1.25            |
| Clerk                              | 6.00                  | 0.75            |
| Compressor operator                | 10.00                 | 1.25            |
| Concrete mixerman                  | 7.00                  | 0.875           |
| Concrete spreader                  | 5.00                  | 0.625           |
| Concrete tamper                    | 5.00                  | 0.625           |
| Crane operator                     | 9.00                  | 1.125           |
| Driller                            | 7.00                  | 0.875           |
| Drill sharpenër                    | 6.00                  | 0.75            |
| Electrician                        | 10.00                 | 1.25            |
| Engineer, hoisting                 | 10.00                 | 1.25            |
| Engineer, asphalt plant            | 10.00                 | 1.25            |
| Finish machine operator            | 6.00                  | 0.75            |
| Form setter                        | 6.00                  | 0.75            |
| Jackhammer man                     | 7.00                  | 0.875           |
| Kettleman, asphalt or lead         | 6.00                  | 0.75            |
| Laborer, common                    | 5.00                  | 0.625           |
| Materialman                        | 6.00                  | 0.75            |
| Pipelayer                          | 6.00                  | 0.75            |
| Plumber                            | 10.00                 | 1.25            |
| Powderman                          | 6.00                  | 0.75            |
| Pumpman                            | 6.00                  | 0.75            |
| Reinforcing steel worker           | 10.00                 | 1.25            |
| Road grader operator               | 6.00                  | 0.75            |
| Roller operator                    | 10.00                 | 1.25            |
| Shovel operator, 1 yard and over   | 10.00                 | 1.25            |
| Shovel operator, less than 1 yard  | 8.00                  | 1.00            |
| Shovel fireman and watchman        | 7.00                  | 0.875           |
| Shovel oiler                       | 6.00                  | 0.75            |
| Teamster                           | 5.00                  | 0.625           |
| Tractor operator, over 50 HP       | 10.00                 | 1.25            |
| Tractor operator, 50 HP and under  | 6.00                  | 0.75            |
| Time keeper                        | 6.00                  | 0.75            |
| Trenching machine operator         | 10.00                 | 1.25            |
| Truck driver, 15,500 lbs and under | 5.44                  | 0.68            |
| Truck driver, over 15,500 lbs      | 6.00                  | 0.75            |
| Watchman                           | 5.00                  | 0.625           |
| Welder                             | 11.00                 | 1.375           |
| Skilled labor not above listed     | 8.00                  | 1.00            |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 14th day of January, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and is hereby directed to mail notice of the adoption of this Resolution of Intention, postage prepaid, to all persons owning real pro-

perty proposed to be assessed, whose names and addresses appear on the last equalized County Assessment Roll, at his address as shown upon such roll, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM

Deputy.

#### RESOLUTION ORDERING WORK NO. 72883

##### BOSTON AVENUE

RESOLVED by the Council of the City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72635, adopted by the Council on November 6, 1940, and on file in the office of the City Clerk of said City for the grading, paving and curbing of BOSTON AVENUE, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72544, adopted on the 22nd day of October, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM

Deputy.

#### RESOLUTION ORDERING WORK NO. 72884

##### WHITTIER STREET

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require the work hereinafter described to be done, and the time prescribed during which objections to said work and improvement might be made having expired, and no objection thereto having been made, and said Council hereby finding that no assessment is necessary therefor:

NOW, THEREFORE, the said Council hereby orders the following work to be done in said City, to-wit:



The closing of WHITTIER STREET, for its entire width, between the southwesterly prolongation of the southeasterly line of Lot 4, Block 192, Roseville, according to the map thereof No. 165, filed in the office of the County Recorder of San Diego County, California, and the northwesterly line of said Roseville;

And the said portion of said street is hereby closed.

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

#### R E S O L U T I O N NO. 72885

DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND PLACE OF HEARING THEREOF. STRANDWAY.

RESOLVED by the Council of the City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1716 made to cover the costs and expenses of the work done upon STRANDWAY in said City, under Resolution of Intention No. 71483, adopted May 28th, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

#### R E S O L U T I O N NO. 72886

RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN THE ALLEY IN BLOCK 66, UNIVERSITY HEIGHTS.

BE IT RESOLVED by the Council of the City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, paving and otherwise improving of the ALLEY IN BLOCK 66, UNIVERSITY HEIGHTS, between the north line of Meade Avenue and the south line of Monroe Avenue, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 324793. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

R E S O L U T I O N NO. 72887  
RESOLUTION DETERMINING THAT THE PROPOSED ASSESSMENT  
FOR THE IMPROVEMENT OF THE ALLEY IN BLOCK 6, HARTLEY'S  
NORTH PARK AND BLOCK C, McFADDEN AND BUXTON'S NORTH  
PARK, IN THE CITY OF SAN DIEGO, WILL NOT EXCEED THE  
LIMITATIONS OF THE SPECIAL ASSESSMENT INVESTIGATION,  
LIMITATION AND MAJORITY PROTEST ACT OF 1931 AND AMEND-  
MENTS THERETO.

WHEREAS, the City Engineer of the City of San Diego, California, did on the 21st day of October, 1940, file with the Clerk of the Council of said City a written report on the proposed improvement of the ALLEY IN BLOCK 6, HARTLEY'S NORTH PARK AND BLOCK C, McFADDEN AND BUXTON'S NORTH PARK, within the limits and as particularly described in Resolution No. 71884, adopted by the Council of said City July 23, 1940, in conformity with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and amendments thereto; and

WHEREAS, all investigations and reports provided for by said Act in connection with the said proposed improvement have been completed; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment for the improvement of the Alley in Block 6, Hartley's North Park and Block C, McFadden and Buxton's North Park, within the limits and as particularly described in said Resolution No. 71884, will not exceed the limitations of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and amendments thereto.

BE IT FURTHER RESOLVED that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading and paving of the ALLEY IN BLOCK 6, HARTLEY'S NORTH PARK and BLOCK C, McFADDEN AND BUXTON'S NORTH PARK, in said City, within the limits and as particularly described in said Resolution No. 71884.

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

R E S O L U T I O N NO. 72888  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND  
SIGNED BY THE CITY ENGINEER - BOSTON AVENUE.

WHEREAS, the Council of the City of San Diego, did on the 6th day of November, 1940, pass Resolution of Intention No. 72635, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72635, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

R E S O L U T I O N NO. 72889  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE  
DIRECTION OF THE CITY ENGINEER - BOSTON AVENUE.

WHEREAS, the Council of the City of San Diego did, on the 6th day of November, 1940, pass its Resolution of Intention No. 72635 to order certain work to be done and improvement to be made in a portion of Boston Avenue, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 10th day of December, 1940, duly pass its Resolution Ordering Work No. 72883, ordering said work to be done and said improvement to be made in said Boston Avenue, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

# R E S O L U T I O N NO. 72890

PORTIONS OF 53RD STREET, MEADE AVENUE, TROJAN AVENUE,  
AND PUBLIC RIGHTS OF WAY.

WHEREAS, the Council of the City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the installation of a sewer system in 53RD STREET, between the southerly line of El Cajon Boulevard and the southerly termination of said 53rd Street in Country Paradise; MEADE AVENUE, between the easterly line of 53rd Street and the easterly line of Country Paradise; TROJAN AVENUE, between the southerly prolongation of the easterly line of the west one-half of Lot 13, Lemon Villa, and a line parallel to and distant 40 feet westerly therefrom; and PUBLIC RIGHTS OF WAY across Lots 2, 3, 4, 5 and 18, Country Paradise, and Lot 13, Lemon Villa, in the City of San Diego, California; and

WHEREAS, the Council of the City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of the City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$0.625  |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpenër                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other



bases specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM

Deputy.

#### R E S O L U T I O N NO. 72891

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on the Alley in Block 1, Carmel Heights, in said City of San Diego, as described in Resolution of Intention No. 72127, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of the City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated December 3rd, 1940, be and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### R E S O L U T I O N NO. 72892

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and empowered to execute an agreement with the Atchison, Topeka & Santa Fe Railway Company in connection with the improvement of the public highways known as Palm Street and Vine Street through, over and across the tracks and rights of way of said Railway Company, in accordance with the application filed with the Railroad Commission of the State of California as Application No. 23576.

Presented by: WALTER W. COOPER

Approved as to form by: JAMES J. BRECKENRIDGE

#### R E S O L U T I O N NO. 72893

WHEREAS, the City of San Diego is about to issue \$1,300,000.00 Water Distribution System Bonds and \$3,000,000.00 San Vicente Dam Bonds, pursuant to the authorization given by the electors at the special municipal election November 5, 1940; and

WHEREAS, the principal and interest of said bonds are to be payable at the Bank of America National Trust and Savings Association and at the National City Bank of New York, pursuant to the authorization so to do contained in Section 13-1/2 of Article XI of the Constitution of the State of California; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That R.C. Lindsay, Treasurer of the City of San Diego be, and he is hereby authorized and directed, for and on behalf of said City, to enter into that certain agreement between the Bank of America National Trust and Savings Association relating to the payment of principal and interest of the said bonds, which said proposed agreement is in words and figures as follows:

"THE BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION, A National banking association, does hereby consent and agree to act as the paying agent for the principal and interest of the \$1,300,000.00 Water Distribution System Bonds and likewise as the paying agent for the principal and interest of the \$3,000,000.00 San Vicente Dam Bonds, to be issued by the City of San Diego, upon the terms and conditions and for the consideration hereinafter recited, to-wit:

- (1) That not later than the day upon which each interest payment upon said bonds shall be due the Treasurer of the City of San Diego shall deposit in or transfer to a special account in the San Diego office of the Bank of America funds sufficient to meet the interest payments upon said bond issue falling due on said day; and shall likewise upon the date of each principal maturity date deposit in or transfer to said special account the full amount of principal due thereon, said special account to be drawn on by the Treasurer only for the purpose of reimbursing the Bank of America, as provided in paragraph (3) hereof, and for the payment of such bonds and coupons as may be presented to and paid directly by the City Treasurer.

Each week during which any bonds or coupons have been presented to and paid directly by the City Treasurer, he shall render a statement to The Bank of America National Trust and Savings Association showing the numbers and amounts thereof.

- (2) That concurrently with the making of said deposits the Treasurer of said City shall file with the Bank of America in San Diego a certificate showing the amount of bonds outstanding of each of such issues theretofore maturing and then presently due at the date such certificate is filed.
- (3) That upon the making of said deposits in said special fund by said Treasurer the Bank of America will pay for the account of said City such bonds or coupons presented to it for that purpose in compliance with the terms of such bonds and as they mature or otherwise become payable, and in the event such bonds and coupons are presented for payment in the City of New York, the said Bank of America will cause said bonds and coupons to be honored by the National City Bank of New York in compliance with the terms of said bonds. That the bonds and coupons which are so paid or honored by said banks will be cancelled and delivered to the Treasurer of the City of San Diego, and immediately upon such delivery said Treasurer shall cause the Bank of America to be reimbursed for the total amount of such payments.

- (4) That the Treasurer of the City of San Diego shall pay to said Bank of America as total compensation for performing the duties of paying agent for said City, being inclusive of all fees which said bank is required to pay to the National City Bank of New York for the performance of the latter's duties, the following amounts:

Payment of interest coupons: 1/4 of 1% of interest received, with a minimum of five cents for each coupon handled.

Payment of principal: For any principal payment or redemption operation at each maturity date: 1/10th of 1% of the principal amount of bonds to be redeemed.

- (5) The City of San Diego shall on or before the date upon which the first interest payment is due upon each of said issues of bonds, furnish said bank two specimen bonds and coupons of each of said issues. Each specimen coupon shall bear the facsimile signature of the Treasurer of said City. In addition thereto, and at the time of delivery of said specimen bonds, the City shall furnish said bank with a signature certificate bearing the signatures of the Mayor, the Treasurer and the City Clerk of the City of San Diego.

IN WITNESS WHEREOF, The Bank of America National Trust and Savings Association has caused this agreement to be executed by its officers hereunto duly authorized this \_\_\_\_ day of \_\_\_\_\_, 1940.

THE BANK OF AMERICA NATIONAL  
TRUST AND SAVINGS ASSOCIATION.

By \_\_\_\_\_  
Vice-President.

By \_\_\_\_\_  
Assistant Trust Officer.

The City of San Diego, acting by and through the Treasurer of said City, hereby accepts and agrees to be bound by the foregoing agreement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_.

THE CITY OF SAN DIEGO

By \_\_\_\_\_  
Treasurer.

I hereby approve the form of the foregoing agreement this \_\_\_\_ day of \_\_\_\_\_, 194\_\_.

\_\_\_\_\_  
City Attorney.

By \_\_\_\_\_  
Assistant City Attorney."

Approved as to form by: H.B.DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

#### R E S O L U T I O N NO. 72894

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Clerk of the City of San Diego be, and he is hereby authorized and directed to advertise for sale the following described municipal bonds of the City of San Diego, authorized at the special municipal election held November 5, 1940:

1300 Water Distribution System Bonds, each of which is of the denomination of \$1000.00; 65 of said bonds maturing February 1, 1942, and a like number of bonds, to-wit: 65 of said bonds maturing on February 1st of each year thereafter to and including February 1, 1961. The order of payment is to begin with the smallest numbered bonds, and to so continue to the highest numbered bonds, which shall be the last to be paid.

3000 San Vicente Dam Bonds, each of which is of the denomination of \$1000.00; 100 of said bonds maturing February 1, 1943, and a like number of bonds, to-wit: 100 of said bonds maturing on February 1st of each year thereafter to and including February 1, 1972. The order of payment is to begin with the smallest numbered bonds, and to so continue to the highest numbered bonds, which shall be the last to be paid.

All of said bonds are to be issued by the City of San Diego, California, by virtue of Ordinance No. 1992 (New Series) of the ordinances of the City of San Diego, adopted November 19, 1940, as the same may be supplemented.

Said bonds shall all bear date of February 1, 1941.

Said advertisement shall be published in the San Diego Union, the official newspaper of said The City of San Diego, for a period of ten (10) consecutive days, and shall be in substantially the following form:

#### NOTICE INVITING SEALED BIDS.

NOTICE IS HEREBY GIVEN that sealed bids will be received at the office of the City Clerk of the City of San Diego, California, until the hour of eleven o'clock A.M., Pacific Standard Time, of the 30th day of December, 1940, for the sale of the following described municipal bonds of The City of San Diego; each bond to bear date of February 1, 1941:

1300 WATER DISTRIBUTION SYSTEM BONDS, each of which is of the denomination of One Thousand dollars (\$1000.00); said bonds maturing as follows:

65 of said One thousand dollar (\$1000.00) bonds maturing February 1, 1942, and a like number of said bonds, to-wit: 65 of said One thousand dollar (\$1000.00) bonds maturing on February first of each year thereafter to and including February 1, 1961. The order of payment is to begin with the smallest numbered bonds, and to so continue to the highest numbered bonds, which shall be the last to be paid.

3000 SAN VICENTE DAM BONDS, each of which is of the denomination of One thousand dollars (\$1000.00); said bonds maturing as follows:

100 of said One thousand dollar (\$1000.00) bonds maturing February 1, 1943, and a like number of said bonds, to-wit: 100 of said One thousand dollar (\$1000.00) bonds maturing on February first of each year thereafter to and including February 1, 1972. The order of payment is to begin with the smallest numbered bonds, and to so continue to the highest numbered bonds, which shall be the last to be paid.

All of said bonds were authorized by the election held in said City on the 5th day of November, 1940.

Said bonds are to bear interest at a rate not to exceed three and one-half per cent (3-1/2%) per annum, payable semi-annually on the first days of August and February of each year, at the office of the City Treasurer in The City of San Diego, or at the National City Bank of New York, in the City of New York, State of New York, or at any branch of The Bank of America National Trust and Savings Association in California.

Each bidder shall indicate by his bid what rate or rates of interest is bid for such bonds, not to exceed three and one-half per cent (3-1/2%) per annum, and stated in multiples of one-quarter of one per cent.

Bids of more than one interest rate will be permitted within the limits stated above; and bids may be submitted for either or both of said issues, but no bid will be considered for a less number of bonds than an entire issue.

All sales will be made at not less than par, including accrued interest at the rate or rates bid, from February 1, 1941, to the date of delivery.

The bonds will be awarded and sold to the highest bidder or bidders therefor, that is, ~~to the bidder or bidders therefor, that is,~~ to the bidder or bidders offering such rate or rates as will produce the lowest interest cost to the City over the life of all of the bonds of both issues, after deducting the premium offered, if any. The City Council reserves the right to reject any or all bids.

The successful bidder or bidders shall be required to take so many of said bonds as he or they shall bid for and which shall be awarded to him or them by the Council at the rate fixed, and upon ten days' notice from the City Clerk that said bonds are executed and ready for delivery.

Delivery of the bonds will be made on or about February 1, 1941, at the office of the City Treasurer, or at the option of the purchaser at the office of The Bank of America National Trust and Savings Association, at Seventh and Spring Streets, Los Angeles, California.

Each bidder must accompany his bid with a check duly certified by some responsible bank equal to one per cent (1%) of the amount bid, payable to the order of the City Treasurer of the City of San Diego on the acceptance of his bid. The balance of the purchase price of the bonds shall be payable at the time of the tender of the bonds by the City.

The form of the bonds will be substantially as prescribed by Ordinance No. 1992 (New Series) of the ordinances of the City of San Diego, adopted November 19, 1940, which said ordinance can be seen, together with all other papers and documents covering proceedings to date relating to the issue of said bonds, at the office of Messrs. O'Melveny & Myers, Attorneys at Law, 433 South Spring Street, Los Angeles, California, or at the office of the City Clerk of The City of San Diego, during office hours of each day to the date of sale, which said date will be December 30, 1940.

The original opinion of Messrs. O'Melveny & Myers, reciting the validity and regularity of the issue of these bonds will be furnished the successful bidder.

Dated this \_\_\_\_\_ day of December, A.D. 1940.

City Clerk of the City of  
San Diego, California.

Approved as to form by: H.B.DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER. I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of the City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Dec. 10, 1940.

J.S.BARBER

Auditor and Comptroller of the City of San Diego, California

To be paid out of BC 321

#### R E S O L U T I O N NO. 72895

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That in addition to the official notice inviting bids for the 1300 Water Distribution System Bonds and the 3000 San Vicente Dam Bonds, authorized by Resolution No. 72894, to be published in the official newspaper of the City of San Diego, to-wit: The San Diego Union, the City Treasurer be, and he is hereby authorized to cause to be inserted in not more than two issues of The Daily Bond Buyer, published in New York City, a notice containing substantially the same information or in resume as that which is contained in said official notice, to the end that such information may be widely disseminated among bond and financial houses located in the Eastern states.

BE IT FURTHER RESOLVED that the cost of publication of the notices in this resolution authorized shall be paid out of the appropriation for Legal Advertising heretofore made by Section 8 of Ordinance No. 1880 (New Series) of the ordinances of the City of San Diego.

Approved as to form by: H.B.DANIEL



Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:  
YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS-Councilmen: None  
ABSENT-Councilman: Simpson

(SEAL) ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
(SEAL) City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER. I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of the City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered,  
Dated Dec. 10, 1940.

J.S.BARBER  
Auditor and Comptroller of the City of San Diego, California  
To be paid out of BC 321.

R E S O L U T I O N NO. 72896

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Hydraulic Engineer of the City of San Diego is hereby instructed to prepare and place certain signs for the protection of the various dams belonging to the City of San Diego, and also such signs as are necessary for narrow private roads leading to and from said dams, and any other signs that may be necessary and proper in order to protect the interests of the City of San Diego.

Presented by: WALTER W. COOPER  
Approved as to form by: J.H. MCKINNEY

R E S O L U T I O N NO. 72897

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor and Comptroller of the City of San Diego be, and he is hereby authorized and directed to transfer the following sums from Account FAA-5532 (Strengthen San Dieguito Dam), "Outlay," Division of Development and Conservation, Water Department Fund, as provided by Section 24 of Ordinance No. 1880 (New Series) of the ordinances of the City of San Diego, to the following accounts in said Water Department Fund, to-wit:

\$1,000.00 to Account FAB-2, "Maintenance and Support," Division of Distribution; for the purpose of providing funds for surveys and preparation of drawings and specifications for the extension of the Upas Street Pipe Line to Pacific Beach; said surveys and drawings and specifications being immediately necessary in order that the work may be advertised and the pipe line installed in time to meet the heavy demands of the 1941 summer season.

\$600.00 To Account FAB-541-4, "Maintenance and Support," Division of Distribution; for the purpose of providing funds for engineering and inspection costs in connection with the construction of a new pipe line on Torrey Pines Mesa across the Torrey Pines Artillery Replacement Center.

\$600.00 to Account FAA-1571, "Maintenance and Support," Division of Development and Conservation, for the purpose of providing funds for the purchase and installation of a chain on the boom across the Morena Reservoir.

\$1,500.00 to Account FAA-1571, "Maintenance and Support," Division of Development and Conservation; for the purpose of providing funds for breaking down and removing rock and boulders from the El Capitan Spillway.

Presented by: WALTER W. COOPER  
Approved as to form by: H.B.DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS-Councilmen: None  
ABSENT-Councilman: Simpson

(SEAL) ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK  
(SEAL) City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

R E S O L U T I O N NO. 72898

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The following claims, attached to Transmittal No. 53 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number |   | Net Amount of Claim | Claim Number |
|------------|--------------|---|---------------------|--------------|
| 11/25/40   | 0739         | Western Metal Supply Company            | 35.26               | 0618         |
| "          | 0773         | Shell Oil Company                       | 2.18                | 0619         |
| "          | 0806         | Winter's Bakery                         | 5.56                | 0620         |
| "          | 0811         | City Water Department                   | 185.90              | 0621         |
| "          | 0812         | Hercules Oil Company                    | 77.22               | 0622         |
| "          | 0813         | S.D.Consolidated Gas & Electric Company | 706.49              | 0623         |
| "          | 0814         | S.D.County Garage                       | 4.20                | 0624         |
| "          | 0815         | Otis Elevator Company                   | 115.50              | 0625         |

|          |      |   |       |      |
|----------|------|---|-------|------|
| 11/25/40 | 0817 | Kelley Linen Supply                           | 5.35  | 0626 |
| "        | 0818 | County of San Diego-Store Division            | 4.45  | 0627 |
| "        | 0819 | W.E.Roberts                                   | 25.00 | 0628 |
| "        | 0820 | County of San Diego -<br>Telephone Department | 3.65  | 0629 |
| "        | 0835 | Postmaster                                    | 10.00 | 0630 |

## R E S O L U T I O N NO. 72899

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The following claims, attached to Transmittal No. 54 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number        |                                   | Net Amount of Claim | Claim Number |
|------------|---------------------|-----------------------------------|---------------------|--------------|
| 12/3/40    | 0740-0810-0826-0828 | Western Metal Supply Company      | 28.09               | 0631         |
| "          | 0741-0789           | Hazard Gould & Co.                | 10.25               | 0632         |
| "          | 0757                | Brunswig Drug Company             | 7.79                | 0633         |
| "          | 0765                | Balboa Venetian Blind Company     | 14.85               | 0634         |
| "          | 0816                | AustinSafe & Desk Company         | 10.00               | 0635         |
| "          | 0822                | Blake, Moffitt & Towne            | 280.11              | 0636         |
| "          | 0823                | San Diego Unified School District | 9.96                | 0637         |
| "          | 0824                | Whitney & Company                 | 2.47                | 0638         |
| "          | 0827                | Geo. F. Otto & Son                | 14.94               | 0639         |
| "          | 0829                | Fred C. Silverthorn & Sons Inc.   | 1.70                | 0640         |
| "          | 0833                | Don Shira - Kelite Products       | 13.63               | 0641         |
| "          | 0834                | Buel Town Company                 | 6.38                | 0642         |

## R E S O L U T I O N NO. 72900

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bills submitted by the San Diego California Club in the sum of \$8656.66 covering advertising in various periodicals, as approved by the Advertising Control Committee under date of December 9th, 1940, be, and the same are hereby approved for payment; and

BE IT FURTHER RESOLVED that a requisition be and it is hereby authorized to be drawn against the allocation in the 1940-41 budget for said amount.

## R E S O L U T I O N NO. 72901

THAT WHEREAS, The City of San Diego did, on or about the 31st day of December, 1937 lease and let to the Associated Glider Club of Southern California, twenty acres of land in Pueblo Lot 1324 on Torrey Pines Mesa, for a period expiring December 31, 1942; and

WHEREAS, at the request of the City Attorney, the said club on the 23d day of October, 1940, surrendered and terminated its said lease, in order that the City could legally lease the same and other lands on the mesa to the United States of America; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Resolution surrendering said leased premises and terminating said lease be, and the same is hereby accepted by the City of San Diego and ordered filed in the office of the City Clerk of this City.

Presented by: WALTER W. COOPER

Approved as to form by: D.L.AULT

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

## R E S O L U T I O N NO. 72902

WHEREAS, it appears by a communication from Walter W. Cooper, City Manager of The City of San Diego, dated December 9, 1940, on file with the City Clerk of said City, that the work performed by Leslie S. Everts and Carl M. Esenoff, under their contract for the annual audit of all accounts and books of all the departments of the City of San Diego, pursuant to the provisions of Section 111 of the City Charter, which said contract is dated July 9, 1940, and is on file in the office of the City Clerk of said City as Document No. 321700, has been performed and completed in accordance with said contract to the satisfaction of the City Manager, and the acceptance thereof is recommended by him; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the work performed by Leslie S. Everts and Carl M. Esenoff, under their contract with the City of San Diego for the annual audit of all accounts and books of all the departments of said City, pursuant to the provisions of Section 111 of the City Charter, be, and the same is hereby accepted by the City of San Diego.

BE IT FURTHER RESOLVED that any and all moneys withheld from said Leslie S. Everts and Carl M. Esenoff, contractors under the provisions of said contract, shall be payable at the time, in the manner, upon the conditions, and subject to the provisions, all as set forth in said contract.

Presented by: WALTER W. COOPER

Approved as to form by: D.L.AULT

Passed and adopted by the said Council of the said City of San Diego, California, this 10th day of December, 1940, by the following vote, to-wit:

YEAS-Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilman: Simpson

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM  
Deputy.

R E S O L U T I O N NO. 72903

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Edgar A. Goebel and Villa Goebel, executed in favor of the City of San Diego, bearing date November 30, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across a strip of land 4 feet in width, 2.00 feet on each side of the center line of the existing sewer lateral in the north 10.00 feet of Cypress Avenue, contiguous and adjoining Lot 28, Block 258, University Heights, according to the Amended Map thereof made by G.A. d'Hemecourt, filed in Book 8, at page 36, et seq., of Lis Pendens, in the office of the County Recorder of San Diego County, and contiguous and adjoining that portion of the West half of Alabama Street closed to public use June 1, 1911, by Resolution No. 8588 of the Common Council of said City of San Diego, lying immediately east from and adjoining said Lot 28, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 72904

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Mellisa Noakes and Don Noakes, executed in favor of the City of San Diego, bearing date November 23, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the westerly 3 feet of the northerly half of the easterly 46 feet of Lot 1, in Block 12, of F.T. Scripps Addition, according to the Map thereof No. 897 filed in the office of the County Recorder of San Diego County, July 22, 1903, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 72905

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Maurice W. Gower and Evelyn W. Gower, executed in favor of the City of San Diego, bearing date December 5, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the northwesterly 15 feet of the north-easterly 60 feet of Lot 23, Block 28, of Ocean Beach, according to Map thereof No. 279, filed in the office of the Recorder of San Diego County, May 28, 1887, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 72906

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Mayor P.J. Benbough and Councilman Harley E. Knox are hereby requested to confer with Glenn A. Rick to see if he can be retained by the City of San Diego as a consultant on planning matters after he leaves the City's employ and assumes his duties as City Planning Engineer for the City of Los Angeles.

R E S O L U T I O N NO. 72907

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The Housing Committee, Fred B. Mitchell chairman, is hereby requested to file a report with the Mayor and City Council on the matter of the survey made regarding better housing in the city of San Diego.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 72857 to 72907 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 10th day of December, 1940.

FRED W. SICK  
City Clerk of the City of San Diego, California.

By Helen M. Willig Deputy.

R E S O L U T I O N NO. 72908

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The verbal protests of Ann Mueller and Ethel Zellmer, against the Engineer's estimate on the cost for the proposed work of improving north and south Alley in Block 107 University Heights, between the south line of Meade Avenue and the north line of the east and west alley in said block, be and they are hereby denied, and all other protests are hereby denied.

R E S O L U T I O N NO. 72909

CONFIRMING THE CITY ENGINEER'S ASSESSMENT NO. 1714 FOR  
WORK UPON ALLEY IN BLOCK 8, SUBDIVISION OF LOTS 20 to 50,  
BLOCK N, TERALTA

IN THE CITY OF SAN DIEGO, CALIFORNIA, UNDER RESOLUTION OF INTENTION NO. 71760

Notice of the time and place fixed for the hearing of appeals in the matter of Assessment No. 1714, made by the City Engineer of said City to cover the cost and expenses of the work done upon Alley in Block 8, Subdivision of Lots 20 to 50, Block N, Teralta in said City, under Resolution of Intention No. 71760, adopted by the Council on the 9th day of July, 1940, having been duly given and made in the manner required by law, and the legal time for filing such appeals and the time fixed for hearing thereon having passed and elapsed, and no appeals in the matter of said assessment having been filed, and the Council being satisfied with the correctness of said assessment; NOW THEREFORE,



BE IT RESOLVED by the Council of The City of San Diego, that the said Assessment No. 1714 of the said City Engineer made to cover the cost and expenses of the work done upon Alley in Block 8, Subdivision of Lots 20 to 50, Block N, Teralta within the limits as described in said Resolution of Intention No. 71760, be, and the same is hereby approved and confirmed, and the City Engineer is hereby authorized to attach his warrant thereto and record the same in the manner and form required by law. Said warrant shall bear date of this order.

R E S O L U T I O N NO. 72910

Confirming the City Engineer's Assessment No. 1715 for work upon Alley in Block 27, Resubdivision of Blocks K and L, Teralta in the City of San Diego, California, under Resolution of Intention No. 71874.

Notice of the time and place fixed for the hearing of appeals in the matter of Assessment No. 1715, made by the City Engineer of said City to cover the cost and expenses of the work done upon Alley in Block 27, Resubdivision of Block K and L, Teralta in said City, under Resolution of Intention No. 71874, adopted by the Council on the 23rd day of July, 1940, having been duly given and made in the manner required by law, and the legal time for filing such appeals and the time fixed for hearing thereon having passed and elapsed, and no appeals in the matter of said assessment having been filed, and the Council being satisfied with the correctness of said assessment; NOW THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego, that the said Assessment No. 1715 of the said City Engineer made to cover the cost and expenses of the work done upon Alley in Block 27, Resubdivision of Blocks K and L, Teralta within the limits as described in said Resolution of Intention No. 71874, be, and the same is hereby approved and confirmed, and the City Engineer is hereby authorized to attach his warrant thereto and record the same in the manner and form required by law. Said warrant shall bear date of this order.

R E S O L U T I O N NO. 72911

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to North Park Business Men's Club, by O. H. Stevenson, 3415 Olive Street, to conduct an animal show in a tent at the northeast corner of Wightman Street and Granada Avenue, for one week beginning December 18, 1940. Permission is hereby given to use temporary electrical wiring, and a free electrical permit is granted.

The request for elimination of the customary \$10.00 per day license fee is hereby denied.

R E S O L U T I O N NO. 72912

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Euclid Center Chamber of Commerce, by Mrs. Otho Horacek, secretary, 4953 Auburn Drive, to decorate University Avenue from 45th Street to 48th Street, by fastening Christmas trees on poles, for the Christmas holiday season. Permission is given to use temporary wiring, and a free electrical permit therefor is granted.

R E S O L U T I O N NO. 72913

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Vivian Holway Shaw, 2708 Poinsettia Drive, which reads as follows: That portions of the plumbing ordinance be temporarily set aside, and that the following be allowed:

(A) That the drainage system from the main portion of the house be allowed to connect with the City sewer, & (B) That the laundry tray in the basement (below the level of the sewer) be allowed to continue draining into the existing septic tank.

(B) To be allowed in lieu of installing a concrete sump and automatic sewerage ejector.

The above to be allowed at 2708 Poinsettia Drive, Lot 8 Block H Plumosa Park, be and it is hereby denied.

R E S O L U T I O N NO. 72914

WHEREAS, in accordance with the provisions of Section 203 of the Streets and Highway Code, the Department of Public Works of the State of California shall expend or cause to be expended within the cities of the State from the State Highway Fund, an amount equal to the net revenue derived from the quarter-cent per gallon tax on motor vehicle fuel upon state highways as are agreed upon by the Department and the legislative bodies of the cities of this State; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized to execute and forward to the Division of Public Works of the State of California the project statement for the expenditure of the Quarter Cent Fund on State Highways, within the limits of The City of San Diego, covering the improvement of said State Highways within said City, as set forth in Document No. 325192, on file in the office of the City Clerk of said City.

BE IT FURTHER RESOLVED, that the City Clerk of said City be, and he is hereby authorized and directed to forward a certified copy of this resolution to the Secretary of the California Highway Commission of the State of California.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 72915

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Flegel's Cleaning & Pressing, 244 - 5th Avenue, for establishment of a loading and unloading zone in front of that address, be and it is hereby granted.

The City Manager is hereby authorized and directed to cause a twenty-foot loading zone to be painted on the west side of Fifth Avenue, between points one hundred and one hundred twenty feet south of the south line of "K" Street.

## R E S O L U T I O N NO. 72916

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Resolution No. 72769, adopted by the Council on November 26, 1940, be and it is hereby amended to read: "Permission is hereby granted to Ebon B. McGregor, Box 277, Lemon Grove, California, to construct an auto court consisting of 16 units on Lots 15, 16, Block 31 Mission Bay Park Tract, which is on Pacific Highway near Balboa Avenue".

## R E S O L U T I O N NO. 72917

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Genevieve Warwick, 1555 Soledad Avenue, to erect a garage in the embankment on Lot 16 Block E La Jolla Villa Tract, not closer to the property line on Soledad Avenue than ten feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended on the property mentioned above.

## R E S O L U T I O N NO. 72918

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Earl W. Gray to move a model house onto Lot 1 Block G Teralta Heights, not closer to the property line on Cherokee Street than ten feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended, in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72919

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Matty J. Berka and Theresa Berka, 4940 Comanche Drive, La Mesa, California, to conduct a 12-unit stucco auto court on Lots 19 and 20 Block 5 La Mesa Colony.

## R E S O L U T I O N NO. 72920

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for the closing of portions of Locust Street, between Xenophon and Whittier Streets, so as to leave a road forty feet in width, lying twenty feet on each side of the present center line of said street, be and it is hereby denied.

## R E S O L U T I O N NO. 72921

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The offer of Ralph E. Hurlburt, contained in Document No. 324946, to deed to the City an alley in Block 25 Chatsworth Terrace, as shown on sketch accompanying said document, be and it is hereby referred to the City Attorney for the necessary papers to accept the offer.

## R E S O L U T I O N NO. 72922

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Pacific Square Corporation, by Wayne Dailard, 514 Bank of America Building, for a license to conduct a public dance hall at 1375 Pacific Highway, subject to compliance with existing ordinances and regulations, be and it is hereby granted; payment of the license fee to be on a semi-annual basis.

This license is granted upon the assumption that the applicant will conform the operation of the dance hall to the facts set forth in the opinion prepared by the City Attorney, as recommended by the City Manager under date of December 14, 1940.

## R E S O L U T I O N NO. 72923

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from P. B. Griffin, dated December 13, 1940, bearing Document No. 325135, relative to the setback in the 3700 block on Sixth Avenue and the widening of Sixth Avenue be, and it is hereby referred to conference.

Mayor P. J. Benbough is hereby requested to arrange a conference on the subject.

## R E S O L U T I O N NO. 72924

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That one full page of advertising, to appear in the "San Diego Annual Review" of the San Diego Union to be published December 29, 1940, be and it is hereby authorized, with the understanding that the copy for said advertisement is to be presented to the City Manager for approval; and

BE IT FURTHER RESOLVED that a requisition be and it is hereby authorized to be drawn on the newspaper allocation of the Advertising and Publicity Fund for the sum of \$600.00 in payment thereof.

## R E S O L U T I O N NO. 72925

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The matter of establishment of additional boulevard stops is hereby referred to the Traffic Commission, with the request that the subject be studied and a recommendation on their findings be made to the Council.

## R E S O L U T I O N NO. 72926

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Los Angeles Brewing Co., 732 Seventh Avenue, San Diego, for increase in length of the existing 18-foot loading zone on Third Avenue, at the rear entrance of the Golden West Hotel, be and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 50-foot loading zone to be painted on Third Avenue, at the rear entrance of the Golden West Hotel, 717 Third Avenue - being a 32-foot extension of the existing zone.

#### R E S O L U T I O N NO. 72927

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Richard Schoneborn, 2502 "B" Street, San Diego, filed in the office of the City Auditor and Comptroller of said City, against the City of San Diego in the amount of \$25.00; said amount claimed to be due on account of damages to his automobile caused by a City-owned truck, be and it is hereby denied.

#### R E S O L U T I O N NO. 72928

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Engineer that 400 c.p. all night lamps be operated in the following standards of the La Playa Lighting District, and the cost of current be paid from the general street lighting fund, be and it is hereby adopted: Standards numbered 5602, 5605, 5607, 5609, 5618, 5622.

The San Diego Gas and Electric Company is hereby authorized and directed to light said standards.

#### R E S O L U T I O N NO. 72929

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the Brown Motor Company to furnish The City of San Diego with ten automobiles on their bid of \$7915.80, which is the total price of ten new cars, \$8410.80 minus trade-in bid on Car No. 51 @ \$155.00 and Car No. 69 @ \$330.00, or total of two cars of \$485.00 be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said Brown Motor Company.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Brown Motor Company, for furnishing of said automobiles, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

That City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.

APPROVED AS TO FORM H. B. Daniel

#### CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated December 16th, 1940

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California

To be paid out of EB 5521 Limited to \$8,000.00.

#### R E S O L U T I O N NO. 72930

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of W. J. Ruhle to furnish The City of San Diego with sixteen motorcycles on his bid of \$5080.46, which is the total price of sixteen new motorcycles; \$7755.46 minus trade-in allowance on sixteen used motorcycles of \$2675.00, net price of \$5080.46 be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said W. J. Ruhle.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said W. J. Ruhle, for furnishing of said motorcycles, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

Approved as to form H. B. DANIEL

#### CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Dec. 16, 1940

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California.

To be paid out of EB 5522 Limited to \$5,080.46.

#### R E S O L U T I O N NO. 72931

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the Director of Public Works and City Manager under Document No. 325140, that sidewalks be ordered constructed on the west side of Rosecrans Street north of Macauley Street, be and it is hereby adopted.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

#### R E S O L U T I O N NO. 72932

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Resolution No. 72468, adopted October 15, 1940, granting permission to Fourth Church of Christ, Scientist, to erect one directional sign at the southwest corner of Cave Street and Exchange Place, and one at the southwest corner of Torrey Pines Road and Ivanhoe Street, be and it is hereby repealed.

Permission is hereby granted to Fourth Church of Christ, Scientist, to erect one directional sign at the northeast corner of Ivanhoe and Prospect; one sign at the northwest corner of Silverado and Ivanhoe, and one sign at the southwest corner of Torrey Pines and



East Ivanhoe, at their own expense. The size and design shall be subject to approval of the City Manager.

R E S O L U T I O N NO. 72933

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Miss Nora E. MacClemmy, San Diego, filed in the office of the City Auditor & Comptroller, against the City of San Diego in the sum of \$16.71; said amount claimed to be due on account of damages to her automobile caused by an open ditch near the 2700 block on National Avenue, be and it is hereby granted.

The City Auditor is hereby authorized and directed to pay said claim in the sum of \$16.71 from the "Small Claims Payment Fund", in full settlement thereof.

R E S O L U T I O N NO. 72934

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The request of residents and telephone subscribers of La Jolla that the "La Jolla" section in the San Diego County Telephone Director remain as it now is, and that the exchange be not changed to Glen Cove, as presented verbally by Councilman Simpson at the Council meeting of December 17, 1940, be and it is hereby referred to the City Manager for investigation.

R E S O L U T I O N NO. 72935

Alley in Block 173, University Heights; and Lincoln Avenue.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of the ALLEY IN BLOCK 173, UNIVERSITY HEIGHTS, between the south line of Polk Avenue and the north line of Lincoln Avenue; and LINCOLN AVENUE, between the southerly production of the easterly and westerly lines of the Alley in Block 173, University Heights, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on November 12, 1940, under Document No. 324364, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1827, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said streets hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

R E S O L U T I O N NO. 72936

Florence Street

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of FLORENCE STREET, in said City, between the east line of 37th Street and the west line of 38th Street, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on November 12, 1940, under Document No. 324365, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1816, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

RESOLUTION OF AWARD NO. 72937

Alley in Block K, Altadena.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 10th day of December, 1940, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72474, adopted by the Council on October 15, 1940, and on file in the office of the City Clerk of said City for the grading and paving of the ALLEY IN BLOCK K, ALTADENA, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To GRIFFITH COMPANY, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |         |
|---|---------|
| Excavation, per cubic yard, .....               | \$0.60  |
| Preparation of subgrade, per square foot, ..... | \$0.015 |
| Pavement, per square foot, .....                | \$0.125 |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION ORDERING WORK NO. 72938  
Alley in Block 164, Mission Beach.

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72683, adopted by the Council on November 12, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK 164, MISSION BEACH, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72348, adopted on the 1st day of October, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF INTENTION NO. 72939  
Florence Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of FLORENCE STREET, in said City, between the east line of 37th Street and the west line of 38th Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base, and that copper water service connections and appurtenances be constructed therein.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 324365, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1816, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72740, adopted on the

19th day of November, 1940, that 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, is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one-half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 21st day of January, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer shall cause to be filed in the office of the City Clerk of said City, an affidavit showing the posting of said notice 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None



(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

## RESOLUTION OF INTENTION NO. 72940

Alley in Block 173, University Heights, and Lincoln Avenue.

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of the ALLEY IN BLOCK 173, UNIVERSITY HEIGHTS, in said City, between the south line of Polk Avenue and the north line of Lincoln Avenue, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base, and that a cement concrete sewer lateral and appurtenances be constructed therein.

That the said work hereinabove described on the ALLEY IN BLOCK 173, UNIVERSITY HEIGHTS, between the south line of Polk Avenue and a line parallel to and distant 250.00 feet southerly from the south line of Polk Avenue, and between a line parallel to and distant 420.00 feet southerly from the south line of Polk Avenue and the north line of Lincoln Avenue, shall be done to the modified grade shown and indicated upon the plans and profiles on file in the office of the City Clerk of said City, and hereinafter referred to; and reference is hereby made to said plans and profiles for the description of the grade at which the work is to be done.

That a portion of LINCOLN AVENUE, in said City, between the southerly production of the easterly and westerly lines of the Alley in Block 173, University Heights, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base, and that a portion of the existing pavement therein be removed.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 324364, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1827, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72741, adopted on the 19th day of November, 1940, that 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, is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |
| Carpenter                     | 8.00           | 1.00     |
| Caulker                       | 6.00           | 0.75     |
| Cement finisher               | 10.00          | 1.25     |
| Clerk                         | 6.00           | 0.75     |
| Compressor operator           | 10.00          | 1.25     |
| Concrete mixerman             | 7.00           | 0.875    |
| Concrete spreader             | 5.00           | 0.625    |
| Concrete tamper               | 5.00           | 0.625    |
| Crane operator                | 9.00           | 1.125    |
| Driller                       | 7.00           | 0.875    |
| Drill sharpener               | 6.00           | 0.75     |
| Electrician                   | 10.00          | 1.25     |
| Engineer, hoisting            | 10.00          | 1.25     |
| Engineer, asphalt plant       | 10.00          | 1.25     |
| Finish machine operator       | 6.00           | 0.75     |

|                                    |         |         |
|------------------------------------|---------|---------|
| Form setter                        | \$ 6.00 | \$ 0.75 |
| Jackhammer man                     | 7.00    | 0.875   |
| Kettleman, asphalt or lead         | 6.00    | 0.75    |
| Laborer, common                    | 5.00    | 0.625   |
| Materialman                        | 6.00    | 0.75    |
| Pipelayer                          | 6.00    | 0.75    |
| Plumber                            | 10.00   | 1.25    |
| Powderman                          | 6.00    | 0.75    |
| Pumpman                            | 6.00    | 0.75    |
| Reinforcing steel worker           | 10.00   | 1.25    |
| Road grader operator               | 6.00    | 0.75    |
| Roller operator                    | 10.00   | 1.25    |
| Shovel operator, 1 yard and over   | 10.00   | 1.25    |
| Shovel operator, less than 1 yard  | 8.00    | 1.00    |
| Shovel fireman and watchman        | 7.00    | 0.875   |
| Shovel oiler                       | 6.00    | 0.75    |
| Teamster                           | 5.00    | 0.625   |
| Tractor operator, over 50 HP       | 10.00   | 1.25    |
| Tractor operator, 50 HP and under  | 6.00    | 0.75    |
| Time keeper                        | 6.00    | 0.75    |
| Trenching machine operator         | 10.00   | 1.25    |
| Truck driver, 15,500 lbs and under | 5.44    | 0.68    |
| Truck driver, over 15,500 lbs      | 6.00    | 0.75    |
| Watchman                           | 5.00    | 0.625   |
| Welder                             | 11.00   | 1.375   |
| Skilled labor not above listed     | 8.00    | 1.00    |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 21st day of January, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION CHANGING GRADE NO. 72941  
Mission Boulevard

WHEREAS, all the acts and things required by law to confer jurisdiction upon the Council of The City of San Diego, California, to order the change of the grade of MISSION BOULEVARD, between the northerly end of Mission Bay Bridge and the southwesterly prolongation of the northwesterly line of San Diego Place, as described in Resolution of Intention No. 72479, on file in the office of the City Clerk of said City, have been done, and no protests against such proposed change or modification of grade having been filed with the Clerk of said Council within the time provided by law; NOW, THEREFORE,

BE IT RESOLVED, that the Council of The City of San Diego, California, hereby orders the change and modification of the grade of said Mission Boulevard, between the above described limits, to be made as proposed by and described by reference in said Resolution of Intention; also, as shown on that certain map entitled, "MAP SHOWING OFFICIAL CURB GRADES TO BE CHANGED ON MISSION BOULEVARD between the northerly end of Mission Bay Bridge and the southwesterly prolongation of the northwesterly line of San Diego Place,"

signed by H. W. Jorgensen, City Engineer, and filed under Document No. 323646 in the office of the City Clerk of The City of San Diego, California, October 11, 1940.

And the grade of said Mission Boulevard, between the points shown on said map hereinbefore mentioned, shall have a uniform ascent and descent.

All of said grade elevations to be above the datum line of levels, as fixed by Ordinance No. 3950 of the ordinances of said City.

That the San Diego Union, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper in which this resolution ordering change of grade shall be published for two days, in the manner and by the persons required by law.

That the Clerk of the said City of San Diego be, and he is hereby directed to cause this resolution ordering change of grade to be published by two insertions in said daily newspaper in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION CHANGING GRADE NO. 72942

##### Mission Boulevard

WHEREAS, all the acts and things required by law to confer jurisdiction upon the Council of The City of San Diego, California, to order the change of the grade of MISSION BOULEVARD, between a line drawn easterly from the intersection of the westerly line of Mission Boulevard with the northeasterly line of West Way to the intersection of the easterly line of Mission Boulevard with the northwesterly line of East Way and the southerly line of San Fernando Place, as described in Resolution of Intention No. 72480, on file in the office of the City Clerk of said City, have been done, and no protests against such proposed change or modification of grade having been filed with the Clerk of said Council within the time provided by law; NOW, THEREFORE,

BE IT RESOLVED, that the Council of The City of San Diego, California, hereby orders the change and modification of the grade of Mission Boulevard, between the above described limits, to be made as proposed by and described by reference in said Resolution of Intention; also, as shown on that certain map entitled, "Map Showing Official Property Line Grades to be Changed on Mission Boulevard between a line drawn easterly from the intersection of the westerly line of Mission Boulevard with the northeasterly line of West Way to the intersection of the easterly line of Mission Boulevard with the northwesterly line of East Way and the southerly line of San Fernando Place," signed by H. W. Jorgensen, City Engineer, and filed under Document 323647 in the office of the City Clerk of the City of San Diego, California, October 11, 1940.

And the grade of said Mission Boulevard, between the points shown on said map hereinbefore mentioned, shall have a uniform ascent and descent.

All of said grade elevations to be above the datum line of levels, as fixed by Ordinance No. 3950 of the ordinances of said City.

That the San Diego Union, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper in which this resolution ordering change of grade shall be published for two days, in the manner and by the persons required by law.

That the Clerk of the said City of San Diego be, and he is hereby directed to cause this resolution ordering change of grade to be published by two insertions in said daily newspaper in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 72943

##### DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND PLACE OF HEARING THEREOF SIESTA DRIVE, MADISON AVENUE AND CAJON WAY

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1718 made to cover the costs and expenses of the work done upon Siesta Drive, Madison Avenue and Cajon Way, in said City, under Resolution of Intention No. 71938, adopted July 30th, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15)



days before the time fixed for such hearing.

R E S O L U T I O N NO. 72944

DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND PLACE OF HEARING THEREOF ALLEY IN BLOCK B, ALTADENA

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1717 made to cover the costs and expenses of the work done upon The Alley in Block B, Altadena in said City, under Resolution of Intention No. 71532, adopted June 4th, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

R E S O L U T I O N NO. 72945

DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND PLACE OF HEARING THEREOF, DATE STREET

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1719 made to cover the costs and expenses of the work done upon Date Street, in said City, under Resolution of Intention No. 71986, adopted August 6th, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

R E S O L U T I O N NO. 72946

UNIVERSITY AVENUE LIGHTING DISTRICT NUMBER TWO

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the Lighting District Ordinance of 1938, to order the following work to be done and improvement to be made in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the curb lines of the following streets in the city of San Diego, California, to-wit:

FOURTH AVENUE between the south line of Washington Street and the north line of Robinson Avenue;

FIFTH AVENUE between the south line of University Avenue and the north line of Robinson Avenue;

UNIVERSITY AVENUE between the easterly line of Third Avenue and the westerly line of Park Boulevard.

Such furnishing of electric current shall be for a period of one year from and including March 16, 1941, to-wit, to and including March 15, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by, and of the materials provided for, in the plans and specifications therefor to be hereafter prepared by the City Engineer of said City, and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district of said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at a point on the east line of Third Avenue distant 60 feet north of the north line of University Avenue; thence east along a line parallel to and distant 60 feet north of the north line of University Avenue to a point distant 135 feet west of the west line of Fourth Avenue; thence north along a line parallel to and distant 135 feet west of the west line of Fourth Avenue to the south line of Washington Street; thence east along the south line of Washington Street to a point distant 135 feet east of the east line of Fourth Avenue; thence south along a line parallel to and distant 135 feet east of the east line of Fourth Avenue to a point distant 60 feet north of the north line of University Avenue; thence east along a line parallel to and distant 60 feet north of the north line of University Avenue to the west line of Fifth Avenue; thence northeasterly in a direct line to a point on the east line of Fifth Avenue distant 50 feet north of the north line of University Avenue; thence east along a line parallel to and distant 50 feet north of the north line of University Avenue to the west line of Tenth Avenue; thence northeasterly in a direct line to a point on the east line of Tenth Avenue distant 50 feet north of the northwesterly line of Cleveland Avenue; thence northeasterly along a line parallel to and distant 50 feet north of the northwesterly line of Cleveland Avenue to the east line of Lot 29, Block 187, University Heights; thence south along the east line of said Lot 29, to the southeasterly corner thereof; thence easterly in a direct line to a point on the east line of Vermont Street distant 50 feet north of the north line of University Avenue; thence east along a line parallel to and distant 50 feet north of the north line of University Avenue to the northeasterly line of Lot 20, Block 189, University Heights; thence southeasterly along the northeasterly line of said Lot 20 to the most easterly corner thereof; thence easterly in a direct line to the most northerly corner of Lot 9, Block 190, University Heights; thence southeasterly along the northeasterly line of said Lot 9, to the most easterly corner thereof; thence northeasterly in a direct line to the most northerly corner of Lot 10, Block 190, University Heights; thence southeasterly along the northeasterly line of said Lot 10, a distance of 40 feet to a point; thence northeasterly in a direct line to a point on the northeasterly line of Lot 11, Block 190, University Heights, distant 40 feet southeasterly from the most northerly corner thereof; thence southeasterly along the northeasterly line of said Lot 11, to the most easterly corner thereof; thence northeasterly to the point of intersection of the southeasterly line of Centre Street with a line parallel to and distant 40 feet north of the north line of University Avenue; thence east along said parallel line to the northeasterly line of Lot 25, Block 193, University Heights; thence southeasterly along the northeasterly line of said Lot 25, to the west line of Park Boulevard; thence south along the east line of said Lot 25 to the southeast corner thereof; thence southeasterly in a direct line to the point of intersection of the south line of

University Avenue with the west line of Park Boulevard; thence south along the west line of Park Boulevard a distance of 25 feet to a point; thence west along a line parallel to and distant 25 feet south of the south line of University Avenue to the east line of Sixth Avenue; thence southwesterly in a direct line to the southeast corner of Lot 18, Block 4, Nutt's Addition; thence west along the south line of said Lot 18 to the southwest corner thereof; thence south along a line parallel to and distant 100 feet east of the east line of Fifth Avenue to the north line of Robinson Avenue; thence west along the north line of Robinson Avenue to a point distant 135 feet west of the west line of Fourth Avenue; thence north along a line parallel to and distant 135 feet west of the west line of Fourth Avenue to a point distant 41 feet south of the south line of University Avenue; thence west along a line parallel to and distant 41 feet south of the south line of University Avenue to the east line of 3rd Avenue; thence north along the east line of Third Avenue to the point or place of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;

2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as University Avenue Lighting District Number Two.

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS -- Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS -- Councilmen: None

ABSENT- Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION NO. 72947

APPROVING ENGINEER'S REPORT AND FIXING TIME AND PLACE FOR HEARING THEREON, PORTIONS OF MAPLE STREET AND 32nd STREET.

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 9th day of December, 1940, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of MAPLE STREET, between the easterly line of 32nd Street and the center line of 33rd Street; and 32nd STREET, between the westerly prolongation of the northerly and southerly lines of Maple Street, in the City of San Diego, California, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 21st day of January, 1941, at 10:00 o'clock in the fore-noon of said day and the Council Chamber on the Third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None



(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

R E S O L U T I O N NO. 72948  
 APPROVING ENGINEER'S REPORT AND FIXING TIME AND PLACE FOR HEARING  
 THEREON-PORION OF FRONT STREET

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 6th day of December, 1940, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of FRONT STREET, between the westerly prolongation of the northerly line of Palm Street and the southerly line of Quince Street, in the City of San Diego, California, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 21st day of January, 1941, at 10:00 o'clock in the forenoon of said day and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

R E S O L U T I O N NO. 72949

WHEREAS, the City Engineer of The City of San Diego, California, in accordance with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" and amendments thereto, and as directed by Resolution No. 72403 of the Council of said City, has prepared and filed in the office of the City Clerk of said City, under Document No. 323958, a report upon the proposed improvement of the ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS, between the south line of Madison Avenue and the north line of Tract 3, Partition Map of the East 1/2 of Pueblo Lot G, in said City; and

WHEREAS, said report of the City Engineer shows that the estimated total cost of the improvements is less than one-half of the true value of all lands to be assessed, but that in the case of each of twenty-eight parcels the proposed assessment, together with the unpaid assessment for improvements done or heretofore ordered will exceed one-half of the true value of that parcel; and

WHEREAS, this Council has considered the said report of the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the proposed improvement of the ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS, in said City, between the south line of Madison Avenue and the north line of Tract 3, Partition Map of the East 1/2 of Pueblo Lot G, is hereby determined to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading, paving and otherwise improving of the ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS, in said City, between the south line of Madison Avenue and the north line of Tract 3, Partition Map of the East 1/2 of Pueblo Lot G.

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy



RESOLUTION NO. 72950  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER - ALLEY IN BLOCK 164, MISSION BEACH  
WHEREAS, the Council of The City of San Diego, did on the 12th day of November, 1940, pass Resolution of Intention No. 72683, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and  
WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,  
BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72683, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.  
Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy  
I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION NO. 72951  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - ALLEY IN BLOCK 164, MISSION BEACH.  
WHEREAS, the Council of The City of San Diego did, on the 12th day of November, 1940, pass its Resolution of Intention No. 72683, to order certain work to be done and improvement to be made in the ALLEY IN BLOCK 164, MISSION BEACH, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 17th day of December, 1940, duly pass its Resolution Ordering Work No. 72938, ordering said work to be done and said improvement to be made in said Alley in Block 164, Mission Beach, which said Resolution Ordering Work is also hereby referred to for further particulars; and  
WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,  
BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.  
Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL) ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy  
I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION NO. 72952  
Alley in Block 83, City Heights  
WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading and paving of the ALLEY IN BLOCK 83, CITY HEIGHTS, between the north line of Dwight Street and the south line of Landis Street, in the City of San Diego, California; and  
WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,  
BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |

|                                    |         |         |
|------------------------------------|---------|---------|
| Carpenter                          | \$ 8.00 | \$ 1.00 |
| Caulker                            | 6.00    | 0.75    |
| Cement finisher                    | 10.00   | 1.25    |
| Clerk                              | 6.00    | 0.75    |
| Compressor operator                | 10.00   | 1.25    |
| Concrete mixerman                  | 7.00    | 0.875   |
| Concrete spreader                  | 5.00    | 0.625   |
| Concrete tamper                    | 5.00    | 0.625   |
| Crane operator                     | 9.00    | 1.125   |
| Driller                            | 7.00    | 0.875   |
| Drill sharpener                    | 6.00    | 0.75    |
| Electrician                        | 10.00   | 1.25    |
| Engineer, hoisting                 | 10.00   | 1.25    |
| Engineer, asphalt plant            | 10.00   | 1.25    |
| Finish machine operator            | 6.00    | 0.75    |
| Form setter                        | 6.00    | 0.75    |
| Jackhammer man                     | 7.00    | 0.875   |
| Kettleman, asphalt or lead         | 6.00    | 0.75    |
| Laborer, common                    | 5.00    | 0.625   |
| Materialman                        | 6.00    | 0.75    |
| Pipelayer                          | 6.00    | 0.75    |
| Plumber                            | 10.00   | 1.25    |
| Powderman                          | 6.00    | 0.75    |
| Pumpman                            | 6.00    | 0.75    |
| Reinforcing steel worker           | 10.00   | 1.25    |
| Road grader operator               | 6.00    | 0.75    |
| Roller operator                    | 10.00   | 1.25    |
| Shovel operator, 1 yard and over   | 10.00   | 1.25    |
| Shovel operator, less than 1 yard  | 8.00    | 1.00    |
| Shovel fireman and watchman        | 7.00    | 0.875   |
| Shovel oiler                       | 6.00    | 0.75    |
| Teamster                           | 5.00    | 0.625   |
| Tractor operator, over 50 HP       | 10.00   | 1.25    |
| Tractor operator, 50 HP and under  | 6.00    | 0.75    |
| Time keeper                        | 6.00    | 0.75    |
| Trenching machine operator         | 10.00   | 1.25    |
| Truck driver, 15,500 lbs and under | 5.44    | 0.68    |
| Truck driver, over 15,500 lbs      | 6.00    | 0.75    |
| Watchman                           | 5.00    | 0.625   |
| Welder                             | 11.00   | 1.375   |
| Skilled labor not above listed     | 8.00    | 1.00    |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 72953

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on ELIZABETH STREET and OCEAN VIEW BOULEVARD as particularly described in Resolution of Intention No. 72175 and to be assessed to pay the expenses thereof.

R E S O L U T I O N NO. 72954

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, is about to enter into a lease of certain portions of the tidelands with RYAN AERONAUTICAL COMPANY, a corporation, for a period of years commencing on the 1st day of January, 1942, and extending to the 31st day of August, 1973, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission and Ryan Aeronautical Company, a corporation, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the Harbor Commission of said City, as Lessor, herein-after called the City, and RYAN AERONAUTICAL COMPANY, a corporation, as Lessee, WITNESSETH:

That the City, lessor as aforesaid, does by these presents demise and let unto the lessee, upon the terms and conditions and for the uses and purposes hereinafter recited,

and the lessee hereby hires and accepts from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, all those lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California under the provisions of that certain Act of the Legislature, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the first day of May, 1911, and as subsequently amended, particularly described as follows, to-wit:

Beginning at the intersection of the southeasterly line of Quince Street with the southwesterly line of California Street; thence southwesterly along the southeasterly line of Quince Street and the southwesterly prolongation thereof a distance of 308 feet to a point; thence southeasterly on a line parallel to and distant 308 feet southwesterly from the southwesterly line of California Street a distance of 175.6 feet to a point; thence southwesterly on a line parallel to and distant 175.6 feet southeasterly from the southwesterly prolongation of the southeasterly line of Quince Street a distance of 76 feet to the true point or place of beginning; thence at right angles southeasterly a distance of 85 feet to a point; thence at right angles southwesterly a distance of 44 feet to a point; thence at right angles northwesterly a distance of 85 feet to a point; thence northeasterly on a line parallel to and distant 175.6 feet southeasterly from the southwesterly prolongation of the southeasterly line of Quince Street a distance of 44 feet to the true point or place of beginning, containing an area of 3740 square feet.

The said lands hereinabove described being shown on the map or plat attached hereto, being designated as Parcel No. 2, which said plat is marked "Exhibit A," and made a part hereof.

Also,

Beginning at the intersection of the southeasterly line of Quince Street with the southwesterly line of California Street; thence southwesterly along the southeasterly line of Quince Street and the southwesterly prolongation thereof a distance of 308 feet to a point; thence southeasterly on a line parallel to and distant 308 feet southwesterly from the southwesterly line of California Street a distance of 16.3 feet to a point; thence southwesterly on a line parallel to and distant 16.3 feet southeasterly from the southwesterly prolongation of the southeasterly line of Quince Street a distance of 76 feet to the true point or place of beginning; thence continuing along the parallel line 16.3 feet southeasterly from the southwesterly prolongation of the southeasterly line of Quince Street a distance of 52 feet to a point; thence at right angles northwesterly a distance of 85 feet to a point; thence at right angles northeasterly a distance of 52 feet to a point; thence at right angles southeasterly a distance of 85 feet to the true point or place of beginning, containing an area of 4420 square feet.

The said lands hereinabove described being shown on said map or plat attached hereto, being designated as Parcel No. 3, which said plat is marked "Exhibit A", and made a part hereof.

TO HAVE AND TO HOLD the said premises unto the said lessee for a term beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 1940, and ending on the 31st day of August, 1973, unless sooner terminated as herein provided, at the following rentals:

For the first five-year portion of said term, the sum of forty dollars (\$40.00) per month;

For the next five-year portion of said term, the sum of sixty dollars (\$60.00) per month;

For the next five-year portion of said term, the sum of eighty dollars (\$80.00) per month;

For the next five-year portion of said term, the sum of one hundred dollars (\$100.00) per month;

For the next five-year portion of said term, the sum of one hundred twenty dollars (\$120.00) per month;

For the next five-year portion of said term, the sum of one hundred forty dollars (\$140.00) per month;

For the remaining and final portion of said term, the sum of one hundred sixty dollars (\$160.00) per month.

All rentals hereunder shall be due and payable monthly in advance upon the first day of each and every month during the term of this lease.

This lease shall be assignable only by the consent of the Harbor Commission of said City, evidenced by resolution duly passed. The lessee shall have the right to sublet portions of the buildings erected or to be erected upon the leased premises, as hereinafter provided.

The Council of said City, and the Harbor Commission of said City, and the people of said City, hereby reserve the right and privilege to annul, change or modify this lease in such manner as may seem proper, upon the payment to said lessee of reasonable compensation for damages occasioned by said annulment, change or modification. The reasonable compensation herein provided to be paid to the lessee shall be based upon and limited to compensation for the actual value of such buildings, structures and physical improvements placed upon the demised premises by the lessee as are required, authorized or permitted under the terms of this lease, and shall not be held to include compensation to said lessee for any damage to, interference with, or loss of business or franchise occasioned by any such annulment, change or modification.

In addition to the foregoing provisions, it is hereby agreed by the parties to this lease that the same is granted and accepted upon the further terms and conditions hereinafter provided, to-wit:

(1) The lessee agrees immediately to begin and carry through continuously to completion a two-story building upon Parcel No. 2 of the premises hereby leased, which said building shall be used for engineering purposes and activities in connection with the lessee's manufacturing plant located upon Lindbergh Field; and likewise immediately to begin and carry through continuously to completion a two-story building, to be located on Parcel No. 3 of the premises hereby leased, which said building shall be used principally for offices and facilities for the United States Army Air Corps Officers assigned for duty in connection with the training and instruction of aviation students or cadets.

(2) That all plans for the construction of each of the buildings to be erected upon the said leased premises shall comply with all the ordinances of The City of San Diego, and shall be subject to the approval of said Harbor Commission and the Planning Commission of said City.

(3) The lessee hereby agrees to indemnify and hold harmless said lessor and the leased property from any fine, lien, penalty or forfeiture which shall or may accrue from or by reason of the construction, enlargement, improvement or repair of any building or structure to be erected or placed on said premises, or by reason of any use of said premises by the lessee; and it further agrees to indemnify and hold harmless the said lessor from any liability or claim of liability, and to pay any judgment rendered against said lessor, and to reimburse the lessor for any expense incurred by it, by reason of any action or suit at law or in equity brought against it, in which it is made a party, by reason of the erection, improvement, enlargement or repair of any such building or structure, or by



reason of the occupancy or use by the lessee of the premises herein granted, or in any way relating to or connected with the use of the premises. For the purpose of this paragraph the term "expense" shall be construed to include all costs incurred by the lessor in the defense or settlement of said action or suit, including attorney's fees, filing fees, salaries and expenses of any officials or employees of said lessor while engaged in the defense or settlement of said action or suit.

(4) That the said lessee shall at all times carry fire equipment and apparatus satisfactory to the Harbor Commission.

(5) That the lessee shall be required at its own expense to remove all utilities such as watermains, pipelines and electric conduits which would otherwise be under either of the buildings to be constructed upon the leased premises, and to relocate and place the same in proper condition outside of and beyond said buildings.

(6) That all wires and wiring serving said leased premises shall be placed underground.

(7) That immediately upon the completion of said buildings the lessee shall cause the same to be used and occupied for the purposes hereinabove stated, and will continue such use and occupancy during the term of this lease. If the lessee shall fail to erect and complete said buildings as hereinabove required, or shall discontinue the use of the same for the purposes in this lease specified, or shall be in default with regard to any of the terms, conditions, covenants or obligations herein contained to be kept and performed by said lessee, the City shall have the right to serve notice in writing upon the lessee that if such default is not cured within a thirty (30) day period from the date of the service of such notice the City may declare this lease at an end, and upon such a declaration by the City of its termination of this lease the said lessee shall remove from the said demised premises and have no further right or claim thereto, and the City shall immediately thereupon, without recourse to the courts, have the right to take possession of said premises, and said lessee shall forfeit all rights and claims thereto and thereunder; provided, however, that in the event of a termination of this lease as in this paragraph provided the lessee may, within such reasonable time as the Harbor Commission may designate, remove all buildings, improvements, structures and equipment and other personal property of the lessee from the premises herein leased, or otherwise dispose of the same; provided, further, that no such termination shall in any wise relieve the lessee from the obligation to pay any rentals and charges accrued and unpaid up to the time thereof.

(8) Reference is hereby made to all laws as now existing and as may hereafter be amended or enacted, applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed, or reservations made, are made a part of this lease with like effect as though the same were expressly set forth herein.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego have hereunto subscribed their names as and for the act of said City, and the said lessee has caused this instrument to be executed, and its corporate name and seal to be hereunto affixed, by its proper officers, thereunto duly authorized, the day and year first hereinabove written.

THE CITY OF SAN DIEGO Lessor.

By \_\_\_\_\_

Members of the Harbor Commission of The City of San Diego.

RYAN AERONAUTICAL COMPANY Lessee,  
By \_\_\_\_\_

I hereby approve the form of the foregoing Lease, this 12th day of December, 1940.

D. L. AULT City Attorney.

By H. B. DANIEL

Assistant City Attorney

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 72955

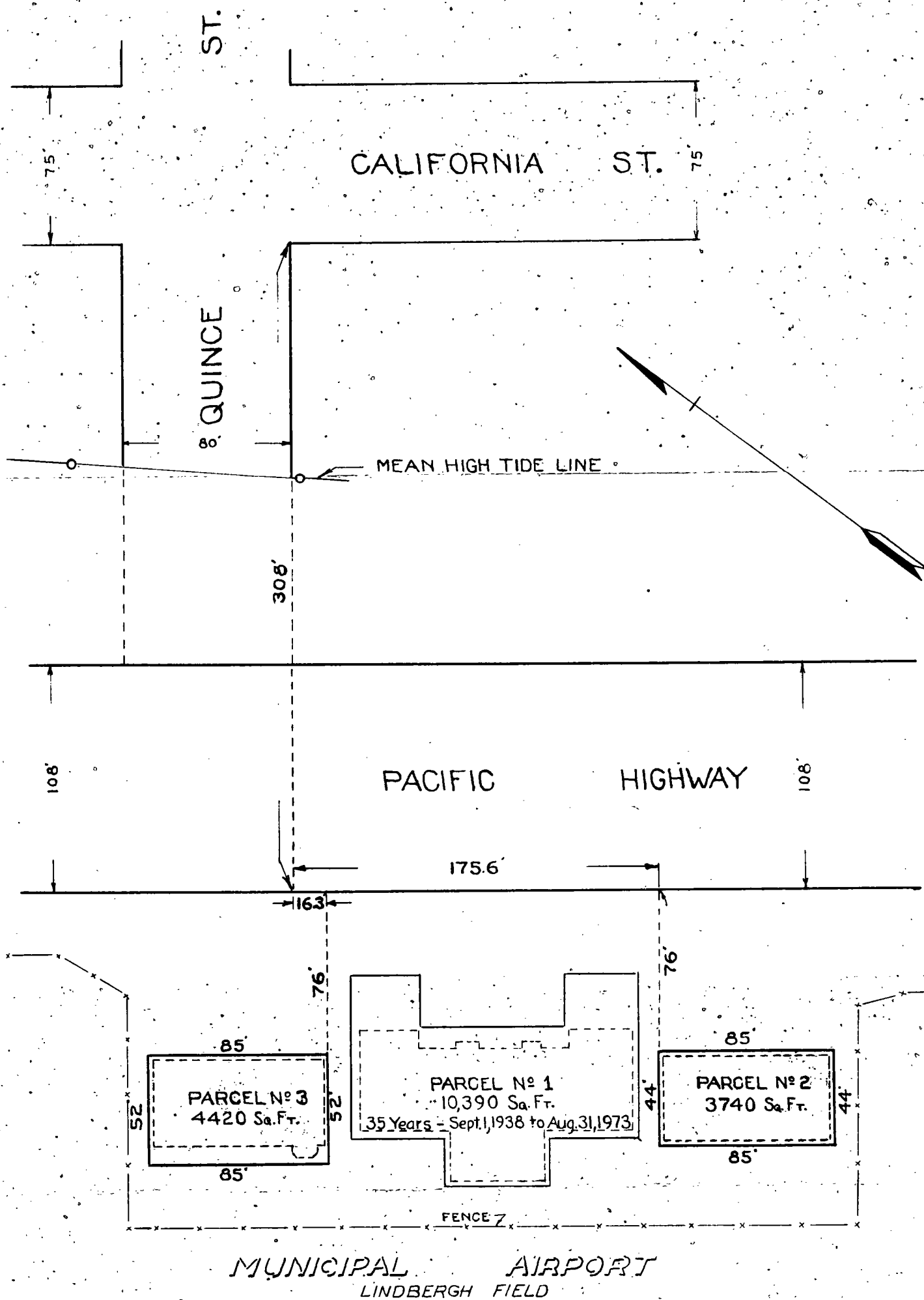
WHEREAS, it appears by a communication from Fred D. Pyle, Hydraulic Engineer of The City of San Diego, dated December 13, 1940, on file with the City Clerk, that the work performed and materials furnished by Walter H. Barber, under his contract for furnishing all tools, labor, transportation, minor items of material, equipment and services, and other expense of every kind and description necessary or incidental to the construction of Flume 19, Dulzura Conduit, Dulzura, California, and involving the excavation for and installation of approximately 330 feet of 48" concrete pipe furnished by The City of San Diego, which said contract is dated November 6, 1940, and is on file in the office of the City Clerk of said City as Document No. 324235, have been performed and furnished, and said contract has been completed in accordance with the plans and specifications therefor to the satisfaction of the Hydraulic Engineer in charge of and having supervision over the performance of said work, and the acceptance thereof is recommended; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the materials furnished and work performed in connection with the construction of Flume 19, Dulzura Conduit, Dulzura, California, and involving the excavation for and installation of approximately 330 feet of 48" concrete pipe furnished by The City of San Diego, by Walter H. Barber, the contractor under said contract, be, and the same are hereby accepted by The City of San Diego.

BE IT FURTHER RESOLVED, that any and all moneys withheld from said contractor under the provisions of said contract shall be payable at the time, in the manner, upon the conditions, and subject to the provisions, all as set forth in said contract.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby instructed to execute and file with the County Recorder of the County of San Diego, a notice of the



NOTE - Shaded areas (Parcels 2 & 3) to be added to Amended Lease.

DRAWN BY L.R.L.  
TRACED BY  
CHECKED BY  
APPROVED

PORT DIRECTOR

HARBOR DEPARTMENT-CITY OF SAN DIEGO  
MUNICIPAL TIDELAND LEASE  
RYAN AERONAUTICAL COMPANY

DATE Oct. 30, 1940  
SCALE 1" = 60'

DRAWING No

12-B-2





completion and acceptance of said contract work by said City.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 72956

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Donald H. Storms and Ida E. Storms, executed in favor of The City of San Diego, bearing date December 4, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the northerly 40 feet of Lots 21 and 22, in Block 25 of Ocean Beach, and the southerly 70 feet of Lots 25 and 26, in Block 24 of Ocean Beach, both according to Map thereof No. 279, filed in the office of the County Recorder of San Diego County, California, May 28, 1887, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 72957

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Central Liquidating Company, executed in favor of The City of San Diego, bearing date November 28, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the west 40 feet of Lot 46, in Block 16 of Fairmount Addition to City Heights, according to Map thereof No. 1035, filed in the office of the County Recorder of San Diego County, California, March 8, 1907, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 72958

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Albert Hancock and Alma O. Hancock, executed in favor of The City of San Diego, bearing date December 12, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the southwesterly 70 feet of Lot 27, in Block 263, of Guion's Addition, according to the Map thereof No. 220, filed in the office of the County Recorder of San Diego County, California, April 15, 1887, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 72959

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Algy L. Lambert and Eleanor M. Lambert, executed in favor of The City of San Diego, bearing date December 7, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the easterly 5 feet of Lot 47, Block 3 of Ocean Beach Park, according to Map thereof No. 1167, filed in the office of the County Recorder of San Diego County, California, February 10, 1909, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 72960

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Sutter A. Gardanier and Edith E. Gardanier, executed in favor of The City of San Diego, bearing date November 4, 1940, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 25, in Block 16 of La Jolla Park, according to the Map thereof No. 352, filed for record in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named PROSPECT STREET;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 72961

WHEREAS, the Council is informed that in all probability a proposal will soon be introduced in the Congress of the United States to include as taxable income interest paid upon municipal bonds; and

WHEREAS, the enactment of such a law would work to the detriment and injury of the taxpayers of The City of San Diego in that they would be required to pay a higher rate of interest upon the City's bonded indebtedness; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the Mayor and City Council are unqualifiedly opposed to the passage of any bill by the Congress of the United States having for its purpose the taxation by the

Federal Government of income derived from interest payments upon municipal bonds.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby instructed to cause certified copies of this resolution to be sent to Senators Johnson and Downey and Congressman Izac.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 17th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 72908 to 72961 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 17th day of December, 1940.

FRED W. SICK  
City Clerk of the City of San Diego, California

By Helen M. Willey Deputy

#### RESOLUTION NO. 72962

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The proceedings heretofore taken for the construction of a cement concrete sewer main, connections and appurtenances; cement concrete manhole and appurtenances, and cement concrete dead end and appurtenances in a portion of the ALLEY IN BLOCK M, TRACT NUMBER TWO OF ALTA VISTA SUBURB, between the south line of Imperial Avenue and the north line of Franklin Avenue, and a cement concrete sewer main, connections and appurtenances in a portion of FRANKLIN AVENUE, between the east line of 47th Street and the west line of Escuela Street, under Resolution of Intention No. 72572, be and they are hereby abandoned.

#### RESOLUTION NO. 72963

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The proceedings heretofore taken for the construction of cement concrete sewer mains, connections and appurtenances; cement concrete manholes and appurtenances, and cement concrete dead end and appurtenances in portions of the ALLEYS IN BLOCKS J AND K, TRACT NUMBER TWO OF ALTA VISTA SUBURB, between the south line of Franklin Avenue and the north line of Ocean View Boulevard; cement concrete sewer main, connections and appurtenances in portion of FRANKLIN AVENUE, between the east line of Escuela Street and the west line of 48th Street; and cement concrete sewer mains, connections and appurtenances and cement concrete manholes and appurtenances in portions of OCEAN VIEW BOULEVARD, between the southerly prolongations of the east line of Escuela Street and the west line of Gloria Street, under Resolution of Intention No. 72570, be and they are hereby abandoned.

#### RESOLUTION NO. 72964

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Thomas S. Collins, 1427 - 28th Street, to operate a restaurant on Lots 45-48 Block 321 Reed & Daley's Subdivision, 130 So. 30th Street.

Revocable variance to the restrictions of Ordinance No. 13216 is hereby granted on the property mentioned above.

#### RESOLUTION NO. 72965

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mrs. Joseph Wickstrom, 1122 Locust Street, to construct a residence on the rear (southwesterly) 50 feet of Lots 11-12 Block 22 Roseville, with a setback of fifteen feet on Willow Street.

Variance to the restrictions of Ordinance No. 32 New Series, be and it is hereby granted on the property mentioned above.

#### RESOLUTION NO. 72966

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Solon S. Kipp, 1133 Bank of America Building, to construct seven residence units - 5-unit court on rear 70 feet and two residences on front 70 feet - Lots 25 to 28 Block 35 Ocean Beach. The Planning Commission shall have the right to pass upon the appearance of all the structures.

Variance to the restrictions of Ordinance No. 12793 be and it is hereby granted on the property mentioned above.

#### RESOLUTION NO. 72967

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Frances C. McMillan, 2903 Thorn Street, for variance to the restrictions of Ordinance No. 13175, to permit the construction of a residence over garage on Lots 34-35 Block B Wallace Heights, be and it is hereby denied.

#### RESOLUTION NO. 72968

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Geo. W. and Lucy Hartwig to construct a duplex on Lots 39 and 40, and the northeast half of Lot 38 Block 5 Ironston.

Variance to the restrictions of Ordinance No. 32 New Series, be and it is hereby granted on the property mentioned above.

## R E S O L U T I O N NO. 72969

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to J. H. Peterson, 4105 Pacific Highway, to conduct an addition to the existing auto court on Right of Way Lots 191 to 195 Middletown, consisting of nineteen additional units.

## R E S O L U T I O N NO. 72970

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Reed Walworth, 4405 - 34th Street, to erect a duplex on the east half of Lot K Block 14 Combination Land Co.'s Subdivision of Teralta, not closer to the property line on 34th Street than the adjoining house (20 feet).

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72971

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Paul A. deLannoy, 5485 Gilbert Drive, to erect light poles to the property line on El Cajon Boulevard and uprights supporting the canopy of the service station 5 feet 6 inches from the same property line, on Lots 1-2 Highland Gardens.

The provisions of Setback Ordinance No. 13055 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72972

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Hans and Anna Osterwald to erect a 4-unit bungalow court on Lots 5-6 Block 8 Frary Heights, not closer to the property line on 30th Street than 10 feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72973

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mrs. Lillian Normile, by Richard S. Requa, to erect a 15-unit court on Lots G, H, I Block 243 Horton's Addition, not closer to the property line on 6th Avenue than 6.5 feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 72974

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of Jackson McCole Reed and Louie F. Vallen, 3643 - 6th Avenue, Oakland, California, for license to conduct public dance at 3919 - 5th Avenue, on premises where intoxicating liquor is sold, is hereby granted, subject to compliance with existing regulations.

## R E S O L U T I O N NO. 72975

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized and directed to install a 400 c.p. overhead street light at the intersection of 44th and Keeler Streets.

## R E S O L U T I O N NO. 72976

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare a resolution to make available additional space needed to enlarge the clinic of the City and County Health Department, as outlined in the communications from Alex M. Lesem, M.D. Director of Health, and Board of Supervisors by C. Buckley, under Document No. 325341.

## R E S O L U T I O N NO. 72977

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from Theosophical University trustees, by Iverson L. Harris, secretary, dated December 18, 1940, requesting the Council to inaugurate the designation and posting of U. S. Highway 80 from the corner of 12th Avenue and Market Street, where it now ends, through the city to the Cabrillo National Monument, be and it is hereby referred to Councilman Fred L. Simpson for report and recommendation.

## R E S O L U T I O N NO. 72978

WHEREAS, the Southern California Telephone Company has proposed to make certain changes in its La Jolla telephone service, particularly to change the "La Jolla" exchange prefix to "Glencove," and to do away with the present separate listing of La Jolla telephone numbers, and hereafter to scatter the listings of La Jolla subscribers through the general City directory; and

WHEREAS, it has been shown to this Council that a very large number of citizens of La Jolla are opposed to such changes, seriously believing that they would be detrimental to the interests of La Jolla and the preservation of its name, its distinctive character and identity; and

WHEREAS, approximately 1600 residents of La Jolla have signed a petition protesting both of said proposed changes; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That a copy of said petition be transmitted to the Southern California Telephone Company with the request that it give the same proper consideration.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California



FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 72779

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare and present to the Council an ordinance prohibiting the parking of automobiles on Pacific Highway, as outlined in communication from the Traffic Commission bearing Document No. 325284. It is requested that the ordinance be made an "emergency" one.

#### R E S O L U T I O N NO. 72980

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of R. E. Hazard & Sons to the Harbor Commission for a tidelands lease fronting on Pacific Highway between Maple Street and Nutmeg Street, submitted by the Harbor Commission to the Council for ratification and confirmation, be and it is hereby denied.

#### R E S O L U T I O N NO. 72981

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Orlan A. King, 4370 Florida Street, filed in the office of the City Auditor and Comptroller on December 4, 1940, in the amount of \$224.17; said amount claimed to be due on account of damages caused to his automobile by a telephone pole falling upon it on Vine Street, on or about October 28, 1940, be and it is hereby granted.

BE IT FURTHER RESOLVED, that the City Attorney be and he is hereby authorized and directed to prepare and present an ordinance appropriating the amount of \$224.17 from the Unappropriated Balance Fund in payment of said claim.

#### R E S O L U T I O N NO. 72982

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Manager that a training and instruction program be instituted for motor officers in the Police department as of January 25, 1941, be and it is hereby adopted.

BE IT FURTHER RESOLVED, that the City Manager's recommendation that \$8000.00 of the \$8822.50 remaining in the San Dieguito Dam Strengthening Fund be earmarked and subsequently transferred by ordinance to the Police Department for additional personnel and equipment be, and it is hereby adopted.

The foregoing recommendations are as outlined in communication dated December 20, 1940, bearing Document No. 325285.

#### R E S O L U T I O N NO. 72983

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of G. F. Poggi, Sorrento, California, for an occupancy permit of an abandoned roadway paralleling highway 101 and other land adjacent thereto in the vicinity of the Artillery Replacement Camp on Torrey Pines Mesa for the purpose of establishing and maintaining a trailer camp for men working on the Artillery Camp be, and it is hereby denied, as recommended by the City Manager.

#### R E S O L U T I O N NO. 72984

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from the City Manager, bearing Document No. 325296, transmitting memorandum directing the Chief of Police to supply James E. Reading with an automobile for use in connection with traffic engineering work, be and it is hereby approved.

#### R E S O L U T I O N NO. 72985

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The interested City departments are hereby authorized and directed to accept the amount shown below for delinquent street improvement bond held in Mount Hope Cemetery Fund, as recommended by the City Funds Commission, subject to a better offer from competitive bids, under Document No. 325344;

Bonds 39 and 40 and 53 to 61 inclusive in Series 814 - amount offered by Virgil S. Kipp, suite 404 Southern Title Building, 948 Third Avenue, San Diego - \$147.84.

#### R E S O L U T I O N NO. 72986

Ivy Street

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and construction of curb in IVY STREET, in said City, between the west line of Bancroft Street and the east line of 33rd Street, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on November 12, 1940, under Document No. 324366, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1815, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

RESOLUTION NO. 72987  
ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9 and 12,  
CITY HEIGHTS ANNEX NO. 1, and WIGHTMAN STREET.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:  
That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of the ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, between the north line of Wightman Street, and the south line of University Avenue; and WIGHTMAN STREET, between the southerly prolongation of the west line of the Alley in Block 6, Subdivision of Blocks 3, 6, 9 and 12, City Heights Annex No. 1, and the southerly prolongation of the east line of said Alley, in said City, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on November 20, 1940, under Document No. 324588, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1798, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said streets hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

RESOLUTION OF AWARD NO. 72988  
Alley in Block A, Altadena.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 17th day of December, 1940, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72534, adopted by the Council on October 22, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK A, ALTADENA, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To GRIFFITH COMPANY, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

- Excavation, per cubic yard,.....\$ 0.60
- Preparation of subgrade, per square foot, .....\$ 0.015
- Pavement, per square foot, .....\$ 0.124
- 4" sewer laterals, installed, EACH, .....\$25.00

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Weggenman,

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION ORDERING WORK NO. 72989  
Dickens Street and Emerson Street

RESOLVED, by the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72734, adopted by the Council on November 19, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of DICKENS STREET and EMERSON STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72347, adopted on the 1st day of October, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the

San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION ORDERING WORK NO. 72990

Alley in Block 37, Amended Map of City Heights.

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the improvement described in Resolution of Intention No. 72735, adopted by the Council on November 19, 1940, and on file in the office of the City Clerk of said City for the improvement of the ALLEY IN BLOCK 37, AMENDED MAP OF CITY HEIGHTS, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72588, adopted on the 29th day of October, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF INTENTION NO. 72991

Ivy Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of IVY STREET, in said City, between the west line of Bancroft Street and the east line of 33rd Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base; and that Portland cement concrete curb be constructed therein.

That the said work hereinabove described on IVY STREET, between the easterly line of Bancroft Street and the westerly line of 33rd Street, shall be done to the modified grade shown and indicated upon the plans and profiles on file in the office of the City Clerk of said City, and hereinafter referred to; and reference is hereby made to said plans and profiles for the description of the grade at which the work is to be done.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 324366, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October



following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1815, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72742, adopted on the 19th day of November, 1940, that 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, is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 28th day of January, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF INTENTION NO. 72992

ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9 and 12,  
CITY HEIGHTS ANNEX NO. 1; and WIGHTMAN STREET.

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of the ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, in said City, between the north line of Wightman Street and the south line of University Avenue, be graded, and the subgrade prepared and paved with a Portland cement concrete pavement; and that cast iron water main, connections, fittings and appurtenances, and cast iron gate valve, cast iron valve box and cover be constructed therein.

That a cast iron water main, connections, fittings and appurtenances be constructed in a portion of WIGHTMAN STREET, in said City, between the southerly prolongation of the west line of the Alley in Block 6, Subdivision of Blocks 3, 6, 9 and 12, City Heights Annex No. 1, and the southerly prolongation of the east line of said alley.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 324588, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1798, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72803, adopted on the 26th day of November, 1940, that 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, is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |
| Carpenter                     | 8.00           | 1.00     |
| Caulker                       | 6.00           | 0.75     |
| Cement finisher               | 10.00          | 1.25     |

|                                    |       |       |
|------------------------------------|-------|-------|
| Clerk                              | 6.00  | 0.75  |
| Compressor operator                | 10.00 | 1.25  |
| Concrete mixerman                  | 7.00  | 0.875 |
| Concrete spreader                  | 5.00  | 0.625 |
| Concrete tamper                    | 5.00  | 0.625 |
| Crane operator                     | 9.00  | 1.125 |
| Driller                            | 7.00  | 0.875 |
| Drill sharpener                    | 6.00  | 0.75  |
| Electrician                        | 10.00 | 1.25  |
| Engineer, hoisting                 | 10.00 | 1.25  |
| Engineer, asphalt plant            | 10.00 | 1.25  |
| Finish machine operator            | 6.00  | 0.75  |
| Form setter                        | 6.00  | 0.75  |
| Jackhammer man                     | 7.00  | 0.875 |
| Kettleman, asphalt or lead         | 6.00  | 0.75  |
| Laborer, common                    | 5.00  | 0.625 |
| Materialman                        | 6.00  | 0.75  |
| Pipelayer                          | 6.00  | 0.75  |
| Plumber                            | 10.00 | 1.25  |
| Powderman                          | 6.00  | 0.75  |
| Pumpman                            | 6.00  | 0.75  |
| Reinforcing steel worker           | 10.00 | 1.25  |
| Road grader operator               | 6.00  | 0.75  |
| Roller operator                    | 10.00 | 1.25  |
| Shovel operator, 1 yard and over   | 10.00 | 1.25  |
| Shovel operator, less than 1 yard  | 8.00  | 1.00  |
| Shovel fireman and watchman        | 7.00  | 0.875 |
| Shovel oiler                       | 6.00  | 0.75  |
| Teamster                           | 5.00  | 0.625 |
| Tractor operator, over 50 HP       | 10.00 | 1.25  |
| Tractor operator, 50 HP and under  | 6.00  | 0.75  |
| Time keeper                        | 6.00  | 0.75  |
| Trenching machine operator         | 10.00 | 1.25  |
| Truck driver, 15,500 lbs and under | 5.44  | 0.68  |
| Truck driver, over 15,500 lbs      | 6.00  | 0.75  |
| Watchman                           | 5.00  | 0.625 |
| Welder                             | 11.00 | 1.375 |
| Skilled labor not above listed     | 8.00  | 1.00  |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 28th day of January, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall, of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



R E S O L U T I O N NO. 72993  
DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND  
PLACE OF HEARING THEREOF MENLO AVENUE

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1720 made to cover the costs and expenses of the work done upon Menlo Avenue in said City, under Resolution of Intention No. 71730, adopted July 2nd, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

R E S O L U T I O N NO. 72994  
APPROVING ENGINEER'S REPORT AND FIXING TIME AND PLACE FOR HEARING  
THEREON - ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS.

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 9th day of December, 1940, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of the ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, between the north line of Polk Avenue and the south line of Howard Avenue, in the City of San Diego, California, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 28th day of January, 1941, at 10:00 o'clock in the forenoon of said day and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 72995  
RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN A PORTION  
OF LAUREL STREET

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the construction of a sidewalk on the south side of LAUREL STREET, between the southwesterly line of Kettner Boulevard and the Mean High Tide Line of the Bay of San Diego, in the City of San Diego, California.

2. That the lands fronting on the proposed improvement to be assessed to pay the costs and expenses of said contemplated improvement are shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 324963. Reference is hereby made to said plat for a particular description of the lands fronting on the proposed improvement.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

R E S O L U T I O N NO. 72996  
 SPECIAL ASSESSMENT PROCEEDINGS FOR THE IMPROVEMENT OF THE  
 ALLEY IN BLOCK 5, CHESTER PARK ADDITION.

WHEREAS, this Council did by its Resolution No. 72578, do and determine all the things required by Sections 2 and 13 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and

WHEREAS, the owners of more than fifteen per cent of the area of the proposed assessment district, as described in said Resolution No. 72578, did by their return post cards demand the investigation provided for by said Act; NOW, THEREFORE,

BE IT RESOLVED by this Council that it be, and it is hereby determined that the owners of more than fifteen per cent of the area of said assessment district by their return post cards did demand the making of the investigation as provided by said Act.

BE IT FURTHER RESOLVED, that the City Engineer of said City be, and he is hereby authorized and directed to prepare a written report upon the proposed improvement of the ALLEY IN BLOCK 5, CHESTER PARK ADDITION, between the north line of Orange Avenue and the southerly line of El Cajon Boulevard, in the City of San Diego, California, which report shall contain, in addition to the matters mentioned in Section 2 of said Act, the following information, to-wit:

- A. Map, plat or diagram showing:
  1. The nature, location and extent of the improvement.
  2. Each separate lot or parcel of land to be assessed.
- B. The total estimated improvement cost:
  1. Incidental expenses to be separately shown.
  2. Cost of each class of construction must be separately shown.
- C. Assessed value as per latest equalized County Assessment Roll.
  1. Of each parcel to be assessed.
  2. The total assessed value of lands to be assessed.
- D. The total assessed value of improvements within the district.
- E. Total true value of all lands to be assessed, determined as per Section 2 of said Act.
- F. The true value of each parcel of the lands to be assessed.
- G. The per parcel, and the total outstanding special assessments (exclusive of interest and penalties); showing:
  1. Direct special assessments (as under 1911 Street Act).
  2. Unpaid, levied advalorem special assessments.
- H. Unlevied advalorem special assessments which will be levied upon each parcel of land to be assessed to pay principal of bonds theretofore issued.
  1. Estimated on each parcel of land to be assessed.
  2. Total estimated amount of such special assessments upon all the lands to be assessed. Said estimates to be proportioned according to the assessed value on said last equalized assessment roll, and also proportioned according to zones (if any), and the percentages of such zones.
- I. Estimated direct and advalorem special assessments in all proceedings in which a resolution ordering work has been adopted, but assessment unlevied, showing:
  1. Such estimates against each parcel of land to be assessed.
  2. Total upon all the parcels of land to be assessed. The advalorem assessments to be computed in the manner provided in paragraph (1) of Section 3 of said Limitation Act.
- J. Estimated assessments to be levied in this proceeding as follows:
  1. Estimated assessments upon each parcel of land to be assessed.
  2. Total assessment to be levied upon all the lands to be assessed.
- K. Serial bonds to be issued to represent assessments of \$25.00 or over.
  1. Number of years to run.
  2. Actual rate of interest.

The full report to be made in conformity with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and particularly with Section 3 thereof, and delivered to the Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

R E S O L U T I O N NO. 72997

WHEREAS, the City Engineer of The City of San Diego, California, in accordance with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and amendments thereto, and as directed by Resolution No. 72537 of the Council of said City, has prepared and filed in the office of the City Clerk of said City,

under Document No. 324202, a report upon the proposed improvement of the north and south ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS, in said City, between the south line of Meade Avenue and the north line of the east and west alley in said block 107; and

WHEREAS, said report of the City Engineer shows that the estimated total cost of the improvements is less than one-half of the true value of all lands to be assessed, but that in the case of one parcel the proposed assessment will exceed one-half of the true value of that parcel; and

WHEREAS, this Council has considered the said report of the City Engineer; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the proposed improvement of the north and south ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS, in said City, between the south line of Meade Avenue and the north line of the east and west alley in said block 107, is hereby determined to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading and paving and otherwise improving of the north and south ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS, in said City, between the south line of Meade Avenue and the north line of the east and west alley in said block 107.

Passed and adopted by the said Council of the said City of San Diego, California this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego; at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 72998  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - ALLEY IN BLOCK 37, AMENDED MAP OF  
CITY HEIGHTS.

WHEREAS, the Council of The City of San Diego did, on the 19th day of November, 1940, pass its Resolution of Intention No. 72735 to order certain work to be done and improvement to be made in the ALLEY IN BLOCK 37, AMENDED MAP OF CITY HEIGHTS, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 24th day of December, 1940, duly pass its Resolution Ordering Work No. 72990, ordering said work to be done and said improvement to be made in said Alley in Block 37, Amended Map of City Heights, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 72999  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER-DICKENS STREET AND EMERSON STREET.

WHEREAS, the Council of The City of San Diego did, on the 19th day of November, 1940, pass its Resolution of Intention No. 72734 to order certain work to be done and improvement to be made in DICKENS STREET and EMERSON STREET, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 24th day of December, duly pass its Resolution Ordering Work No. 72989, ordering said work to be done and said improvement to be made in said Dickens Street and Emerson Street, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman



(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION NO. 73000  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED  
BY THE CITY ENGINEER - ALLEY IN BLOCK 37, AMENDED MAP OF  
CITY HEIGHTS.

WHEREAS, the Council of The City of San Diego, did on the 19th day of November, 1940, pass Resolution of Intention No. 72735, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72735, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Weggenman

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION NO. 73001  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER - DICKENS STREET AND EMERSON STREET.

WHEREAS, the Council of The City of San Diego, did on the 19th day of November, 1940, pass Resolution of Intention No. 72734, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72734, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Weggenman

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION NO. 73002  
BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on MAIN STREET as particularly described in Resolution of Intention No. 72211 and to be assessed to pay the expenses thereof.

RESOLUTION NO. 73003  
BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of the San Diego & Arizona Eastern Railway Company, executed in favor of The City of San Diego, bearing date November 14, 1940, conveying to said City those certain strips or parcels of land 40.00 feet wide, more or less, through Blocks numbered 306, 289 and 266, in San Diego Land and Town Co's South Chollas Addition to San Diego, according to the map thereof No. 579, filed in the office of the County Recorder of San Diego County, California, as described in deed from the San Diego Land and Town Company to the

Coronado Railroad Company, dated December 22, 1893, recorded December 29, 1894, in Book 236, of Deeds, at page 166, records of said County Recorder; EXCEPTING therefrom all that portion thereof that lies within Lots 30, 31, 32 and 33, in said Block 266, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73004

WHEREAS, at the Special Municipal Election held in the City of San Diego November 5, 1940, the electors of said City authorized the incurring of a bonded indebtedness in the sum of \$3,000,000 for the acquisition, construction and completion of a gravity section concrete dam at a location known as the San Vicente Damsite; the acquisition, construction and completion of a pipeline to connect the reservoir to be created by said dam to the existing El Capitan pipe line; the relocation and construction of such roads or highways as may become necessary by reason of the construction of said dam and reservoir; and the clearing of said reservoir basin, together with the acquisition of lands and rights of way necessary or convenient in connection with said project; and

WHEREAS, bonds in said amount have been authorized to be issued and sold and bids are now being invited; and

WHEREAS, it is desirable to undertake certain preliminary work authorized by said election prior to the receipt of the purchase price of said bonds, which will be on or about February 1, 1941; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Auditor and Comptroller be, and he is hereby authorized and directed to advance the sum of Ten Thousand Dollars (\$10,000) from the General Fund of The City of San Diego to the San Vicente Dam Bond Fund, to be used for the purposes authorized by said election, pursuant to the authority so to do contained in Section 93 of the City Charter.

BE IT FURTHER RESOLVED, that immediately upon the receipt of the proceeds of the sale of said bonds the Auditor and Comptroller shall therefrom reimburse the General Fund for said \$10,000 advance.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Dec. 24, 1940

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California

To be paid out of General Fund (10,000.00) as a loan.

#### R E S O L U T I O N NO. 73005

WHEREAS, at the Special Municipal Election held in the City of San Diego November 5, 1940, the electors of said City authorized the incurring of a bonded indebtedness in the sum of \$1,300,000 for the acquisition, construction and completion of improvements, extensions and additions to the water distribution system of said City; and

WHEREAS, bonds in said amount have been authorized to be issued and sold and bids are now being invited; and

WHEREAS, it is desirable to undertake certain preliminary work authorized by said election prior to the receipt of the purchase price of said bonds, which will be on or about February 1, 1941; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Auditor and Comptroller be, and he is hereby authorized and directed to advance the sum of Ten Thousand Dollars (\$10,000) from the General Fund of The City of San Diego to the Water Distribution System Bond Fund, to be used for the purposes authorized by said election, pursuant to the authority so to do contained in Section 93 of the City Charter.

BE IT FURTHER RESOLVED, that immediately upon the receipt of the proceeds of the sale of said bonds the Auditor and Comptroller shall therefrom reimburse the General Fund for said \$10,000 advance.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Dec. 24, 1940

J. S. BARBER  
Auditor and Comptroller of the City of San Diego, California  
To be paid out of General Fund (\$10,000.00) as a loan

#### R E S O L U T I O N NO. 73006

WHEREAS, under the regulations of the State of California governing the construction of new dams, (Chap. 766, Statutes of 1929, as amended), the City is required to file in duplicate an application with the State Engineer showing pertinent data such as geological conditions found at the damsite, detailed assumptions used in connection with design of the dam, plans and specifications, and miscellaneous technical data, and to accompany the same with a fee computed upon the estimated cost of the proposed structure; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego as follows:

That the Hydraulic Engineer be, and he is hereby authorized and directed to file with the State Engineer for approval the necessary information, documents, plans and specifications for the construction of a gravity section concrete dam at the San Vicente Dam-site.

BE IT FURTHER RESOLVED, that the sum of Nine Thousand Five Hundred Dollars (\$9,500.00), being the amount of the State's required fee based upon a minimum estimate cost of the dam of \$2,250,000, be transmitted with said application; and that the same be paid out of the moneys in the San Vicente Dam Bond Fund.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73007

WHEREAS, it appears by a communication from Fred D. Pyle, Hydraulic Engineer, dated December 21, 1940, on file with the City Clerk, that the work performed by H. H. Peterson under his contract for doing certain construction work on the Upas Street Pipe Line Extension, which said contract is dated August 26, 1940, and is on file in the office of the City Clerk of said City as Document No. 322627, has been performed and completed in accordance with the plans, drawings and specifications therefor, to the satisfaction of the Hydraulic Engineer in charge of and having supervision over the performance of said work, and the acceptance thereof by the City is recommended by him; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the materials furnished and work performed in doing certain construction work on the Upas Street Pipe Line Extension by H. H. Peterson, the contractor under said contract, be, and the same are hereby accepted by The City of San Diego.

BE IT FURTHER RESOLVED, that any and all moneys withheld from said contractor under the provisions of said contract shall be payable at the time, in the manner, upon the conditions and subject to the provisions, all as set forth in Paragraph 52 of said contract specifications.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby instructed, immediately upon the adoption of this resolution, to execute and file, or cause to be filed, for record, on behalf of The City of San Diego, with the County Recorder of the County of San Diego a notice of the completion and acceptance of said contract work by said City.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



## R E S O L U T I O N NO. 73008

WHEREAS, there is now pending in the Superior Court of the State of California, in and for the County of San Diego, Action No. 99226, entitled, "The City of San Diego, a municipal corporation, vs. Annie Martin, et al."; and

WHEREAS, said action was brought by The City of San Diego in eminent domain for the purpose of acquiring and condemning the lands described in said complaint for a public use, to-wit: for rights of way for the widening of a portion of that certain street in the City of San Diego known as Euclid Avenue; and

WHEREAS, there has been placed on deposit with the Clerk of the Superior Court the sum of \$1089.96 as the appraised reasonable value of the lands sought to be condemned; and

WHEREAS, the said action may be compromised for the sum of \$1500.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Attorney be, and he is hereby authorized to compromise said litigation for the sum of Fifteen Hundred Dollars (\$1500.00); and to acquire the easements and rights of way sought to be acquired in said action for the sum of \$1500.00.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 72962 to 73008 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 24th day of December, 1940.

FRED W. SICK  
City Clerk of the City of San Diego, California  
By Helen M. Wallig Deputy

## R E S O L U T I O N NO. 73009

ACCEPTING THE BID OF HALSEY, STUART & CO., INC., ET AL., FOR  
\$1,300,000.00 WATER DISTRIBUTION SYSTEM BONDS AND \$3,000,000.00

SAN VICENTE DAM BONDS OF THE CITY OF SAN DIEGO.

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the bid of Halsey, Stuart & Co., Inc., Blair & Co., Inc., Stone & Webster and Blodget, Inc., Goldman, Sachs & Co., Dick & Merle-Smith, Stranahan, Harris & Company, Inc., Bacon, Stevenson & Co., Eldredge & Co., Inc., First of Michigan Corporation, Otis & Co., Newton, Abbe & Co., Pasadena Corporation, and Miller, Hall & Co., of date December 30, 1940, to purchase \$1,300,000.00 Water Distribution System Bonds and \$3,000,000.00 San Vicente Dam Bonds of The City of San Diego, which said bid has been filed in the office of the City Clerk of said City prior to the hour of eleven o'clock A.M., Pacific Standard time, December 30, 1940, under Document No. 325503, is the highest bid, and that said bid be, and the same is hereby accepted. That said bid hereby accepted is in the following words and figures, to-wit:

"HALSEY, STUART & CO. Inc.  
Chicago, New York  
and other principal cities.

Telephone State 3900  
201 So. La Salle St.  
Chicago, Ill.  
December 30, 1940.

City Clerk,  
Civic Center Building,  
San Diego, California.

Dear Sir:

For \$4,300,000 Water Distribution System and San Vicente Dam Bonds of your City, which bonds will constitute valid legally binding direct obligations of the entire City, payable from ad valorem taxes to be levied upon all the taxable property therein, without limitation as to rate or amount, except certain personal property scheduled to be sold at 11:00 o'clock A.M., December 30, 1940, to be dated February 1, 1941, interest payable on the first days of February and August of each year, both principal and interest payable at the office of the City Treasurer, at the National City Bank of New York, or at any branch of the Bank of America, National Trust and Savings Association, all bonds in the denomination of \$1,000, we will pay as follows for all or none of the entire \$4,300,000 bonds comprising two issues -

For \$1,300,000 Water Distribution System Bonds maturing \$65,000 annually February 1, 1942 through 1961, all without option of prior payment and bearing interest at the following rates per annum

bonds maturing February 1, 1942 to February 1, 1951 inclusive at the rate of 3% (three percent)

bonds maturing February 1, 1952 to February 1, 1961 inclusive at the rate of 1 1/2% (one and one-half percent)

Par plus accrued interest to the date of delivery and in addition thereto a premium of \$325.00 (Three Hundred Twenty Five Dollars)

and

For \$3,000,000 San Vicente Dam Bonds maturing \$100,000 annually February 1, 1943 through 1972, all without option of prior payment and bearing interest at the following rates per annum

bonds maturing -  
February 1, 1943 to February 1, 1951 inclusive at 3% (Three percent)  
February 1, 1952 to February 1, 1972 inclusive at 1 1/2% (one and one-half per cent)

Par plus accrued interest to the date of delivery and in addition thereto a premium of \$750.00 (Seven hundred and fifty dollars)

This proposal is strictly subject to our being furnished at the time of delivery of the bonds to us with the final unqualified opinion of Messrs. O'Melveny & Myers, Los Angeles, approving the legality of the issues, together with certified copy of the transcripts upon which their opinion is based.

We are enclosing herewith our certified check in the amount of \$43,050.00 as evidence of our good faith, to be held by you pending the fulfillment of our contract. Should the bonds be awarded elsewhere, said check shall be returned to us immediately.

Respectfully submitted,  
HALSEY, STUART & CO. Inc.  
BLAIR & CO., INC.  
STONE & WEBSTER AND BLODGET, INC.  
GOLDMAN, SACHS & CO.  
DICK & MERLE-SMITH  
STRANAHAN, HARRIS & COMPANY, INC.  
BACON, STEVENSON & CO.  
ELDREDGE & CO., INC.  
FIRST OF MICHIGAN CORPORATION  
OTIS & CO.  
NEWTON, ABBE & CO.  
PASADENA CORPORATION  
MILLER, HALL & CO.  
By C. Wesley Hall"

RCV:MR Encl.

That said Water Distribution System Bonds and said San Vicente Dam Bonds are hereby sold and awarded to said Halsey, Stuart & Co. Inc., Blair & Co., Inc., Stone & Webster and Blodget, Inc., Goldman, Sachs & Co., Dick & Merle-Smith, Stranahan, Harris & Company, Inc., Bacon, Stevenson & Co., Eldredge & Co., Inc., First of Michigan Corporation, Otis & Co., Newton, Abbe & Co., Pasadena Corporation, and Miller, Hall & Co., upon the terms of said bid, as hereinabove set forth.

That the City Clerk and the City Treasurer be, and they are hereby authorized and directed, on or after February 1, 1941, upon receipt by said Treasurer of the amount of said bid, to deliver said bonds to said purchasers.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 30th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73010

WHEREAS, the bid of Halsey, Stuart & Co. Inc., Blair & Co., Inc., Stone & Webster and Blodget, Inc., Goldman, Sachs & Co., Dick & Merle-Smith, Stranahan, Harris & Company, Inc., Bacon, Stevenson & Co., Eldredge & Co., Inc., First of Michigan Corporation, Otis & Co., Newton, Abbe & Co., Pasadena Corporation, and Miller, Hall & Co., for the purchase of \$1,300,000.00 Water Distribution System Bonds and \$3,000,000.00 San Vicente Dam Bonds of The City of San Diego, has been accepted and said bonds have this day been sold and awarded to said Halsey, Stuart & Co. Inc., Blair & Co., Stone & Webster and Blodget, Inc., Goldman, Sachs & Co., Dick & Merle-Smith, Stranahan, Harris & Company, Inc., Bacon, Stevenson & Co., Eldredge & Co., Inc., First of Michigan Corporation, Otis & Co., Newton, Abbe & Co., Pasadena Corporation, and Miller, Hall & Co., under the terms of said bid; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Clerk be, and he is hereby authorized and directed to return to all unsuccessful bidders for said bonds the certified checks or cashiers' checks which were filed with their bids.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 30th day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 73011

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That a requisition be and it is hereby authorized to be drawn on the newspaper allocation of the Advertising and Publicity Fund of the City of San Diego for the fiscal year 1940-41 to cover the cost of engraving in connection with the page ad authorized to be inserted in the San Diego Union Annual Review. Said engraving cost amounting to \$38.14.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73009, 73010 and 73011 of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 30th day of December, 1940.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Whillig Deputy

## R E S O L U T I O N NO. 73012

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The appeal of Mabel Morrison, filed in the office of the City Clerk December 16, 1940 under Document No. 325180, the appeal of Bert S. Loomis, filed in the office of the City Clerk December 30, 1940 under Document No. 325467, the appeal of H. D. Stalnaker, filed in the office of the City Clerk December 23, 1940, under Document No. 325305, the appeal of Mrs. Catherine Smith, filed in the office of the City Clerk December 28, 1940 under Document No. 325435, the appeal of Hugo H. Hoffman, filed in the office of the City Clerk December 23, 1940 under Document No. 325342, from the City Engineer's Assessment No. 1716, made to cover the costs and expenses of the work done upon Strandway between Ventura Place and San Jose Place, in said City, under Resolution of Intention No. 71483, adopted by the Council on October 4, 1940, be, and the said appeal, and all other appeals be and they are hereby overruled and denied.

BE IT FURTHER RESOLVED, that the City Engineer's said Assessment No. 1716 is hereby confirmed and approved, and the City Engineer of said City is hereby authorized and directed to attach his warrant thereto and record and issue the same in the manner and form provided by law. Said warrant shall bear date of this order.

## R E S O L U T I O N NO. 73013

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of Moose Lodge 508, 1041-7th Avenue, by Jared W. Skudder and C. R. Taylor, for license to conduct public dance at the above mentioned address, on premises where intoxicating liquor is sold, is hereby granted, subject to compliance with existing regulations.

## R E S O L U T I O N NO. 73014

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to El Cajon Boulevard Civic Association, by L. L. Laugeson, M.D., president, 4553 El Cajon Boulevard, to sponsor the Mammoth Exposition Animal Show for a period of approximately ten days from the date of this resolution, at the northeast corner of Menlo Avenue and El Cajon Boulevard. Permission for the use of temporary electrical wiring is hereby granted, together with free inspection and free electrical permit. It is hereby provided that the regular license fee for such exhibitions shall be paid.

## R E S O L U T I O N NO. 73015

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized and directed to install a 400 c.p. overhead street light at the intersection of 35th Street and Franklin Avenue.

## R E S O L U T I O N NO. 73016

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of McKesson-Western Wholesale Drug Co., 704 J Street for the establishment of a loading zone at that location is hereby granted.

The City Manager is hereby authorized and directed to cause a 24-foot loading zone to be painted on the north side of J Street, extending from a point 36 feet east of the east line of 7th Avenue to petitioner's driveway.

## R E S O L U T I O N NO. 73017

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized to arrange for the purchase of equipment needed to carry out a program of traffic engineering studies, as itemized in recommendation of the Traffic Commission, under Document No. 325477.

## R E S O L U T I O N NO. 73018

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of R. A. Chapman, 1009 Broadway, for sale by the City of San Diego of lighting certificate #6376 issued September 19, 1939 under University Avenue Lighting District #3 for the east 35 feet of Lot 1 Block 55 City Heights in the amount of \$28.62 be and it is hereby denied.

## R E S O L U T I O N NO. 73019

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The tentative map of proposed subdivision of Lot 123 Morena, to be known as "Weston Highlands", be and it is hereby approved on the following conditions:

Orten Street shall be graded to a width of 30 feet; a 2" water line and the necessary drainage structures shall be constructed therein

Sewage disposal shall consist of a septic tank and a cesspool for each residence erected.

Easements shall be shown across the rear of Lots 11 and 12, and across the rear of Lots 1 to 8 inclusive, and along the westerly line of Lot 5.

## R E S O L U T I O N NO. 73020

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby requested to make a survey and report of the advisability of installing 6-inch water lines in subdivisions, instead of 2-inch lines.



## R E S O L U T I O N NO. 73021

WHEREAS, under date of December 16, 1940, the Board of Supervisors of the County of San Diego adopted a certain resolution entitled, "In the Matter of the proposed changes in the office of the City and County Health Department," made necessary for the reasons set forth in said resolution; and

WHEREAS, said resolution approved and authorized the use by said office of the City and County Health Department of certain additional space in the Civic Center Administration Building, upon the terms and conditions set forth in said resolution; and

WHEREAS, said resolution requested the City Council of The City of San Diego to approve the enlargement and changes in said resolution described; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the enlargement and changes in the space occupied by the office of the City and County Health Department, described in said resolution of the Board of Supervisors, and upon the terms and conditions therein set forth, be, and the same are hereby approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to transmit a certified copy of this resolution to said Board of Supervisors.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73022

Alley in Block 83, City Heights.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of the ALLEY IN BLOCK 83, CITY HEIGHTS, in said City, between the north line of Dwight Street and the south line of Landis Street, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on December 9, 1940, under Document No. 324995, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1822, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said alley hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

## R E S O L U T I O N NO. 73023

53rd Street, Meade Avenue, Trojan Avenue, and Public Rights of Way.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the improvement of 53RD STREET, between the southerly line of El Cajon Boulevard and the southerly termination of said 53rd Street in Country Paradise; MEADE AVENUE, between the easterly line of 53rd Street and the easterly line of Country Paradise; TROJAN AVENUE, between the southerly prolongation of the easterly line of the west one-half of Lot 13, Lemon Villa, and a line parallel to and distant 40.00 feet westerly therefrom; and PUBLIC RIGHTS OF WAY, across Lots 2, 3, 4, 5 and 18, Country Paradise, and Lot 13, Lemon Villa, in said City, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on December 2, 1940, under Document No. 324824, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1828, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said streets hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

## R E S O L U T I O N NO. 73024

APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING

CLERK TO GIVE NOTICE OF SAID HEARING. UNIVERSITY AVENUE

LIGHTING DISTRICT NO. 2

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 20th day of December 1940, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 72946, adopted by said Council on the 17th day of December 1940, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required by law, NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 28th day of January, 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the curb lines of the following streets in the City of San Diego, California, to-wit:

FOURTH AVENUE, between the south line of Washington Street and the north line of Robinson Avenue;

FIFTH AVENUE, between the south line of University Avenue and the north line of Robinson Avenue; and

UNIVERSITY AVENUE, between the easterly line of Third Avenue and the westerly line of Park Boulevard.

Such furnishing of electric current shall be for a period of one year from and including March 16, 1941, to-wit, to and including March 15, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF INTENTION NO. 73025  
Alley in Block 83, City Heights.

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of the ALLEY IN BLOCK 83, CITY HEIGHTS, in said City, between the north line of Dwight Street and the south line of Landis Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 324995, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1822, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72952, adopted on the 17th day of December, 1940, that 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, is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |
| Carpenter                     | 8.00           | 1.00     |
| Caulker                       | 6.00           | 0.75     |
| Cement finisher               | 10.00          | 1.25     |
| Clerk                         | 6.00           | 0.75     |
| Compressor operator           | 10.00          | 1.25     |
| Concrete mixerman             | 7.00           | 0.875    |
| Concrete spreader             | 5.00           | 0.625    |
| Concrete tamper               | 5.00           | 0.625    |
| Crane operator                | 9.00           | 1.125    |
| Driller                       | 7.00           | 0.875    |
| Drill sharpener               | 6.00           | 0.75     |
| Electrician                   | 10.00          | 1.25     |

|                                    |       |       |
|------------------------------------|-------|-------|
| Engineer, hoisting                 | 10.00 | 1.25  |
| Engineer, asphalt plant            | 10.00 | 1.25  |
| Finish machine operator            | 6.00  | 0.75  |
| Form setter                        | 6.00  | 0.75  |
| Jackhammer man                     | 7.00  | 0.875 |
| Kettleman, asphalt or lead         | 6.00  | 0.75  |
| Laborer, common                    | 5.00  | 0.625 |
| Materialman                        | 6.00  | 0.75  |
| Pipelayer                          | 6.00  | 0.75  |
| Plumber                            | 10.00 | 1.25  |
| Powderman                          | 6.00  | 0.75  |
| Pumpman                            | 6.00  | 0.75  |
| Reinforcing steel worker           | 10.00 | 1.25  |
| Road grader operator               | 6.00  | 0.75  |
| Roller operator                    | 10.00 | 1.25  |
| Shovel operator, 1 yard and over   | 10.00 | 1.25  |
| Shovel operator, less than 1 yard  | 8.00  | 1.00  |
| Shovel fireman and watchman        | 7.00  | 0.875 |
| Shovel oiler                       | 6.00  | 0.75  |
| Teamster                           | 5.00  | 0.625 |
| Tractor operator, over 50 HP       | 10.00 | 1.25  |
| Tractor operator, 50 HP and under  | 6.00  | 0.75  |
| Time keeper                        | 6.00  | 0.75  |
| Trenching machine operator         | 10.00 | 1.25  |
| Truck driver, 15,500 lbs and under | 5.44  | 0.68  |
| Truck driver, over 15,500 lbs      | 6.00  | 0.75  |
| Watchman                           | 5.00  | 0.625 |
| Welder                             | 11.00 | 1.375 |
| Skilled labor not above listed     | 8.00  | 1.00  |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 4th day of February, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF INTENTION NO. 73026

53rd Street, Meade Avenue, Trojan Avenue and Public Rights of Way.

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That vitrified clay sewer main, connections and appurtenances; cement concrete manholes and appurtenances; cement concrete drop manhole and appurtenances; and vitrified clay dead end and appurtenances be constructed in a portion of 53RD STREET, in said City, between the southerly line of El Cajon Boulevard and the southerly termination of said 53rd Street, in Country Paradise.

That vitrified clay sewer main, connections and appurtenances, and vitrified clay dead end and appurtenances, be constructed in a portion of MEADE AVENUE, in said City, between the easterly line of 53rd Street and the easterly line of Country Paradise.



That vitrified clay sewer main, connections and appurtenances, and cement concrete manhole and appurtenances, be constructed in a portion of TROJAN AVENUE, in said City, between the southerly prolongation of the easterly line of the west one-half of Lot 13, Lemon Villa, and a line parallel to and distant 40.00 feet westerly therefrom.

That vitrified clay sewer main, connections and appurtenances, and vitrified clay dead end and appurtenances, be constructed in PUBLIC RIGHTS OF WAY, in said City, across Lots 2, 3, 4, 5 and 18, Country Paradise, and Lot 13, Lemon Villa.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 324824, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1828, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 72890, adopted on the 10th day of December, 1940, that 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, is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 4th day of February, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF AWARD NO. 73027 Seventh Avenue Lighting District No. 1

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 24th day of December 1940, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on SEVENTH AVENUE, between the north line of Upas Street and a line parallel to and distant 680 feet north of the north line of Upas Street, in the City of San Diego, California.

Such furnishing of electric current shall be for a period of one year from and including January 1, 1941, to-wit, to and including December 31, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Seventh Avenue Lighting District No. 1," filed October 11, 1940, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit: To: SAN DIEGO GAS & ELECTRIC COMPANY, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: THIRTY-NINE DOLLARS (\$39.00)

And said Council does hereby require and fix the sum of TEN DOLLARS (\$10.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said SAN DIEGO GAS & ELECTRIC COMPANY, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said San Diego Gas & Electric Company on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION OF AWARD NO. 73028  
Eighth Avenue Lighting District  
No. 1

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 24th day of December 1940, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on EIGHTH AVENUE, between the northerly line of Pennsylvania Avenue produced easterly and a line parallel to and distant 125 feet north of the north line of Brookes Avenue; and on PENNSYLVANIA AVENUE, between the west line of Eighth Avenue and the east line of the Alley in Block 7, Crittenden's Addition, produced south, in the City of San Diego, California. Such furnishing of electric current shall be for the period of one year, from and including January 1, 1941, to-wit, to and including December 31, 1941.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Eighth Avenue Lighting District No. 1," filed October 11, 1940, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit: To: SAN DIEGO GAS & ELECTRIC COMPANY, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: FIFTY and 40/100 DOLLARS (\$50.40).

And said Council does hereby require and fix the sum of TWENTY-SIX DOLLARS (\$26.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said San Diego Gas & Electric Company, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said San Diego Gas & Electric Company on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF AWARD NO. 73029  
La Jolla Lighting District No. 1

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 24th day of December 1940, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

LA JOLLA BOULEVARD, between the westerly production of the southerly line of Genter Street and the southeasterly line of Prospect Street;

PROSPECT STREET, between La Jolla Boulevard and Cave Street;

PROSPECT PLACE, between Cave Street and Blue Bird Lane;

GIRARD AVENUE, between Silverado Street and Prospect Street;

HERSCHEL AVENUE, between Silverado Street and Prospect Street; and

WALL STREET, between Girard Avenue and Ivanhoe Avenue.

Such furnishing of electric current shall be for the period of one year from and including January 1, 1941, to-wit, to and including December 31, 1941.

All of said Work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for La Jolla Lighting District No. 1," filed October 11, 1940, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit: To: SAN DIEGO GAS & ELECTRIC COMPANY, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: TWO THOUSAND TWO HUNDRED FIFTEEN and 20/100 DOLLARS (\$2,215.20).

And said Council does hereby require and fix the sum of FIVE HUNDRED FIFTY-FOUR (\$554.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said San Diego Gas & Electric Company, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said San Diego Gas & Electric Company on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF INTENTION NO. 73030

TALMADGE PARK LIGHTING DISTRICT NUMBER ONE.

RESOLVED that it is the intention of the Council of the City of San Diego California, pursuant to the provisions of the "Lighting District Ordinance of 1938", to order the following work to be done and improvement to be made in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

VAN DYKE AVENUE between the southerly and northerly boundary lines of Talmadge Park;

TALMADGE DRIVE for its entire length;

VAN DYKE PLACE for its entire length; and

ADAMS AVENUE between the westerly line of Talmadge Park and the southerly prolongation of the easterly line of Lot 184, Talmadge Park,

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by, and of the materials provided for, in the plans and specifications to be hereafter prepared by the City Engineer, of said City and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at the southwesterly corner of Talmadge Park; thence northerly along the westerly line of Talmadge Park to the most northerly corner of Lot 28, Talmadge Park; thence southeasterly and easterly along the northeasterly and northerly lines of Talmadge Park to the most easterly corner of Lot 56, Talmadge Park; thence southwesterly and westerly along the southeasterly and southerly lines of Talmadge Park to the most southerly corner of Lot 64, Talmadge Park; thence southerly and southwesterly along the easterly and southeasterly lines of Talmadge Park to the most southerly corner of Lot 138, Talmadge Park; thence westerly along the southerly line of Talmadge Park to the point of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;

2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as Talmadge Park Lighting District No. 1.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF INTENTION NO. 73031

Talmadge Park Lighting District Number Two

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938" to order the following work to be done and improvement to be made in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

HART DRIVE for its entire length;  
 ARGOS DRIVE for its entire length;  
 ALDER PLACE for its entire length, and  
 JEFFERSON STREET between the westerly line of Talmadge Park Unit No. 2 and its termination in Alder Place.

Said furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by, and of the materials provided for, in the plans and specifications to be hereafter prepared by the City Engineer of said City and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows:

Beginning at the southwesterly corner of Lot 268, Talmadge Park Unit No. 2; thence northerly along the westerly line of Talmadge Park Unit No. 2 to the northwesterly corner thereof; thence easterly and southeasterly along the northerly and northeasterly lines of Talmadge Park Unit No. 2 to the most easterly corner of Lot 306, Talmadge Park Unit 2; thence southerly and southwesterly along the easterly and southeasterly lines of Talmadge Park Unit 2 to the most southerly corner of Lot 291, Talmadge Park Unit 2; thence westerly along the southerly lines of Lots 290 to 268, inclusive, Talmadge Park Unit No. 2 to the point or place of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;

2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as Talmadge Park Lighting District No. 2.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

RESOLUTION OF INTENTION NO. 73032  
 TALMADGE PARK LIGHTING DISTRICT NUMBER THREE

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938", to order the following work to be done and improvement to be made in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

44th STREET between the southerly line of Talmadge Park Unit 3 and its termination in Highland Avenue;

HIGHLAND AVENUE between the southerly line of Talmadge Park Unit 3 and its termination in 44th Street;

45th STREET between the northerly line of Monroe Avenue and the southerly line of Lot 464, Talmadge Park Unit 3;

MAX DRIVE for its entire length;

MONROE AVENUE between Fairmount Avenue and 47th Street;

47th STREET between Monroe Avenue and the northerly line of Talmadge Park Unit 3;

NORMA DRIVE for its entire length;

CONSTANCE DRIVE for its entire length;

NATALIE DRIVE for its entire length;

ADAMS AVENUE between Natalie Drive and the easterly line of Talmadge Park Unit No. 3, produced southerly.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by, and of the materials provided for, in the plans and specifications to be hereafter prepared by the City Engineer of said City and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in the City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at the intersection of the southeasterly line of Fairmount Avenue with the southerly line of Talmadge Park Unit 3; thence northeasterly along the southeasterly line of Fairmount Avenue to the most northerly corner of Lot 444, Talmadge Park Unit 3; thence southeasterly along the northeasterly lines of Lots 445, 446, 447, 448, 449, 450, 563, and 564, Talmadge Park Unit 3, to the most easterly corner of said Lot 564; thence easterly along the northerly line of Lot 565, Talmadge Park Unit 3 to the most northerly corner thereof; thence southeasterly in a direct line to the most westerly corner of Lot 598, Talmadge Park Unit 3; thence northeasterly along the northwesterly line of said Lot 598 to the most southerly corner of Lot 599, Talmadge Park Unit 3; thence northwesterly, northerly and northeasterly along the southwesterly, westerly and northwesterly lines of Talmadge Park Unit 3 to the most northerly corner of Lot 641, Talmadge Park Unit 3; thence southeasterly, southerly and easterly along the northeasterly, easterly and northerly lines of Talmadge Park Unit 3 to the northeasterly corner of Lot 673, Talmadge Park Unit 3; thence southerly, westerly and southerly along the easterly, southerly and easterly lines of Talmadge Park Unit 3 to the southeasterly corner of Lot 788, Talmadge Park Unit 3; thence easterly along the northerly line of Talmadge Park Unit 3 to the northeasterly corner of Lot 791, Talmadge Park Unit 3; thence southerly and westerly along the easterly and southerly lines of Talmadge Park Unit 3 to the southeasterly corner of Lot 797, Talmadge Park Unit 3; thence westerly along the southerly line of Talmadge Park Unit 3 to the point or place of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;

2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as Talmadge Park Lighting District No. 3.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF INTENTION NO. 73033  
TALMADGE PARK LIGHTING DISTRICT NUMBER FOUR

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938" to order the following work to be done and improvement to be made in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

JEAN DRIVE for its entire length;  
ADAMS AVENUE between the westerly and the easterly lines of Talmadge Park Estates;  
MADISON AVENUE between the westerly and the easterly lines of Talmadge Park Estates;  
MONROE AVENUE between the westerly and the easterly lines of Talmadge Park Estates;  
47TH STREET between the south line of Talmadge Park Estates and Adams Avenue;  
EUCLID AVENUE between the south line of Talmadge Park Estates and Adams Avenue;  
48TH STREET between the south line of Talmadge Park Estates and Adams Avenue;



ESTRELLA AVENUE between the south line of Talmadge Park Estates and Adams Avenue;  
49TH STREET between the south line of Talmadge Park Estates and Adams Avenue;  
MIRACLE DRIVE for its entire length; and  
LORRAINE DRIVE for its entire length.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.  
Said work of improvement shall be done in all respects according to, at the places shown by and of the materials provided for in the plans and specifications to be hereafter prepared by the City Engineer of said City, and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in the City of San Diego to be benefited by said improvement and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at the northwesterly corner of Lot 1084, Talmadge Park Estates; thence easterly along the northerly line of Talmadge Park Estates to the northeasterly corner of Lot 1085, Talmadge Park Estates; thence northerly along the westerly line of Talmadge Park Estates to the northwesterly corner of Lot 1093, Talmadge Park Estates; thence easterly along the northerly line of said Lot 1093 to the northeasterly corner thereof; thence northerly along the westerly line of Miracle Drive to the northerly line of Talmadge Park Estates; thence easterly along the northerly line of Talmadge Park Estates to the northeasterly corner thereof; thence southerly along the easterly line of Talmadge Park Estates to the southeasterly corner thereof; thence westerly along the southerly line of Talmadge Park Estates to the southwesterly corner of Lot 798, Talmadge Park Estates; thence northerly along the westerly line of Talmadge Park Estates to the northwesterly corner of Lot 867, Talmadge Park Estates; thence easterly and northerly along the northerly and westerly lines of Talmadge Park Estates to the northwesterly corner of Lot 875, Talmadge Park Estates; thence westerly along the southerly line of Talmadge Park Estates to the southwesterly corner of Lot 876, Talmadge Park Estates; thence northerly along the westerly line of Talmadge Park Estates to the northwesterly corner of Lot 888, Talmadge Park Estates; thence northeasterly in a direct line to the southwesterly corner of Lot 1084, Talmadge Park Estates; thence northerly along the westerly line of said Lot 1084 to the point or place of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;
2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;
3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.
4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as Talmadge Park Lighting District No. 4.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73034  
SPECIAL ASSESSMENT PROCEEDINGS FOR THE IMPROVEMENT OF A PORTION  
OF FENELON STREET.

WHEREAS, this Council did by its Resolution No. 72636, do and determine all the things required by Sections 2 and 13 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and

WHEREAS, the owners of more than fifteen per cent of the area of the proposed assessment district, as described in said Resolution No. 72636, did by their return post cards demand the investigation provided for by said Act; NOW, THEREFORE,

BE IT RESOLVED by this Council that it be, and it is hereby determined that the owners of more than fifteen per cent of the area of said assessment district by their return post cards did demand the making of the investigation as provided by said Act.

BE IT FURTHER RESOLVED, that the City Engineer of said City be, and he is hereby authorized and directed to prepare a written report upon the proposed improvement of

FENELON STREET, between the northwesterly line of Rosecrans Street and the southeasterly line of Willow Street, in the City of San Diego, California, which report shall contain, in addition to the matters mentioned in Section 2 of said Act, the following information, to-wit:

- A. Map, plat or diagram showing:
  - 1. The nature, location and extent of the improvement.
  - 2. Each separate lot or parcel of land to be assessed.
- B. The total estimated improvement cost:
  - 1. Incidental expenses to be separately shown.
  - 2. Cost of each class of construction must be separately shown.
- C. Assessed value as per latest equalized County Assessment Roll.
  - 1. Of each parcel to be assessed.
  - 2. The total assessed value of lands to be assessed.
- D. The total assessed value of improvements within the district.
- E. Total true value of all lands to be assessed, determined as per Section 2 of said Act.
- F. The true value of each parcel of the lands to be assessed.
- G. The per parcel, and the total outstanding special assessments (exclusive of interest and penalties); showing:
  - 1. Direct special assessments (as under 1911 Street Act).
  - 2. Unpaid, levied advalorem special assessments.
- H. Unlevied advalorem special assessments which will be levied upon each parcel of land to be assessed to pay principal of bonds theretofore issued.
  - 1. Estimated on each parcel of land to be assessed.
  - 2. Total estimated amount of such special assessments upon all the lands to be assessed. Said estimates to be proportioned according to the assessed value on said last equalized assessment roll, and also proportioned according to zones (if any), and the percentages of such zones.
- I. Estimated direct and advalorem special assessments in all proceedings in which a resolution ordering work has been adopted, but assessment unlevied, showing:
  - 1. Such estimates against each parcel of land to be assessed.
  - 2. Total upon all the parcels of land to be assessed. The advalorem assessments to be computed in the manner provided in paragraph (1) of Section 3 of said Limitation Act.
- J. Estimated assessments to be levied in this proceeding as follows:
  - 1. Estimated assessments upon each parcel of land to be assessed.
  - 2. Total assessment to be levied upon all the lands to be assessed.
- K. Serial bonds to be issued to represent assessments of \$25.00 or over.
  - 1. Number of years to run.
  - 2. Actual rate of interest.

The full report to be made in conformity with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and particularly with Section 3 thereof, and delivered to the Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### RESOLUTION NO. 73035 Alley in Block 60, University Heights.

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, paving and otherwise improving of the ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS, in said City, between the south line of Madison Avenue and the north line of Tract 3, Partition Map of the East 1/2 of Pueblo Lot G; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |
| Carpenter                     | 8.00           | 1.00     |
| Caulker                       | 6.00           | 0.75     |
| Cement finisher               | 10.00          | 1.25     |
| Clerk                         | 6.00           | 0.75     |
| Compressor operator           | 10.00          | 1.25     |
| Concrete mixerman             | 7.00           | 0.875    |
| Concrete spreader             | 5.00           | 0.625    |
| Concrete tamper               | 5.00           | 0.625    |

|                                    |       |       |
|------------------------------------|-------|-------|
| Crane operator                     | 9.00  | 1.125 |
| Driller                            | 6.00  | 0.75  |
| Drill sharpener                    | 6.00  | 0.75  |
| Electrician                        | 10.00 | 1.25  |
| Engineer, hoisting                 | 10.00 | 1.25  |
| Engineer, asphalt plant            | 10.00 | 1.25  |
| Finish machine operator            | 6.00  | 0.75  |
| Form setter                        | 6.00  | 0.75  |
| Jackhammer man                     | 7.00  | 0.875 |
| Kettleman, asphalt or lead         | 6.00  | 0.75  |
| Laborer, common                    | 5.00  | 0.625 |
| Materialman                        | 6.00  | 0.75  |
| Pipelayer                          | 6.00  | 0.75  |
| Plumber                            | 10.00 | 1.25  |
| Powderman                          | 6.00  | 0.75  |
| Pumpman                            | 6.00  | 0.75  |
| Reinforcing steel worker           | 10.00 | 1.25  |
| Road grader operator               | 6.00  | 0.75  |
| Roller operator                    | 10.00 | 1.25  |
| Shovel operator, 1 yard and over   | 10.00 | 1.25  |
| Shovel operator, less than 1 yard  | 8.00  | 1.00  |
| Shovel fireman and watchman        | 7.00  | 0.875 |
| Shovel oiler                       | 6.00  | 0.75  |
| Teamster                           | 5.00  | 0.625 |
| Tractor operator, over 50 HP       | 10.00 | 1.25  |
| Tractor operator, 50 HP and under  | 6.00  | 0.75  |
| Time keeper                        | 6.00  | 0.75  |
| Trenching machine operator         | 10.00 | 1.25  |
| Truck driver, 15,500 lbs and under | 5.44  | 0.68  |
| Truck driver, over 15,500 lbs      | 6.00  | 0.75  |
| Watchman                           | 5.00  | 0.625 |
| Welder                             | 11.00 | 1.375 |
| Skilled labor not above listed     | 8.00  | 1.00  |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73036  
ALLEY IN BLOCK 6, HARTLEY'S NORTH PARK AND BLOCK C, McFADDEN  
AND BUSTON'S NORTH PARK.

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading and paving of the ALLEY IN BLOCK 6, HARTLEY'S NORTH PARK and BLOCK C, McFADDEN AND BUXTON'S NORTH PARK, between the northerly line of Landis Street and the southerly line of Wightman Street, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |
| Carpenter                     | 8.00           | 1.00     |
| Caulker                       | 6.00           | 0.75     |
| Cement finisher               | 10.00          | 1.25     |
| Clerk                         | 6.00           | 0.75     |
| Compressor operator           | 10.00          | 1.25     |
| Concrete mixerman             | 7.00           | 0.875    |
| Concrete spreader             | 5.00           | 0.625    |
| Concrete tamper               | 5.00           | 0.625    |
| Crane operator                | 9.00           | 1.125    |



|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Driller                            | \$ 7.00        | \$ 0.875 |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73037

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work or improvement to be done on ELIZABETH STREET in said City of San Diego, as described in Resolution of Intention No. 72175 and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated December 26th, 1940, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### RESOLUTION NO. 73088

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on ARTHUR AVENUE, in said City of San Diego, as described in Resolution of Intention No. 72071, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated December 26th, 1940, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### RESOLUTION NO. 73039

WHEREAS, pursuant to the request of The City of San Diego the Board of Supervisors of the County of San Diego on the 17th day of December, 1940, passed a resolution, entitled, "In the Matter of Assisting the City of San Diego in the Improvement of a Portion of Twenty-eighth Street in the City of San Diego," wherein and whereby, on condition that The City of San Diego furnish all oil necessary for oil surfacing Twenty-eighth Street, from the mean high tide line of the Bay of San Diego to the south line of Date Street, the County of San Diego agrees to use its roadbuilding equipment and to supply the necessary labor to improve said street by oil surfacing the same; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the offer of the County of San Diego contained in the resolution hereinabove described, be, and the same is hereby accepted.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73040

WHEREAS, pursuant to the request of The City of San Diego the Board of Supervisors of the County of San Diego on the 17th day of December, 1940, passed a resolution, entitled, "In the Matter of Assisting the City of San Diego in the Improvement of a Portion of Thirty-second Street in the City of San Diego," wherein and whereby, on condition that The City of San Diego furnish all oil necessary for oil surfacing Thirty-second Street, from Broadway Extension to National Avenue, the County of San Diego agrees to use its roadbuilding equipment and to supply the necessary labor to improve said street by oil surfacing the same; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the offer of the County of San Diego contained in the resolution hereinabove described, be, and the same is hereby accepted.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73041

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, is about to enter into a lease of certain portions of the tidelands with JEFFERSON K. STICKNEY, JR. and ELIZABETH L. STICKNEY, for a period of years commencing on the 1st day of January, 1941, and extending to the 31st day of December, 1990, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission and Jefferson K. Stickney, Jr. and Elizabeth L. Stickney, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

#### L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_ day of \_\_\_\_, 194\_\_, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the Harbor Commission of said City, as Lessor, hereinafter sometimes called the City, and JEFFERSON K. STICKNEY, JR. and ELIZABETH L. STICKNEY, as Lessees, WITNESSETH:

That the City, lessor as aforesaid, does by these presents demise and let unto the lessees, upon the terms and conditions, and for the purposes and uses hereinafter recited, and the lessees hereby hire and accept from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, all those lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California under the provisions of that certain Act of the Legislature, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situated in the Bay of San Diego to the City of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the first day of May, 1911, and as subsequently amended, more particularly described as follows, to-wit:

Beginning at the intersection of the northwesterly line of Ivy Street with the Mean High Tide Line of the Bay of San Diego, as said Mean High Tide Line was established by that certain Superior Court Action numbered 35473; thence north 21° 26' 50" west following along the said Mean High Tide Line a distance of 14.79 feet to a point; thence north 25° 59' west a distance of 85.65 feet, more or less, to a point on the southeasterly line of Lot 4, Block 279, Middletown, according to the Jackson Map of Middletown filed in the office of the County Recorder of San Diego County, said point being the true point or place of beginning; thence continuing along the said Mean High Tide Line north 25° 59' west a distance of 15.082 feet to a point; thence north 20° 48' west a distance of 28.91 feet, more or less, to a point on the northeasterly line of Pacific Highway (formerly Atlantic Street, and dedicated by The City of San Diego by Harbor Resolution No. 108); thence south 20° 12' 10" east along the northeasterly line of said Pacific Highway a distance of 43.91 feet, more or less, to a point on the southwesterly prolongation of the southeasterly line of Lot 4; thence north 69° 48' 50" east along the southwesterly prolongation of the southeasterly line of Lot 4, a distance of 1.84 feet, more or less, to the true point or place of beginning, containing

20 square feet of tideland area.

The lands hereinabove described being shown on the map or plat attached hereto, marked Exhibit "A", and made a part of this lease.

TO HAVE AND TO HOLD the said premises and each and every part thereof unto the said lessees for the period of fifty (50) years, beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_, and ending on the \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_\_\_, unless sooner terminated as herein provided, at the following rental:

The sum of one Dollar (\$1.00) per year, payable yearly in advance upon the \_\_\_\_\_ day of \_\_\_\_\_ during the term of this lease.

Neither the whole, nor any part of this lease shall be assignable or transferable, nor shall the lessees have the right to sublet the leased premises, or any part thereof, without the consent of the Harbor Commission, evidenced by resolution duly and regularly passed and adopted.

The Council of said City and the Harbor Commission of said City and the people of said City hereby reserve the right and privilege to annul, change or modify this lease in such manner as may seem proper, upon the payment to said lessees of reasonable compensation for damages occasioned by said annulment, change or modification. The reasonable compensation herein provided to be paid to the lessees shall be based upon and limited to compensation for the actual value of such buildings, structures and physical improvements placed upon the demised premises by the lessees as are required, authorized or permitted under the terms of this lease, and shall not be held to include compensation to said lessees for any damage to, interference with, or loss of business or franchise occasioned by any such annulment, change or modification.

In addition to the foregoing provisions, it is hereby agreed by the parties to this lease that the same is granted and accepted upon the further terms and conditions hereinafter provided, to-wit:

(1) That the demised premises shall be used only for such purposes and uses as are permitted by law upon Lot 4, in Block 279, Middletown, which said lot adjoins the premises hereby leased.

(2) That all plans for buildings and improvements to be erected or placed upon said leased premises shall comply with all the ordinances of The City of San Diego, and shall be subject to the approval of the Harbor Commission and Planning Commission of said City.

(3) That upon the expiration of the term of this lease, or upon the sooner termination thereof, as herein provided, said lessees shall have the right and shall be required to remove from said premises such buildings, structures, appliances and appurtenances as may have been constructed by said lessees on said premises.

(4) At no time during the life of this lease shall The City of San Diego be required to make any improvements on or for the benefit of the said leased lands hereinabove described.

(5) That said City reserves the right to make such improvements for the development of the facilities of the Bay of San Diego for the purpose of navigation and commerce and the fisheries, at such time and in such manner as may be provided in any general plan of harbor improvement adopted by the Council of said City, or by the Harbor Commission of said City, and that the lessees will remove any structure or building placed or erected on said demised premises by the said lessees as shall interfere with carrying out the adopted harbor plan in any way whatsoever, at their own cost and expense, and without any claim or right to damages or compensation therefor; provided, only, that said lessees shall not be disturbed in the possession and use of said premises to any greater degree than is necessary in the carrying out and completion of said general plan of improvement.

(6) In the event the lessees shall fail to fulfill in any manner the uses and purposes for which the said premises are leased as above set forth, or shall fail or refuse to perform any of the obligations by them under this lease undertaken, and shall persist in any such failure or refusal for a period of thirty (30) days after receiving notice from the lessor requiring them to comply with the provisions of this lease in any and all respects wherein the lessees may be in default, then and in that event this lease shall terminate, and said lessees shall have no further rights hereunder, and said lessees shall thereupon forthwith remove from said premises and shall have no further right or claim thereto, and that the said City shall immediately thereupon, without recourse to the courts, have the right to take possession of said premises, and said lessees shall forfeit all rights and claims thereto and thereunder; and said lessees, in accepting this lease, hereby acknowledge the right of said City to take possession of said premises immediately upon the neglect or refusal of said lessees to comply with the terms and conditions hereinbefore mentioned.

(7) Reference is hereby made to all laws as now existing, and as may be hereafter amended or enacted, applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed or reservation made thereby are made a part of this lease, with like effect as though the same were expressly set forth herein.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego have hereunto subscribed their names as and for the act of said City, and the said Lessees have hereunto subscribed their names, the day and year first hereinabove written.

THE CITY OF SAN DIEGO  
Lessor.

By \_\_\_\_\_  
Members of the Harbor Commission

\_\_\_\_\_  
Lessees

I hereby approve the form of the foregoing Lease, this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_.

\_\_\_\_\_  
City Attorney.  
By \_\_\_\_\_  
Assistant City Attorney.

#### EXHIBIT A.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

City Clerk, of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

(SEAL)

R E S O L U T I O N NO. 73042

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, is about to enter into a lease of certain portions of the tidelands with JEFFERSON K. STICKNEY, Jr. and ELIZABETH L. STICKNEY, for a period of years commencing on the 1st day of January, 1941, and extending to the 31st day of December, 1990, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission and Jefferson K. Stickney, Jr. and Elizabeth L. Stickney, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the Harbor Commission of said City, as Lessor, hereinafter sometimes called the City, and JEFFERSON K. STICKNEY, Jr. and ELIZABETH L. STICKNEY, as Lessees, WITNESSETH:

That the City, lessor as aforesaid, does by these presents demise and let unto the lessees, upon the terms and conditions, and for the purposes and uses hereinafter recited, and the lessees hereby hire and accept from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, all those lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California under the provisions of that certain Act of the Legislature, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situated in the Bay of San Diego to the City of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the first day of May, 1911, and as subsequently amended, more particularly described as follows, to-wit:

Beginning at the intersection of the northwesterly line of Ivy Street with the Mean High Tide Line of the Bay of San Diego, as said Mean High Tide Line was established by that certain Superior Court Action numbered 35473; thence north 21° 26' 50" west, following along the said Mean High Tide Line, a distance of 14.79 feet to a point; thence North 25° 59' west a distance of 35.40 feet, more or less, to a point on the southeasterly line of Lot 5, Block 279, Middletown, according to the Jackson Map of Middletown filed in the office of the County Recorder of San Diego County, said point being the true point or place of beginning; thence continuing along the Mean High Tide Line north 25° 59' west a distance of 50.25 feet, more or less, to a point on the northwesterly line of Lot 5; thence south 69° 48' 50" west along the southwesterly prolongation of the northwesterly line of Lot 5 a distance of 1.84 feet, more or less, to a point on the northeasterly line of Pacific Highway (formerly Atlantic Street, and dedicated by The City of San Diego by Harbor Department Resolution No. 108); thence south 20° 12' 10" east along the northeasterly line of said Pacific Highway a distance of 50 feet, more or less, to a point on the southwesterly prolongation of the southeasterly line of Lot 5; thence north 69° 48' 50" east along the southwesterly prolongation of the southeasterly line of Lot 5, a distance of 6.91 feet, more or less, to the true point or place of beginning, containing 218 square feet of tideland area.

The lands hereinabove described being shown on the map or plat attached hereto, marked Exhibit "A", and made a part of this lease.

TO HAVE AND TO HOLD the said premises and each and every part thereof unto the said lessees for the period of fifty (50) years, beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_, and ending on the \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_\_\_, unless sooner terminated as herein provided, at the following rental:

The sum of three cents (3¢) per square foot per year.

All rentals hereunder shall be due and payable yearly in advance upon the \_\_\_\_\_ day of \_\_\_\_\_ during the term of this lease.

Neither the whole, nor any part of this lease shall be assignable or transferable, nor shall the lessees have the right to sublet the leased premises, or any part thereof, without the consent of the Harbor Commission, evidenced by resolution duly and regularly passed and adopted.

The Council of said City and the Harbor Commission of said City and the people of said City hereby reserve the right and privilege to annul, change or modify this lease in such manner as may seem proper, upon the payment to said lessees of reasonable compensation for damages occasioned by said annulment, change or modification. The reasonable compensation herein provided to be paid to the lessees shall be based upon and limited to compensation for the actual value of such buildings, structures and physical improvements placed upon the demised premises by the lessees as are required, authorized or permitted under the terms of this lease, and shall not be held to include compensation to said lessees for any damage to, interference with, or loss of business or franchise occasioned by any such annulment, change or modification.

In addition to the foregoing provisions, it is hereby agreed by the parties to this lease that the same is granted and accepted upon the further terms and conditions hereinafter provided, to-wit:

(1) That the demised premises shall be used only for such purposes and uses as are permitted by law upon Lot 5, in Block 279, Middletown, which said lot adjoins the premises hereby leased.

(2) That all plans for buildings and improvements to be erected or placed upon said leased premises shall comply with all the ordinances of The City of San Diego, and shall be subject to the approval of the Harbor Commission and Planning Commission of said City.

(3) That upon the expiration of the term of this lease, or upon the sooner termination thereof, as herein provided, said lessees shall have the right and shall be required to remove from said premises such buildings, structures, appliances and appurtenances as may have been constructed by said lessees on said premises.

(4) At no time during the life of this lease shall The City of San Diego be required to make any improvements on or for the benefit of the said leased lands hereinabove described.

















(5) That said City reserves the right to make such improvements for the development of the facilities of the Bay of San Diego for the purpose of navigation and commerce and the fisheries, at such time and in such manner as may be provided in any general plan of harbor improvement adopted by the Council of said City, or by the Harbor Commission of said City, and that the lessees will remove any structure or buildings placed or erected on said demised premises by the said lessees as shall interfere with carrying out the adopted harbor harbor plan in any way whatsoever, at their own cost and expense, and without any claim or right to damages or compensation therefor; provided, only that said lessees shall not be disturbed in the possession and use of said premises to any greater degree than is necessary in the carrying out and completion of said general plan of improvement.

(6) In the event the lessees shall fail to fulfill in any manner the uses and purposes for which the said premises are leased as above set forth, or shall fail or refuse to perform any of the obligations by them under this lease undertaken, and shall persist in any such failure or refusal for a period of thirty (30) days after receiving notice from the lessor requiring them to comply with the provisions of this lease in any and all respects wherein the lessees may be in default, then and in that event this lease shall terminate, and said lessees shall have no further rights hereunder, and said lessees shall thereupon forthwith remove from said premises and shall have no further right of claim there- to, and that the said City shall immediately thereupon, without recourse to the courts, have the right to take possession of said premises, and said lessees shall forfeit all rights and claims thereto and thereunder; and said lessees, in accepting this lease, hereby acknowledge the right of said City to take possession of said premises immediately upon the neglect or refusal of said lessees to comply with the terms and conditions hereinbefore mentioned.

(7) Reference is hereby made to all laws as now existing, and as may be hereafter amended or enacted, applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed or reservations made thereby are made a part of this lease, with like effect as though the same were expressly set forth herein.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego have hereunto subscribed their names as and for the act of said City, and the said Lessees have hereunto subscribed their names, the day and year first hereinabove written.

THE CITY OF SAN DIEGO  
Lessor.

Members of the Harbor Commission.

Lessees.

I hereby approve the form of the foregoing Lease, this \_\_\_\_ day of \_\_\_\_, 194\_\_.

\_\_\_\_\_  
City Attorney  
By \_\_\_\_\_  
Assistant City Attorney

#### EXHIBIT A.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough.  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73043

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, is about to enter into a lease of certain portions of the tidelands with JEFFERSON K. STICKNEY, Jr. and ELIZABETH L. STICKNEY, for a period of years commencing on the 1st day of January, 1941, and extending to the 31st day of December, 1990, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission and Jefferson K. Stickney, Jr. and Elizabeth L. Stickney, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

#### L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_ day of \_\_\_\_, 194\_\_, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the Harbor Commission of said City, as Lessor, hereinafter sometimes called the City, and JEFFERSON K. STICKNEY, Jr. and ELIZABETH L. STICKNEY, as Lessees, WITNESSETH:

That the City, lessor as aforesaid, does by these presents demise and let unto the lessees, upon the terms and conditions, and for the purposes and uses hereinafter recited, and the lessees hereby hire and accept from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, all those lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California under the provisions of that certain Act of the Legislature, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situated in the Bay of San Diego to the City of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the first day of May, 1911, and as subsequently amended, more particularly described as follows, to-wit:

Beginning at the intersection of the northwesterly line of Ivy Street with the Mean High Tide Line of the Bay of San Diego, as said Mean High Tide Line was established by that certain Superior Court Action numbered 35473; thence north 21° 26' 50" west, following along the said Mean High Tide Line, a distance of 14.79 feet to a point; thence north 25° 59' west a distance of 35.40 feet to a point, said point being on the northwesterly line of Lot 6, Block 279, Middletown, according to the Jackson Map of Middletown filed in the office of the County Recorder of San Diego County; thence south 69° 48' 50" west, along the southwesterly prolongation of the northwesterly line of said Lot 6, a distance of 6.91 feet, more or less, to a point on the northeasterly line of Pacific Highway (formerly Atlantic Street, and dedicated by The City of San Diego by Harbor Department Resolution No. 108); thence south 20° 12' 10" east, along the northeasterly line of said Pacific Highway, a distance of 50 feet, more or less, to a point on the southwesterly prolongation of the northwesterly line of Ivy Street; thence north 69° 48' 50" east along the southwesterly prolongation of the northwesterly line of Ivy Street, a distance of 10.78 feet to the point or place of beginning, containing 462 square feet of tideland area.

The lands hereinabove described being shown on the map or plat attached hereto, marked Exhibit "A", and made a part of this lease.

TO HAVE AND TO HOLD the said premises and each and every part thereof unto the said lessees for the period of fifty (50) years, beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_, and ending on the \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_\_\_, unless sooner terminated as herein provided, at the following rental:

The sum of three cents (3¢) per square foot per year.

All rentals hereunder shall be due and payable yearly in advance upon the \_\_\_\_\_ day of \_\_\_\_\_ during the term of this lease.

Neither the whole, nor any part of this lease shall be assignable or transferable, nor shall the lessees have the right to sublet the leased premises, or any part thereof, without the constnt of the Harbor Commission, evidenced by resolution duly and regularly passed and adopted.

The Council of said City and the Harbor Commission of said City and the people of said City hereby reserve the right and privilege to annul, change or modify this lease in such manner as may seem proper, upon the payment to said lessees of reasonable compensation for damages occasioned by said annulment, change or modification. The reasonable compensation herein provided to be paid to the lessees shall be based upon and limited to compensation for the actual value of such buildings, structures and physical improvements placed upon the demised premises by the lessees as are required, authorized or permitted under the terms of this lease, and shall not be held to include compensation to said lessees for any damage to, interference with, or loss of business or franchise occasioned by any such annulment, change or modification.

In addition to the foregoing provisions, it is hereby agreed by the parties to this lease that the same is granted and accepted upon the further terms and conditions hereinafter provided, to-wit:

(1) That the demised premises shall be used only for such purposes and uses as are permitted by law upon Lot 6, in Block 279, Middletown, which said lot adjoins the premises hereby leased.

(2) That all plans for buildings and improvements to be erected or placed upon said leased premises shall comply with all the ordinances of The City of San Diego, and shall be subject to the approval of the Harbor Commission and Planning Commission of said City.

(3) That upon the expiration of the term of this lease, or upon the sooner termination thereof, as herein provided, said lessees shall have the right and shall be required to remove from said premises such buildings, structures, appliances and appurtenances as may have been constructed by said lessees on said premises.

(4) At no time during the life of this lease shall The City of San Diego be required to make any improvements on or for the benefit of the said leased lands hereinabove described.

(5) That said City reserves the right to make such improvements for the development of the facilities of the Bay of San Diego for the purpose of navigation and commerce and the fisheries, at such time and in such manner as may be provided in any general plan of harbor improvement adopted by the Council of said City, or by the Harbor Commission of said City, and that the lessees will remove any structure or building placed or erected on said demised premises by the said lessees as shall interfere with carrying out the adopted harbor plan in any way whatsoever, at their own cost and expense, and without any claim or right to damages or compensation therefor; provided, only that said lessees shall not be disturbed in the possession and use of said premises to any greater degree than is necessary in the carrying out and completion of said general plan of improvement.

(6) In the event the lessees shall fail to fulfill in any manner the uses and purposes for which the said premises are leased as above set forth, or shall fail or refuse to perform any of the obligations by them under this lease undertaken, and shall persist in any such failure or refusal for a period of thirty (30) days after receiving notice from the lessor requiring them to comply with the provisions of this lease in any and all respects wherein the lessees may be in default, then and in that event this lease shall terminate, and said lessees shall have no further rights hereunder, and said lessees shall thereupon forthwith remove from said premises and shall have no further right or claim there to, and that the said City shall immediately thereupon, without recourse to the courts, have the right to take possession of said premises, and said lessees shall forfeit all rights and claims thereto and thereunder; and said lessees, in accepting this lease, hereby acknowledge the right of said City to take possession of said premises immediately upon the neglect or refusal of said lessees to comply with the terms and conditions hereinbefore mentioned.

(7) Reference is hereby made to all laws as now existing, and as may be hereafter amended or enacted, applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed or reservations made thereby are made a part of this lease, with like effect as though the same were expressly set forth herein.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego have hereunto subscribed their names as and for the act of said City, and the said Lessees have hereunto subscribed their names, the day and year first hereinabove written.

THE CITY OF SAN DIEGO

Lessor

By

Members of the Harbor Commission

Lessees

I hereby approve the form of the foregoing Lease, this 13th day of December, 1940.

D. L. AULT City Attorney.

By H. B. DANIEL

Assistant City Attorney

EXHIBIT A



Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73044

WHEREAS, The United States of America has filed in the District Court of the United States, in and for the Southern District of California, Southern Division, an action under the right of eminent domain, condemning the following described property:

Pueblo Lot 1231 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to the map thereof made by James Pascoe in 1870, a copy of which said map was filed in the office of the County Recorder of said San Diego County November 14, 1921, and is known as Miscellaneous Map No. 36, containing 160 acres of land, more or less, which said lands are delineated and shown on a photostatic copy of a map approved November 25, 1940, entitled "Lot 1231 'Rosedale Field' Property to be acquired by Navy Department for auxiliary landing field, Naval Air Station, San Diego, California.

AND WHEREAS, The City of San Diego has been named a party defendant in said suit, said suit being numbered 78 Civil; and

WHEREAS, it appears that The City of San Diego has no interest in the property hereinbefore described; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Attorney be, and he is hereby authorized to file a disclaimer in said action, whereby said The City of San Diego disclaims any interest in the property sought to be condemned therein.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of December, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73045

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

The following claims, attached to Transmittal No. 55 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number |                                  | Net Amount of Claim | Claim Number |
|------------|--------------|----------------------------------|---------------------|--------------|
| 12/26/40   | 0762         | San Diego Janitor Supply Co.     | 8.08                | 0643         |
| "          | 0809         | City of San Diego Print Shop     | 4.13                | 0644         |
| "          | 0830         | Pacific Wholesale Electric Co.   | 6.80                | 0645         |
| "          | 0836         | Whitney & Co.                    | 30.53               | 0646         |
| "          | 0837         | Western Metal Supply Co.         | 5.81                | 0647         |
| "          | 0838         | Benson Lumber Company            | 32.55               | 0648         |
| "          | 0839         | W. J. Bailey Co.                 | 3.86                | 0649         |
| "          | 0840         | San Diego Ice & Cold Storage Co. | 1.03                | 0650         |

\$92.79

#### RESOLUTION NO. 73046

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

The following claims, attached to Transmittal No. 56 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number |                                     | Net Amount of Claim | Claim Number |
|------------|--------------|-------------------------------------|---------------------|--------------|
| 12/28/40   | 0772         | San Diego Janitor Supply            | 22.35               | 0651         |
| "          | 0776         |                                     |                     |              |
| "          | 0832         | Joseph Barnise                      | 43.66               | 0652         |
| "          | 0783         | Pittsburgh Paints                   | 11.65               | 0653         |
| "          | 0802         | Arrowhead Puritas Distributors Inc. | 1.03                | 0654         |
| "          | 0831         | Wilson F. Clark Co.                 | 2.85                | 0655         |
| "          | 0842         | Hazard Gould Co.                    | 37.85               | 0656         |
| "          | 0843         | Edward Rohde                        | 4.00                | 0657         |
| "          | 0844         | Electric Supplies Distributing Co.  | 2.20                | 0658         |
| "          | 0845         | County Stores Department            | 10.03               | 0659         |
| "          | 0848         | W. P. Fuller & Co.                  | 3.02                | 0660         |
| "          | 0849         | Kelley Linen Co.                    | 5.33                | 0661         |
| "          | 0851         | Otis Elevator Company               | 115.50              | 0662         |
| "          | 0852         | County Garage                       | 1.20                | 0663         |
| "          | 0853         | County Telephone Department         | 3.65                | 0664         |

| Claim<br>Date | Order<br>Number |                              | Net Amount<br>of Claim | Claim<br>Number |
|---------------|-----------------|------------------------------|------------------------|-----------------|
| 12/28/40      | 0854            | City Water Department        | 122.89                 | 0665            |
| "             | 0856            | W. E. Roberts                | 25.00                  | 0666            |
| "             | 0855            | S. D. Gas & Electric Company | 797.22                 | 0667            |

R E S O L U T I O N NO. 73047

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Helen Kelly Hull and Arthur N. Kelly, executed in favor of The City of San Diego, bearing date October 31, 1940, conveying to said City an easement and right of way for street purposes through, along and across a portion of the north half of Pueblo Lot 175 of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, and as delineated and shown on Record of Survey Map No. 613 filed for record in the office of said County Recorder, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named ROSECRANS STREET;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this Resolution.

R E S O L U T I O N NO. 73048

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of M. G. White and Marion J. White, executed in favor of The City of San Diego, bearing date October 22, 1940, conveying to said City an easement and right of way for street purposes through, along and across a portion of the south 80 feet of Pueblo Lot 178 of the Pueblo Lands of San Diego, according to the map thereof made by James Pascoe in 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, lying westerly of Rosecrans Street, as said street is located and established at this date, viz: October 15, 1940, and lying easterly of Cuesta Loma, according to the Map thereof No. 1910, filed for record in the office of said County Recorder, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named ROSECRANS STREET;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73049

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Sydney H. Pritchard, executed in favor of The City of San Diego, bearing date October 12, 1940, conveying to said City an easement and right of way for street purposes through, along and across a portion of the northerly half of Pueblo Lot 175 of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, and as delineated and shown on Record of Survey Map No. 613 filed for record in the office of said County Recorder, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named ROSECRANS STREET;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73050

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Hurlburt, Frank & Slaughter, Inc., executed in favor of The City of San Diego, bearing date December 17, 1940, conveying to said City Lots 1 to 4 inclusive, in Block 469, of Old San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in May, 1870, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73051

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the quitclaim deed of Mildred Lewellen, Sue T. Chase and Sue M. Nicholson, now Sue M. Fosselman, executed in favor of The City of San Diego, bearing date December 10, 1940, quitclaiming unto said City a portion of the east quarter of the west half of the southwest quarter of Quarter Section 103 and the east third of the west three-eighths of the southwest quarter of Quarter Section 103 of the Subdivision of Rancho de la Nacion, according to the map thereof No. 166 on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said quitclaim deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73052

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of H. L. Mason and L. E. Mason, executed in favor of The City of San Diego, bearing date December 17, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across Lot 23, Block 272, Pacific Beach, according to Map No. 697 recorded on January 8, 1892 in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73053

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Mattie L. White, executed in favor of The City of San Diego, bearing date December 20, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across Lots 1, 2, and 3, Block 47, Ocean Beach Subdivision, according to official map thereof on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73054

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Robert A. Engle and Mary Louise Engle, executed in favor of The City of San Diego, bearing date December 19, 1940, conveying to said City an easement and Right of way for sewer purposes through, along and across the west 1/2 of Lot 3, Block 13, Monte Villa Tract, according to Map thereof No. 928, filed in the office of the County Recorder of San Diego County, California, November 5, 1904, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73055

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with one line service truck, cab and body complete, in accordance with Notice to Bidders, Specifications, Bidding Instructions and requirements, on file in the office of the City Clerk bearing Document No. 325539.

Approved as to form H. B. DANIEL

## R E S O L U T I O N NO. 73056

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to the San Diego City Schools, 825 Union Street, to lay a line of drain tile from the cess pool at John Muir School across Saranac Street into the adjoining property on the north, at their own expense. It is hereby provided that the drain shall be laid thirty inches below the established grade of Saranac Street.

## R E S O L U T I O N NO. 73057

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to the San Diego City Schools, 825 Union Street, to improve the extension of Narragansett Avenue to its intersection with Macauley Street, with their own equipment and at their own expense, in accordance with alignment and grades to be provided by the City Engineer.

## R E S O L U T I O N NO. 73058

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Councilman Fred W. Simpson is hereby authorized to attend the Shoreline Planning Association meeting to be held in Santa Barbara, on January 8, 1941, and to incur the necessary expenses.

## R E S O L U T I O N NO. 73059

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Miss Lottie Crawford, president of the City Planning Commission and member of the State Defense Council, is hereby authorized to attend the Defense Council meeting in Los Angeles on January 6, 1941, and to incur the necessary expenses.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73012 to 73059 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 31st day of December, 1940.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Wilbig Deputy

## R E S O L U T I O N NO. 73060

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The protest of Mary Z. Adams, 4435 - 44th Street, filed in the office of the City Clerk on January 4, 1941, under Document No. 325589, against the work of paving and otherwise improving 44th Street, between the north line of El Cajon Boulevard and the north line of Orangewood, in said City, under Resolution of Intention No. 72837, adopted by the Council on December 3, 1940, be, and the said protest and all other protests are hereby overruled and denied.

## R E S O L U T I O N NO. 73061

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The appeal of Oscar de Bretteville, filed in the office of the City Clerk on December 30, 1940, under Document No. 325505, from the City Engineer's Assessment No. 1718, made to cover the costs and expenses of the work done upon Siesta Drive, Madison Avenue and Cajon Way, in said City, under Resolution of Intention No. 71938, adopted by the Council on July 30, 1940, be, and the said appeal, and all other appeals, is hereby overruled and denied.

BE IT FURTHER RESOLVED, that the City Engineer's said Assessment No. 1718 is hereby confirmed and approved, and the City Engineer of said City is hereby authorized and directed to attach his warrant thereto and record and issue the same in the manner and form provided by law. Said warrant shall bear date of this order.



R E S O L U T I O N NO. 73062  
CONFIRMING THE CITY ENGINEER'S ASSESSMENT NO. 1717 FOR WORK UPON  
ALLEY IN BLOCK B, ALTADENA, AND A PORTION OF THORN STREET IN THE  
CITY OF SAN DIEGO, CALIFORNIA, UNDER RESOLUTION OF INTENTION NO.  
71532.

Notice of the time and place fixed for the hearing of appeals in the matter of Assessment No. 1717 made by the City Engineer of said City to cover the cost and expenses of the work done upon Alley in Block B, Altadena, and a portion of Thorn Street, in said City, under Resolution of Intention No. 71532, adopted by the Council on the 4th day of June, 1940, having been duly given and made in the manner required by law, and the legal time for filing such appeals and the time fixed for hearing thereon having passed and elapsed, and no appeals in the matter of said assessment having been filed, and the Council being satisfied with the correctness of said assessment; NOW THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego, that the said Assessment No. 1717 of the said City Engineer made to cover the cost and expenses of the work done upon Alley in Block B, Altadena, and a portion of Thorn Street, within the limits as described in said Resolution of Intention No. 71532, be, and the same is hereby approved and confirmed, and the City Engineer is hereby authorized to attach his warrant thereto and record the same in the manner and form required by law. Said warrant shall bear date of this order.

R E S O L U T I O N NO. 73063  
CONFIRMING THE CITY ENGINEER'S ASSESSMENT NO. 1719 FOR WORK UPON  
DATE STREET, IN THE CITY OF SAN DIEGO, CALIFORNIA, UNDER RESOLUTION  
OF INTENTION NO. 71986

Notice of the time and place fixed for the hearing of appeals in the matter of Assessment No. 1719, made by the City Engineer of said City to cover the cost and expenses of the work done upon Date Street, in said City, under Resolution of Intention No. 71986, adopted by the Council on the 6th day of August, 1940, having been duly given and made in the manner required by law, and the legal time for filing such appeals and the time fixed for hearing thereon having passed and elapsed, and no appeals in the matter of said assessment having been filed, and the Council being satisfied with the correctness of said assessment; NOW, THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego, that the said Assessment No. 1719 of the said City Engineer made to cover the cost and expenses of the work done upon Date Street, within the limits as described in said Resolution of Intention No. 71986, be, and the same is hereby approved and confirmed, and the City Engineer is hereby authorized to attach his warrant thereto and record the same in the manner and form required by law. Said warrant shall bear date of this order.

R E S O L U T I O N NO. 73064

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to D. D. Williams c/o J. W. Potter, 2936 First Avenue, to conduct an auto court consisting of twenty four units and cafe on Lots 1 to 6 Block 280 and Right of Way Lots 37 to 42 Middletown, on the east side of Pacific Highway between Hawthorn and Ivy Streets.

R E S O L U T I O N NO. 73065

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Eldridge L. Vigneault, 3655 - 36th Street, to conduct an auto trailer camp consisting of twenty five units on a portion of Pueblo Lot 240, on Midway Drive, for a period of three years from the date of this resolution.

R E S O L U T I O N NO. 73066

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to San Diego Federal Savings and Loan Association 1027 Sixth Avenue, to erect two residences on Lots 1-5 Block 6 Cullen's Arlington, not closer to the property line on Edgemont Street than fifteen feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended on the property mentioned above.

R E S O L U T I O N NO. 73067

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to John M. Bates, 4518 Thorn Street, to erect and operate a grocery store on Lots 1-2 (W. 50') Block 4 Clifton Addition, on condition that the existing store on the premises be demolished or converted to residential use.

Variance to the restrictions of Ordinance No. 13057 be and it is hereby granted on the property mentioned above.

R E S O L U T I O N NO. 73068

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Francis C. McMillen, by Harry H. Imig, to construct a cottage in rear of the present dwelling at 2903 Thorn Street, on Lots 34-35 Block B Wallace Heights.

Variance to the restrictions of Ordinance No. 13175 be and it is hereby granted on the property mentioned above.

R E S O L U T I O N NO. 73069

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Baron Long and Augustus Flanagan, by Guy C. Lichty, agent, 4496 Euclid Avenue, to construct two single-family residences on the west 100 feet of Villa Lot 91 Normal Heights, one residence to be not closer to the property line of Hawley Boulevard than 25 feet, and one to be not closer to the property line of Cromwell Place than 25 feet; the residence on Cromwell Place to maintain a rear yard area of 15 feet.

Variance to the restrictions of Ordinance No. 13594 be and it is hereby granted on the property mentioned above.

R E S O L U T I O N NO. 73070

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Pat D. Smith, Box 127, Lemon Grove, California, to erect a single-family residence and garage on the north 75 feet of Lot 3 Block 138 La Playa.

Variance to the restrictions of Ordinance No. 32 New Series, be and it is hereby granted on the property mentioned above.

## R E S O L U T I O N NO. 73071

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Edward J. LaTour, 4407 Green Street, to construct an addition to the existing garage on Lot 1 Block 16 Loma Alta No. 1, to the property line on Mendocino Street.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended on the property mentioned above.

## R E S O L U T I O N NO. 73072

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Gilmore Oil Co., by Geo. L. Alton, to erect a light pole on Lots 27-28 (the south 100') Block 28 W.J. Prouts, to the property line on C Street.

Provisions of Setback Ordinance No. 11160 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73073

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to L. O. Stowe, 4535 Gresham Street, to erect a residence on the southwesterly 60 feet of Lots 5 and 6 Block 40 Roseville, not closer to the property line on Dickens Street than 12 feet, and not closer to the property line on Evergreen Street than 16 feet; the residence to maintain a 4-foot sideyard.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73074

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Ed. Davidson, c/o M. Hall Co., 953 - 8th Avenue, to erect garages with apartments above, on Lot 1 Block 508 Old San Diego, to the front property line on San Diego Avenue.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73075

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mr. and Mrs. Orlan L. Bradley, 3805 Swift Street, to connect the house under construction on the east 35 feet of the west 100 feet of Lots 22, 23 and 24 Block 191 City Heights, to the four inch cast iron soil pipe now in place serving the house at Swift and Wightman Streets, upon the condition that an easement be given to protect the corner house. The City of San Diego shall not be held liable for any damage resulting from the granting of this permit.

## R E S O L U T I O N NO. 73076

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mrs. L. D. Moore and Wm. P. Reynolds, deceased, by G. A. Reynolds, executor, to erect two residential units on Lot 19 Block 14 Cleveland Heights, not closer to the property line on Front Street than 19.33 feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73077

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from San Diego Fire Fighters Association, Local Number 145, bearing Document No. 325610, requesting the Mayor and City Council to submit at the April 22, 1941 general election a proposition to amend the City Charter to provide a 72-hour working week and a minimum wage schedule for firemen in San Diego, be and it is hereby referred to the City Manager and the City Attorney for facts, figures and legality, to be furnished to the Council for conference.

## R E S O L U T I O N NO. 73078

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Frank E. Melchen, 4309 Arista Street, filed with the City Auditor and Comptroller on October 8, 1940, in the amount of \$6.00; said amount claimed to be due him because of a sewer stoppage at 3720 Jackdaw Street, be and it is hereby denied.

## R E S O L U T I O N NO. 73079

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of William A. Craw, 3604 Cherokee Avenue, filed in the office of the City Auditor and Comptroller on March 27, 1940, in the amount of \$4.50; said amount claimed to be due on account of property damage caused when he drove his automobile into an open excavation at or near the intersection of Upas Street and Pershing Avenue on March 24, 1940, be and it is hereby denied.

## R E S O L U T I O N NO. 73080

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Donald E. Johnston, signed by Donald E. Johnston and Clara E. Troyer, mother of Donald E. Johnston, minor, filed in the office of Mayor Benbough on or about October 22, 1940, asking damages in the sum of Ten thousand, six hundred sixty-seven and 50/100 dollars on account of injuries alleged to have been sustained by the said Donald E. Johnston on or about June 26, 1940, as the result of a fall from the edge of a porch or balcony of the Natural History Museum in Balboa Park, be and it is hereby denied.

## R E S O L U T I O N NO. 73081

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Walter P. Reeves, Geo. M. Kightlinger, C. L. Holt, I. E. Beach, August Einhaus and Evelyn M. Einhaus, of 2821 Lowell Street, 2838 Keats Street, 1669 Scott Street, 2827 Keats Street and 1662 Shafter Street, respectively, filed in the office of Mayor Benbough on or about October 10, 1940, in the sum of eighty thousand dollars, for damage alleged to have been done to the property of said claimants by reason of changing

the bulkhead and dredging material in front of the properties of said claimants, be and it is hereby denied.

R E S O L U T I O N NO. 73082

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare and present an ordinance appropriating twenty-seven dollars in settlement of the judgment of Richard Schoneborn against the City of San Diego due to a collision with a vehicle driven by one of the City's drivers on or about October 9, 1940, at 20th and B Streets.

R E S O L U T I O N NO. 73083

ALLEYS IN BLOCK 6, HARTLEY'S NORTH PARK AND BLOCK C, McFADDEN & BUXTON'S NORTH PARK

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of the ALLEYS IN BLOCK 6, HARTLEY'S NORTH PARK AND BLOCK C, McFADDEN & BUXTON'S NORTH PARK, in said City, between the northerly line of Landis Street and the southerly line of Wightman Street, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on December 21, 1940, under Document No. 325303, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1819, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said alleys hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

R E S O L U T I O N NO. 73084

ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of the ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS, in said City, between the south line of Madison Avenue and the north line of Tract 3, Partition Map of the East 1/2 of Pueblo Lot G, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on December 21, 1940, under Document No. 325301, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1778, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said alley hereinabove mentioned, be, and the same is hereby approved, and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

RESOLUTION OF AWARD NO. 73085

Boston Avenue

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 31st day of December, 1940, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72635, adopted by the Council on November 6, 1940, and on file in the office of the City Clerk of said City for the grading, paving and curbing of BOSTON AVENUE, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To GRIFFITH COMPANY, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |         |
|---|---------|
| Excavation, per cubic yard, .....               | \$0.60  |
| Embankment, per cubic yard, .....               | \$0.25  |
| Preparation of subgrade, per square foot, ..... | \$0.015 |
| Pavement, per square foot, .....                | \$0.12  |
| Curb, per lineal foot, .....                    | \$1.00  |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



## RESOLUTION ORDERING WORK NO. 73086

Santa Clara Place

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72794, adopted by the Council on November 26, 1940, and on file in the office of the City Clerk of said City for the grading and paving of SANTA CLARA PLACE, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five(5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72587, adopted on the 29th day of October, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION ORDERING WORK NO. 73087

Ibsen Street

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72796, adopted by the Council on November 26, 1940, and on file in the office of the City Clerk of said City for the grading and paving of IBSEN STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five(5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72643, adopted on the 6th day of November, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

RESOLUTION OF INTENTION NO. 73088  
ALLEYS IN BLOCK 6, HARTLEY'S NORTH PARK AND BLOCK C,  
McFADDEN & BUXTON'S NORTH PARK.

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of the ALLEYS IN BLOCK 6, HARTLEY'S NORTH PARK AND BLOCK C, McFADDEN & BUXTON'S NORTH PARK, in said City, between the northerly line of Landis Street and the southerly line of Wightman Street, be graded, and the subgrade prepared and paved with a six inch Portland cement concrete pavement.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 325303, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1819, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 73036, adopted on the 31st day of December, 1940, that 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, is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 11th day of February, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF INTENTION NO. 73089 Alley in Block 60, University Heights.

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of the ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS, in said City, between the south line of Madison Avenue and the north line of Tract 3, Partition Map of the East 1/2 of Pueblo Lot G, be graded, and the subgrade prepared and paved with six inch pavement consisting of a three inch crushed stone sub-base, two inch asphalt concrete base and a one inch asphalt concrete wearing surface, and that cement concrete sewer laterals and appurtenances, copper water service connections and appurtenances, and castiron water main, connections, fittings and appurtenances be constructed therein.

That the said work hereinabove described on the ALLEY IN BLOCK 60 UNIVERSITY HEIGHTS, between the south line of Madison Avenue and a line parallel to and distant 20.00 feet south of the south line of Madison Avenue and between a line parallel to and distant 160.00 feet south of the south line of Madison Avenue and the north line of Tract 3, Partition Map of the East 1/2 of Pueblo Lot G, shall be done to the modified grade shown and indicated upon the plans and profiles on file in the office of the City Clerk of said City, and hereinafter referred to; and reference is hereby made to said plans and profiles for the description of the grade at which the work is to be done.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 325301, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1778, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 73035, adopted on the 31st day of December, 1940, that 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, is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where drafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 11th day of February, 1941, at 10:00 o'clock A.M., in the Council of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form

and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73090

RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN PORTIONS OF THE ALLEY IN BLOCK A, ALTAVISTA SUBURB; ALLEY IN BLOCK B, ALTAVISTA SUBURB; ALLEY IN BLOCK C, ALTAVISTA SUBURB; ALLEY IN BLOCK D, ALTAVISTA SUBURB; ALLEY IN BLOCK E, ALTAVISTA SUBURB; ALLEY IN BLOCK F, ALTAVISTA SUBURB; ALLEY IN BLOCK G, ALTAVISTA SUBURB; ALLEY IN BLOCK H, ALTAVISTA SUBURB; OCEAN VIEW BOULEVARD; LOGAN AVENUE; T STREET, AND 45TH STREET.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the construction of sewer mains, manholes, dead ends and appurtenances in the ALLEY IN BLOCK A, ALTAVISTA SUBURB, between the north line of T Street and the south line of Ocean View Boulevard; the ALLEY IN BLOCK B, ALTAVISTA SUBURB, between the north line of T Street and the south line of Ocean View Boulevard; the ALLEY IN BLOCK C, ALTAVISTA SUBURB, between the north line of T Street and the south line of Ocean View Boulevard; the ALLEY IN BLOCK D, ALTAVISTA SUBURB, between the north line of T Street and the south line of Ocean View Boulevard; the ALLEY IN BLOCK E, ALTAVISTA SUBURB, between the north line of Logan Avenue and the south line of T Street; the ALLEY IN BLOCK F, ALTAVISTA SUBURB, between the north line of Logan Avenue and the south line of T Street; the ALLEY IN BLOCK G, ALTAVISTA SUBURB, between the north line of Logan Avenue and the south line of T Street; the ALLEY IN BLOCK H, ALTAVISTA SUBURB, between the north line of Logan Avenue and the south line of T Street; OCEAN VIEW BOULEVARD, between the northerly prolongation of the east and west lines of the Alley in Block D, Altavista Suburb and between the northerly prolongation of the east line of the Alley in Block C, Altavista Suburb and a line drawn parallel to and distant 20 feet westerly from the northerly prolongation of the east line of the Alley in said Block C; LOGAN AVENUE, between the southerly prolongation of the west line of the Alley in Block F, Altavista Suburb and the southerly prolongation of the east line of the Alley in Block E, Altavista Suburb; T STREET, between the east line of 45th Street and the southerly prolongation of the east line of the Alley in Block B, Altavista Suburb and between the southerly prolongation of the east and west lines of the Alley in Block C, Altavista Suburb; and 45TH STREET, between the westerly prolongation of the north line of Block H, Altavista Suburb and the north line of Ocean View Boulevard, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 324201. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the abovematters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 73091

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Elmer V. Schneider and Ruby O. Schneider, executed in favor of The City of San Diego, bearing date November 25, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the west 4 feet of Lot 9, Block 140, Middletown Addition as shown on Jackson's Map, filed October 19, 1874, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73092

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED  
BY THE CITY ENGINEER - IBSEN STREET.

WHEREAS, the Council of The City of San Diego, did on the 26th day of November, 1940, pass Resolution of Intention No. 72796, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of the City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72796, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

(SEAL)

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73093

RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER-IBSEN STREET.

WHEREAS, the Council of The City of San Diego did, on the 26th day of November, 1940, pass its Resolution of Intention No. 72796 to order certain work to be done and improvement to be made in IBSEN STREET, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 7th day of January, 1941, duly pass its Resolution Ordering Work No. 73087, ordering said work to be done and said improvement to be made in said Ibsen Street, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

(SEAL)

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73094

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER-SANTA CLARA PLACE.

WHEREAS, the Council of The City of San Diego, did on the 26th day of November, 1940, pass Resolution of Intention No. 72794, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72794, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73095

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The matter of abandoned proceedings for the construction of cement concrete sewer main, manhole, dead end, and appurtenances in a portion of the ALLEY IN BLOCK M, TRACT NUMBER TWO OF ALTA VISTA SUBURB & FRANKLIN AVENUE, and in portions of the ALLEYS IN BLOCKS J AND K, TRACT NUMBER TWO OF ALTA VISTA SUBURB, FRANKLIN AVENUE & OCEAN VIEW BOULEVARD, is hereby referred to Council conference.

R E S O L U T I O N NO. 73096  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION OF THE CITY ENGINEER-SANTA CLARA PLACE.

WHEREAS, the Council of The City of San Diego did, on the 26th day of November, 1940, pass its Resolution of Intention No. 72794, to order certain work to be done and improvement to be made in SANTA CLARA PLACE, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 7th day of January, 1941, duly pass its Resolution Ordering Work No. 73087, ordering said work to be done and said improvement to be made in said Santa Clara Place, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73097

North and South Alley in Block 107, University Heights.

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, paving and otherwise improving of the NORTH AND SOUTH ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS, between the south line of Meade Avenue and the north line of the east and west alley in said Block 107, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |
| Carpenter                     | 8.00           | 1.00     |
| Caulker                       | 6.00           | 0.75     |
| Cement finisher               | 10.00          | 1.25     |
| Clerk                         | 6.00           | 0.75     |
| Compressor operator           | 10.00          | 1.25     |
| Concrete mixerman             | 7.00           | 0.875    |
| Concrete spreader             | 5.00           | 0.625    |
| Concrete tamper               | 5.00           | 0.625    |
| Crane operator                | 9.00           | 1.125    |



|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Driller                            | \$ 7.00        | \$ 0.875 |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less and 1 yard   | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workman and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73098

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on Monroe Avenue and Ohio Street as particularly described in Resolution of Intention No. 72354 and to be assessed to pay the expenses thereof.

R E S O L U T I O N NO. 73099

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Alley in Block 72, Ocean Beach and a portion of Newport Avenue and public right of way, in said City of San Diego, as described in Resolution of Intention No. 72129, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated January 3rd, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

R E S O L U T I O N NO. 73100

WHEREAS, The United States of America has filed in the District Court of the United States, in and for the Southern District of California, Southern Division, an action under the right of eminent domain, condemning the following described property:

A tract of land, lying and being in San Diego, County of San Diego, State of California, and described as follows:

Being all of Pueblo Lot 1179; all of Pueblo Lot 1180; all of Pueblo Lot No. 1190, except the northwest one-quarter thereof; all of Pueblo Lot No. 1189, except all of Lot No. 13 and that portion of Lot No. 14 of Lemona Subdivision, Map No. 684, lying northwest of the southeasterly side of Linda Vista Road; the west half of Pueblo Lot No. 1197; that portion of Pueblo Lot No. 1175 described as Lots Nos. 2, 3, 4, 5, 6, 7 and 8; the easterly one-half of Lot No. 1 in Subdivision of Pueblo Lot No. 1174 and portion of Pueblo Lot No. 1173, comprising approximately 5 acres; all of Pueblo Lot No. 1181, except that tract of land now or formerly of Hueston W. Dagg, being the south 26-2/3 acres of the east 60 acres of said Pueblo Lot No. 1181 of the Pueblo Lands of San Diego, according to map made by James Pascoe in 1870; subject to the Highways designated as Linda Vista Road and Sixth Avenue Extension crossing portions of the above described lands, as shown by plat "Land proposed

to be acquired through condemnation proceedings for the Defense Housing Project at San Diego, California," blueprint of which is attached to the complaint in said action, and by reference made a part thereof; together with the improvements thereon.

AND WHEREAS, The City of San Diego has been named a party defendant in said suit, said suit being numbered 75 Civil; and

WHEREAS, it appears that The City of San Diego has no interest in the property hereinbefore described; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Attorney be, and he is hereby authorized to file a disclaimer in said action, whereby said The City of San Diego disclaims any interest in the property sought to be condemned therein.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Simpson

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73101

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Alfred Wells Loucks and Irene J. Loucks, executed in favor of The City of San Diego, bearing date November 18, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across Lots 5 and 6, in Block 137 of Middletown, according to the Partition Map thereof made by J. E. Jackson, on file in the office of the County Clerk of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73102

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of the San Diego & Arizona Eastern Railway Company, executed in favor of The City of San Diego, bearing date November 8, 1940, conveying to said City an easement for the construction, maintenance and operation of 2 - 36" and 1 - 27" sewers and appurtenances across and beneath portions of Pueblo Lots 1152 and 1167 of the Pueblo Lands of San Diego, according to the map thereof made by James Pascoe in 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, and a portion of fractional Block 115 of the Partition Map of Pueblo Lot 1168, according to the map thereof No. 160 filed for record in the office of said County Recorder, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73103

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the grant of an easement to The City of San Diego by William H. Evans and Geraldine M. Evans, husband and wife, dated December 5, 1940, over and across a portion of lots 59 and 60, of Las Alturas Villa Sites of the Subdivision of Ex-Mission Lands, according to the map thereof No. 501, on file in the office of the County Recorder of said County of San Diego, as particularly described in said deed, for the purpose of a right of way ten (10) feet in width for the installation, construction, operation and maintenance of a cathodic protection station for the Bonita Pipe Line, be, and the same is hereby accepted.

BE IT FURTHER RESOLVED, that the City Clerk of The City of San Diego be, and he is hereby instructed to file said instrument for record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

Presented by WALTER W. COOPER

Approved as to form by D.L. AULT

#### RESOLUTION NO. 73104

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of O. G. Palmer and Dorothy L. Palmer, executed in favor of The City of San Diego, bearing date December, 1940, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 12, Rancho Mission San Diego, according to the Partition Map thereof filed in the office of the County Clerk of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named 69TH STREET;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73105

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of August Kasitz and Melvina Kasitz, executed in favor of The City of San Diego, bearing date December 9, 1940, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 12, Rancho Mission San Diego, according to the Partition Map thereof filed in the office of the County Clerk of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the

public use as and for a public street, and the same is hereby named 69TH STREET;  
And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73106

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Ralph E. Hurlburt and Nettie M. Hurlburt, executed in favor of The City of San Diego, bearing date December 30, 1940, conveying to said City an easement and right of way for a public alley through, along and across portions of Lots 1, 2, 3, 4 and 7, Block 25, Chatsworth Terrace, according to the map thereof No. 1344, filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public alley;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73107

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor and Comptroller of The City of San Diego, be, and he is hereby authorized and directed to transfer the sum of \$675.00 from "Outlay" (Account GB-562, New Sewer Services), Division of Sewers, to "Outlay" (Account GE-5, Miscellaneous Equipment) Division of Shops, Department of Public Works Fund, as provided by Section 31 of Ordinance No. 1880 (New Series) of the ordinances of said City; said sum to be transferred for the purpose of providing funds for the purchase of a truck required in connection with the laying of sewer services.

Approved as to form by D. L. AULT

Certified as to funds available J. S. BARBER City Auditor and Comptroller

R E S O L U T I O N NO. 73108

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor and Comptroller of The City of San Diego be, and he is hereby authorized and directed to transfer the sum of \$1200.00 from "Outlay" (Account FA-A-5534, Repair Bonita Pipe Line), Division of Development and Conservation, to "Outlay" (Account FA-B-5412, New Mains, General), Division of Distribution, Water Department Fund, as provided by Section 24 of Ordinance No. 1880 (New Series) of the ordinances of said City; for the purpose of providing funds for the supervision of the Camp Elliott pipe line.

Approved as to form by D. L. AULT

Certified as to funds available J. S. BARBER City Auditor and Comptroller

R E S O L U T I O N NO. 73109

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the attached Bill of Sale conveying certain personal properties situated in The City of San Diego, State of California, from the San Diego Electric Railway Company to The City of San Diego be, and the same is hereby accepted.

Approved as to form D. L. AULT

R E S O L U T I O N NO. 73110

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with 564 feet of 18" and 72 feet of 24" standard, centrifugally spun, reinforced concrete pipe for road work on the west side of Otay Reservoir, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 325648.

Approved as to form D. L. AULT

R E S O L U T I O N NO. 73111

WHEREAS, The City of San Diego in the immediate future will invite sealed proposals by advertising in a newspaper of general circulation in The City of San Diego for repairs and new construction on the Golf Clubhouse in Balboa Park, in the City of San Diego, California; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in accordance with the Charter of The City of San Diego, and particularly Section 193 thereof, the City Council has ascertained the general prevailing rate of per diem wages and rates for legal holiday and overtime work in the locality in which this work is to be performed, for each classification or type of workman or mechanic needed to execute the contract which will be awarded the successful bidder. The prevailing rates so determined are as follows:

| Trade or Occupation          | Per Diem Wage |
|------------------------------|---------------|
| Bricklayers                  | \$ 12.00      |
| Bricklayer tenders           | 7.00          |
| Concrete finishers           | 10.00         |
| Carpenters                   | 9.00          |
| Carpenters, foreman          | 10.00         |
| Cement finishers             | 10.00         |
| Electrical wireman           | 10.00         |
| Electrical foreman           | 11.00         |
| Apprentice, 4th year         | 7.00          |
| Apprentice, 3rd year         | 6.00          |
| Apprentice, 2nd year         | 5.60          |
| Concrete mixerman            | 7.00          |
| Laborers                     | 6.00          |
| Laborers, foreman            | 8.00          |
| Painters                     | 8.00          |
| Plasterers                   | 9.00 (6 hrs.) |
| Plumbers, journeyman         | 11.00         |
| Roofers, journeyman          | 7.00          |
| Roofers, foreman             | 8.00          |
| Sheet metal workers          | 9.00          |
| Teamsters                    | 5.00          |
| Dump truckmen, under 4 yards | 5.60          |
| Dump truckmen, 4 to 7 yards  | 6.40          |
| Watchmen                     | 5.00          |



Any craft or employment not specifically mentioned in the foregoing schedule of rates shall be paid not less than \$5.00 per diem of 8 hours.

For overtime, when the same is permitted by law, one and one-half the foregoing rates. For work performed on Sundays and legal holidays, as set forth in Section 10 of the Political Code of the State of California, one and one-half times the above rates.

It is required that no labor other than citizens of the City of San Diego shall be employed on all construction work contemplated hereunder.

Presented by WALTER W. COOPER

Approved as to form by J. H. McKINNEY

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73112

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for bids for certain repairs and new construction on the Golf Club-house in Balboa Park, in accordance with Plans and Specifications, Notice to Bidders, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 325706.

Approved as to form J. H. McKINNEY

#### RESOLUTION NO. 73113

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That east-bound traffic upon Washington Street Bridge between Sixth Avenue and Eighth Avenue in the City of San Diego, be, and the same is hereby prohibited; and

That the City Manager be, and he is hereby authorized and directed to place the necessary signs in conformity to the regulations and requirements of the Vehicle Code of the State of California.

Approved as to form by HARRY S. CLARK

#### RESOLUTION NO. 73114

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Councilman Fred W. Simpson is hereby authorized to go to San Francisco to attend a meeting of the Federal Division of Highways on January 12, 1941, for the purpose of securing Federal funds for streets and roads in this area.

BE IT FURTHER RESOLVED, that Councilman Simpson be and he is authorized to incur the necessary expenses in connection with said trip.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73060 to 73114 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 7th day of January, 1941.

FRED W. SICK  
City Clerk of the City of San Diego, California

By \_\_\_\_\_ Deputy

#### RESOLUTION NO. 73115

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The appeal of J. A. Lyons, filed in the office of the City Clerk January 14, 1941, under Document No. 325819, from the City Engineer's Assessment No. 1720, made to cover the costs and expenses of the work done upon Menlo Avenue, in said City, under Resolution of Intention No. 71730, adopted by the Council on July 2, 1940, be, and the said appeal, and all other appeals, are hereby overruled and denied.

BE IT FURTHER RESOLVED, that the City Engineer's said Assessment No. 1720 is hereby confirmed and approved, and the City Engineer of said City is hereby authorized and directed to attach his warrant thereto and record and issue the same in the manner and form provided by law. Said warrant shall bear date of this order.

#### RESOLUTION NO. 73116

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of property owners, bearing Document No. 325763, requesting that portions of Horton's, Lockling's, Zimmerman's, and Sheldon's Subdivisions, shown on maps attached thereto, be rezoned from the prevailing R-4 zone to C Zone (commercial) be and it is hereby granted.

BE IT FURTHER RESOLVED, that the City Attorney be and he is hereby authorized and directed to prepare and present an ordinance rezoning said property.

#### RESOLUTION NO. 73117

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Grady A. and Joyce L. Thompson, 915 South Coast Boulevard, to construct a single-family residence on a 115 x 200 ft portion of Pueblo Lots 1286 and 1288 (Lot B3 Assessor's Map 33a) on Hidden Valley Road.

Variance to the restrictions of Ordinance No. 13294 be and it is hereby granted on the property mentioned above.



## R E S O L U T I O N NO. 73118

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Gust A. Glavas, 3934 - 9th Avenue, to replace the existing 75 H.P. boiler in the New French Laundry on Lots 31-34 Block 9 Estudillo & Capron's with a newer 100 H.P. boiler.

Variance to the restrictions of Ordinance No. 190 New Series be and it is hereby granted on the property mentioned above.

## R E S O L U T I O N NO. 73119

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Ernest C. McGowan to erect a single-family residence on the north 74.33 feet of Lot 1 Block 1 Normal Heights, at 34th Street and Mountain View Drive, not closer to the front property line on Mountain View Drive than 4 feet, observing the proper setback on 34th Street.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73120

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Cortis E. Hamilton to erect a single-family residence and garage on Lots 33 to 38 Block 2 Park Addition, with the garage built to the property line and the residence not closer to the property line on Maple Street than 12 feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73121

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Alvin S. Clark, 840 So. Los Angeles Street, Los Angeles, California, to stage performances on the lot at Pacific Highway and Market Street, to consist of Clark's Greater Shows, for the period of February 20 to March 3, 1941, under the auspices of the Veterans of Foreign Wars, as petitioned for under Document No. 325802.

## R E S O L U T I O N NO. 73122

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Grace B. Diffendorf, et al, for closing the following streets and alleys in Sorrento: The alley lying westerly of the A.T. & S.F. Ry. Co. right of way and easterly of Blocks 1, 2, 3, 4, 31, 30, 5, 6, 7 and 8, Sorrento, between the westerly prolongation of the north line of Arbutus Street and the southerly line of Kochia Street; the alleys in Blocks 31, 30, 5 and the southerly half of Block 6 Sorrento; Fuchia Street; Goldenrod Street and Heliotrope Street, each between the easterly line of Smilax Street and the westerly line of the right of way of the A.T. & S.F. Ry. Co., be and it is hereby granted.

The City Engineer is directed to furnish a description of the district of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of closing said streets and alleys.

## R E S O L U T I O N NO. 73123

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Gladys I. Rand, et al, for the closing of the northerly five feet of Sassafras Street, between India and Columbia Streets, be and it is hereby granted.

The City Engineer is directed to furnish a description of the district of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said proposed closing.

## R E S O L U T I O N NO. 73124

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of San Diego Unified School District for the closing of portion of Eta Street adjoining Lot 28 Block 2 S.W. Switzer Tract, at 40th Street, be and it is hereby granted.

The City Engineer is directed to furnish a description of the district of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said proposed closing.

## R E S O L U T I O N NO. 73125

BE IT RESOLVED by the Council of the City of San Diego, as follows:

An extension is hereby granted to El Cajon Boulevard Civic Association, by L. L. Laugeson, M.D., president, 4553 El Cajon Boulevard, to operate the Mammoth Exposition Animal Show for ten days from January 10, 1941, at the northeast corner of Menlo Avenue and El Cajon Boulevard, as originally granted by Resolution 73014, adopted December 31, 1940.

## R E S O L U T I O N NO. 73126

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication signed by Pacific Greyhound Lines and Santa Fe Transportation Co., bearing Document No. 325735, regarding the furnishing of transportation service to Torrey Pines Camp at the junction of La Jolla Junction and Highway 101, be and it is hereby referred to the City Manager, with the suggestion that he take into consideration the possibility of receiving a 3% revenue therefor.

## R E S O L U T I O N NO. 73127

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized and directed to install 600 c.p. overhead street lamps on Imperial Avenue in Encanto at the following locations:

East of 63rd Street on Pole No. 170398  
West of 64th Street on Pole No. 171821  
East of 64th Street on Pole No. 70164  
East of 65th Street on Pole No. 70166  
West of 66th Street on Pole No. 70167  
At 67th Street on Pole No. 70170  
East of 67th Street on Pole No. 70171

## R E S O L U T I O N NO. 73128

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized and directed to change the following street lamps on Imperial Avenue in Encanto from 400 to 600 candle power:

At 63rd Street on Pole No. 70159  
 At Stork Street on Pole No. 70161  
 At 64th Street on Pole No. 70163  
 At 65th Street on Pole No. 70165  
 At 66th Street on Pole No. 70168  
 East of 66th Street on Pole No. 70169  
 At 68th Street on Pole No. 70173  
 At 69th Street on Pole No. 70178

## R E S O L U T I O N NO. 73129

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized and directed to light the following ornamental standards on Pacific Highway between Harasthy Street and Barnett Avenue, 400 c.p., all night:

7304, 7307, 7308, 7313, 7314, 7319, 7320, 7325, 7326, 7331, 7332, 7337, 7338, 7343, 7344, 7353, 7356, 7361, 7364, 7366

## R E S O L U T I O N NO. 73130

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Dodgson's Storage Garage, 910 Front Street, for establishing a loading zone in front of their place of business be, and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 17-foot loading zone to be painted on the curb between the two driveways at 910 Front Street.

## R E S O L U T I O N NO. 73131

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare and present the necessary ordinance to change the existing San Diego Electric Railway Co. east bound bus stop, located on Barnett Avenue west of the main entrance to the Marine Corps Base, to a location east of the main entrance of the Base.

## R E S O L U T I O N NO. 73132

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare and present an ordinance amending Section 2 of Ordinance No. 1738 N.S., to provide for one taxicab operating in the City of San Diego for each 2100 of its estimated population. The estimated population shall be determined as of January first of each year by multiplying the number of water meters in operation in the city by five.

## R E S O L U T I O N NO. 73133

BE IT RESOLVED by the Council of the City of San Diego, as follows:

There is hereby referred to Council conference the matter of a survey for taxicab stands, reserved curb spaces and service station driveways.

## R E S O L U T I O N NO. 73134

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of American Cleaners, 3232 India Street, for a loading and unloading zone, be and it is hereby granted.

The City Manager is hereby authorized and directed to cause a fifty-foot loading zone to be painted on the west side of India Street, between points one hundred feet and one hundred fifty feet north of the north line of Spruce Street.

## R E S O L U T I O N NO. 73135

North and South Alley in Block 107, University Heights.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of the NORTH AND SOUTH ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS, in said City, between the south line of Meade Avenue and the north line of the east and west alley in said Block 107, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on December 31, 1940, under Document No. 325538, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1829, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said alley hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

## RESOLUTION OF AWARD NO. 73136

Alley in Block 164, Mission Beach.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 7th day of January, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72683, adopted by the Council on November 12, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK 164, MISSION BEACH, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be

issued to represent assessment of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To V. R. DENNIS, an individual doing business under the firm name and style of V. R. DENNIS CONSTRUCTION COMPANY, at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

Excavation, per cubic yard, .....\$ 1.00  
Preparation of subgrade, per square foot, .....\$ 0.015  
Pavement, per square foot, .....\$ 0.18  
4" cast iron sewer laterals, installed, each.....\$15.00  
3/4" water services, installed, each .....\$15.00

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION ORDERING WORK NO. 73137

Alley in Block 190, San Diego Land and Town Company's Addition

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72841, adopted by the Council on December 3, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK 190, SAN DIEGO LAND AND TOWN COMPANY'S ADDITION, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72691, adopted on the 12th day of November, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION ORDERING WORK NO. 73138

44th Street

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72837, adopted by the Council on December 3, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of 44TH STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.



The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five(5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72690, adopted on the 12th day of November, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF INTENTION NO. 73139

North and South Alley in Block 107, University Heights.

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of the NORTH AND SOUTH ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS, between the south line of Meade Avenue and the north line of the east and west alley in said Block 107, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base; and that cement concrete sewer laterals and appurtenances be constructed therein.

That the said work hereinabove described on the NORTH AND SOUTH ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS, between the south line of Meade Avenue and the north line of the east and west alley in said Block 107, shall be done to the modified grade shown and indicated upon the plans and profiles on file in the office of the City Clerk of said City, and hereinafter referred to; and reference is hereby made to said plans and profiles for the description of the grade at which the work is to be done.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 325538, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1829, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No 73097, adopted on the 7th day of January, 1941, that 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, is as follows:

|                               | Per 8 hour day | Per hour |
|-------------------------------|----------------|----------|
| Asphalt raker                 | \$ 5.00        | \$ 0.625 |
| Asphalt spreader              | 5.00           | 0.625    |
| Auto mechanic                 | 6.00           | 0.75     |
| Backfill machine operator     | 6.00           | 0.75     |
| Blacksmith                    | 6.00           | 0.75     |
| Blademan                      | 6.00           | 0.75     |
| Bricklayer                    | 12.00          | 1.50     |
| Bricklayer tender             | 7.00           | 0.875    |
| Bulldozer operator            | 6.00           | 0.75     |
| Bulldozer operator over 50 HP | 10.00          | 1.25     |
| Carpenter                     | 8.00           | 1.00     |
| Caulker                       | 6.00           | 0.75     |



|                                    |       |       |
|------------------------------------|-------|-------|
| Cement finisher                    | 10.00 | 1.25  |
| Clerk                              | 6.00  | 0.75  |
| Compressor operator                | 10.00 | 1.25  |
| Concrete mixerman                  | 7.00  | 0.875 |
| Concrete spreader                  | 5.00  | 0.625 |
| Concrete tamper                    | 5.00  | 0.625 |
| Crane operator                     | 9.00  | 1.125 |
| Driller                            | 7.00  | 0.875 |
| Drill sharpener                    | 6.00  | 0.75  |
| Electrician                        | 10.00 | 1.25  |
| Engineer, hoisting                 | 10.00 | 1.25  |
| Engineer, asphalt plant            | 10.00 | 1.25  |
| Finish machine operator            | 6.00  | 0.75  |
| Form setter                        | 6.00  | 0.75  |
| Jackhammer man                     | 7.00  | 0.875 |
| Kettleman, asphalt or lead         | 6.00  | 0.75  |
| Laborer, common                    | 5.00  | 0.625 |
| Materialman                        | 6.00  | 0.75  |
| Pipelayer                          | 6.00  | 0.75  |
| Plumber                            | 10.00 | 1.25  |
| Powderman                          | 6.00  | 0.75  |
| Pumpman                            | 6.00  | 0.75  |
| Reinforcing steel worker           | 10.00 | 1.25  |
| Road grader operator               | 6.00  | 0.75  |
| Roller operator                    | 10.00 | 1.25  |
| Shovel operator, 1 yard and over   | 10.00 | 1.25  |
| Shovel operator, less than 1 yard  | 8.00  | 1.00  |
| Shovel fireman and watchman        | 7.00  | 0.875 |
| Shovel oiler                       | 6.00  | 0.75  |
| Teamster                           | 5.00  | 0.625 |
| Tractor operator, over 50 HP       | 10.00 | 1.25  |
| Tractor operator, 50 HP and under  | 6.00  | 0.75  |
| Time keeper                        | 6.00  | 0.75  |
| Trenching machine operator         | 10.00 | 1.25  |
| Truck driver, 15,500 lbs and under | 5.44  | 0.68  |
| Truck driver, over 15,500 lbs      | 6.00  | 0.75  |
| Watchman                           | 5.00  | 0.625 |
| Welder                             | 11.00 | 1.375 |
| Skilled labor not above listed     | 8.00  | 1.00  |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 18th day of February, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## RESOLUTION OF INTENTION NO. 73140

## Bradford Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to change the grade of BRADFORD STREET, in said City, between a line parallel to and distant 131.40 feet westerly from the west line of College Avenue and the west line of said College Avenue, as follows, to-wit:

At a point on the north line of Bradford Street, distant 131.40 feet west of the intersection of the north line of Bradford Street with the west line of College Avenue, the grade elevation to remain at 435.20 feet; at a point on the north line of Bradford Street distant 80.00 feet east of the last named point, change the grade elevation from 433.20 feet to 432.64 feet; at a point on the north line of Bradford Street distant 20.00 feet east of the last named point, change the grade elevation from 432.77 feet to 432.00 feet; at a point on the north line of Bradford Street distant 20.00 feet east of the last named point, change the grade elevation from 432.47 feet to 431.37 feet; at the intersection of the north line of Bradford Street with the west line of College Avenue, change the grade elevation from 432.38 feet to 431.10 feet.

At a point on the south line of Bradford Street distant 131.40 feet west of the intersection of the south line of Bradford Street with the west line of College Avenue, the grade elevation to remain at 434.70 feet; at a point on the south line of Bradford Street distant 80.00 feet east of the last named point, change the grade elevation from 432.70 feet to 432.14 feet; at a point on the south line of Bradford Street distant 20.00 feet east of the last named point, change the grade elevation from 432.27 feet to 431.50 feet; at a point on the south line of Bradford Street distant 20.00 feet east of the last named point, change the grade elevation from 431.97 feet to 430.87 feet; at the intersection of the south line of Bradford Street with the west line of College Avenue, change the grade elevation from 431.88 feet to 430.60 feet.

And the grades of said Bradford Street, between the points hereinbefore mentioned, shall have a uniform ascent and descent; all of said grade elevations to be above the datum line of levels as fixed by Ordinance No. 3950 of the ordinances of said City.

And said Council hereby elects to proceed, in making said change of grade, under the provisions of the "Change of Grade Act of 1909."

That the SAN DIEGO UNION, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper in which this Resolution of Intention shall be published for two days, and the notice of the passage thereof shall be published for six days in the manner and by the persons required by law.

That the Clerk of the said City of San Diego be, and he is hereby directed to post this Resolution of Intention conspicuously for two days on or near the chamber door of the said Council, and to cause the same to be published by two insertions in said daily newspaper in the manner required by law.

That the Director of Public Works of the City of San Diego shall thereupon cause to be conspicuously posted along the street designated in this Resolution of Intention where said change or modification of grade is proposed to be made, at not more than one hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published for six days in said daily newspaper in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION NO. 73141

Directing notice of filing of assessment and of the time and Place of Hearing thereof.

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1721 made to cover the costs and expenses of the work done upon ALLEY IN BLOCK 1 CARMEL HEIGHTS in said City, under Resolution of Intention No. 72127, adopted August 28, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

## RESOLUTION NO. 73142

RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS  
IN THE ALLEY IN BLOCK 47, UNIVERSITY HEIGHTS.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading and paving of the ALLEY IN BLOCK 47, UNIVERSITY HEIGHTS, between the south line of Madison Avenue and the north line of Monroe Avenue, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 325666. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known

and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73143  
RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN PORTIONS  
OF FRANKLIN AVENUE; CUYAMACA AVENUE, JAMUL AVENUE, SAN MIGUEL  
AVENUE, LOS PINOS AVENUE, AND OCEAN VIEW BOULEVARD.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, subgrading, surfacing, construction of curb, gutters and drainage structures, and the removal of existing gutters and drainage structures in FRANKLIN AVENUE, between the easterly line of Boundary Street and its easterly termination in San Miguel Avenue; CUYAMACA AVENUE, between the north line of Ocean View Boulevard and the southwesterly line of Franklin Avenue; JAMUL AVENUE, between the easterly line of Cuyamaca Avenue and the southwesterly line of Franklin Avenue; SAN MIGUEL AVENUE, between the north line of Ocean View Boulevard and the northeasterly line of Franklin Avenue; LOS PINOS AVENUE, between the west line of San Pasqual Street and its westerly termination in San Miguel Avenue; OCEAN VIEW BOULEVARD, between a line parallel to and distant 15.00 feet easterly from the southerly prolongation of the easterly line of Cuyamaca Avenue and a line parallel to and distant 80.00 feet westerly from said parallel line, and between a line parallel to and distant 15.00 feet easterly from the southerly prolongation of the easterly line of San Miguel Avenue and a line parallel to and distant 80.00 feet westerly from the last described parallel line, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 325516. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California.  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



R E S O L U T I O N NO. 73144  
SPECIAL ASSESSMENT PROCEEDINGS FOR THE IMPROVEMENT OF  
LANDIS STREET.

WHEREAS, this Council did by its Resolution No. 72799, do and determine all the things required by Sections 2 and 13 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and

WHEREAS, the owners of more than fifteen per cent of the area of the proposed assessment district, as described in said Resolution No. 72799, did by their return post cards demand the investigation provided for by said Act; NOW, THEREFORE,

BE IT RESOLVED by this Council that it be, and it is hereby determined that the owners of more than fifteen per cent of the area of said assessment district by their return post cards did demand the making of the investigation as provided by said Act.

BE IT FURTHER RESOLVED, that the City Engineer of said City be, and he is hereby authorized and directed to prepare a written report upon the proposed improvement of LANDIS STREET, between the easterly line of Alabama Street and the westerly line of Mississippi Street, in the City of San Diego, California, which report shall contain, in addition to the matters mentioned in Section 2 of said Act, the following information, to-wit:

- A. Map, plat or diagram showing:
  1. The nature, location and extent of the improvement.
  2. Each separate lot or parcel of land to be assessed.
- B. The total estimated improvement cost:
  1. Incidental expenses to be separately shown.
  2. Cost of each class of construction must be separately shown.
- C. Assessed value as per latest equalized County Assessment Roll.
  1. Of each parcel to be assessed.
  2. The total assessed value of lands to be assessed.
- D. The total assessed value of improvements within the district.
- E. Total true value of all lands to be assessed, determined as per Section 2 of said Act.
- F. The true value of each parcel of the lands to be assessed.
- G. The per parcel, and the total outstanding special assessments (exclusive of interest and penalties); showing:
  1. Direct special assessments (as under 1911 Street Act).
  2. Unpaid, levied advalorem special assessments.
- H. Unlevied advalorem special assessments which will be levied upon each parcel of land to be assessed to pay principal of bonds theretofore issued.
  1. Estimated on each parcel of land to be assessed.
  2. Total estimated amount of such special assessments upon all the lands to be assessed. Said estimates to be proportioned according to the assessed value on said last equalized assessment roll, and also proportioned according to zones (if any), and the percentages of such zones.
- I. Estimated direct and advalorem special assessments in all proceedings in which a resolution ordering work has been adopted, but assessment unlevied, showing:
  1. Such estimates against each parcel of land to be assessed.
  2. Total upon all the parcels of land to be assessed. The advalorem assessments to be computed in the manner provided in paragraph (1) of Section 3 of said Limitation Act.
- J. Estimated assessments to be levied in this proceeding as follows:
  1. Estimated assessments upon each parcel of land to be assessed.
  2. Total assessment to be levied upon all the lands to be assessed.
- K. Serial bonds to be issued to represent assessments of \$25.00 or over.
  1. Number of years to run.
  2. Actual rate of interest.

The full report to be made in conformity with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and particularly with Section 3 thereof, and delivered to the Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73145  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - ALLEY IN BLOCK 190, SAN DIEGO LAND AND  
TOWN COMPANY'S ADDITION.

WHEREAS, the Council of The City of San Diego did, on the 3rd day of December, 1940, pass its Resolution of Intention No. 72841 to order certain work to be done and improvement to be made in the ALLEY IN BLOCK 190, SAN DIEGO LAND AND TOWN COMPANY'S ADDITION, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 14th day of January, 1941, duly pass its Resolution Ordering Work No. 73137, ordering said work to be done and said improvement to be made in said Alley in Block 190, San Diego Land and Town Company's Addition, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:



YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Bengough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73146  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER - ALLEY IN BLOCK 190, SAN DIEGO LAND AND  
TOWN COMPANY'S ADDITION.

WHEREAS, the Council of The City of San Diego, did on the 3rd day of December, 1940, pass Resolution of Intention No. 72841, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72841, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73147  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - 44TH STREET.

WHEREAS, the Council of The City of San Diego did, on the 3rd day of December, 1940, pass its Resolution of Intention No. 72837 to order certain work to be done and improvement to be made in 44th Street, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 14th day of January, 1941, duly pass its Resolution Ordering Work No. 73138, ordering said work to be done and said improvement to be made in said 44th Street, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73148  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED  
BY THE CITY ENGINEER - 44th STREET.

WHEREAS, the Council of The City of San Diego, did on the 3rd day of December, 1940, pass Resolution of Intention No. 72837, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72837, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### R E S O L U T I O N NO. 73149

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on Polk Avenue, between the westerly line of Arizona Street and the easterly line of Louisiana Street, as particularly described in Resolution of Intention No. 72398 and to be assessed to pay the expenses thereof.

#### R E S O L U T I O N NO. 73150

WHEREAS, pursuant to the request of The City of San Diego the Board of Supervisors of the County of San Diego on the 30th day of December, 1940, passed a resolution entitled, "In the Matter of Assisting the City of San Diego in the Improvement of 35th Street, from Main Street to National Avenue; Rigel Street, from Cottonwood Street to National Avenue; Cottonwood Street, from Pluto Street to Rigel Street, and Boston Avenue, from 35th Street to 36th Street," wherein and whereby, on condition that The City of San Diego furnish all oil necessary for oil surfacing 35th Street, from Main Street to National Avenue; Rigel Street, from Cottonwood Street to National Avenue; Cottonwood Street, from Pluto Street to Rigel Street; and Boston Avenue, from 35th Street to 36th Street, the County of San Diego agrees to use its roadbuilding equipment and to supply the necessary labor to improve said streets by oil surfacing the same; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the offer of the County of San Diego contained in the resolution hereinabove described, be, and the same is hereby accepted.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### R E S O L U T I O N NO. 73151

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and directed to execute, for and on behalf of The City of San Diego, a notice directed to Wayne W. Dailard, Warren Worcester and Curtis Coleman, lessees under that certain lease executed on the 14th day of May, 1940, between The City of San Diego and said Wayne W. Dailard, Warren Worcester and Curtis Coleman, and which lease is contained in Document No. 321531, on file in the office of the City Clerk of said City, demanding an accounting under said lease, and the payment by said parties to The City of San Diego of the sum of \$1,856.06, as in said notice set forth; a copy of which said notice is contained in Document No. 325755, filed in the office of the City Clerk of said City.

That said City Manager be, and he is further authorized and directed to cause a copy of said notice to be served upon each of the parties hereinabove named.

approved as to form by D. L. AULT

#### R E S O L U T I O N NO. 73152

WHEREAS, there is a delinquent assessment in the sum of One Hundred Thirty & 90/100 Dollars (\$130.90) under Acquisition and Improvement District No. 1 against that portion of Mount Hope Cemetery described as follows:

The north 660 feet of the south 177 acres,  
Pueblo Lot No. 1347;

AND WHEREAS, said Cemetery is, and has been for a long time hitherto, owned and operated by The City of San Diego, and is not used or held for profit; and

WHEREAS, said Cemetery is exempt from taxation and local assessment, under and by virtue of the provisions of Section 1(b), Article XIII, of the Constitution of the State of California, which provides as follows:

"All property used or held exclusively for the burial or other permanent deposit of the human dead or for the care, maintenance or upkeep of such property or such dead, except as used or held for profit, shall be free from taxation and local assessment."

NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Attorney be, and he is hereby authorized and directed to file a petition with the Board of Supervisors of the County of San Diego, requesting cancellation of said local assessment in accordance with said provision of the State Constitution therein made and provided.

Approved as to form by JAMES J. BRECKENRIDGE

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

# R E S O L U T I O N NO. 73153

WHEREAS, certain Mattoon (A.I.D.) assessments against the lands owned by The City of San Diego hereinafter described have been re-spread against said lands, which re-spread now amounts to the total sum of Seven Hundred Fifty-three and 27/100 Dollars (\$753.27); and

WHEREAS, in accordance with previous negotiations between The City of San Diego and officials of the County of San Diego, a compromise has been arrived at for the payment of said re-spread assessments on the basis of fifty cents on the dollar; and

WHEREAS, it is the desire of The City of San Diego to pay said re-spread assessment in accordance with said negotiations; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Attorney be, and he is hereby authorized and directed to file a petition with the Board of Supervisors of the County of San Diego, requesting said Board to authorize settlement of said re-spread against said lands described as follows:

Pueblo Lots Nos. 249 and 251, and the N.E. 1/4 of Pueblo Lot No. 212, upon the basis hereinbefore set forth.

Approved as to form by JAMES J. BRECKENRIDGE

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

# R E S O L U T I O N NO. 73163

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, is about to enter into a lease of certain portions of the tidelands with RYAN AERONAUTICAL COMPANY, a corporation, for a period of years commencing on the 1st day of January, 1941, and extending to the 31st day of August, 1973, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission and Ryan Aeronautical Company, a corporation, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

# L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the Harbor Commission of said City, as Lessor, hereinafter called the City, and RYAN AERONAUTICAL COMPANY, a corporation, as Lessee, WITNESSETH:

That the City, lessor as aforesaid, does by these presents demise and let unto the lessee, upon the terms and conditions and for the uses and purposes hereinafter recited, and the lessee hereby hires and accepts from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, all those lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California under the provisions of that certain Act of the Legislature, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the first day of May, 1911, and as subsequently amended, particularly described as follows, to-wit:

Beginning at the intersection of the southeasterly line of Quince Street with the southwesterly line of California Street; thence southwesterly along the southeasterly line of Quince Street and the southwesterly prolongation thereof a distance of 308 feet to a point; thence southeasterly on a line parallel to and distant 308 feet southwesterly from the southwesterly line of California Street a distance of 175.6 feet to a point; thence southwesterly on a line parallel to and distant 175.6 feet southeasterly from the southwesterly prolongation of the southeasterly line of Quince Street a distance of 76 feet to



the true point or place of beginning; thence at right angles southeasterly a distance of 85 feet to a point; thence at right angles southwesterly a distance of 44 feet to a point; thence at right angles northwesterly a distance of 85 feet to a point; thence northeasterly on a line parallel to and distant 175.6 feet southeasterly from the southwesterly prolongation of the southeasterly line of Quince Street a distance of 44 feet to the true point or place of beginning, containing an area of 3740 square feet.

The said lands hereinabove described being shown on the map or plat attached hereto, being designated as Parcel No. 2, which said plat is marked "Exhibit A," and made a part hereof.

Also, Beginning at the intersection of the southeasterly line of Quince Street with the southwesterly line of California Street; thence southwesterly along the southeasterly line of Quince Street and the southwesterly prolongation thereof a distance of 308 feet to a point; thence southeasterly on a line parallel to and distant 308 feet southwesterly from the southwesterly line of California Street a distance of 16.3 feet to a point; thence southwesterly on a line parallel to and distant 16.3 feet southeasterly from the southwesterly prolongation of the southeasterly line of Quince Street a distance of 76 feet to the true point or place of beginning; thence continuing along the parallel line 16.3 feet southeasterly from the southwesterly prolongation of the southeasterly line of Quince Street a distance of 52 feet to a point; thence at right angles northwesterly a distance of 85 feet to a point; thence at right angles northeasterly a distance of 52 feet to a point; thence at right angles southeasterly a distance of 85 feet to the true point or place of beginning, containing an area of 4420 square feet.

The said lands hereinabove described being shown on said map or plat attached hereto, being designated as Parcel No. 3, which said plat is marked "Exhibit A", and made a part hereof.

TO HAVE AND TO HOLD the said premises unto the said lessee for a term beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_, and ending on the 31st day of August, 1973, unless sooner terminated as herein provided, at the following rentals:

For the first five-year portion of said term, the sum of forty dollars (\$40.00) per month;

For the next five-year portion of said term, the sum of sixty dollars (\$60.00) per month;

For the next five-year portion of said term, the sum of eighty dollars (\$80.00) per month;

For the next five-year portion of said term, the sum of one hundred dollars (\$100.00) per month;

For the next five-year portion of said term, the sum of one hundred twenty dollars (\$120.00) per month;

For the next five-year portion of said term, the sum of one hundred forty dollars (\$140.00) per month;

For the remaining and final portion of said term, the sum of one hundred sixty dollars (\$160.00) per month.

All rentals hereunder shall be due and payable monthly in advance upon the first day of each and every month during the term of this lease.

This lease shall be assignable only by the consent of the Harbor Commission of said City, evidenced by resolution duly passed. The lessee shall have the right to sublet portions of the buildings erected or to be erected upon the leased premises, as hereinafter provided.

The Council of said City, and the Harbor Commission of said City, and the people of said City, hereby reserve the right and privilege to annul, change or modify this lease in such manner as may seem proper, upon the payment to said lessee of reasonable compensation for damages occasioned by said annulment, change or modification. The reasonable compensation herein provided to be paid to the lessee shall be based upon and limited to compensation for the actual value of such buildings, structures and physical improvements placed upon the demised premises by the lessee as are required, authorized or permitted under the terms of this lease, and shall not be held to include compensation to said lessee for any damage to, interference with, or loss of business or franchise occasioned by any such annulment, change or modification.

In addition to the foregoing provisions, it is hereby agreed by the parties to this lease that the same is granted and accepted upon the further terms and conditions hereinafter provided, to-wit:

(1) The lessee agrees immediately to begin and carry through continuously to completion a two-story building upon Parcel No. 2 of the premises hereby leased, which said building is intended to be used principally for engineering purposes and activities in connection with the lessee's manufacturing plant or its subsidiary School of Aeronautics located upon Lindbergh Field; and likewise immediately to begin and carry through continuously to completion a two-story building, to be located on Parcel No. 3 of the premises hereby leased, which said building is intended to be used principally for offices and facilities for the United States Army Air Corps Officers assigned for duty in connection with the training and instruction of aviation students or cadets.

(2) That all plans for the construction of each of the buildings to be erected upon the said leased premises shall comply with all the ordinances of The City of San Diego, and shall be subject to the approval of said Harbor Commission and the Planning Commission of said City.

(3) The lessee hereby agrees to indemnify and hold harmless said lessor and the leased property from any fine, lien, penalty or forfeiture which shall or may accrue from or by reason of the construction, enlargement, improvement or repair of any building or structure to be erected or placed on said premises, or by reason of any use of said premises, or by reason of any use of said premises by the lessee; and it further agrees to indemnify and hold harmless the said lessor from any liability or claim of liability, and to pay any judgment rendered against said lessor, and to reimburse the lessor for any expense incurred by it, by reason of any action or suit at law or in equity brought against it, in which it is made a party, by reason of the erection, improvement, enlargement or repair of any such building or structure, or by reason of the occupancy or use by the lessee of the premises herein granted, or in any way relating to or connected with the use of the premises. For the purpose of this paragraph the term "expense" shall be construed to include all costs incurred by the lessor in the defense or settlement of said action or suit, including attorney's fees, filing fees, salaries and expenses of any officials or employees of said lessor while engaged in the defense or settlement of said action or suit.

(4) That the said lessee shall at all times carry fire equipment and apparatus satisfactory to the Harbor Commission.

(5) That the lessee shall be required at its own expense to remove all utilities such as watermains, pipelines and electric conduits which would otherwise be under either of the buildings to be constructed upon the leased premises, and to relocate and place the same in proper condition outside of and beyond said buildings.

(6) That all wires and wiring serving said leased premises shall be placed underground.

(7) That immediately upon the completion of said buildings the lessee shall cause the same to be used and occupied for the purposes hereinabove stated, and will continue such



use and occupancy during the term of this lease. If the lessee shall fail to erect and complete said buildings as hereinabove required, or shall discontinue the use of the same for purposes similar in character to those in this lease specified, or shall be in default with regard to any of the terms, conditions, covenants or obligations herein contained to be kept and performed by said lessee, the City shall have the right to serve notice in writing upon the lessee that if such default is not cured within a thirty (30) day period from the date of the service of such notice, the City may declare this lease at an end, and upon such a declaration by the City of its termination of this lease the said lessee shall remove from the said demised premises and have no further right or claim thereto, and the City shall immediately thereupon, without recourse to the courts, have the right to take possession of said premises, and said lessee shall forfeit all rights and claims thereto and thereunder; provided, however, that in the event of a termination of this lease as in this paragraph provided the lessee may, within such reasonable time as the Harbor Commission may designate, remove all buildings, improvements, structures and equipment and other personal property of the lessee from the premises herein leased, or otherwise disposed of the same; provided, further, that no such termination shall in any wise relieve the lessee from the obligation to pay any rentals and charges accrued and unpaid up to the time thereof.

(8) Reference is hereby made to all laws as now existing and as may hereafter be amended or enacted, applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed, or reservations made, are made a part of this lease with like effect as though the same were expressly set forth herein.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego have hereunto subscribed their names as and for the act of said City, and the said lessee has caused this instrument to be executed, and its corporate name and seal to be hereunto affixed, by its proper officers, thereunto duly authorized, the day and year first hereinabove written.

THE CITY OF SAN DIEGO  
Lessor.  
By \_\_\_\_\_  
Members of the Harbor Commission  
of The City of San Diego.  
RYAN AERONAUTICAL COMPANY  
Lessee.  
By \_\_\_\_\_

I hereby approve the form of the foregoing Lease, this \_\_\_\_\_ day of \_\_\_\_\_, 1941.  
\_\_\_\_\_  
City Attorney.  
By \_\_\_\_\_ Assistant City Attorney

EXHIBIT A

Passed and adopted by the said Council of the said City of San Diego, California, this 14th day of January, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73154

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with a combination 3/4 cubic yard gasoline powered shovel with 40 foot boom and clamshell bucket, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 325810.  
Approved as to form HARRY S. CLARK

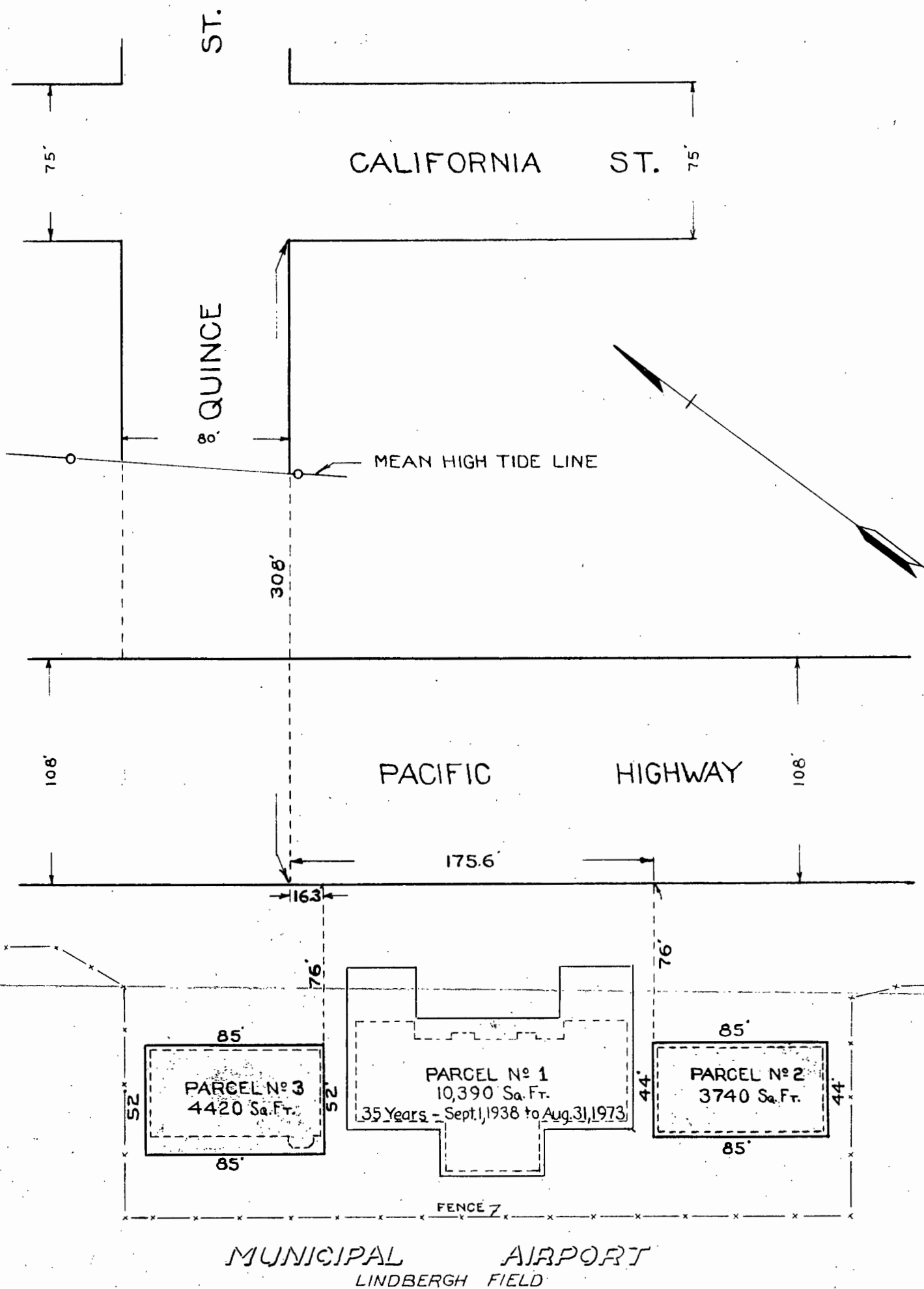
2

R E S O L U T I O N NO. 73155

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with four (4) 6" compound water meters, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 325813.  
Approved as to form HARRY S. CLARK

R E S O L U T I O N NO. 73156

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the subordination agreement executed by the Corporation of America, bearing date January 10, 1941, whereby said Corporation of America subordinates all its right, title and interest under that certain deed of trust executed by August Kasitz and Melvina Kasitz, dated October 31, 1940, recorded November 9, 1940, in Book 1093, page 351, official records of San Diego County, California, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego through, along and across a portion of Lot 12, Rancho Mission of San Diego, according to the Partition Map thereof filed in the office of the County Clerk of said County, be, and the same is hereby accepted on the conditions therein expressed;  
And the City Clerk of said City is hereby authorized and directed to file the said subordination agreement of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.



NOTE - Shaded areas (Parcels 2 & 3) to be added to Amended Lease.

DRAWN BY L.R.L.  
TRACED BY  
CHECKED BY  
APPROVED  
PORT DIRECTOR

HARBOR DEPARTMENT-CITY OF SAN DIEGO  
MUNICIPAL TIDELAND LEASE  
RYAN AERONAUTICAL COMPANY

DATE Oct. 30, 1940  
SCALE 1" = 60'  
DRAWING No  
12-B-2





## R E S O L U T I O N NO. 73157

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of E. B. McKown, L. W. McKown, Ernestine Loudon, Laura M. Camp and Louise Dalzell, executed in favor of The City of San Diego, bearing date December 24, 1940, conveying to said City an easement and right of way for sewer purposes, through, along and across portions of Lots 5 and 6, in Block E of Oak Park, according to the Map thereof No. 1732 filed for record in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73158

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of F. L. Osenburg, executed in favor of The City of San Diego, bearing date January 7, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the west 45 feet of the east 85 feet of Lot 46, in Block 16 of Fairmount Addition to City Heights, according to the Map thereof No. 1035, filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73159

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That any liability under the bond of Lucien J. Poitras executed by the said Lucien J. Poitras and the Maryland Casualty Company to The City of San Diego, dated January 1, 1940, for any acts of said Lucien J. Poitras in the performance of his duty as Traffic Clerk of The City of San Diego, on and after January 1, 1941, be considered as not covered by the terms of said bond; and that from and after said date of January 1, 1941, said Maryland Casualty Company as surety, be released from future liability on said bond for any act committed by the said Lucien J. Poitras subsequent to said date.

Approved as to form J. H. MC KINNEY

## R E S O L U T I O N NO. 73160

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bill submitted by the San Diego Junior Chamber of Commerce in the sum of \$1000.00 covering portion of expenses incurred in connection with the advertising of the City of San Diego by means of a float in the Pasadena Tournament of Roses Parade, held January 1st, 1941, as approved by the Advertising Control Committee under date of January 13th, 1941, be and said bill is hereby approved for payment; and

BE IT FURTHER RESOLVED that a requisition be and it is hereby authorized to be drawn on the allocation set up in the Advertising and Publicity Fund of the City of San Diego for the fiscal year 1940-41 for said purpose.

## R E S O L U T I O N NO. 73161

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and empowered to execute for and on behalf of The City of San Diego an agreement between The City of San Diego and the Zoological Society of San Diego, wherein and whereby an annual audit by The City of San Diego of the receipts and expenditures of the Zoological Society and the City's approval of rules and regulations is provided for.

Approved as to form by D. L. AULT

## R E S O L U T I O N NO. 73162

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That Resolution No. 72954, ratifying, confirming and approving lease of certain portions of the tidelands, between The City of San Diego and Ryan Aeronautical Company, a corporation, which said resolution was adopted on the 17th day of December, 1940, be, and the same is hereby repealed.

RESOLUTION NO. 73163 on page 174

## R E S O L U T I O N NO. 73164

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby requested to consider taking action to eliminate the dumps at 47th Street and Broadway Extension during the next fiscal year.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73115 to 73164 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 14th day of January, 1940.

FRED W. SICK

City Clerk of the City of San Diego, California

By *August M. Hadsten* Deputy

## R E S O L U T I O N NO. 73165

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The verbal protest of Robert L. Ingram against the Engineer's estimate on the cost for the proposed work of improving MAPLE STREET, between the easterly line of 32nd Street and the center line of 33rd Street; and 32ND STREET, between the westerly prolongation of the northerly and southerly lines of Maple Street, be and it is hereby denied, and all other protests are hereby denied.

## R E S O L U T I O N NO. 73166

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to O. J. L. Arsenault, 4897 Circle Drive, to erect a second residence on Lot 45 Bonnie Brae, in accordance with sketch attached to petition bearing Document No. 325603.

Variance to the restrictions of Ordinance No. 12989 be and it is hereby granted in so far as they relate to property mentioned above.

## R E S O L U T I O N NO. 73167

BE IT RESOLVED by the Council of the City of San Diego, as follows:

A license is hereby granted to Horace Dobiler Mathews to drive a taxicab for ninety days from the date of this resolution.

## R E S O L U T I O N NO. 73168

BE IT RESOLVED by the Council of the City of San Diego, as follows:

A license is hereby granted to Thomas Leo Powers to drive a taxicab for ninety days from the date of this resolution.

## R E S O L U T I O N NO. 73169

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The action of the Chief of Police in denying the application of James Milhollan, 1078 Cleveland Avenue, for a license to drive a taxicab be, and it is hereby approved.

## R E S O L U T I O N NO. 73170

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The action of the Chief of Police in denying the application of Francisco G. Danese, 804 A Street, for a license to drive a taxicab be, and it is hereby approved.

## R E S O L U T I O N NO. 73171

BE IT RESOLVED by the Council of the City of San Diego, as follows:

A license is hereby granted to Woodrow Cheney, 3875 - 41st Street, to drive a taxicab for ninety days from the date of this resolution.

## R E S O L U T I O N NO. 73172

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of Consolidated Employees Club, Inc., 914 - 7th Avenue, by Z. M. Tonkins and Mildred E. Tonkins, for a class E license to conduct public dance at the above mentioned address, on premises where intoxicating liquor is sold, is hereby granted, subject to compliance with existing regulations.

## R E S O L U T I O N NO. 73173

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving Collier Avenue, between Mansfield Street and Hawley Boulevard, contained in Document No. 325429, be and it is hereby granted. Type of pavement to be four inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

## R E S O L U T I O N NO. 73174

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for grading and curbing Dalbergia Street, between Una and Thor Streets, contained in Document No. 325104, be and it is hereby granted.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

## R E S O L U T I O N NO. 73175

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Ralph S. Roberts and Wyman Williams, 2025 Diamond Street, for the construction of sidewalks and curbs on the south side of Diamond Street, between Morrell and Noyes Streets, along the north side of Block 168 Pacific Beach, and that the cost be charged against the owners of Lots 1 to 20 inclusive, be and it is hereby denied, as recommended by the City Engineer.

## R E S O L U T I O N NO. 73176

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized to prepare and submit to the Council an ordinance establishing a working week of seventy two hours for members of the Fire Department.

## R E S O L U T I O N NO. 73177

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Heck Transfer and Storage Company, 730 - 13th Street, for establishment of a loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a thirty-foot loading zone to be painted on the west side of 13th Street, between F and G Streets, to extend the distance between the two driveways at 730 and 742 - 13th Street.

## R E S O L U T I O N NO. 73178

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Manager for denial of the request of Linn Platner for reduction of the \$240.00 per year license fee charged the Coliseum Athletic Club, 15th and E Streets, be, and it is hereby adopted.

## R E S O L U T I O N NO. 73179

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Manager that the installation of water mains not less than six inches in diameter, and standard two way hydrants be installed on properly cross connected six inch lines in all new subdivisions be required, be, and it is hereby adopted.

## R E S O L U T I O N NO. 73180

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare the necessary resolution to offer for sale the west fifty feet of Lots 37 and 38 (exc. S. 10 feet of W. 50 feet of Lot 37) in Block 49 City Heights. The minimum sale price shall be \$250.00.

## R E S O L U T I O N NO. 73181

WHEREAS, in accordance with the provisions of Section 203 of the Streets and Highway Code, the Department of Public Works of the State of California shall expend or cause to be expended within the cities of the State from the State Highway Fund, an amount equal to the net revenue derived from the quarter cent per gallon of tax on motor vehicle fuel upon state highways as are agreed upon by the Department and the legislative bodies of the cities of this State; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized to execute and forward to the Division of Public Works of the State of California the Fourth Supplemental Memorandum of Agreement for Expenditure of 1/4 Cent Gas Tax for State Highways, covering the expenditure of funds for the improvement of State highways within the limits of The City of San Diego, as set forth in Document No. 325966, on file in the office of the City Clerk of said City.

BE IT FURTHER RESOLVED, that the City Clerk of said City be, and he is hereby authorized and directed to forward a certified copy of this resolution to the Secretary of the California Highway Commission of the State of California.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 73182

DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND PLACE OF HEARING THEREOF.

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1722 made to cover the costs and expenses of the work done upon the Northwesterly and Southeasterly Alley in Block 72 Ocean Beach, a portion of Newport Avenue and Public Right of Way in said City, under Resolution of Intention No. 72129, adopted August 28, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

## R E S O L U T I O N NO. 73183

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving Alley Block A, Altadena, as particularly described in Resolution of Intention No. 72534 and to be assessed to pay the expenses thereof.

## R E S O L U T I O N NO. 73184

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving Alley Block K, Altadena, as particularly described in Resolution of Intention No. 72474 and to be assessed to pay the expenses thereof.

## R E S O L U T I O N NO. 73185

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Director of Parks of The City of San Diego be, and he is hereby authorized to make and execute, for and on behalf of The City of San Diego, a revocable preferential but non-exclusive permit for the use and occupancy of the Bank of America Building in Balboa Park to the Junior Advertising Club, a non-profit organization.

Approved as to form by D. L. AULT

## R E S O L U T I O N NO. 73186

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with 700 feet of 16" Class 200 cement lined cast iron pipe, and 19 miscellaneous 16" fittings, in accordance with Notice to Bidders, Specifications, Bidding Instructions and requirements, on file in the office of the City Clerk bearing Document No. 325956.

Approved as to form D. L. AULT

## R E S O L U T I O N NO. 73187

ADOPTING MAP OF WESTON HIGHLANDS, AND ACCEPTING THE PUBLIC STREET AND EASEMENTS THEREIN.

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

Said Council hereby finds that that certain map, entitled: "Map of Weston Highlands, a subdivision of Lot 123, Morena, according to Amended Map 809 on file in the County Recorder's Office, County of San Diego, State of California, more particularly described as follows: Beginning at the S. W. corner of said Lot 123; thence N 8° 55' E., 430.05' to the



N.W. corner of said Lot; thence S. 81° 08' E., 609.14' to the N.E. corner of said Lot; thence S. 8° 55' W., 430.05' to the S.E. corner of said Lot; thence N. 81° 08' W., 609.14' to the place of beginning," is made in the manner and form prescribed by law, and conforms to the surrounding surveys; and that said map and the subdivision of land shown thereon is hereby allowed; and said Council hereby accepts on behalf of the public the following street shown on said map, to-wit: Orten Street, and easements shown thereon for public purposes. And said street and easements are hereby declared to be a public street and easements, and dedicated to the public use.

The Clerk of said City is hereby authorized and directed to endorse upon said map, as and for the act of this Council, that said street and easements are accepted on behalf of the public as hereinbefore stated; and said City Clerk is hereby directed to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, California.

Approved as to form by D. L. AULT

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 73188

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Assignment of Lease executed by the Union Title Insurance and Trust Company, bearing date January 18, 1941, whereby said Union Title Insurance and Trust Company assigns all its right, title and interest in a certain lease between the Union Trust Company of San Diego, a corporation, as executor of the Estate of J. F. Carey, also known as Joseph F. Carey, deceased, and C. C. Dedrick, to the City of San Diego, be, and the same is hereby accepted;

And the City Clerk of said City is hereby authorized and directed to file the said Assignment of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73189

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Armistead B. Carter and Mary Delafield Carter, executed in favor of The City of San Diego, bearing date January 9, 1941, conveying to said City an easement and right of way for sewer and water pipeline purposes through, along and across the east 50 feet of Lots 3 and 4, in Block 3 of City Heights, according to the Amended Map thereof No. 1007, filed in the office of the County Recorder of San Diego County, October 3, 1906, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73190

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of the Union Title Insurance and Trust Company, successor to Union Trust Company of San Diego, a corporation, as executor of the Estate of J. F. Carey, also known as Joseph F. Carey, deceased, executed in favor of The City of San Diego, bearing date January 17, 1941, be, and the same is hereby accepted;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73191

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of A. W. Carey and Launa M. Carey, executed in favor of The City of San Diego, bearing date November 20, 1940, conveying to said City Lots 1, 2 and 3, in Block 14, of Encanto Heights, according to Map thereof No. 1063, filed in the office of the County Recorder of San Diego County June 6, 1907, be, and the same is hereby accepted;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73192

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Mercy Hospital, San Diego, executed in favor of The City of San Diego, bearing date November 15, 1940, conveying to said City an easement and right of way for street purposes through, along and across Lots 34 and 35 and portions of Lots 36 and A, G.A.Bush Addition, according to the map thereof No. 1915, filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed are hereby set aside and dedicated to the public use as and for a public street, and the same are hereby named WASHINGTON STREET;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73193

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of J. Harold Peterson and Helen S. Peterson, executed in favor of the City of San Diego, bearing date January 9, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 9, Block 338 of



Middletown, according to thereof made by C.E. Jackson in 1870, filed in the office of the County Clerk of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73194

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Wilbur R. Coahran and Marion L. Coahran, executed in favor of The City of San Diego, bearing date January 3, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the east 50 feet of Lots 1 to 4 inclusive, in Block 3 of City Heights, according to Amended Map thereof No. 1007, filed in the office of the County Recorder of San Diego County, California, October 3, 1906, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73195

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Martha F. Cobb, executed in favor of The City of San Diego, bearing Date March 13, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the southerly 3 feet of the easterly 40 feet of Lot 4, Block 31, in Fairmount Addition to City Heights, according to map thereof No. 1035, filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73196

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Leota E. McGaw and Hazel C. Collins, executed in favor of The City of San Diego, bearing date January 15, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across Lot 11, Block 21, Ocean Beach Park, as shown on Map as recorded in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73197

WHEREAS, The City of San Diego in the immediate future will invite sealed proposals by advertising in a newspaper of general circulation in The City of San Diego for the grading and paving and otherwise improving of EUCLID AVENUE, in said City, from the north line of El Cajon Avenue to the south line of Monroe Avenue; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That in accordance with the Charter of The City of San Diego, and particularly Section 193 thereof, the City Council has ascertained the general prevailing rate of per diem wages and rates for legal holiday and overtime work in the locality in which this work is to be performed, for each classification or type of workman or mechanic needed to execute the contract which will be awarded the successful bidder. The prevailing rates so determined are as follows:

| Trade or Occupation               | Per 8 hour day | Per hour |
|-----------------------------------|----------------|----------|
| Asphalt raker                     | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                  | 5.00           | 0.625    |
| Auto mechanic                     | 6.00           | 0.75     |
| Backfill machine operator         | 6.00           | 0.75     |
| Blacksmith                        | 6.00           | 0.75     |
| Blademan                          | 6.00           | 0.75     |
| Bricklayer                        | 12.00          | 1.50     |
| Bricklayer tender                 | 7.00           | 0.875    |
| Bulldozer operator                | 6.00           | 0.75     |
| Bulldozer operator over 50 HP     | 10.00          | 1.25     |
| Carpenter                         | 8.00           | 1.00     |
| Caulker                           | 6.00           | 0.75     |
| Cement finisher                   | 10.00          | 1.25     |
| Clerk                             | 6.00           | 0.75     |
| Compressor operator               | 10.00          | 1.25     |
| Concrete mixerman                 | 7.00           | 0.875    |
| Concrete spreader                 | 5.00           | 0.625    |
| Concrete tamper                   | 5.00           | 0.625    |
| Crane operator                    | 9.00           | 1.125    |
| Driller                           | 7.00           | 0.875    |
| Drill sharpener                   | 6.00           | 0.75     |
| Electrician                       | 10.00          | 1.25     |
| Engineer, hoisting                | 10.00          | 1.25     |
| Engineer, asphalt plant           | 10.00          | 1.25     |
| Finish machine operator           | 6.00           | 0.75     |
| Form setter                       | 6.00           | 0.75     |
| Jackhammer man                    | 7.00           | 0.875    |
| Kettleman, asphalt or lead        | 6.00           | 0.75     |
| Laborer, common                   | 5.00           | 0.625    |
| Materialman                       | 6.00           | 0.75     |
| Pipelayer                         | 6.00           | 0.75     |
| Plumber                           | 10.00          | 1.25     |
| Powderman                         | 6.00           | 0.75     |
| Pumpman                           | 6.00           | 0.75     |
| Reinforcing steel worker          | 10.00          | 1.25     |
| Road grader operator              | 6.00           | 0.75     |
| Roller operator                   | 10.00          | 1.25     |
| Shovel operator, 1 yard and over  | 10.00          | 1.25     |
| Shovel operator, less than 1 yard | 8.00           | 1.00     |
| Shovel fireman and watchman       | 7.00           | 0.875    |

| Trade or Occupation                | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Shovel oiler                       | \$ 6.00        | \$ 0.75  |
| Teamster                           | 5.00           | 0.625    |
| Tractor Operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs.     | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five-day week, and other overtime when permitted by law, to be paid for at the rate of time and one-half.

Presented by F. A. RHODES

Approved as to form by D. L. AULT

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73198

WHEREAS, the plans and specifications for the grading, paving and otherwise improving of EUCLID AVENUE, in The City of San Diego, California, from the north line of El Cajon Avenue to the south line of Monroe Avenue, were filed in the office of the City Clerk of The City of San Diego on the 20th day of January, 1941, and which said plans and specifications bear official Document No. 325960; and

WHEREAS, said plans and specifications have been submitted to this Council for approval; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the plans and specifications for the grading, paving and otherwise improving EUCLID AVENUE, in The City of San Diego, California, from the north line of El Cajon Avenue to the south line of Monroe Avenue, filed in the office of the City Clerk of said City, and bearing Document No. 325960, be, and the same are hereby approved.

BE IT FURTHER RESOLVED that the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to proceed to publish in accordance with law, notice to contractors calling for bids for the grading, paving and otherwise improving of said Euclid Avenue, from the north line of El Cajon Avenue to the south line of Monroe Avenue, in accordance with the plans and specifications hereinabove referred to.

Presented by F. A. RHODES

Approved as to form by D. L. AULT

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73199

AUTHORIZING PAYMENT OF \$27.00 FROM SMALL CLAIMS PAYMENT FUND  
IN FULL SETTLEMENT OF THE JUDGMENT AGAINST THE CITY OF SAN  
DIEGO IN THE CASE OF RICHARD SCHONEBORN V. THE CITY OF SAN DIEGO.

WHEREAS, on or about the 19th day of November, 1940, there was filed with the City Auditor and Comptroller of The City of San Diego the claim of Richard Schoneborn against said City on account of damages to his automobile caused by a City-owned truck, which said claim is in the amount of \$25.00; and

WHEREAS, the City Attorney and the City Auditor recommended that said claim be denied; and

WHEREAS, thereafter Mr. Schoneborn filed a suit in Small Claims Court against The City of San Diego, and on the 27th day of December, 1940, judgment was rendered in favor of Mr. Schoneborn and against The City of San Diego for the sum of \$27.00, being the amount of said claim, plus \$2.00 Court costs; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Auditor and Comptroller of said City be, and he is hereby authorized and directed to issue a warrant against the Small Claims Payment Fund of The City of San Diego in the sum of \$27.00, in full settlement of said judgment in the case of Richard Schoneborn against The City of San Diego, upon the delivery to said City Auditor and Comptroller of a duly executed release, the form of which shall be approved by the City Attorney.

Approved as to form by J. H. MCKINNEY

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Knox

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

#### R E S O L U T I O N NO. 73200

THAT WHEREAS, The City of San Diego has need for and is desirous of purchasing that certain piece or parcel of land situate and being in the County of San Diego, State of California, described as follows:

Lot One of the Subdivision of the East Half of Pueblo Lot 1215, in  
 The City of San Diego, according to the Map thereof No. 690, filed in  
 the office of the County Recorder of said San Diego County October 31,  
 1891;

and

WHEREAS, Solon S. Kipp is the owner and in possession of said land, and has agreed to sell and convey said land to The City of San Diego for a consideration of \$1300.00, and that the City finds the price so demanded is fair and equitable; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Manager of The City of San Diego be, and he is hereby authorized and empowered to purchase the lands above described from Solon S. Kipp and wife for the consideration of \$1300.00 cash to them in hand paid, said lands to be free and clear of all encumbrances, except easements and rights of way now of record; and said City Manager be, and he is hereby authorized and directed to issue a requisition against "Outlay" (Purchase various properties), General Appropriations, as provided by Section 34 of Ordinance No.1880 (New Series) of the ordinances of said City, in payment of the lands hereinabove described.

Approved as to form by D. L. AULT

Jan. 21 1941 Approved as to funds available J.S.BARBER City Auditor and Comptroller.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Knox

(SEAL)

ATTEST: P.J.BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

#### R E S O L U T I O N NO. 73201

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor and Comptroller be, and he is hereby authorized and directed to transfer the sum of \$4750.00 from Account FAA-5532 (Strengthen San Dieguito Dam), Division of Development and Conservation, to Account FAB-382 (Repairs to Services), Division of Distribution, Water Department Fund of The City of San Diego, as provided by Section 24 of Ordinance No. 1880 (New Series) of the ordinances of The City of San Diego.

Approved as to form by D. L. AULT

Jan. 20 1941 Approved as to funds available J. S. BARBER City Auditor and Comptroller

#### R E S O L U T I O N NO. 73202

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the J. R. Townsend Co., Inc. to furnish The City of San Diego with one line service truck, cab and body complete, for the sum of \$4320.44 be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said J. R. Townsend Co., Inc.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said J. R. Townsend Co., Inc., for furnishing of said truck, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

That the City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.

Approved as to form D. L. AULT

#### CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated 1/20, 1940

J. S. BARBER  
 Auditor and Comptroller of the City of San Diego, California  
 To be paid out of EA 5532 - for \$4,320.44

RESOLUTION OF AWARD NO. 73203  
Dickens Street and Emerson Street

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 14th day of January, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72734, adopted by the Council on November 19, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of DICKENS STREET and EMERSON STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To R. E. HAZARD & SONS, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |           |
|---|-----------|
| Excavation, per cubic yard, .....   | \$ 0.40   |
| Embankment, per cubic yard, .....   | \$ 0.20   |
| Preparation of subgrade, per square foot, .....   | \$ 0.015  |
| Pavement, per square foot, .....  | \$ 0.1175 |
| 6" cast iron water main, with fittings, connections and appurtenances, laid, per lineal foot, ..... | \$ 1.50   |
| Fire hydrants, with fittings and appurtenances, installed, EACH ...                                 | \$125.00  |
| 3/4" water services, installed, EACH .....  | \$ 27.50  |
| 4" sewer laterals, installed, EACH .....  | \$ 25.00  |
| 6" sewer laterals, installed, EACH .....  | \$ 35.00  |
| Curb, per lineal foot .....   | \$ 0.50   |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF AWARD NO. 73204  
Alley in Block 37, Amended Map of City Heights.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 14th day of January, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the improvement described in Resolution of Intention No. 72735, adopted by the Council on November 19, 1940, and on file in the office of the City Clerk of said City for the improvement of the ALLEY IN BLOCK 37, AMENDED MAP OF CITY HEIGHTS, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention,

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To V. R. DENNIS, an individual doing business under the firm name and style of V. R. DENNIS CONSTRUCTION COMPANY, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |          |
|---|----------|
| Excavation, per cubic yard, .....   | \$ 0.60  |
| Embankment, per cubic yard, .....   | \$ 0.50  |
| Preparation of subgrade, per square foot, .....   | \$ 0.01  |
| Pavement, per square foot, .....  | \$ 0.124 |
| 6" cast iron water main, with fittings, connections and appurtenances, laid, per lineal foot, ..... | \$ 1.40  |
| 3/4" water services, installed, EACH .....  | \$15.00  |
| 4" sewer laterals, installed, EACH .....  | \$15.00  |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough



NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION ORDERING WORK NO. 73205  
Strandway

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72882, adopted by the Council on December 10, 1940, and on file in the office of the City Clerk of said City for the grading and paving of STRANDWAY, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72689, adopted on the 12th day of November, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1940, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION ORDERING WORK NO. 73206

North and South Alley in Block 46, W.P. Herbert's Subdivision.

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72881, adopted by the Council on December 10, 1940, and on file in the office of the City Clerk of said City for the grading and paving of the NORTH AND SOUTH ALLEY IN BLOCK 46, W. P. HERBERT'S SUBDIVISION, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72743, adopted on the 19th day of November, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73207  
APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING  
CLERK TO GIVE NOTICE OF SAID HEARING. TALMADGE PARK LIGHTING  
DISTRICT NO. 1

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 11th day of January 1941, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 73030, adopted by said Council on the 31st day of December 1940, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required by law, NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 18th day of February, 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

VAN DYKE AVENUE, between the southerly and northerly boundary lines of Talmadge Park;

TALMADGE DRIVE, for its entire length;

VAN DYKE PLACE, for its entire length; and

ADAMS AVENUE, between the westerly line of Talmadge Park and the southerly prolongation of the easterly line of Lot 184, Talmadge Park.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73208  
APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING  
CLERK TO GIVE NOTICE OF SAID HEARING, TALMADEG PARK LIGHTING  
DISTRICT NO. 2

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 11th day of January 1941, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 73031, adopted by said Council on the 31st day of December 1941, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required by law, NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 18th day of February, 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

HART DRIVE, for its entire length;

ARGOS DRIVE, for its entire length;

ALDER PLACE, for its entire length; and

JEFFERSON STREET, between the westerly line of Talmadge Park Unit No. 2 and its termination in Alder Place.

Said furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also

cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73209  
APPROVING ENGINEER'S REPORT AND FIXING TIME AND PLACE FOR  
HEARING THEREON-ALLEY IN BLOCK 5  
CHESTER PARK ADDITION.

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 11th day of January, 1941, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of the ALLEY IN BLOCK 5, CHESTER PARK ADDITION, between the north line of Orange Avenue and the southerly line of El Cajon Boulevard, in the City of San Diego, California, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 25th day of February, 1941, at 10:00 o'clock in the forenoon of said day and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73210  
RELATING TO DEMAND OF PROPERTY OWNERS FOR REPORT UNDER THE  
SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY  
PROTEST ACT OF 1931 - PORTIONS OF 32ND STREET AND DATE STREET.

It appearing to the Council that more than thirty (30) days have elapsed since the postcard notices have been served on the property owners in the proposed district to be assessed to pay the costs and expenses of grading and paving 32nd STREET, between the northerly line of Cedar Street and the southerly line of Elm Street; and DATE STREET, between the easterly line of 32nd Street and the westerly line of Bancroft Street, in said City; and that the return postcards of such property owners demanding an investigation and report under said Act have been by this Council fully considered and computed; NOW, THEREFORE,

BE IT RESOLVED, and it is hereby ordered and determined that the owners of 15% of the area of the proposed district have not demanded such investigation and report.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading and paving of 32ND STREET and DATE STREET, within the above described limits.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy



RESOLUTION NO. 73211  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - NORTH AND SOUTH ALLEY IN BLOCK 46,  
W. P. HERBERT'S SUBDIVISION.

WHEREAS, the Council of The City of San Diego did, on the 10th day of December, 1940, pass its Resolution of Intention No. 72881 to order certain work to be done and improvement to be made in the NORTH AND SOUTH ALLEY IN BLOCK 46, W. P. HERBERT'S SUBDIVISION, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 21st day of January, 1941, duly pass its Resolution Ordering Work No. 73206, ordering said work to be done and said improvement to be made in said North and South Alley in Block 46, W. P. Herbert's Subdivision, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION NO. 73212  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY THE  
CITY ENGINEER - NORTH AND SOUTH ALLEY IN BLOCK 46, W. P. HERBERT'S  
SUBDIVISION.

WHEREAS, the Council of The City of San Diego, did on the 10th day of December, 1941, pass Resolution of Intention No. 72881, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72881, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION NO. 73213  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER-STRANDWAY

WHEREAS, the Council of The City of San Diego did, on the 10th day of December, 1940, pass its Resolution of Intention No. 72882 to order certain work to be done and improvement to be made in STRANDWAY, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 21st day of January, 1941, duly pass its Resolution Ordering Work No. 73205, ordering said work to be done and said improvement to be made in said Strandway, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION NO. 73214  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED  
BY THE CITY ENGINEER-STRANDWAY

WHEREAS, the Council of The City of San Diego, did on the 10th day of December, 1940, pass Resolution of Intention No. 72882, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,  
BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72882, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Fish, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION NO. 73215

WHEREAS, the Council of The City of San Diego is this day in receipt of the resignation of Herbert E. Fish, member of the City Council, tendered because of the fact that he has been recalled to the service of his country; and

WHEREAS, he has faithfully, ably and efficiently served The City of San Diego and the people thereof at no small sacrifice of his time and energy; NOW, THEREFORE,  
BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the resignation of Councilman Herbert E. Fish be accepted with the deepest regret and with the sincere expressions of appreciation for his work as a member of this Council, and his unselfish devotion to the interests of the people of the City.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Council, and that a certified copy be presented to Councilman Fish.

Presented by P. J. BENBOUGH AND THE COUNCIL

Passed and adopted by the said Council of the said City of San Diego, California, this 21st day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Flowers and Mayor Benbough  
COUNCILMAN FISH excused from voting  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION NO. 73216

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Arthur K. Krause, Marie B. Krause and Bedsie K. Krause, executed in favor of The City of San Diego, bearing date January 16, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the westerly 3 feet of the easterly 7 feet of the southerly 70 feet of Lot 27, Block 35, Ocean Beach, according to Map thereof No. 279 filed in the office of the County Recorder of San Diego County, California, May 28, 1887, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73165 to 73216 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 21st day of January, 1941.

FRED W. SICK  
City Clerk of the City of San Diego, California

By *August M. Wadstrom* Deputy

## R E S O L U T I O N NO. 73217

## University Avenue Lighting District No. 2

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of FOURTH AVENUE, between the south line of Washington Street and the north line of Robinson Avenue; FIFTH AVENUE, between the south line of University Avenue and the north line of Robinson Avenue; and UNIVERSITY AVENUE, between the easterly line of Third Avenue and the westerly line of Park Boulevard, in the City of San Diego, California, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for University Avenue Lighting District No. 2," filed in the office of said City Clerk December 20, 1940, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

## R E S O L U T I O N NO. 73218

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Sim J. Harris, 3375 Dale Street, to construct a portable asphalt plant on a portion of Pueblo Lot 1182, Murray Canyon Road.

Variance to the restrictions of Ordinance No. 13456 be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73219

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Kettenburg Boat Works, by George W. Kettenburg, Box 65 Point Loma, San Diego, to erect and operate an addition to the existing boat works on Lot 11 Block 29 Roseville, at the foot of Dickens Street, for a period of two years.

Variance to the restrictions of Ordinance No. 32 New Series, be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73220

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Ralph E. Hurlburt, 923 - 7th Avenue, to construct four single-family residences on Lots 2, 3, 8, 9, 10, and 11 Block 147 Roseville. The following provisions shall be observed: the rear yard on parcel #1, shown on sketch attached to petition bearing Document No. 326184 adjacent to its northwesterly line, and the setback from the private street shown on said sketch.

Variance to the restrictions of Ordinance No. 31 New Series, be and it is hereby granted in so far as they relate to the property mentioned above, and in accordance with the above-mentioned provisions.

## R E S O L U T I O N NO. 73221

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Edwin P. Pennebaker, 5234 - 35th Street, to construct a residence and garage on the west 50 feet of Villa Lot 113 Normal Heights.

Variance to the restrictions of Ordinance No. 13594, be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73222

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Griffith Company, by R. A. Preston, to remodel and modernize the existing asphalt plant on portion of Pueblo Lot 1182, Murray Canyon Road.

Variance to the restrictions of Ordinance No. 13456, be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73223

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to W. Manley Dean to construct a single-family residence on Lots 16-17 Block 10 Roseville Heights, not closer to the property line on Hill Street than two feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73224

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to John C. and Martha A. Walters, 5065 Adams Avenue, to construct a residence and garage on the north 40-1/2 feet of Lots 1 to 5 Block 9 Alhambra Park, not closer to the property line on Adams Avenue than eleven feet four inches.

The provisions of Setback Ordinance No. 12321 be, and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73225

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to G. R. Dalleubach, c/o Kern Roofing Co., 3888 Rosecrans Street, to erect garages not closer to the property line on La Jolla Avenue than 2-1/2 feet, with apartments above to the front property line, on the southerly 80 feet of Lot 6 Block 202 Middletown, with 3-foot sideyards.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73226

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The protest of Henry M. Lyon and LaVerne Durant Lyon, filed in the office of the City Clerk on January 28, 1941, under Document No. 326215, against the Engineer's estimate on the cost for the proposed work of improving the Alley in Block 150 University Heights, between the north line of Polk Avenue and the south line of Howard Avenue, be and it is hereby denied, and all other protests are hereby denied.

## R E S O L U T I O N NO. 73227

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to R. G. Dalleubach to conduct an auto court, consisting of four units, on the southwesterly eighty feet of Lot 6 Block 202 Middletown, at La Jolla Avenue and Noell Street.

## R E S O L U T I O N NO. 73228

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Charles Hess, 2350 La Jolla Avenue, to conduct an addition to the existing auto court on Lot 3 Block 509 Old San Diego, consisting of eight units, at La Jolla Avenue and Ampudia Street. This permit is conditioned upon the City Planning Commission passing upon the exterior architecture of the buildings.

## R E S O L U T I O N NO. 73229

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Arthur C. Harris, 2434 Capitan Avenue, to construct an apartment over a garage on Lots 13-14 Block 46 Arnold & Cheates Addition, not closer to the west property line than four feet, and not closer to the north property line than fifteen feet, provided the building is set back ten feet from the street line.

Variance to the restrictions of Section 8a Ordinance No. 8924, as amended, be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73230

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of R. B. Worthington, 3592 Dwight Street, for variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, for permission to erect and operate an amateur photo developing room over a garage on the east fifty feet of Lots 25-26 Block 85 City Heights, be and it is hereby denied.

## R E S O L U T I O N NO. 73231

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Francisco Danese, 804 A Street, for a re-hearing on his application for a City taxi cab driver's license, be and it is hereby denied.

## R E S O L U T I O N NO. 73232

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Pear Pearson for permission to connect the plumbing of a house under construction at 4564 Contour Boulevard, to an established city sewer at the west line of the property, be and it is hereby denied.

## R E S O L U T I O N NO. 73233

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Sunny Jones Chapter No. 49, Military Order of the Purple Heart, for a free electrical permit and inspection for a show to be held on February 14, 1941, on the east side of the Causeway near Rosecrans Street, be and it is hereby granted.

## R E S O L U T I O N NO. 73234

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Aubrey J. Muggins, 826 - 2nd Avenue, for permission to conduct street meetings in front of the House of Lord, 826 - 2nd Avenue, each evening between 7:00 and 7:30 be, and it is hereby denied.

## R E S O L U T I O N NO. 73235

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized and directed to install a 400 c.p. overhead street light at the intersection of Arizona and Dwight Streets.

## R E S O L U T I O N NO. 73236

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Mayor P. J. Benbough is hereby requested to write a letter of thanks to the members of the Housing Committee for their work and report on the housing situation.

## R E S O L U T I O N NO. 73237

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication of Paul A. Hendrickson, chairman, Veterans Advisory Commission, bearing Document No. 326089, calling attention of the Mayor and Council to the approaching expiration of the term of membership of commissioners, be and it is hereby referred to Council conference.

## R E S O L U T I O N NO. 73238

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication of Captain John Wesley Green Camp No. 7, United Indian War Veterans, by Schuyler C. Kelly, bearing Document No. 326130, regarding representation of that organization of the Veterans Advisory Commission, be, and it is hereby referred to Council conference.

## R E S O L U T I O N NO. 73239

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The invitation of the San Diego Junior Chamber of Commerce to attend the dance to be given for the junior officers of the Army, Navy, Coast Guard, and Marine Corps, at 8:30 P.M. February 8, Plata Real of the U. S. Grant Hotel is hereby accepted.

## R E S O L U T I O N NO. 73240

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Charles Trippi, 3420 - 28th Street, against the City of San Diego, in the amount of \$45.00, for damages alleged to have been caused to his automobile by

reason of a tree cut by City employees falling upon a guy wire of the telephone company, snapping off the pole and causing it to fall upon his car, filed in the office of the City Auditor and Comptroller on January 2, 1941, be and it is hereby granted.

BE IT FURTHER RESOLVED, that said Auditor be and he is hereby authorized to pay the sum of \$45.00 from the "Small Claims Payment Fund" upon the delivery to him of a duly executed release, the form of which shall be approved by the City Attorney.

#### R E S O L U T I O N NO. 73241

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Thomas Saporito, 2015 Meade Avenue, against the City of San Diego, in the amount of \$33.00, claimed to be due on account of damages to his automobile caused by an open manhole in the 3400 block on Florida Street on December 23, 1940, filed in the office of the City Auditor and Comptroller of said City on December 27, 1940, be and it is hereby denied.

#### R E S O L U T I O N NO. 73242

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Frank E. Melcher, 4309 Arista Street, against the City of San Diego, in the amount of \$6.00, claimed to be due on account of damages caused to his property by the backing up of sewer, filed in the office of the City Auditor and Comptroller on December 13, 1940, be, and it is hereby granted.

BE IT FURTHER RESOLVED, that said Auditor be and he is hereby authorized to pay the sum of \$6.00 from the "Small Claims Payment Fund" upon the delivery to him of a duly executed release, the form of which shall be approved by the City Attorney.

#### R E S O L U T I O N NO. 73243

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Jack E. Stephenson, 4430 Del Monte Street, against the City of San Diego, in the amount of \$5.00, for damage to his car by reason of its gutting stuck in an alley between Del Monte and Narragansett Streets on December 24, filed in the office of the City Auditor and Comptroller on December 31, 1940, be and it is hereby denied.

#### R E S O L U T I O N NO. 73244

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Mrs. Albert S. Adams, Route 1, Box 1717, La Mesa, California, against the City of San Diego, in the amount of \$18.50, for personal injuries alleged to have been sustained by reason of a cement water box or cover sticking up above the sidewalk at or near 1415 - 9th Avenue, filed in the office of the City Auditor and Comptroller on January 9, 1941, be and it is hereby denied.

#### R E S O L U T I O N NO. 73245

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Max C. Miller and Margaret Miller, by Higgs and Fletcher, Attorneys at Law, Suite 620 Bank of America Building, San Diego, against the City of San Diego, in the amount of \$397.17, for damages alleged to have been caused to them by water flowing over and across the premises and through their house on or about December 23, 1940, filed in the office of the City Auditor and Comptroller on January 9, 1941, be and said claim is hereby denied.

#### R E S O L U T I O N NO. 73246

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Archibald Clarke, c/o O. W. Cotton, 524 "B" Street, against the City of San Diego, in the amount of \$6.00, for damage done to his automobile by a City truck, filed in the office of the City Auditor and Comptroller on January 4, 1941, be and it is hereby granted.

BE IT FURTHER RESOLVED, that said Auditor be and he is hereby authorized to pay the sum of \$6.00 from the "Small Claims Payment Fund" upon the delivery to him of a duly executed release, the form of which shall be approved by the City Attorney.

#### R E S O L U T I O N NO. 73247

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Herbert F. Blanton, 3660 Landis Street, applying for permits to operate four autos-for-hire, bearing Document No. 325843, be and it is hereby referred to Council conference.

#### R E S O L U T I O N NO. 73248

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The following petitions: E. J. Hornung, bearing Document No. 325670; Ray T. Blair, bearing Document No. 325944; San Diego Yellow Cabs, Inc., bearing Document No. 325612; Charles A. Pratt, bearing Document No. 325613; applying for permits to operate taxicabs, be and they are hereby referred to Council conference.

#### R E S O L U T I O N NO. 73249

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Pt. Loma Community Presbyterian Church, Poinsettia and Udal Streets, by W. E. Pugh, 402 K Street, Secretary Board of Trustees, for a passenger zone be and it is hereby granted.

The City Manager is hereby authorized and directed to cause a thirty-five-foot passenger zone to be painted in front of the church entrance.

#### R E S O L U T I O N NO. 73250

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized and directed to install "SLOW" buttons and cross walk lines on the north and south sides of C Street at 24th, together with a "SLOW" pavement marking in the 24th Street approaches to this location.



## R E S O L U T I O N NO. 73251

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized and directed to cause a series of post-mounted reflectors to be installed on the Eleventh Avenue Canyon Road just north of Cabrillo Bridge, to outline the curve in the road.

## R E S O L U T I O N NO. 73252

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the American Concrete and Steel Pipe Company to furnish The City of San Diego with 564 feet of 18" and 72 feet of 24" standard, centrifugal, reinforced concrete pipe, for the sum of \$1081.50 be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said American Concrete and Steel Pipe Company.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said American Concrete and Steel Pipe Company for furnishing of said pipe, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

Approved as to form H. B. DANIEL

## R E S O L U T I O N NO. 73253

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from the City Manager, bearing Document No. 326083, regarding water rates, and communications attached thereto on the same subject, be and they are hereby referred to Council conference.

## R E S O L U T I O N NO. 73254

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Manager that the City of San Diego accept the offer of Mrs. Thelma Strehle, 1303 Felton Street, to deed land in Block 150 Choate's Addition for the southerly extension of Felton Street, be and it is hereby adopted.

BE IT FURTHER RESOLVED, that the City Engineer be and he is hereby authorized and directed to secure a deed to said property, and the City Attorney is hereby authorized and directed to prepare and present a resolution accepting said deed when obtained by the Engineer.

## R E S O L U T I O N NO. 73255

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Manager that the application of Capt. Tom Kew, c/o John H. Langston and John H. Moore, 308 U. S. National Bank Building, attorneys for Capt. Kew, for prospecting permit authorizing and permitting him to prospect for precious gems, metals and minerals, except oil and felspar, in and on all those portions of City-owned lands lying along the southerly side of Lake Morena in Sections 23 and 24 Township 17 South Range 4 East S.B.M., and for permission to file mining location notices of mining claims on said property, be denied, be and it is hereby adopted, and said application is hereby denied.

## RESOLUTION ORDERING WORK NO. 73256

## Florence Street

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72939, adopted by the Council on December 17, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of FLORENCE STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72740, adopted on the 19th day of November, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

RESOLUTION ORDERING WORK NO. 73257  
Alley in Block 173, University Heights, and  
Lincoln Avenue.

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72940, adopted by the Council on December 17, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK 173, UNIVERSITY HEIGHTS, and LINCOLN AVENUE, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72741, adopted on the 19th day of November, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION NO. 73258  
APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING  
CLERK TO GIVE NOTICE OF SAID HEARING TALMADGE PARK LIGHTING  
DISTRICT NO. 4

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 11th day of January 1941 with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 73033, adopted by said Council on the 31st day of December 1940, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required by law, NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 25th day of February 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

JEAN DRIVE, for its entire length;

ADAMS AVENUE, between the westerly and the easterly lines of Talmadge Park

Estates;

MADISON AVENUE, between the westerly and the easterly lines of Talmadge Park

Estates;

MONROE AVENUE, between the westerly and the easterly lines of Talmadge Park

Estates;

47TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;

EUCLID AVENUE, between the south line of Talmadge Park Estates and Adams Avenue;

48TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;

ESTRELLA AVENUE, between the south line of Talmadge Park Estates and Adams

Avenue;

49TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;

MIRACLE DRIVE, for its entire length; and

LORRAINE DRIVE, for its entire length.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None  
 ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of The City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of The City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

R E S O L U T I O N NO. 73259  
 APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING  
 CLERK TO GIVE NOTICE OF SAID HEARING TALMADGE PARK LIGHTING  
 DISTRICT NO. 3.

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 11th day of January 1941, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 73032, adopted by said Council on the 31st day of December 1940, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required by law, NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 25th day of February 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

44TH STREET, between the southerly line of Talmadge Park Unit 3, and its termination in Highland Avenue;

HIGHLAND AVENUE, between the southerly line of Talmadge Park Unit 3 and its termination 44th Street;

45TH STREET, between the northerly line of Monroe Avenue and the southerly line of Lot 464, Talmadge Park Unit 3;

MAX DRIVE, for its entire length;

MONROE AVENUE, between Fairmount Avenue and 47th Street;

47TH STREET, between Monroe Avenue and the northerly line of Talmadge Park Unit 3;

NORMA DRIVE, for its entire length;

CONSTANCE DRIVE, for its entire length;

NATALIE DRIVE, for its entire length;

ADAMS AVENUE, between Natalie Drive and the easterly line of Talmadge Park Unit 3, produced southerly.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of The City of San Diego, California  
 FRED W. SICK  
 City Clerk of The City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

R E S O L U T I O N NO. 73260  
 APPROVING ENGINEER'S REPORT AND FIXING TIME AND PLACE FOR  
 HEARING THEREON - FENELON STREET.

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 13th day of January, 1941, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of FENELON STREET, between the northwesterly line of Rosecrans Street and the southeasterly line of Willow Street, in the City of San Diego, California, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 4th day of March, 1941, at 10:00 o'clock in the forenoon of said day and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment

County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73261  
APPROVING ENGINEER'S REPORT AND FIXING TIME AND PLACE FOR HEARING  
THEREON - PORTION OF LANDIS STREET.

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 25th day of January, 1941, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of LANDIS STREET, between the easterly line of Alabama Street and the westerly line of Mississippi Street, in the City of San Diego, California, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 4th day of March, 1941, at 10:00 o'clock in the forenoon of said day and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73262  
RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN THE ALLEY  
IN BLOCK L, ALTADENA.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, paving and otherwise improving of the ALLEY IN BLOCK L, ALTADENA, between the north line of Redwood Street and a line parallel to and distant 5.00 feet northerly from the easterly prolongation of the north line of Lot 5 in said Block L, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 326018. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73263

WHEREAS, the City Engineer of The City of San Diego, California, in accordance with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" and amendments thereto, and as directed by Resolution No. 72801 of the Council of said City, has prepared and filed in the office of the City Clerk of said City, under Document No. 324999, a report upon the proposed improvement of MAPLE STREET, between the easterly line of 32nd street and the center line of 33rd Street; and 32ND STREET, between the westerly prolongation of the northerly and southerly lines of Maple Street, in said City; and

WHEREAS, said report of the City Engineer shows that the estimated total cost of the improvements is less than one-half of the true value of all lands to be assessed, but that in the case of each of three parcels the proposed assessment will exceed one-half of the true value of that parcel; and

WHEREAS, this Council has considered the said report of the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the proposed improvement of MAPLE STREET, between the easterly line of 32nd Street and the center line of 33rd Street; and 32ND STREET, between the westerly prolongation of the northerly and southerly lines of Maple Street, is hereby determined to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading, paving, sidewalk and curbing of MAPLE STREET, between the easterly line of 32nd Street and the center line of 33rd Street; and 32ND STREET, between the westerly prolongation of the northerly and southerly lines of Maple Street, in said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73264

WHEREAS, the City Engineer of The City of San Diego, California, in accordance with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" and amendments thereto, and as directed by Resolution No. 72737 of the Council of said City, has prepared and filed in the office of the City Clerk of said City, under Document No. 324935, a report upon the proposed improvement of FRONT STREET, between the westerly prolongation of the northerly line of Palm Street and the southerly line of Quince Street, in said City; and

WHEREAS, said report of the City Engineer shows that the estimated total cost of the improvement is less than one-half of the true value of all lands to be assessed, but that in the case of one parcel the proposed assessment will exceed one-half of the true value of that parcel; and

WHEREAS, this Council has considered the said report of the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the proposed improvement of FRONT STREET, in said City, between the westerly prolongation of the northerly line of Palm Street and the southerly line of Quince Street, is hereby determined to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading, sidewalk and curbing and otherwise improving of FRONT STREET, in said City, between the westerly prolongation of the northerly line of Palm Street and the southerly line of Quince Street.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73265  
SPECIAL ASSESSMENT PROCEEDINGS FOR THE IMPROVEMENT OF THE ALLEY  
IN BLOCK 66, UNIVERSITY HEIGHTS.

WHEREAS, this Council did by its Resolution No. 72886, do and determine all the things required by Sections 2 and 13 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and

WHEREAS, the owners of more than fifteen per cent of the area of the proposed assessment district, as described in said Resolution No. 72886, did by their return post cards demand the investigation provided for by said Act; NOW, THEREFORE,

BE IT RESOLVED by this Council that it be, and it is hereby determined that the owners of more than fifteen per cent of the area of said assessment district by their return post cards did demand the making of the investigation as provided by said Act.

BE IT FURTHER RESOLVED, that the City Engineer of said City be, and he is hereby authorized and directed to prepare a written report upon the proposed improvement of the ALLEY IN BLOCK 66, UNIVERSITY HEIGHTS, between the north line of Meade Avenue and the south line of Monroe Avenue, in the City of San Diego, California, which report shall contain, in addition to the matters mentioned in Section 2 of said Act, the following information, to-wit:

- A. Map, plat or diagram showing:
  1. The nature, location and extent of the improvement.
  2. Each separate lot or parcel of land to be assessed.
- B. The total estimated improvement cost:
  1. Incidental expenses to be separately shown.
  2. Cost of each class of construction must be separately shown.
- C. Assessed value as per latest equalized County Assessment Roll.
  1. Of each parcel to be assessed.
  2. The total assessed value of lands to be assessed.
- D. The total assessed value of improvements within the district.
- E. Total true value of all lands to be assessed, determined as per Section 2 of said Act.
- F. The true value of each parcel of the lands to be assessed.
- G. The per parcel, and the total outstanding special assessments (exclusive of interest and penalties); showing:
  1. Direct special assessments (as under 1911 Street Act).
  2. Unpaid, levied advalorem special assessments.
- H. Unlevied advalorem special assessments which will be levied upon each parcel of land to be assessed to pay principal of bonds theretofore issued.
  1. Estimated on each parcel of land to be assessed.
  2. Total estimated amount of such special assessments upon all the lands to be assessed. Said estimates to be proportioned according to the assessed value on said last equalized assessment roll, and also proportioned according to zones (if any), and the percentages of such zones.
- I. Estimated direct and advalorem special assessments in all proceedings in which a resolution ordering work has been adopted, but assessment unlevied, showing:
  1. Such estimates against each parcel of land to be assessed.
  2. Total upon all the parcels of land to be assessed. The advalorem assessments to be computed in the manner provided in paragraph (1) of Section 3 of said Limitation Act.
- J. Estimated assessments to be levied in this proceeding as follows:
  1. Estimated assessments upon each parcel of land to be assessed.
  2. Total assessment to be levied upon all the lands to be assessed.
- K. Serial bonds to be issued to represent assessments of \$25.00 or over.
  1. Number of years to run.
  2. Actual rate of interest.

The full report to be made in conformity with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and particularly with Section 3 thereof, and delivered to the Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73266  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - ALLEY IN BLOCK 173, UNIVERSITY HEIGHTS,  
AND LINCOLN AVENUE.

WHEREAS, the Council of The City of San Diego did, on the 17th day of December, 1940, pass its Resolution of Intention No. 72940 to order certain work to be done and improvement to be made in the ALLEY IN BLOCK 173, UNIVERSITY HEIGHTS, and LINCOLN AVENUE, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 28th day of January, 1941, duly pass its Resolution Ordering Work No. 73257, ordering said work to be done and said improvement to be made in said Alley in Block 173, University Heights, and Lincoln Avenue, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73267  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER - ALLEY IN BLOCK 173, UNIVERSITY HEIGHTS,  
AND LINCOLN AVENUE.

WHEREAS, the Council of The City of San Diego, did on the 17th day of December, 1940, pass Resolution of Intention No. 72940, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72940, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73268  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - FLORENCE STREET.

WHEREAS, the Council of The City of San Diego did, on the 17th day of December, 1940, pass its Resolution of Intention No. 72939 to order certain work to be done and improvement to be made in a portion of FLORENCE STREET, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 28th day of January, 1941, duly pass its Resolution Ordering Work No. 73256, ordering said work to be done and said improvement to be made in said Florence Street, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73269  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER - FLORENCE STREET.

WHEREAS, the Council of The City of San Diego, did on the 17th day of December, 1940, pass Resolution of Intention No. 72939, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72939, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73270

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on sidewalking Main Street, in said City of San Diego, as described in Resolution of Intention No. 72211, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated January 23, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

R E S O L U T I O N NO. 73271

WHEREAS, pursuant to the provisions of Section 58 of the Charter of The City of San Diego the Chief of the Fire Department, with the approval of the Manager, may change the hours of work and the time of shifts from those described in said section, for the purpose of improving the working conditions of the members and the efficiency of said Fire Department; and

WHEREAS, the City Council favors at the earliest practicable date the establishment within said Fire Department of an average seventy-two hour working week for all members thereof, and the City Manager has indicated his approval thereof; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and requested to direct the Chief of the Fire Department to establish within the Department for all members thereof an average seventy-two hour working week, in lieu of the present prevailing system, which said seventy-two hour week will become effective at the beginning of the fiscal year 1941-1942.

BE IT FURTHER RESOLVED, that the Manager be, and he is hereby requested, in the preparation of his budget estimates for said new fiscal year to include therein request for such additional funds as may be necessary to establish and carry on said average seventy-two hour working week in the Fire Department.

BE IT FURTHER RESOLVED, that no member of the Fire Department shall be penalized or suffer a reduction in pay by reason of the institution of said shorter working week.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73272

WHEREAS, The United States of America has filed in the District Court of the United States, in and for the Southern District of California, Southern Division, an action under the right of eminent domain, condemning the following described property:

That portion of Sections 19 and 30, Twp. 15 South, Range 2 West lying within Lot 73 of the Rancho Mission of San Diego and being more particularly described as follows:

Beginning at Corner No. 3 of said Lot 73; thence easterly along the south line of said lot 73 for a distance of 66.00 feet to an intersection with the east line of said section 30; thence northerly along the east line of said Sections 30 and 19 for a distance of 7774.73 feet to the northeast corner of Section 19; thence westerly along the northerly line of said Section 19 for a distance of 66.00 feet to an intersection with the west line



of said lot 73 of the Rancho Mission; thence southerly along the said west line of said lot 73 for a distance of 7774.73 feet to the point of beginning, containing 11.78 acres, more or less.

AND WHEREAS, The City of San Diego has been named a party defendant in said suit, said suit being numbered 81 Civil; and

WHEREAS, it appears that The City of San Diego has no interest in the property hereinbefore described; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Attorney be, and he is hereby authorized to file a disclaimer in said action, whereby said The City of San Diego disclaims any interest in the property sought to be condemned therein.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73273

WHEREAS, The United States of America has filed in the District Court of the United States, in and for the Southern District of California, Southern Division, an action under the right of eminent domain, condemning the following described property:

##### PARCEL "A"

All of the Southeast Quarter of Section 28, Township 18 South, Range 1 West, San Bernardino Meridian, County of San Diego, State of California, according to United States Government Survey approved September 11, 1879, containing 160 acres, more or less.

##### PARCEL "B"

All of the Southwest Quarter of Section 27, Township 18 South, Range 1 West, San Bernardino Meridian, County of San Diego, State of California, according to United States Government Survey approved September 11, 1879, excepting therefrom 5 acres belonging to Alta Loma School District located in the Southeast corner, being West 330 feet by North 660 feet, containing 155 acres, more or less.

AND WHEREAS, The City of San Diego has been named a party defendant in said suit, said suit being numbered 82 Civil; and

WHEREAS, it appears that The City of San Diego has no interest in the property hereinbefore described; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Attorney be, and he is hereby authorized to file a disclaimer in said action, whereby said The City of San Diego disclaims any interest in the property sought to be condemned therein.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 28th day of January, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73274

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That a majority of the members of the City Council be, and they are hereby authorized to execute for and on behalf of The City of San Diego that certain right of way agreement for a County highway for the relocation of certain portions of County Road Survey No. 857 (County Road C-4) through Pamo Valley in the vicinity of, and north of Ramona, in the County of San Diego, across certain lands owned by The City of San Diego, subject to the right of the City to flood any or all of the lands included within said right of way, a copy of which Right of Way Agreement is on file in the office of the City Clerk, bearing Document No. 326120.

Approved as to form by JAMES J. BRECKENRIDGE

#### RESOLUTION NO. 73275

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Earl W. Gray and Florence E. Gray, executed in favor of The City of San Diego, bearing date January 17, 1941, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot A, Block 200, Mission Beach, according to the Map thereof No. 1651, filed in the office of the County Recorder of San Diego County, California, December 14, 1914, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named BAYSIDE LANE;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73276

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of William H. Griffin and Addie Griffin, executed in favor of The City of San Diego, bearing date January 14, 1941, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot H, Block 200, Mission Beach, according to the Map thereof No. 1809, filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named BAYSIDE LANE;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73277

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Sam A. Claggett as Tax Collector of the County of San Diego, executed in favor of The City of San Diego, bearing date January 11, 1941, conveying to said City the SE 1/4 of Lot 43, in Rancho Ex-Mission Horton's Purchase, in the City of San Diego, State of California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73278

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of T. J. Lords and Louise T. Lords, executed in favor of The City of San Diego, bearing date January 21, 1941, conveying to said City an easement and right of way for street purposes through, along and across the southwesterly 22.50 feet of Lots 20 to 39, inclusive, Block 7, Point Loma Heights, according to the Map thereof No. 1106, filed in the office of the County Recorder of San Diego County, California, EXCEPTING the east 25.00 feet of said Lot 20; the northeasterly line of said 22.50 foot strip of right of way being parallel with and distant 22.50 feet northeasterly at right angles from the southwesterly line of said lots and 22.50 feet northeasterly at right angles from the northwesterly prolongation of the southwesterly line of said Lot 39, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named WABASKA DRIVE;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73279

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Stanley W. Weir and Thelma Theresa Weir, executed in favor of The City of San Diego, bearing date January 16, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the east 50 feet of Lot 27 in the Resubdivision of Block 80 of Park Villas, according to Map thereof No. 1495, filed in the office of the County Recorder of San Diego County, California, November 4, 1912, be and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73280

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of La Jolla Federal Savings and Loan Association, a corporation, executed in favor of The City of San Diego, bearing date October 30, 1940, conveying to said City an easement and right of way for sewer purposes, through, along and across the Southwesterly three (3) feet of the Northerly ten and one-half (10-1/2) feet of Lot Twenty-five (25) in Block Fourteen (14), Center Addition to La Jolla Park, City of San Diego, County of San Diego, State of California, according to Map thereof No. 915 filed in the office of the County Recorder of said San Diego County August 4, 1904, be, and the said deed is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this Resolution.

## R E S O L U T I O N NO. 73281

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of A. W. Walgren and Vivian E. Walgren, executed in favor of The City of San Diego, bearing date January 21, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across Lot 18 and South 1/2 of Lot 17, Block 100, University Heights Addition, according to Map thereof made by G. A. d'Hemecourt on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73282

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Bill of Sale executed by the Cuyamaca Water Company, Ed Fletcher and Charles F. Stern, bearing date January 18, 1941, selling, transferring and assigning unto The City of San Diego all pipe lines and equipment, including approximately 1825 meters and connections, located in the Districts of East San Diego, Normal Heights, Kensington Park and Teralta, together with the right to service of water contained in a certain contract between said above mentioned parties and the La Mesa, Lemon Grove and Spring Valley Irrigation District, which contract is embodied in the accepted proposition of April 5, 1924, being an option to purchase referred to in Exhibit "A" attached to that certain agreement dated September 27, 1926, between said Cuyamaca Water Company, et al., and the City of San Diego, and which latter agreement was filed with the County Recorder of San Diego County on November 17, 1926, in Book 24, page 332 of Leases, and also recorded on November 29, 1927 in Book 1386 at page 451 of Deeds, be, and the same is hereby accepted;

And the City Clerk of said City is hereby authorized and directed to file the said Bill of Sale of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73283

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the quitclaim deed of Cuyamaca Water Company, Ed Fletcher, and Charles F. Stern, executed in favor of The City of San Diego, bearing date January 18, 1941, quitclaiming unto said City all their right, title and interest in and to the meters, services, franchises and easements west of the east line of East San Diego, County of San Diego, State of California, all as set forth in that certain contract between the parties thereto, dated September 27, 1926, and filed in the office of the County Recorder of San Diego on the 17th day of November, 1926, in Book 24, page 332 of Leases, and also recorded on the 29th day of November, 1927, in Book 1386, at page 451 of Deeds, be, and the said quitclaim deed is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said quitclaim deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73284

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Ernest J. Boud, 4313 Ridgeway Road, be, and he is hereby appointed Councilman from Councilmanic District No. 4, to fill the unexpired term of Herbert E. Fish, resigned.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73217 to 73284 of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 28th day of January, 1941.

FRED W. SICK

City Clerk of the City of San Diego, California

By August M. Hadstrom Deputy

R E S O L U T I O N NO. 73285

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The protest of Fred and Augusta M. Kunert, filed in the office of the City Clerk January 25, 1941, under Document No. 326113, against the paving and otherwise improving of a portion of the Alley in Block 83 City Heights, between the north line of Dwight Street and the south line of Landis Street, under Resolution of Intention 73025, adopted by the Council on December 31, 1940, be, and it is hereby overruled and denied and all other protests are overruled and denied.

R E S O L U T I O N NO. 73286

CONFIRMING THE CITY ENGINEER'S ASSESSMENT NO. 1721 FOR WORK  
UPON ALLEY IN BLOCK 1 CARMEL HEIGHTS IN THE CITY OF SAN DIEGO,  
CALIFORNIA, UNDER RESOLUTION OF INTENTION NO. 72127

Notice of the time and place fixed for the hearing of appeals in the matter of Assessment No. 1721, made by the City Engineer of said City to cover the cost and expenses of the work done upon Alley in Block 1 Carmel Heights in said City, under Resolution of Intention No. 72127, adopted by the Council on the 28th day of August, 1940, having been duly given and made in the manner required by law, and the legal time for filing such appeals and the time fixed for hearing thereon having passed and elapsed, and no appeals in the matter of said assessment having been filed, and the Council being satisfied with the correctness of said assessment; NOW, THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego, that the said Assessment No. 1721 of the said City Engineer made to cover the cost and expenses of the work done upon Alley in Block 1 Carmel Heights within the limits as described in said Resolution of Intention No. 72127, be, and the same is hereby approved and confirmed, and the City Engineer is hereby authorized to attach his warrant thereto and record the same in the manner and form required by law. Said warrant shall bear date of this order.

R E S O L U T I O N NO. 73287

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The action of the Chief of Police in denying the application of LeRoy Roberts, 801 - 4th Avenue, for a taxi cab driver's license be, and it is hereby sustained.

R E S O L U T I O N NO. 73288

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The action of the Chief of Police in denying the application of J. B. Testman, 349 - 17th Street, for a taxi cab driver's license be, and it is hereby sustained.

R E S O L U T I O N NO. 73289

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Arthur W. Hamilton, 2919 Jarvis Street, to maintain the existing apartment building on Lot 1 Block 75 Roseville, with a side yard of 3.25 feet, a rear yard of 9.85 feet, and a lot coverage of 60 per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, be and it is hereby granted in so far as they relate to the property mentioned above.

R E S O L U T I O N NO. 73290

BE IT RESOLVED by the Council of the City of San Diego, as follows:

An extension of sixty days from the date of this resolution is hereby granted to L. D. Lewis, 2521 B Street, to erect two residences on an unsubdivided portion of Lot 12 Ex Mission Rancho, as originally granted under Resolution No. 72558 adopted on October 29, 1940.

R E S O L U T I O N NO. 73291

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of property owners, bearing Document No. 326365, requesting rezoning from R-1 to R-2 zone of the following property: Lots 1 to 12 Blk 66 Park Villas, Block 71 and Block 76 Park Villas, be and it is hereby granted.



BE IT FURTHER RESOLVED, that the City Attorney be and he is hereby authorized and directed to prepare and present the necessary ordinance to make said zone change.

R E S O L U T I O N NO. 73292

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized and directed to install 400 c.p. overhead street lights at the following locations:  
Campanile and Hardy Way  
Campanile and Lindo Paseo  
J Street between 35th and 36th Streets, Pole No. P3549

R E S O L U T I O N NO. 73293

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of M. L. Bradford, bearing Document No. 325884, to place two or three candid camera street photography cameramen on the sidewalks in the business district to snap photos of passers-by, be and it is hereby denied.

R E S O L U T I O N NO. 73294

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Robert Johnson for a license to operate the Hollywood Theatre, 314 F Street, be and it is hereby granted.

R E S O L U T I O N NO. 73295

BE IT RESOLVED by the Council of the City of San Diego, as follows:

A permit is hereby granted to Ray T. Blair, 2438 Island Avenue, to operate three taxicabs, under the name of Checker Cab Co.; color scheme and rates to be in accordance with application on file in the office of the City Clerk, bearing Document No. 325944.

R E S O L U T I O N NO. 73296

BE IT RESOLVED by the Council of the City of San Diego, as follows:

A permit is hereby granted to E. J. Hornung, 605 G Street, to operate one taxicab, under the name of Lo Far Cab Co.; color scheme and rates to be in accordance with application on file in the office of the City Clerk, bearing Document No. 325670.

R E S O L U T I O N NO. 73297

BE IT RESOLVED by the Council of the City of San Diego, as follows:

A permit is hereby granted to San Diego Yellow Cabs, Inc., 639 - 13th Street, Joseph L. Green, president, to operate eleven taxicabs; color scheme and rates to be in accordance with application on file in the office of the City Clerk, bearing Document No. 325612.

R E S O L U T I O N NO. 73298

BE IT RESOLVED by the Council of the City of San Diego, as follows:

A permit is hereby granted to Charles A. Pratt, 639 - 13th Street, to operate four taxicabs, under the name of Black and White Cab Co.; color scheme and rates to be in accordance with application on file in the office of the City Clerk, bearing Document No. 325613.

R E S O L U T I O N NO. 73299

BE IT RESOLVED by the Council of the City of San Diego, as follows:

A permit is hereby granted to Tanner Gray Line Motor Tours, U.S. Grant Hotel, W.E. Pickerl, resident manager, C. H. Tanner, vice pres., general manager, to operate ten taxicabs; color scheme and rates to be in accordance with application on file in the office of the City Clerk, bearing Document No. 326333.

R E S O L U T I O N NO. 73300

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for improvements in Crown Point Subdivision, bearing Document No. 326052, as follows: paving Buena Vista Street between Ingraham Street and Moorland Drive, and La Mancha Drive between Frontera Street and Crown Point Drive, and the construction of sewers to serve lots numbered 28 to 245 inclusive and 338 to 447 inclusive, be and it is hereby granted.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

R E S O L U T I O N NO. 73301

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Resolution No. 72671, adopted on November 12, 1940, granting petition for paving the east and west alley in Block 121 University Heights, and directing the City Engineer to prepare and submit a plat of the district to be assessed therefor, be, and it is hereby rescinded.

R E S O L U T I O N NO. 73302

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the petition for paving the east and west alley in Block 121 University Heights, contained in Document No. 324193, and the petition for paving the north and south alley in Block 121 University Heights, contained in Document No. 326167, be, and it is hereby granted. Type of pavement to be 5 inches of asphalt concrete.

That the City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement petitioned for under said Documents Nos. 324193 and 326167.

R E S O L U T I O N NO. 73303

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Resolution No. 72811, authorizing the City Manager to purchase portion of Pueblo Lot 1803, adopted by the Council on November 26, 1940, and Resolution No. 72856, accepting deed of Mission Beach Company in Pueblo Lot 1803, adopted December 3, 1940, be and they are hereby repealed.



## R E S O L U T I O N NO. 73304

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the offer of the Mission Beach Company, contained in its letter to the Mayor and Council, dated January 31, 1941, filed in the office of the City Clerk bearing Document No. 326351, to sell to The City of San Diego at the price of eleven thousand dollars (\$11,000.00) the property immediately south of the Amusement Center in Mission Beach, bounded on the north by the Prado, on the west by the west toe of the sea wall, on the south by San Fernando Place, and on the east by the new west line of the newly located Mission Boulevard through the Amusement Center, free and clear of all encumbrances save and except the second half of the City and County taxes for the year 1940-1941, be, and the same is hereby accepted.

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized and requested to proceed with the acquisition of said property, and to draw a requisition on "Outlay" (Purchase, various properties), General Appropriations, as provided by Section 34 of Ordinance No. 1880 (New Series) of the ordinances of said City, in payment thereof; and said City Manager is further authorized to incur the necessary escrow expenses connected with said purchase in an amount not to exceed the sum of \$25.00, said funds to be withdrawn by requisition from said "Outlay" (Purchase, various properties), General Appropriations.

Approved as to form by H. B. DANIEL

## R E S O L U T I O N NO. 73305

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to take immediate action to secure option on property in Azure Vista on the ocean front, as outlined verbally to the Council at today's meeting by F. A. Rhodes, Director of Public Works.

## R E S O L U T I O N NO. 73306

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Martha Hester Dobarzynski, 405 E. 9th Street, National City, California, filed in the office of the City Auditor and Comptroller of said City on December 7, 1940, against the City of San Diego in the amount of \$25.46, claimed to be due on account of damages alleged to have been caused to her automobile by an automobile driven by an employee of the Police Department, be, and the same is hereby allowed.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be, and he is hereby authorized and directed to make payment from the Small Claims Payment Fund of the sum of \$25.46, in full settlement of said claim, upon the delivery to said City Auditor and Comptroller of a duly executed release, the form of which shall be approved by the City Attorney.

## R E S O L U T I O N NO. 73307

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Vesty Kerns, 3909 Ampudia Street, filed in the office of the City Auditor and Comptroller of said City on January 16, 1941, against the City of San Diego in the amount of \$30.83, claimed to be due on account of damages done to his furniture and floors by reason of sewer water backing into his house on or about January 7, 1941, be, and the same is hereby allowed.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be, and he is hereby authorized and directed to make payment from the Small Claims Payment Fund of the sum of \$30.83, in full settlement of said claim, upon the delivery to said City Auditor and Comptroller of a duly executed release, the form of which shall be approved by the City Attorney.

## R E S O L U T I O N NO. 73308

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Harry J. L. Atwood, by William J. Clark, attorney, Alhambra, California, filed in the office of the City Auditor and Comptroller of said City on January 20, 1941, against the City of San Diego in the amount of \$10,000.00, claimed to be due on account of injuries alleged to have been received on Date Street, west of Kettner Boulevard, on the night of August 13, 1940, be and it is hereby denied.

## R E S O L U T I O N NO. 73309

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare and present an ordinance appropriating \$75.00 from the Unappropriated Balance Fund in compromise settlement of the claim of Harry Stone, 4782 Brighton Avenue, Ocean Beach, for \$158.50 claimed to be due on account of damages to his automobile when hit by a City street sweeper.

## R E S O L U T I O N NO. 73310

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That Councilman Louis F. Weggenman is hereby appointed as a member of the City Planning Commission, to fill the vacancy created by the resignation of Councilman Herbert E. Fish.

## R E S O L U T I O N NO. 73311

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the Crook Company to furnish The City of San Diego with one 3/4 cubic yard combination gasoline powered shovel with 40 foot boom and clamshell bucket be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said Crook Company.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Crook Company for furnishing of said shovel, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

That the City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.

Approved as to form H. B. DANIEL

## CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the

Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Feb. 3, 1941

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California

To be paid out of G B 553-2B not to exceed \$11,169.00

#### R E S O L U T I O N NO. 73312

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the Mission Pipe & Supply Company to furnish The City of San Diego with four (4) 6" compound water meters be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said Mission Pipe & Supply Company.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Mission Pipe & Supply Co. for furnishing of said water meters, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

That the City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.

Approved as to form J. H. McKINNEY

#### CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Feb 3, 1941

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California

To be paid out of F A B 382. Not to exceed \$1889.60

#### R E S O L U T I O N NO. 73313

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare the necessary papers cancelling the existing lease with L. W. Brawner on a portion of Pueblo Lot 1316, being approximately thirty acres south of the Miramar Road, sought by the United States Government for extension of the Marine Corps Rifle Range.

#### R E S O L U T I O N NO. 73314

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare a lease with the United States government for extension of the Marine Corps Rifle Range of approximately thirty-two acres in Pueblo Lot 1316 south of Miramar Road, for a period of fifteen years, at \$1.00 per year.

#### R E S O L U T I O N NO. 73315

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of property owners for the removal of the parking strip in Normal Street, between University Avenue and Park Boulevard, and the paving of that area, at no cost to the property owners, be, and it is hereby referred to the 1941-1942 budget.

#### R E S O L U T I O N NO. 73316

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare and present the necessary papers granting a revocable permit to Hage's, Ltd., 9th Avenue at K Street, to place two refrigerating pipe lines beneath the pavement in K Street between 8th and 9th Avenues, under the provisions of Ordinance No. 1156 New Series, without requiring said Hage's, Ltd., to furnish a bond in connection therewith.

#### R E S O L U T I O N NO. 73317

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Auditor and Comptroller of The City of San Diego be, and he is hereby authorized and directed to transfer the sum of \$500.00 from "Outlay," (Memorial Park), Series FCA, Park Division, Park Department Fund, to Account 143 (Cement boxes), Series FCB, Cemetery Division, Park Department Fund, as provided by Section 26 of Ordinance No. 1880 (New Series) of the ordinances of said City.

Approved as to form by H. B. DANIEL

Feb. 4, 1941

Approved as to funds available  
J. S. BARBER City Auditor and  
Comptroller

#### R E S O L U T I O N NO. 73318

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the Board of Supervisors of the County of San Diego be, and they are hereby requested to enter into a co-operative agreement with The City of San Diego for the construction of a bridge across Vermont Street and the construction of a bridge on Robinson Street, between 8th Avenue and 10th Avenue, in connection with the construction of the proposed Cabrillo Parkway and the extension of Washington Street, for the purpose of relieving the traffic congestion on University Avenue, and providing a new access road to the City from the north, and for the convenience of the Federal Housing Project on Chesterton Mesa and Camp Elliott; said work to be done on the following basis, to-wit:

(1) That The City of San Diego furnish the right of way for the Robinson Street Bridge, between 8th Avenue and 10th Avenue.

(2) That The City of San Diego furnish sufficient funds to build the Washington Street Bridge, in accordance with the state law, which provides that no sidewalks can be constructed with State Highway funds for streets of major importance.

(3) That the County of San Diego provide sufficient funds for the construction of the Robinson Street Bridge, together with the necessary fills at each end of the bridge, and the pavement from 8th Avenue to 10th Avenue.

(4) That the County of San Diego furnish such additional funds as are needed for the construction of the sidewalks on both sides of the Washington Street Bridge.

BE IT FURTHER RESOLVED, that the City Manager of said City be, and he is hereby authorized to enter into said cooperative agreement with the Board of Supervisors of the County of San Diego.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to cause a certified copy of this resolution to be transmitted forthwith to said Board of Supervisors.

Presented by L. F. WEGGENMAN

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73319

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Auditor and Comptroller of The City of San Diego be, and he is hereby authorized and directed to transfer the sum of \$700.00 from "Outlay," (Memorial Park), Series FCA, Park Division, Park Department Fund, to SRA Project 712, Mount Hope Cemetery, Series FCB, Cemetery Division, Park Department Fund, as provided by Section 26 of Ordinance No. 1880 (New Series) of the ordinances of said City.

Feb 4, 1941 approved as to funds available J. S. BARBER City Auditor and Comptroller

#### RESOLUTION OF AWARD NO. 73320

Ibsen Street

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 28th day of January, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72796, adopted by the Council on November 26, 1940, and on file in the office of the City Clerk of said City for the grading and paving of IBSEN STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To R. E. HAZARD & SONS, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |          |
|---|----------|
| Excavation, per cubic yard,               | \$0.40   |
| Preparation of subgrade, per square foot, | \$0.0125 |
| Pavement, per square foot,                | \$0.12   |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF AWARD NO. 73321

Santa Clara Place

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 28th day of January, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72794, adopted by the Council on November 26, 1940, and on file in the office of the City Clerk of said City for the grading and paving of SANTA CLARA PLACE, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.



The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To GRIFFITH COMPANY, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |        |
|---|--------|
| Excavation, per cubic yard,               | \$0.17 |
| Preparation of subgrade, per square foot, | \$0.01 |
| Pavement, per square foot,                | \$0.15 |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION ORDERING IMPROVEMENT NO. 73322

##### University Avenue Lighting District No. 2

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City, and therefore the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the curb lines of the following streets in the City of San Diego, California, to-wit:

FOURTH AVENUE, between the south line of Washington Street and the north line of Robinson Avenue;

FIFTH AVENUE, between the south line of University Avenue and the north line of Robinson Avenue; and

UNIVERSITY AVENUE, between the easterly line of Third Avenue and the westerly line of Park Boulevard.

Such furnishing of electric current shall be for a period of one year from and including March 16, 1941, to-wit, to and including March 15, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for University Avenue Lighting District No. 2," filed December 20, 1940, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 28th day of January, 1941, said Council did by Resolution No. 73217 confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement, heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for University Avenue Lighting District No. 2," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district, more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego, the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION ORDERING WORK NO. 73323

##### Ivy Street

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72991, adopted by the Council on December 24, 1940, and on file in the office of the City Clerk of said City



for the grading, paving and construction of curb in IVY STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention. For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five(5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72742, adopted on the 19th day of November, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION ORDERING WORK NO. 73324

Alley in Block 6, Subdivision of Blocks 3, 6, 9 and 12, City Heights  
Annex No. 1, and Wightman Street

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72992, adopted by the Council on December 24, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, and WIGHTMAN STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five(5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72803, adopted on the 26th day of November, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73325

RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION OF  
THE CITY ENGINEER - ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3,  
6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, AND WIGHTMAN STREET.

WHEREAS, the Council of The City of San Diego did, on the 24th day of December, 1940, pass its Resolution of Intention No. 72992 to order certain work to be done and improvement to be made in the ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, and WIGHTMAN STREET, which Resolution of Intention is hereby expressly

referred to for further particulars, and said Council did thereafter on the 4th day of February, 1941, duly pass its Resolution Ordering Work No. 73324 ordering said work to be done and said improvement to be made in said Alley in Block 6, Subdivision of Blocks 3, 6, 9 and 12, City Heights Annex No. 1, and Wightman Street, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73326  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY THE  
CITY ENGINEER - ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9  
and 12, CITY HEIGHTS ANNEX NO. 1, and WIGHTMAN STREET.

WHEREAS, the Council of The City of San Diego, did on the 24th day of December, 1940, pass Resolution of Intention No. 72992, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No.72992, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73327  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION OF  
THE CITY ENGINEER - IVY STREET.

WHEREAS, the Council of The City of San Diego did, on the 24th day of December, 1940, pass its Resolution of Intention No. 72991 to order certain work to be done and improvement to be made in IVY STREET, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 4th day of February, 1941, duly pass its Resolution Ordering Work No. 73323, ordering said work to be done and said improvement to be made in said Ivy Street, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 73328

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND  
SIGNED BY THE CITY ENGINEER - IVY STREET.

WHEREAS, the Council of The City of San Diego, did on the 24th day of December, 1940, pass Resolution of Intention No. 72991, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 72991, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 73329

RESOLUTION DETERMINING THAT THE PROPOSED ASSESSMENT FOR THE IMPROVEMENT OF THE ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, IN THE CITY OF SAN DIEGO, WILL NOT EXCEED THE LIMITATIONS OF THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931 AND AMENDMENTS THERETO.

WHEREAS, the City Engineer of The City of San Diego, California, did on the 9th day of December, 1940, file with the Clerk of the Council of said City a written report on the proposed improvement of the Alley in Block 150, University Heights, within the limits and as particularly described in Resolution No. 72405, adopted by the Council of said City on October 8, 1940, in conformity with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and amendments thereto; and

WHEREAS, all investigations and reports provided for by said Act in connection with the said proposed improvement have been completed; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the proposed assessment for the improvement of the ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, within the limits and as particularly described in said Resolution No. 72405, will not exceed the limitations of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and amendments thereto.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading and paving of the ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, in said City, within the limits and as particularly described in said Resolution No. 72405.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 73330

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Resolution No. 73090 "Relating to proposed assessment for improvements in portions of the Alley in Block A Altavista Suburb, Alley in Block B Altavista Suburb, Alley in Block C Altavista Suburb, Alley in Block D Altavista Suburb, Alley in Block E Altavista Suburb, Alley in Block F Altavista Suburb, Alley in Block G, Altavista Suburb, Alley in Block H Altavista Suburb, Ocean View Boulevard, Logan Avenue, T Street and 45th Street", directing the City Clerk to mail post card notices to property owners, be and it is hereby repealed.

BE IT FURTHER RESOLVED, that the proceedings heretofore taken for the improvement of said alleys and streets be, and they are hereby abandoned.

## R E S O L U T I O N NO. 73331

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving Boston Avenue, as particularly described in Resolution of Intention No. 72635 and to be assessed to pay the expenses thereof.



## RESOLUTION OF INTENTION NO. 73332

## KENSINGTON MANOR LIGHTING DISTRICT NUMBER ONE.

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938", to order the following work to be done and improvement to be made, in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

KENSINGTON DRIVE between Jefferson Avenue and Hilldale Road;  
 CANTERBURY DRIVE for its entire length;  
 SUSSEX DRIVE for its entire length;  
 WESTMINSTER TERRACE for its entire length;  
 NORFOLK TERRACE between Kensington Drive and the easterly line of Kensington Manor Unit No. 1;  
 ROCHESTER ROAD for its entire length;  
 LYMER DRIVE for its entire length;  
 MARLBOROUGH DRIVE between Jefferson Avenue and Palisades Road;  
 EDGEWARE ROAD between the westerly prolongation of the southerly line of Lot 10, Block 13, Kensington Park and Canterbury Drive, and between Middlesex Drive and Bedford Drive.

HEMPSTEAD CIRCLE for its entire length;  
 HILLDALE ROAD for its entire length;  
 MIDDLESEX DRIVE for its entire length;  
 BEDFORD DRIVE for its entire length;  
 HASTINGS ROAD for its entire length;  
 BRISTOL ROAD for its entire length;  
 ROXBURY ROAD for its entire length;  
 BRAEBURN ROAD for its entire length;  
 PALISADES ROAD for its entire length; and  
 RIDGEWAY between Marlborough Drive and Lane

Such furnishing of electric current shall be for a period of one year, from and including May 1, 1941, to-wit, to and including April 30, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by and of the materials provided for, in the plans and specifications to be hereafter prepared by the City Engineer of said City and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at a point on the north line of Jefferson Avenue distant 120 feet east of the east line of Marlborough Drive; thence west along the north line of Jefferson Avenue to the southwest corner of Lot 6, Resubdivision of Block 10, Kensington Park; thence north along the west line of said Lot 6 to the northwest corner thereof; thence west along the south line of Lot 7, Resubdivision of Block 10, Kensington Park, to the southwest corner thereof; thence north along the west line of said Lot 7 and its northerly prolongation to the southerly line of Kensington Manor Unit No. 1; thence westerly along the southerly line of Kensington Manor Unit No. 1 to the southwesterly corner thereof; thence in a general northwesterly direction along the southwesterly line of Kensington Manor Unit No. 2 to the northwesterly corner of Lot 33, Block 16, Kensington Manor Unit No. 2; thence easterly along the northerly line of said Block 16, to the northwesterly line of Block 4, Kensington Heights Unit No. 1; thence northeasterly and northwesterly along the northwesterly and southwesterly lines of said Block 4, to the most westerly corner of Lot 2 in said Block 4; thence easterly along the northerly line of said Lot 2 to the most westerly corner of Lot 1, in said Block 4; thence northerly along the westerly line of said Lot 1 to the most northerly corner thereof; thence northeasterly along the northwesterly line of Dover Lane to the most westerly corner of Lot 16, Kensington Heights Unit No. 1; thence in a general easterly direction along the northerly line of said Block 10, to the most northerly corner of Lot 1, in said Block 10; thence in a general northerly direction along the westerly lines of Kensington Heights Unit No. 2 and Kensington Heights Unit No. 3, to the most northerly line of Kensington Heights Unit No. 3; thence in a general easterly direction, along the northerly line of Kensington Heights Unit No. 3 to the northeasterly corner of Lot 285, therein; thence in a southeasterly direction along the northeasterly line of Lot 285 to the southeasterly corner of Lot 285; thence in a southwesterly direction to the northwesterly corner of Lot 306, Kensington Heights Unit No. 3, thence in a southeasterly direction along the southwesterly line of Lot 306 to an intersection with the southerly line of Kensington Heights Unit No. 3, thence in a general southwesterly direction along the southerly line of Kensington Heights Unit No. 3 to the southeasterly corner of Lot 322, therein; thence in a general easterly direction along the northerly line of Kensington Heights Unit No. 2 to the most northeasterly corner of Lot 92 therein; thence in a general southerly direction along the easterly line of Kensington Heights Unit No. 2 to the most easterly corner of Lot 115 therein; thence in a general westerly direction along the southerly line of Kensington Heights Unit No. 2 to the northeasterly corner of Kensington Manor Unit No. 1; thence southerly along the easterly line of Kensington Manor Unit No. 1 to the southeasterly corner of Block 8 therein; thence southerly in a direct line to the southeasterly corner of Lot 2, Block 1, Kensington Manor Unit No. 1; thence southerly along the easterly lines of Block 1, Kensington Manor Unit No. 1 and Block 13, Kensington Park, to the southeasterly corner of Lot 10, in said Block 13; thence westerly along the southerly line of said Lot 10, and its westerly prolongation, to a point distant 120 feet east of the east line of Marlborough Drive; thence south along a line parallel to and distant 120 feet east of the east line of Marlborough Drive to the point of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;
2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;
3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.
4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.



5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as Kensington Manor Lighting District Number One.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73333 Portions of San Jose Place and Bayside Walk

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading and paving of SAN JOSE PLACE, between the easterly line of Ocean Front Walk and the westerly line of Bayside Walk; and BAYSIDE WALK, between the easterly prolongation of the northerly and southerly lines of San Jose Place, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employer in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                   | Per 8 hour day | Per hour |
|-----------------------------------|----------------|----------|
| Asphalt raker                     | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                  | 5.00           | 0.625    |
| Auto mechanic                     | 6.00           | 0.75     |
| Backfill machine operator         | 6.00           | 0.75     |
| Blacksmith                        | 6.00           | 0.75     |
| Blademan                          | 6.00           | 0.75     |
| Bricklayer                        | 12.00          | 1.50     |
| Bricklayer tender                 | 7.00           | 0.875    |
| Bulldozer operator                | 6.00           | 0.75     |
| Bulldozer operator over 50 HP     | 10.00          | 1.25     |
| Carpenter                         | 8.00           | 1.00     |
| Caulker                           | 6.00           | 0.75     |
| Cement finisher                   | 10.00          | 1.25     |
| Clerk                             | 6.00           | 0.75     |
| Compressor operator               | 10.00          | 1.25     |
| Concrete mixerman                 | 7.00           | 0.875    |
| Concrete spreader                 | 5.00           | 0.625    |
| Concrete tamper                   | 5.00           | 0.625    |
| Crane operator                    | 9.00           | 1.125    |
| Driller                           | 7.00           | 0.875    |
| Drill sharpener                   | 6.00           | 0.75     |
| Electrician                       | 10.00          | 1.25     |
| Engineer, hoisting                | 10.00          | 1.25     |
| Engineer, asphalt plant           | 10.00          | 1.25     |
| Finish machine operator           | 6.00           | 0.75     |
| Form setter                       | 6.00           | 0.75     |
| Jackhammer man                    | 7.00           | 0.875    |
| Kettleman, asphalt or lead        | 6.00           | 0.75     |
| Laborer, common                   | 5.00           | 0.625    |
| Materialman                       | 6.00           | 0.75     |
| Pipelayer                         | 6.00           | 0.75     |
| Plumber                           | 10.00          | 1.25     |
| Powderman                         | 6.00           | 0.75     |
| Pumpman                           | 6.00           | 0.75     |
| Reinforcing steel worker          | 10.00          | 1.25     |
| Road grader operator              | 6.00           | 0.75     |
| Roller operator                   | 10.00          | 1.25     |
| Shovel operator, 1 yard and over  | 10.00          | 1.25     |
| Shovel operator, less than 1 yard | 8.00           | 1.00     |
| Shovel fireman and watchman       | 7.00           | 0.875    |
| Shovel oiler                      | 6.00           | 0.75     |
| Teamster                          | 5.00           | 0.625    |
| Tractor operator, over 50 HP      | 10.00          | 1.25     |
| Tractor operator, 50 HP and under | 6.00           | 0.75     |
| Time keeper                       | 6.00           | 0.75     |

|                                    |       |       |
|------------------------------------|-------|-------|
| Trenching machine operator         | 10.00 | 1.25  |
| Truck driver, 15,500 lbs and under | 5.44  | 0.68  |
| Truck driver, over 15,500 lbs      | 6.00  | 0.75  |
| Watchman                           | 5.00  | 0.625 |
| Welder                             | 11.00 | 1.375 |
| Skilled labor not above listed     | 8.00  | 1.00  |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one-half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73334 32nd Street and Date Street

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading and paving of 32ND STREET, between the northerly line of Cedar Street and the southerly line of Elm Street; and DATE STREET, between the easterly line of 32nd Street and the westerly line of Bancroft Street, in said City; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |

|                                |       |       |
|--------------------------------|-------|-------|
| Truck driver, over 15,500 lbs  | 6.00  | 0.75  |
| Watchman                       | 5.00  | 0.625 |
| Welder                         | 11.00 | 1.375 |
| Skilled labor not above listed | 8.00  | 1.00  |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February 1941 by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73335

BE IT RESOLVED, by the Council of the City of San Diego, as follows:  
The following claims, attached to Transmittal No. 57 and No. 58 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim<br>Date | Order<br>Number |  | Net Amount<br>of Claim | Claim<br>Number |
|---------------|-----------------|--|------------------------|-----------------|
| 1/18/41       | 0825            | Zellerbach Paper Company               | 4.79                   | 0668            |
| 1/29/41       | 0850-0870       |  |                        |                 |
| "             | 0876            | Austin Safe & Desk Company             | 99.52                  | 0669            |
| "             | 0846            | Wilson F. Clark Company                | 4.18                   | 0670            |
| 1/18/41       | 0857            | Public Service Oil Co., Ltd.           | 112.07                 | 0671            |
| 1/29/41       | 0858            | Western Metal Supply Co.               | 11.37                  | 0672            |
| 1/18/41       | 0859            | Electric Supplies Distributing Company | 11.78                  | 0673            |
| 1/29/41       | 0862            | W. P. Fuller & Co.                     | 15.40                  | 0674            |
| "             | 0863            | Muehleisen Company                     | 11.12                  | 0675            |
| 1/18/41       | 0864            | Crane Company                          | 1.45                   | 0676            |
| 1/29/41       | 0865            | Joseph Barnise                         | 7.87                   | 0677            |
| "             | 0867            | City of San Diego - P.W.Cost Office    | 21.19                  | 0678            |
| "             | 0869            | Automobile Club of Southern California | 39.66                  | 0679            |
| "             | 0874            | Otis Elevator Company                  | 115.50                 | 0680            |
| "             | 0875            | W. E. Roberts                          | 25.00                  | 0681            |
| "             | 0877            | Kelley Laundry Company                 | 4.08                   | 0682            |
| "             | 0878            | San Diego County Garage                | 4.20                   | 0683            |
| "             | 0879            | County Telephone Department            | 3.65                   | 0684            |
| "             | 0880            | City Water Department                  | 129.62                 | 0685            |
| "             | 0881            | Public Service Oil Co.                 | 153.51                 | 0686            |
| "             | 0882            | S. D. Gas & Electric Co.               | 786.80                 | 0687            |
| "             | 0883            | County of San Diego - Stores Division  | 5.39                   | 0688            |
| "             | 0884            | State Blind Shop                       | 12.57                  | 0689            |
| "             | 0886            | Don Shira - Kelite Products            | 27.89                  | 0690            |
| "             | 0887            | San Diego Fertilizer Company           | 24.51                  | 0691            |

#### RESOLUTION NO. 73336

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The bill submitted by San Diego Junior Chamber of Commerce, in the sum of \$258.52 covering expenses incurred in connection with entertainment of officers, enlisted men of the Army, Navy and Marine Corps and their families during December, 1940, as approved by the Advertising Control Committee, be and the said bill is hereby approved for payment; and

BE IT FURTHER RESOLVED that a requisition be and it is hereby authorized to be drawn on the allocation set up for the Junior Chamber of Commerce in the Advertising and Publicity Fund of the City of San Diego for the fiscal year 1940-41 for said amount.

#### RESOLUTION NO. 73337

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager of The City of San Diego be, and he is hereby authorized to execute, for and on behalf of said City, an application for a five-year extension of time to complete the development contemplated under Application 12-2315, Certificate 12-10, before the State Department of Public Works, being application for the appropriation of unappropriated waters on the San Dieguito System at Hodges Dam.

#### RESOLUTION NO. 73338

##### RESOLUTION AUTHORIZING EXECUTION OF A LEASE OF CERTAIN LANDS

OF THE CITY OF SAN DIEGO TO BOYS' CLUB OF SAN DIEGO, CALIFORNIA, INC.

WHEREAS, the Boys' Club of San Diego, California, Inc., is desirous of leasing certain lands owned by the City hereinafter described for the purpose of construction or erecting a building or clubhouse thereon to be used exclusively for promoting the physical, mental and moral wellbeing of the boys of the City of San Diego; and

WHEREAS, the lands proposed to be leased are described as follows, to-wit:

Those portions of Lots P, Q, R, S, T, U, V, W and X, Block 10, and those portions of Lots C, D, E, F, G, H, I, J, K, Q, R, S, T, U, V and W, Block 12, La Binda Park, according to the Map thereof No. 1538 filed in the office of the County Recorder of San Diego County, California, together with those portions of Greely Court, formerly Ivy Court, vacated and closed to public highway use, lying contiguous to and adjoining Lots P to X, inclusive,



said Block 10 and Lots C to K, inclusive, said Block 12, included within the exterior boundary lines of the tract or parcel of land particularly described as follows, to-wit:

Commencing at a point on the south line of Block 12, said La Binda Park, distant 139.95 feet west from the southeast corner of said Block 12, said point of commencement also being the southeast corner of Lot W, said Block 12; thence north along the east line of Lot W, said Block 12, being also along a line parallel with the east line of said Block 12, a distance of 20.00 feet to the true point of commencement; thence continuing north on a line parallel with the east line of said Block 12, being also along the east line of said Lots W and J, said Block 12, a distance of 145.00 feet to a point; thence east on a line parallel with the south line of said Block 12, a distance of 25.00 feet to a point; thence north on a line parallel with the east line of said Block 12, and the northern prolongation of the east line of said Block 12 and parallel with the east line of said Block 10, a distance of 115.00 feet to a point; thence west on a line parallel with the south line of said Block 12, a distance of 360.00 feet to a point; thence south on a line parallel with the east line of said Block 10 and the southern prolongation of the east line of said Block 10 and parallel with the east line of said Block 12, a distance of 115.00 feet to a point; thence east on a line parallel with the south line of said Block 12, a distance of 50.00 feet to a point; thence south on a line parallel with the east line of said Block 12, a distance of 145.00 feet to a point; thence east on a line parallel with the south line of said Block 12, a distance of 285.00 feet to the true point of commencement; containing 1.89 acres of land, more or less; and

WHEREAS, said lands are not at present being put to any productive use by the City and the leasing of the same for the purposes aforesaid will promote the general welfare of all the inhabitants of the City of San Diego; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$6,900.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Council of said City, acting by and through a majority of the members thereof, be, and it is hereby authorized and empowered to execute a lease with the Boys' Club of San Diego, California, Inc., for a period of fifty (50) years from and after the execution of said lease, at a rental of One Hundred Dollars (\$100.00) per annum, payable monthly in advance; a copy of which lease is attached hereto, marked "Exhibit A" and made a part hereof.

Presented by HARLEY KNOX

Approved as to form by JAMES J. BRECKENRIDGE

#### LEASE

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, State of California, hereinafter designated as the "City", and BOYS' CLUB OF SAN DIEGO, CALIFORNIA, INCORPORATED, of said City and State, hereinafter designated as the "Lessee", WITNESSETH:

THAT WHEREAS, said Lessee is desirous of leasing from the City certain real property, for the purpose of constructing or erecting a building or club hours thereon, to be used exclusively for promoting the physical, mental and moral well-being of the boys of The City of San Diego, and particularly for such boys in the immediate vicinity thereof; and

WHEREAS, the use of said property for the purposes aforesaid will promote the general welfare of all the inhabitants of The City of San Diego; NOW, THEREFORE,

For and in consideration of said premises, and in further consideration of the covenants and agreements to be performed by the parties hereto as hereinafter set forth, the City does by these presents lease, demise and let unto the said Lessee the following described property situate in the City of San Diego, County of San Diego, State of California, to-wit:

Those portions of Lots P, Q, R, S, T, U, V, W and X, Block 10, and those portions of Lots C, D, E, F, G, H, I, J, K, Q, R, S, T, U, V and W, Block 12, La Binda Park, according to the Map thereof No. 1538 filed in the Office of the County Recorder of San Diego County, California, together with those portions of Greely Court, formerly Ivy Court, vacated and closed to public highway use, lying contiguous to and adjoining Lots P to X, inclusive, said Block 10 and Lots C to K, inclusive, said Block 12, included within the exterior boundary lines of the tract or parcel of land particularly described as follows, to-wit:

Commencing at a point on the south line of Block 12, said La Binda Park, distant 139.95 feet west from the southeast corner of said Block 12, said point of commencement also being the southeast corner of Lot W, said Block 12; thence north along the east line of Lot W, said Block 12, being also along a line parallel with the east line of said Block 12, a distance of 20.00 feet to the TRUE POINT OF COMMENCEMENT; thence continuing north on a line parallel with the east line of said Block 12, being also along the east line of said Lots W and J, said Block 12, a distance of 145.00 feet to a point; thence east on a line parallel with the south line of said Block 12, a distance of 25.00 feet to a point; thence north on a line parallel with the east line of said Block 12, and the northern prolongation of the east line of said Block 12 and parallel with the east line of said Block 10, a distance of 115.00 feet to a point; thence west on a line parallel with the south line of said Block 12, a distance of 360.00 feet to a point; thence south on a line parallel with the east line of said Block 10 and the southern prolongation of the east line of said Block 10 and parallel with the east line of said Block 12, a distance of 115.00 feet to a point; thence east on a line parallel with the south line of said Block 12, a distance of 50.00 feet to a point; thence south on a line parallel with the east line of said Block 12, a distance of 145.00 feet to a point; thence east on a line parallel with the south line of said Block 12, a distance of 285.00 feet to the True Point of Commencement; containing 1.89 acres of land, more or less.

for a term of fifty (50) years from the date hereof, at a rental of One Hundred Dollars (\$100.00) per annum, payable monthly, the first payment to be made upon the execution hereof and thereafter in advance on the first day of each and every month following.

In consideration of the covenants herein contained, the parties hereto agree as follows:

#### I.

That the above described premises are leased to said Lessee by said City for the construction by said Lessee of a suitable building or club house to be used exclusively and for no other purpose, in promoting the physical, mental and moral well-being of the boys of The City of San Diego, and providing such means of education, wholesome recreation and proper guidance as may seem most likely and desirable for the accomplishment of the purposes herein set forth.

#### II.

That this lease shall not be assigned or transferred, nor shall said Lessee have the right to sublet the leased premises or any part thereof, without the consent in writing of the City Council of said City evidenced by a resolution thereof duly adopted for said purpose.

#### III.

Said Lessee shall bear the entire expenses arising by reason of the construction of said proposed building and/or any improvements on said premises, and said building and improvements shall conform with all the requirements of the State of California and ordinances of The City of San Diego in connection therewith and in the operation and maintenance thereof.

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Cont.



## IV.

The City shall not be liable for the repair or upkeep and/or maintenance of any improvements to be located on said premises as aforesaid.

## V.

Lessee agrees to make suitable provision, by ample insurance coverage or otherwise, to save the City harmless by reason of any negligent act or omission on the part of said Lessee, its agents and employees, arising out of the use and maintenance of said premises and the improvements thereon.

## VI.

The City, by and through its proper officers, reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same and the operation and maintenance thereof.

## VII.

That said Lessee, paying said rent and performing the covenants and agreements contained herein, shall and may at all times during said term peaceably and quietly have, hold and enjoy the said premises for the term aforesaid, except as hereinafter provided.

## VIII.

Lessee agrees to commence the construction of the improvements referred to herein within a reasonable time from the date hereof, and expressly agrees to complete the same within three (3) years from the date hereof.

## IX.

If the Lessee shall commit a breach of, or shall fail in the performance of, any covenants, conditions, provisions or terms contained in this lease, the City may terminate and end this lease, and the term and the estate hereby granted, and all rights and interest hereunder, by giving to the Lessee five (5) days' written notice of the City's election to terminate this lease; and, at the expiration of the five (5) days specified in said notice, this lease, and the term and estate hereby granted, and all right and interest of the Lessee thereunder, shall cease, end and expire.

And it is further agreed that in the event this lease is cancelled, or upon the termination of the terms of the lease, as herein provided, that the Lessee hereby agrees to furnish the City with a good and sufficient quitclaim deed to all premises described herein, including all improvements thereon.

## X.

It is understood and agreed that a waiver by the City of any default hereunder shall not be considered, nor held to be, a waiver of any subsequent or other default, and also that consent to the subletting of said premises or any part thereof, or to the assignment of this lease, shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

IN WITNESS WHEREOF, this agreement is executed by The City of San Diego, acting by and through a majority of the members of its City Council, under and pursuant to a resolution of said Council authorizing such execution, and said Lessee has caused this instrument to be executed by its proper officers thereunto duly authorized and its corporate name and seal to be hereunto affixed the day and year in this agreement first above written.

THE CITY OF SAN DIEGO,  
Lessor

By Members of the Council

BOYS' CLUB OF SAN DIEGO,  
CALIFORNIA, INCORPORATED,  
Lessee

By President

ATTEST:

Secretary

I HEREBY APPROVE the form of the foregoing Lease, this 30th day of January, 1941.  
D. L. AULT, City Attorney  
By JAMES J. BRECKENRIDGE, Deputy

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT - Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK

City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

## R E S O L U T I O N NO. 73339

WHEREAS, the City Manager has recommended that the City purchase certain lands in Middletown Addition, according to Partition Map thereof by J. E. Jackson on file in the office of the County Clerk of San Diego County, California, for the widening of Water Street, for the sum of \$2620.00, said recommendation being filed in the office of the City Clerk under Document No. 326308; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager be, and he is hereby authorized to purchase for the widening of Water Street, in said City, as particularly described in said Document No. 326308, the following described real property, to-wit:

That certain unnumbered fractional block bounded on the northeast by Water Street, on the southwest by the southwesterly line of Middletown, on the southeast by Coutts Street, and on the northwest by Witherby Street; ALSO, Fractional Lots 7 to 12 incl., in Fractional Block 236, and Fractional Lots 7, 9, 10, 11 and 12, in Fractional Block 231; all in Middletown, according to Partition Map thereof by J. E. Jackson on file in the office of the County Clerk of San Diego County, California; EXCEPTING from the above described property any portion now or heretofore lying below the mean high tide line of the Bay of San Diego;

for the sum of Two Thousand Six Hundred Twenty Dollars (\$2620.00); and said City Manager is hereby authorized to draw requisition on "Outlay" (Purchase, various properties), General Appropriations, as provided by Section 34 of Ordinance No. 1880 (New Series) of the ordinances of said City, in the amount hereinabove set forth.

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized to expend the sum of Twenty Dollars (\$20.00), or any portion thereof, necessary for the payment of any escrow charges or incidental expenses in connection with the purchase of said property, said funds to be withdrawn by requisition of the City Manager from said "Outlay" (Purchase of Various Properties), General Appropriations.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION NO. 73340

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Kenny E. Reed and Lucile L. Reed, executed in favor of The City of San Diego, bearing date January 22, 1941, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot H, Block 211, Mission Beach, according to the Map thereof No. 1651, filed in the office of the County Recorder of San Diego County, California, December 14, 1914, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named BAYSIDE LANE;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73341

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Francis M. Shirley and Ella Shirley, executed in favor of The City of San Diego, bearing date January 23, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the southerly 50 feet of the northerly 90 feet of Lots 1 to 4, inclusive, Block 38 of Ocean Beach, according to the Map thereof No. 279, filed in the office of the County Recorder of San Diego County, California, May 28, 1887, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73342

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Assembly of God Church, 3737 Wightman Street, A.H.Bauer Co-pastor, to erect three directional signs at the following locations:

1 at SW corner of 38th Street and University Ave.

1 at NE corner of 38th Street and University Ave.

1 at SE corner of 37th Street and Wightman Street.

The size and design of the signs shall be subject to approval of the City Manager.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73285 to 73342 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 4th day of February, 1941.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Willig Deputy

#### RESOLUTION OF INTENTION NO. 73343

RESOLUTION OF INTENTION TO DISCONTINUE THE USE OF LAND FOR PARK PURPOSES, AND TO CALL A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS THE QUESTION OF THE DISCONTINUANCE OF THE USE OF SUCH LAND AS A PUBLIC PARK.

WHEREAS, The City of San Diego is the owner in fee of Pueblo Lots 1136 and 1143 of the Pueblo Lands of the City of San Diego, which property has heretofore been set aside and placed in use by The City of San Diego as a public park; and

WHEREAS, the public interest and convenience now require the discontinuance of the use of a portion of said land as a public park; and

WHEREAS, in the furtherance of the public interest and convenience, it is desired to abandon a portion of said property as a public park and to devote the said portion to another needed public use; and

WHEREAS, the discontinuance and abandonment of the use of such portion of said park lands as a part will not cause the reversion of any such lands to any private ownership and will not cause the forfeiture of the ownership thereof in fee by The City of San Diego; and

WHEREAS, such portion of the park lands to be abandoned as a park was not acquired in any proceeding wherein a local assessment based on benefits was levied to provide funds for the acquisition thereof, nor was the same acquired for park purposes by the expenditure of any moneys derived from the sale of bonds authorized for park purposes; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the public interest and convenience of said City require the discontinuance of the use as a public park of that portion of the lands owned by said City, known as "BALBOA PARK," more particularly described as follows:

That portion of Balboa Park, in The City of San Diego, in Pueblo Lots 1136 and 1143 of the Pueblo Lands of the City of San Diego, California, adjoining the northerly and the easterly boundaries of the Naval Hospital, and particularly bounded and described as follows, to-wit:

Beginning at a point which is the corner common to Pueblo Lots 1143, 1144, 1147 and 1148 of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in 1870, a certified copy of which is on file as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California; thence north 22° 46' 40" east 3189.45 feet to the most northerly property corner of the U.S. Naval Hospital; thence south 70° 26' 20" east along the northerly boundary of the U.S. Naval Hospital, a distance of 152.91 feet to the true point of commencement, said point also being the northeasterly property corner of the U.S. Naval Hospital; thence south 70° 26' 20" east 1002.99 feet to a point; thence south 0° 01' 40" west 1230.33 feet to a point; ~~thence south 0° 01' 40" west 1230.33 feet to a point~~; thence south 29° 17' 40" west 55.0 feet to a point, said point being a point on a tangent curve concaved westerly and having a radius of 180.0 feet and also being a point on the easterly boundary of the U.S. Naval Hospital; thence following the boundary line of the U.S. Naval Hospital northerly along the arc of said curve a distance of 101.00 feet to the point of a compound curve concaved southwesterly and having a radius of 244.72 feet; thence northwesterly along the arc of said curve a distance of 259.84 feet to a point; thence tangent to said curve north 63° 41' 33" west 897.87 feet to a point; thence north 0° 01' 40" east 911.96 feet to the true point of commencement, containing 21.32 acres, more or less.

That the public interest and convenience of said City require that the portion of Balboa Park above described be used for another public purpose, to-wit: Use by the United States Government in connection with and as a part of the Naval Hospital now being operated and maintained by said United States Government; and that it is proposed by the Council of The City of San Diego, upon the discontinuance of the use of said real property as a public park, to convey the same to the United States Government for use in connection with the present existing Naval Hospital.

That the Council of the City of San Diego intends to call a special election to submit to the qualified electors of The City of San Diego the question of the discontinuance of the use of the portion of said Balboa Park hereinabove described as a public park.

BE IT FURTHER RESOLVED that the Council of the City of San Diego does hereby fix a time and place for hearing, considering and deciding upon any written protests that may be filed by persons particularly interested in the proposed discontinuance of the use of said lands for park purposes; and it is therefore hereby resolved that said public hearing shall take place in the Council Chamber in the City Hall of the City of San Diego on the 11th day of March, 1941, at 10:00 o'clock A.M.

BE IT FURTHER RESOLVED that the Clerk of the City of San Diego shall cause this resolution to be published twice in the San Diego Union, the City official newspaper, said publication to be made and completed on or before the 19th day of February, 1941.

BE IT FURTHER RESOLVED that the Director of Public Works of the City of San Diego be, and he is hereby authorized and directed to cause notices of the adoption of this resolution to be prepared and conspicuously posted along the exterior boundaries of the area herein described proposed to be discontinued and abandoned as a public park. Said notices so posted shall be headed "Notice of Proposed Discontinuance of Public Park Lands," in letters not less than one inch in height, and shall in legible characters state the fact and date of the adoption of this resolution, and shall contain a description of the land proposed to be discontinued and abandoned as a public park and the name by which such public park is commonly known, and the disposition which it is proposed to make of such park lands. Such notice shall also contain a statement of the date, hour and place when and where any and all persons having any objection to the proposed abandonment and discontinuance may appear before the Council and show cause why the use of the land therein described for park purposes should not be discontinued, in accordance with this resolution. Such notices shall be posted along the exterior boundaries of the land herein and hereby proposed to be discontinued as a public park at not more than three hundred (300) feet in distance apart, and there shall be not less than three (3) such notices in all. Such posting shall be completed on or before the 19th day of February, 1941.

Approved as to form by: D.L.AULT

Passed and adopted by the said Council of the said City of San Diego, California, this 7th day of February, 1941, by the following vote, to-wit:

YEAS-Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS-Councilmen: None

ABSENT-Councilmen: None

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM

Deputy.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolution No. 73343 of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 7th day of February, 1941.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Willis Deputy.

#### RESOLUTION NO. 73344

Confirming the City Engineer's Assessment No. 1722 for work upon the Northwesterly and Southeasterly Alley in Block 72 Ocean Beach, a portion of Newport Avenue and public right of way, in the City of San Diego, California, under Resolution of Intention No. 72129.

Notice of the time and place fixed for the hearing of appeals in the matter of Assessment No. 1722, made by the City Engineer of said City to cover the cost and expenses of the work done upon the Northwesterly and Southeasterly Alley in Block 72 Ocean Beach, a portion of Newport Avenue and public right of way, in said City, under Resolution of Intention No. 72129, adopted by the Council on the 28th day of August, 1940, having been duly given and made in the manner required by law, and the legal time for filing such appeals and the time fixed for hearing thereon having passed and elapsed, and no appeals in the matter of said



assessment having been filed, and the Council being satisfied with the correctness of said assessment; NOW, THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego, that the said Assessment No. 1722 of the said City Engineer made to cover the cost and expenses of the work done upon the Northwesterly and Southeasterly Alley in Block 72 Ocean Beach, a portion of Newport Avenue and public right of way within the limits as described in said Resolution of Intention No. 72129, be, and the same is hereby approved and confirmed, and the City Engineer is hereby authorized to attach his warrant thereto and record the same in the manner and form required by law. Said warrant shall bear date of this order.

#### RESOLUTION NO. 73345

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Betty N. Perkins, 652 Rosecrans Street, to construct two residences on Lot 8 Los Ranchitos, each to be on a parcel of land with a minimum of 60 feet frontage and 6000 feet in area.

Variance to the restrictions of Ordinance No. 31 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above.

#### RESOLUTION NO. 73346

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Harry Grades, 3735 Adams Avenue, to conduct poultry slaughtering on Lot 1 Block 44 Normal Heights, in connection with a retail butcher shop located at 3737 Adams Avenue.

Variance to the restrictions of Ordinance No. 12989, be, and it is hereby granted in so far as they relate to the property mentioned above.

#### RESOLUTION NO. 73347

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to John W. and Esther M. Holler, 625 Broadway, to erect a single-family residence on a portion of Pueblo Lot 1120, approximately 108' x 250', containing slightly over an acre of ground fronting on Camino Del Rio, as outlined on print attached to petition bearing Document No. 326617.

Variance to the restrictions of Ordinance No. 1856 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above.

#### RESOLUTION NO. 73348

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Arthur W. Hill, 5140 La Dorna, to construct a second residence on the south half of Parcel K, Lot 29 La Mesa Colony, upon the condition that he grant to the City an easement for the widening of La Dorna Street, as recommended by the City Engineer.

Variance to the restrictions of Ordinance No. 13552, be, and it is hereby granted in so far as they relate to the property mentioned above.

#### RESOLUTION NO. 73349

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Armand Jessop, 1041 - 5th Avenue, to construct two single-family residences on Lot 4 Block 119 La Playa, with each residence on a parcel 75' x 150'.

Variance to the restrictions of Ordinance No. 32 N.S., be, and it is hereby granted in so far as they relate to the property mentioned above.

#### RESOLUTION NO. 73350

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of Herbert F. Blanton, 3660 Landis Street, filed under Document No. 325843, for a permit to operate four automobiles for hire, under the name of Blanton's For Hire Sedans, be and it is hereby denied.

#### RESOLUTION NO. 73351

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to A. J. and H. A. Castleman, 3385 Myrtle Avenue to construct and operate a soft beverage bottling plant on a portion of Pueblo Lot 1152, at the southeast corner of 33rd Street and Imperial Avenue, on a parcel 100' x 250'.

Variance to the restrictions of Ordinance No. 13216, be, and it is hereby granted in so far as they relate to the property mentioned above.

#### RESOLUTION NO. 73352

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mrs. Catherine A. VanDerslice, 3427 - 33rd Street, to construct a duplex over garage, in addition to the existing house on Lots 5 and 6 Block 58 Park Villas.

Variance to the restrictions of Ordinance No. 12820, be, and it is hereby granted in so far as they relate to the property mentioned above.

#### RESOLUTION NO. 73353

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Albert Peterson, 3744 Ray Street, to operate a boarding home for not to exceed six able-bodied persons, on Lots 45 and 46 Block 64 Park Villas, for a period of two years from the date of this resolution.

Variance to the restrictions of Ordinance No. 12889, be, and it is hereby granted in so far as they relate to the property mentioned above.

#### RESOLUTION NO. 73354

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Margaret L. Dixon, Box 66, Del Mar, California, to construct an addition to the residence on Lots 36-40 (Wly 60') Block 44, La Jolla Park, with a side yard of four feet, a rear yard of twenty feet and a lot coverage of 40 per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73355

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Robert Conard, 1930 University Avenue, to construct a garage with apartment above, on the west fifty feet of Lots 25-28 Block 195 University Heights, with a side yard of twenty feet, a rear yard of four feet, and a lot coverage of 30 per cent.

Variance to the restrictions of Sections 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73356

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Angie F. Varney, 2145 Brant Street, for permission to construct a 4-unit bungalow court on Lot 3 Block K Middletown and Lot C Block 251 Horton's Addition, not closer to the property line on Brant Street than four feet, be, and it is hereby denied.

## R E S O L U T I O N NO. 73357

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Winifred M. and C. K. Dayes, to construct a duplex and apartment over a garage on the southwesterly fifty feet of Lots 16 and 17 Block 85 Ocean Beach Extension #2, not closer than four feet to the property line on Brighton Street.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73358

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Union Title Insurance & Trust Co. for rezoning Lots 800, 801, 802 and 803 Talmadge Park Estates at the southeast corner of Euclid and Monroe Avenues, from "R-C" zone to "R-2" zone, be, and it is hereby granted.

BE IT FURTHER RESOLVED, that the City Attorney be and he is hereby authorized and directed to prepare and present an ordinance rezoning said property.

## R E S O L U T I O N NO. 73359

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of George Marston for rezoning portion of Lot 1 Block 450 Old San Diego from C Zone to R-4 Zone, be, and it is hereby granted.

BE IT FURTHER RESOLVED, that the City Attorney be and he is hereby authorized and directed to prepare and present an ordinance rezoning said property.

## R E S O L U T I O N NO. 73360

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Leland S. Mead, 3589 - 4th Avenue, to conduct a 30-unit auto trailer camp on a portion of Pueblo Lot 308, near Congress and Jefferson Streets, on the following conditions:

1. That the camp be constructed according to the plans submitted.
2. That the camp comply to the Trailer Camp Ordinance and other ordinances of the City and the Health Department.
3. That fence be constructed and a hedge or other suitable plantings be placed around the entire boundaries of the property.

## R E S O L U T I O N NO. 73361

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The tentative map of proposed subdivision of Lots 2 and 3 Granada Tract, to be known as the "Larry Imig Subdivision", be, and it is hereby approved on the following conditions:

- That the extension of Norwood Street to Menlo Avenue be graded;
- That curbs be constructed and joined to the existing curbs on 46th Street and Menlo Avenue;
- That a 6-inch sewer be extended from the intersection of Norwood Street and 46th Street to serve all lots not now served;
- That a 6-inch cast iron water main be installed and connected to the existing mains in 46th Street and Menlo Avenue with a gate valve on the east line of 46th Street.

## R E S O L U T I O N NO. 73362

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Pear Pearson, 3927 - 5th Avenue, to connect the plumbing of a house now under construction at 4564 Contour Boulevard, to an established City sewer at the west line of the property.

The City of San Diego shall not be liable for any damage resulting from the construction and maintenance of sewer laterals over and across said property.

## R E S O L U T I O N NO. 73363

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized and directed to install overhead street lights at the following locations:

- State Street and Laurel Street, 600 c.p.
- La Jolla Canyon Drive & Miramar Road, 600 c.p.
- 6th Avenue and L Street, 400 c.p.
- North end of Wilshire Drive, 400 c.p.

## R E S O L U T I O N NO. 73364

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Taxpayers, bearing Document No. 326593, requesting the Council to place proposition on the ballot submitting a Charter amendment relative to the Water Department, be, and it is hereby referred to a committee to be appointed by the Mayor on Charter amendments matters.

## R E S O L U T I O N NO. 73365

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The following communications regarding the Veterans' Advisory Commission, be and they are hereby referred to Council conference:

San Diego County Council V.F.W., Document No. 326510; Harry Nelson Chapter D.A.V., Document No. 326511; Bennington Camp No. 20, United Spanish War Veterans, Document No. 326565.

R E S O L U T I O N NO. 73366

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from Chester H. Webber, 1105 Bank of America Building, bearing Document No. 326599, relative to purchasing City-owned Lots 1, 2, 3, 4 Block 213 Middletown, be, and it is hereby referred to the City Manager for a report on the minimum price at which said lots will be sold.

R E S O L U T I O N NO. 73367

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from Mrs. Opal A. Karomis, 4045 - 42nd Street, bearing Document No. 326598, regarding employment of police women by the City of San Diego, is hereby referred to the 1941-42 Budget.

R E S O L U T I O N NO. 73368

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Earl W. Gray, 1414 Van Buren Avenue, filed in the office of the City Auditor and Comptroller, for a refund of \$3.00 on a house moving inspection fee, be, and it is hereby denied.

R E S O L U T I O N NO. 73369

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Beula F. Childress, 4067 Monroe Avenue, filed in the office of the City Auditor & Comptroller on January 31, 1941, against the City of San Diego in the amount of \$2,989.00, for alleged salary, be, and it is hereby denied.

R E S O L U T I O N NO. 73370

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Violet M. Michels, 1783 Cable Street, filed in the office of the City Auditor & Comptroller on January 31, 1941, against the City of San Diego in the amount of \$2,224.00, for alleged salary, be, and it is hereby denied.

R E S O L U T I O N NO. 73371

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the United States Pipe & Foundry Company to furnish The City of San Diego with 700 feet of 16" Class 200 cement lined cast iron pipe and 19 pieces of miscellaneous fittings, for the sum of \$3232.07 be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said United States Pipe & Foundry Company.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said United States Pipe & Foundry Company for furnishing of said pipe and fittings, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

Approved as to form H. B. DANIEL

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Feb. 13, 1941

To be paid out of 706(N.G.) not to exceed \$3232.07

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California

R E S O L U T I O N NO. 73372

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor of said City is hereby authorized and directed to transfer the sum of Two Hundred Fifty Dollars (\$250.00) from "Outlay" (Memorial Park), Series FCA, Park Division, Park Department Fund of The City of San Diego, to SRA Project 174, Presidio Park, Series FCD-Presidio Park, Park Department Fund, as provided by Section 26 of Ordinance No. 1880 (New Series) of the ordinances of said City.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

R E S O L U T I O N NO. 73373

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Manager, under Document No. 326594, that the City of San Diego not advertise for a franchise for public bidding for passenger bus service between San Diego and La Jolla Junction, to serve Camp Callan, be, and it is hereby adopted.

R E S O L U T I O N NO. 73374

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Manager, under Document No. 326595, that the Manager be authorized to negotiate and the City Attorney to prepare the necessary agreements for submission to the Council, covering the establishment of a coordinated passenger bus service between points within Camp Callan and other points in San Diego, such service agreement to be by and with the consent and approval of the Commanding Officer at Camp Callan, in accordance with the Pacific Greyhound Lines' and Santa Fe Transportation Co.'s joint proposal, to the extent applicable, and as further set forth in the above-mentioned Document No. 326595, be, and it is hereby adopted.



## R E S O L U T I O N NO. 73375

A RESOLUTION DECLARING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY OF THE CITY OF SAN DIEGO DEMAND THE ACQUISITION, CONSTRUCTION AND COMPLETION OF CERTAIN MUNICIPAL IMPROVEMENTS NECESSARY AND CONVENIENT TO CARRY OUT THE OBJECTS, PURPOSES AND POWERS OF THE MUNICIPALITY, THE COST OF WHICH WILL BE TOO GREAT TO BE PAID OUT OF THE ORDINARY ANNUAL INCOME AND REVENUE OF THE MUNICIPALITY, AND RECITING THE ESTIMATED COST OF THE PROPOSED PUBLIC IMPROVEMENTS.

IT IS HEREBY RESOLVED, DECLARED AND DETERMINED By the Council of The City of San Diego that the public interest and necessity of said City, and of the inhabitants thereof, demand the acquisition, construction and completion by said City of the following municipal improvements, namely:

I.

The acquisition, construction and completion of improvements, extensions and additions to the sanitary sewer system of The City of San Diego, as follows:

(1) The purchase and installation of

- (a) Trunk sewers from La Jolla Shores to Pacific Beach;
- (b) Trunk sewers from Pacific Beach, through Moreno, to Old Town;
- (c) Trunk sewers in Mission Valley from the State College District to Old Town, including trunk sewers in the district between Mission Valley and El Cajon Boulevard, and between La Mesa Colony and the easterly line of the Pueblo Lands of San Diego;
- (d) A trunk sewer between Azure Vista, Mission Beach and Old Town;
- (e) A trunk sewer in the 11th Street Canyon District, from University Avenue to J Street;
- (f) A trunk sewer in the Switzer Canyon, from Upas Street to Powder House Canyon;
- (g) A trunk sewer in the Powder House Canyon District, from University Avenue to Logan Avenue;
- (h) A trunk sewer from Logan Avenue and Sigsbee Street to Colton Avenue and Beardsley Street;
- (i) A trunk sewer from Encanto to the proposed treatment plant in the vicinity of Una Street and Kingwood Street, in said City;
- (j) A trunk sewer from Valencia Park to the Encanto trunk sewer;
- (k) A trunk sewer south of Valencia Park, from 65th Street to the Valencia Park trunk sewer;
- (l) Trunk sewers in the district east of Wabash Avenue and south of El Cajon Avenue;
- (m) Trunk sewers in Curlew Street and Reynard Way Canyons, from University Avenue to the Pacific Highway interceptor sewer.

(2) In addition to the foregoing, the acquisition, construction and completion of pumping plants and appurtenances, and other necessary improvements, extensions and additions to the City's sanitary sewer system.

That the total cost of said improvements, extensions and additions to the sanitary sewer system of The City of San Diego is estimated at one million nine hundred eighty-three thousand dollars (\$1,983,000.00), and that the total bonded indebtedness to be incurred for said improvements is the sum of one million nine hundred eighty-three thousand dollars (\$1,983,000.00).

IT IS FURTHER RESOLVED, DECLARED AND DETERMINED that the above described municipal improvements are, and each of them is, necessary and convenient to carry out the objects, purposes and powers of the municipality, and that the cost of said improvements and of each of said improvements will be too great to be paid out of the ordinary annual income and revenue of the municipality.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 73376

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Manager, under date of February 11, 1941, that the following municipal licenses or permits:

|                    |                |                    |
|--------------------|----------------|--------------------|
| 241 Jas. Daley     | 922 - 3rd Ave. | Card tables & news |
| 01379 C. E. Watson | 922 - 3rd Ave. | Food               |
| 517 Jas. Daley     | 922 - 3rd Ave. | Cigars & Tobacco   |

be and they are hereby revoked, pursuant to the authority contained in Section 14 of Ordinance No. 915 N.S.

## RESOLUTION OF AWARD NO. 73377

44th Street

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 4th day of February, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72837, adopted by the Council on December 3, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of 44TH STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine

years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention. Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To V. R. DENNIS, an individual doing business under the firm name and style of V. R. DENNIS CONSTRUCTION COMPANY, at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

Excavation, per cubic yard.....\$ 0.50  
Preparation of subgrade, per square foot, .....\$ 0.01  
Pavement, per square foot, .....\$ 0.12  
6" cast iron water main, with fittings, connections and appurtenances, laid, per lineal foot, .....\$ 1.50  
3/4" water services, installed, each, .....\$15.00  
6" sewer laterals, installed, each, .....\$35.00  
4" sewer laterals, installed, each, .....\$35.00

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF AWARD NO. 73378  
Alley in Block 190, San Diego Land and Town Company's  
Addition

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 4th day of February, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72841, adopted by the Council on December 3, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK 190, SAN DIEGO LAND AND TOWN COMPANY'S ADDITION, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention. Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To V. R. DENNIS, an individual doing business under the firm name and style of V. R. DENNIS CONSTRUCTION COMPANY, at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

Excavation, per cubic yard, .....\$ 0.60  
Embankment, per cubic yard, .....\$ 0.25  
Preparation of subgrade, per square foot, .....\$ 0.01  
Pavement, per square foot, .....\$ 0.13  
4" sewer lateral, installed, each, .....\$15.00

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION ORDERING WORK NO. 73379  
Alley in Block 83, City Heights

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in

said City, to-wit:

All the street work described in Resolution of Intention No. 73025, adopted by the Council on December 31, 1940, and on file in the office of the City Clerk of said City for the grading and paving of the ALLEY IN BLOCK 83, CITY HEIGHTS, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five(5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72952, adopted on the 17th day of December, 1941, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73380

32nd Street and Date Street

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of 32ND STREET, between the northerly line of Cedar Street and the southerly line of Elm Street; and DATE STREET, between the easterly line of 32nd Street and the westerly line of Bancroft Street, in said City, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on January 28, 1941, under Document No. 326224, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1836, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said streets hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

#### RESOLUTION ORDERING WORK NO. 73381

53rd Street, Meade Avenue, Trojan Avenue and Public rights  
of way.

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the improvement described in Resolution of Intention No. 73026, adopted by the Council on December 31, 1940, and on file in the office of the City Clerk of said City for the improvement of 53RD STREET, MEADE AVENUE, TROJAN AVENUE and PUBLIC RIGHTS OF WAY, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five(5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 72890, adopted on the 10th day of December, 1940, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California



FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73382  
DIRECTING NOTICE INVITING SEALED PROPOSALS, UNIVERSITY AVENUE  
LIGHTING DISTRICT NO. 2

BE IT RESOLVED By the Council of the City of San Diego, California, as follows:

That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the curb lines of the following streets in the City of San Diego, California, to-wit:

FOURTH AVENUE, between the south line of Washington Street and the north line of Robinson Avenue;

FIFTH AVENUE, between the south line of University Avenue and the north line of Robinson Avenue; and

UNIVERSITY AVENUE, between the easterly line of Third Avenue and the westerly line of Park Boulevard.

Such furnishing of electric current shall be for a period of one year from and including March 16, 1941, to-wit, to and including March 15, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for University Avenue Lighting District No. 2," filed December 20, 1940, in the office of the City Clerk of said City.

That The SAN DIEGO UNION, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF INTENTION NO. 73383

32nd Street and Date Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of 32ND STREET, in said City, between the northerly line of Cedar Street and the southerly line of Elm Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base.

That a portion of DATE STREET, in said City, between the easterly line of 32nd Street and the westerly line of Bancroft Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 326224, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1836, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 73334, adopted on the 4th day of February, 1941, that 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, is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified. NOTICE IS HEREBY GIVEN, that on Tuesday, the 18th day of March, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF INTENTION NO. 73384

UNNAMED STREET OR ALLEYS LYING SOUTHWESTERLY OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY'S RIGHT OF WAY AND NORTHEASTERLY OF BLOCKS 1, 2, 3, 4, 31, 30, 5, 6, 7 and 8, SORRENTO; THE ALLEYS IN BLOCKS 31, 30 and 5, AND A PORTION OF THE ALLEY IN BLOCK 6, ALL IN SORRENTO, AND PORTIONS OF FUCHSIA STREET, GOLDENROD STREET AND HELIOTROPE STREET.

BE IT RESOLVED, By the Council of The City of San Diego, that the public interest and convenience of said City require the closing up of a portion of the streets or alleys hereinafter mentioned; and

BE IT FURTHER RESOLVED, that it is the intention of said Council to order the closing of those portions of the streets or alleys described as follows:

(1) The UNNAMED STREET OR ALLEYS IN SORRENTO according to the map thereof No. 483 on file in the office of the County Recorder of San Diego County, California, lying between the southwesterly line of the Atchison, Topeka and Santa Fe Railway Company's Right of Way and the northeasterly line of Blocks 1, 2, 3, 4, 31, 30, 5, 6, 7 and 8 in said Sorrento and the northwesterly prolongations of the northeasterly lines of said Blocks 1, 2, 3, 31, 30, 5, 6 and 7, and between the northeasterly prolongation of the southeasterly line of Block 1 in said Sorrento and the northeasterly prolongation of the northwesterly line of Block 4 in said Sorrento; and between the northeasterly prolongation of the southeasterly line of Block 31 in said Sorrento and the northeasterly prolongation of the northwesterly line of Block 8 in said Sorrento, including any portions of Begonia Street, Calla Street, Daffodil Street, Fuchsia Street, Goldenrod Street, Heliotrope Street, Iris Street and Jasmine Street lying within the limits of said unnamed street or alleys.

(2) The ALLEY IN BLOCK 31 IN SAID SORRENTO, between the northwesterly line of Edelweiss Street and the southeasterly line of Fuchsia Street.

(3) The ALLEY IN BLOCK 30 IN SAID SORRENTO, between the northwesterly line of Fuchsia Street and the southeasterly line of Goldenrod Street.

(4) The ALLEY IN BLOCK 5 IN SAID SORRENTO, between the northwesterly line of Goldenrod Street and the southeasterly line of Heliotrope Street.

(5) All that portion of the ALLEY IN BLOCK 6, in said SORRENTO, between the northwesterly line of Heliotrope Street and a line parallel to and distant 150.00 feet northwesterly from the northwesterly line of said Heliotrope Street.

(6) FUCHSIA STREET, between the northeasterly line of Smilax Street and the southwesterly line of the Atchison, Topeka and Santa Fe Railway Company's right of way.

(7) GOLDENROD STREET, between the northeasterly line of Smilax Street and the southwesterly line of the Atchison, Topeka and Santa Fe Railway Company's right of way.

(8) HELIOTROPE STREET, between the northeasterly line of Smilax Street and the southwesterly line of the Atchison, Topeka and Santa Fe Railway Company's right of way.

That it is not deemed necessary that any land be taken therefor.

That the exterior boundaries of the district of lands in said City to be affected by said work and improvement, and to be assessed to pay the damages, costs and expenses thereof, are described as follows:

Beginning at the intersection of the southwesterly line of the Atchison, Topeka and Santa Fe Railway Company's right of way and the northeasterly prolongation of the northwesterly line of Block 8, Sorrento, according to the map thereof No. 483 on file in the office of the County Recorder of San Diego County, California; thence southeasterly along the southwesterly line of said right of way to an intersection with the northeasterly prolongation of the southeasterly line of Block 1 in said Sorrento; thence southwesterly along the northeasterly prolongation of the southeasterly line of said Block 1 and along the southeasterly line of said Block 1 to an intersection with a line parallel to and distant 80.00 feet southwesterly from the southwesterly line of the Atchison, Topeka and Santa Fe Railway Company's right of way; thence northwesterly along said parallel line to an intersection with the northwesterly line of Edelweiss Street; thence southwesterly along the northwesterly line of Edelweiss Street to the northeasterly line of Smilax Street; thence northwesterly along the northeasterly line of Smilax Street to an intersection with a line parallel to and distant 150.00 feet northwesterly from the northwesterly line of Heliotrope Street; thence northwesterly along the last described parallel line to an intersection with a line parallel to and distant 80.00 feet southwesterly from the southwesterly line of the Atchison, Topeka and Santa Fe Railway Company's right of way; thence northwesterly along the last described parallel line to an intersection with the northwesterly line of said Block 8; thence northwesterly along the northwesterly line of said Block 8 and the northeasterly prolongation thereof to the point or place of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

That The SAN DIEGO UNION, a daily newspaper published and circulated, and of general circulation in the said City of San Diego, be, and it is hereby designated as the newspaper in which the Director of Public Works of said City shall cause to be published, in the manner and form required by law, notice of the passage of this Resolution of Intention, and the said Director of Public Works is hereby directed to cause notices of the passage of this resolution to be posted in the manner and form required by law, and to cause a notice similar in substance to be published in said newspaper for a period of ten days in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT- Mayor Benbough



(SEAL)

ATTEST: A. E. FLOWERS  
 Vice-Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of The City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of The City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

## RESOLUTION OF INTENTION NO. 73385

## Sassafras Street

BE IT RESOLVED, By the Council of The City of San Diego, that the public interest and convenience of said City require the closing up of a portion of the street hereinafter mentioned; and

BE IT FURTHER RESOLVED, that it is the intention of said Council to order the closing of the northwesterly 5.00 feet of SASSAFRAS STREET, between the northeasterly line of India Street and the southwesterly line of Columbia Street, in the City of San Diego, California.

That it is not deemed necessary that any land be taken therefor.

That the exterior boundaries of the district of lands in said City to be affected by said work and improvement, and to be assessed to pay the damages, costs and expenses thereof, are described as follows: Beginning at a point on the northeasterly line of India Street distant 50.00 feet northwesterly from the northwesterly line of Sassafras Street; thence northeasterly along a line parallel to the northwesterly line of said Sassafras Street to the southwesterly line of Columbia Street; thence southeasterly along the southwesterly line of said Columbia Street to the center line of said Sassafras Street; thence southwesterly along the center line of said Sassafras Street to the northeasterly line of said India Street; thence northwesterly along the northeasterly line of said India Street to the point of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

That the SAN DIEGO UNION, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper in which the Director of Public Works of said City, shall cause to be published, in the manner and form required by law, notice of the passage of this Resolution of Intention, and the said Director of Public Works is hereby directed to cause notices of the passage of this resolution to be posted in the manner and form required by law, and to cause a notice similar in substance to be published in said newspaper for a period of ten days in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
 Vice-Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of The City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of The City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

## RESOLUTION NO. 73386

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving Dickens Street and Emerson Street, as particularly described in Resolution of Intention No. 72734 and to be assessed to pay the expenses thereof.

## RESOLUTION OF INTENTION NO. 73387

## Mission Beach Lighting District Number One

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938" to order the following work to be done and improvement to be made in said City, to-wit:

The furnishing of electric current for the lighting of the street lamps on bracket arms attached to the poles on MISSION BOULEVARD between the southerly line of Ventura Place and the southerly line of Pacific Beach Drive, in the City of San Diego, California; together with the maintenance of said bracket arms, wires and lamps on said Mission Boulevard, within the limits above mentioned; Such furnishing of electric current and such maintenance of appliances shall be for a period of one year from and including May 15, 1941, to-wit, to and including May 14, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by, and of the materials provided for in the plans and specifications therefor to be hereafter prepared by the City Engineer of said City, and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at the point of intersection of the southerly production of the easterly line of Ocean Front Walk with the southerly line of Ventura Place; thence northerly along the easterly line of Ocean Front Walk and its southerly production to the northwesterly corner of Block 247, Mission Beach; thence northwesterly in a direct line to the southwesterly corner of Block 389, Pacific Beach; thence northerly along the westerly line of Block 389 and its northerly production, to the northerly line of Pueblo Lot 1803; thence easterly along the northerly line of Pueblo Lot 1803 to an intersection with the northerly production of the easterly line of Block 249, Mission Beach; thence southerly along the easterly line of said Block 249 and its northerly and southerly productions, to the easterly line of Bayside Walk; thence southerly and easterly along the easterly and northerly lines of Bayside Walk to an intersection with the northerly production of the westerly line of Block 91,

Mission Beach, as it now exists; thence southerly along the northerly production of the westerly line of said Block 91 to an intersection with the center line of Bayside Walk as it formerly existed, said point of intersection being the northwesterly corner of said Block 91, as it now exists; thence northeasterly, easterly and southeasterly along the center line of Bay side Walk as it formerly existed, to an intersection with the easterly production of the southerly line of Ventura Place; thence westerly along the southerly line of Ventura Place and its easterly production, to the point of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that four-fifths of the costs and expenses of said improvement shall be assessed upon the district above described, and one-fifth of the costs and expenses of said improvement shall be paid out of the Treasury of said City, from the Street Light Fund of said City.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;

2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as Mission Beach Lighting District Number One.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73388

A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE CITY OF SAN DIEGO REQUIRE THE OPENING OF A PUBLIC STREET OVER AND ACROSS LOTS 5, 6 AND 7, BLOCK 1, LA CANYADA VILLA TRACT, SITUATED WITHIN THE CITY OF SAN DIEGO; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF THE LAND TO BE USED BY SAID CITY FOR THE OPENING AND CONSTRUCTION OF SAID STREET, WITHIN THE AREA AFORESAID, AND DECLARING THE INTENTION OF THE CITY OF SAN DIEGO TO ACQUIRE SAID LANDS AND RIGHTS UNDER EMINENT DOMAIN PROCEEDINGS; AND DIRECTING THE CITY ATTORNEY OF THE CITY OF SAN DIEGO TO COMMENCE AN ACTION IN THE SUPERIOR COURT OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FOR THE PURPOSE OF CONDEMNING AND ACQUIRING SAID LAND.

BE IT RESOLVED By the Council of The City of San Diego, as follows:

Section 1. That the public interest, convenience and necessity of The City of San Diego, State of California, and the inhabitants thereof, require the opening and construction of a public street over and across Lots 5, 6 and 7, Block 1, La Canyada Villa Tract, within The City of San Diego, in accordance with the Major Street Plan of The City of San Diego, and amendments thereto.

Section 2. That the public interest, convenience and necessity of said City of San Diego, and of the inhabitants thereof, demand the acquisition and taking of the said lands for the opening and construction of a public street over and across Lots 5, 6 and 7, Block 1, of La Canyada Villa Tract, situated within The City of San Diego, in accordance with the Major Street Plan of said City, and amendments thereto.

Section 3. That the property to be taken by said City hereinabove referred to is described as follows, to-wit:

#### PARCEL 1:

All that portion of Lot 5, Block 1, La Canyada Villa Tract, according to Map thereof No. 1005, filed in the Office of the County Recorder of San Diego County, California, more particularly described as follows, to-wit:

Beginning at the northeasterly corner of said Lot 5; thence southerly along the east line of said Lot 5 a distance of 42.86 feet to the TRUE POINT OF BEGINNING; thence continuing southerly along the east line of said Lot 5, a distance of 107.14 feet to an intersection with a line parallel to and distant 150.00 feet southerly from the north line of said Lot 5; thence westerly along the above described parallel line a distance of 35.00 feet to a point; thence northeasterly in a direct line a distance of 112.71 feet to the true



point of beginning; containing 1875 square feet.

PARCEL 2:

All that portion of Lot 6, Block 1, La Canyada Villa Tract, according to Map thereof No. 1005, filed in the Office of the County Recorder of San Diego County, California, more particularly described as follows, to-wit:

Beginning at the northeasterly corner of said Lot 6; thence southerly along the east line of said Lot 6 a distance of 150.00 feet to a point; thence westerly on a line parallel to the north line of said Lot 6, a distance of 50.00 feet to a point on the west line of said Lot 6, distant thereon 150.00 feet southerly from the northwesterly corner of said Lot 6; thence northerly along the west line of said Lot 6 a distance of 107.14 feet to a point; thence northeasterly in a direct line a distance of 45.09 feet to a point on the north line of said Lot 6 distant thereon 36.00 feet westerly from the point of beginning; thence easterly along the north line of said Lot 6 to the point of beginning; containing 7200 square feet.

PARCEL 3:

All that portion of Lot 7, Block 1, La Canyada Villa Tract, according to Map thereof No. 1005, filed in the Office of the County Recorder of San Diego County, California, more particularly described as follows:

Beginning at the northeasterly corner of said Lot 7; thence southerly along the east line of said Lot 7 a distance of 150.00 feet to a point; thence westerly in a direct line a distance of 50.00 feet to a point on the west line of said Lot 7 distant thereon 150.00 feet southerly from the northwesterly corner of said Lot 7; thence northerly along the west line of said Lot 7 to the northwesterly corner thereof; thence easterly along the north line of said Lot 7 a distance of 50.00 feet to the point of beginning; containing 7500 square feet.

Section 4. That the taking and acquiring by said City of San Diego of the lands and property hereinbefore described is deemed necessary for the construction of said public street by The City of San Diego and the inhabitants thereof for municipal purposes; that such use is a public use, and that for such public use it is necessary that said The City of San Diego condemn and acquire the said lands and properties hereinbefore described.

Section 5. That the City Attorney of said The City of San Diego be, and he is hereby authorized and directed to commence an action in the Superior Court of the County of San Diego, State of California, in the name and on behalf of said The City of San Diego against all owners and claimants of the above described lands, for the purpose of condemning and acquiring said lands and properties, for the use of said City.

Section 6. That the public necessity and convenience require, and it is hereby ordered that the plaintiff in said condemnation action, to-wit, The City of San Diego, take immediate possession and use of all, or any portion of the property sought to be condemned therein, upon complying with the requirements of the law applicable thereto.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION NO. 73389  
SPECIAL ASSESSMENT PROCEEDINGS FOR THE IMPROVEMENT  
OF A PORTION OF LAUREL STREET

WHEREAS, this Council did by its Resolution No. 72995, do and determine all the things required by Sections 2 and 13 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and

WHEREAS, the owners of more than fifteen per cent of the area of the proposed assessment district, as described in said Resolution No. 72995, did by their return post cards demand the investigation provided for by said Act; NOW, THEREFORE,

BE IT RESOLVED by this Council that it be, and it is hereby determined that the owners of more than fifteen per cent of the area of said assessment district by their return post cards did demand the making of the investigation as provided by said Act.

BE IT FURTHER RESOLVED, that the City Engineer of said City be, and he is hereby authorized and directed to prepare a written report upon the proposed improvement of LAUREL STREET, between the southwesterly line of Kettner Boulevard and the Mean High Tide Line of the Bay of San Diego, in the City of San Diego, California, which report shall contain, in addition to the matters mentioned in Section 2 of said Act, the following information, to-wit:

- A. Map, plat or diagram showing:
  1. The nature, location and extent of the improvement.
  2. Each separate lot or parcel of land to be assessed.
- B. The total estimated improvement cost:
  1. Incidental expenses to be separately shown.
  2. Cost of each class of construction must be separately shown.
- C. Assessed value as per latest equalized County Assessment Roll.
  1. Of each parcel to be assessed.
  2. The total assessed value of lands to be assessed.
- D. The total assessed value of improvements within the district.
- E. Total true value of all lands to be assessed, determined as per Section 2 of said Act.
- F. The true value of each parcel of the lands to be assessed.
- G. The per parcel, and the total outstanding special assessments (exclusive of interest and penalties); showing:
  1. Direct special assessments (as under 1911 Street Act).
  2. Unpaid, levied advalorem special assessments.
- H. Unlevied advalorem special assessments which will be levied upon each parcel of land to be assessed to pay principal of bonds theretofore issued.
  1. Estimated on each parcel of land to be assessed.
  2. Total estimated amount of such special assessments upon all the lands to be assessed. Said estimates to be proportioned according to the assessed value on said last equalized assessment roll, and also proportioned according to zones (if any), and the percentages of such zones.

- I. Estimated direct and advalorem special assessments in all proceedings in which a resolution ordering work has been adopted, but assessment unlevied, showing:
1. Such estimates against each parcel of land to be assessed.
  2. Total upon all the parcels of land to be assessed. The advalorem assessments to be computed in the manner provided in paragraph (1) of Section 3 of said Limitation Act.
- J. Estimated assessments to be levied in this proceeding as follows:
1. Estimated assessments upon each parcel of land to be assessed.
  2. Total assessment to be levied upon all the lands to be assessed.
- K. Serial bonds to be issued to represent assessments of \$25.00 or over.
1. Number of years to run.
  2. Actual rate of interest.

The full report to be made in conformity with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and particularly with Section 3 thereof, and delivered to the Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers  
NAYS - Councilmen: None  
ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73390

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER - ALLEY IN BLOCK 83, CITY HEIGHTS.

WHEREAS, the Council of The City of San Diego, did on the 31st day of December, 1940, pass Resolution of Intention No. 73025, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 73025, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers  
NAYS - Councilmen: None  
ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73391

RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - ALLEY IN BLOCK 83, CITY HEIGHTS,

WHEREAS, the Council of The City of San Diego did, on the 31st day of December, 1940, pass its Resolution of Intention No. 73025 to order certain work to be done and improvement to be made in the ALLEY IN BLOCK 83, CITY HEIGHTS, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 11th day of February, 1941, duly pass its Resolution Ordering Work No. 73379, ordering said work to be done and said improvement to be made in said Alley in Block 83, City Heights, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers  
NAYS - Councilmen: None  
ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73392  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - 53RD STREET, MEADE AVENUE, TROJAN  
AVENUE AND PUBLIC RIGHTS OF WAY.

WHEREAS, the Council of The City of San Diego did, on the 31st day of December, 1940, pass its Resolution of Intention No. 73026 to order certain work to be done and improvement to be made in 53RD STREET, MEADE AVENUE, TROJAN AVENUE and PUBLIC RIGHTS OF WAY, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 11th day of February, 1941, duly pass its Resolution Ordering Work No. 73381, ordering said work to be done and said improvement to be made in said 53RD STREET, MEADE AVENUE, TROJAN AVENUE and PUBLIC RIGHTS OF WAY, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73393  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER - 53RD STREET, MEADE AVENUE, TROJAN AVENUE  
AND PUBLIC RIGHTS OF WAY.

WHEREAS, the Council of The City of San Diego, did on the 31st day of December, 1941, pass Resolution of Intention No. 73026, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 73026, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73394  
Portion of Front Street

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, sidewalk and curbing and otherwise improving of FRONT STREET, between the westerly prolongation of the northerly line of Palm Street and the southerly line of Quince Street, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:



Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers  
NAYS - Councilmen: None  
ABSENT-Mayor Benbough

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:



|   | Per 8 hour day | Per hour |
|---|----------------|----------|
| Asphalt raker   | \$ 6.00        | \$ 0.75  |
| Asphalt spreader  | 6.00           | 0.75     |
| Auto mechanic   | 8.00           | 1.00     |
| Blacksmith  | 6.00           | 0.75     |
| Blademan  | 6.00           | 0.75     |
| Bricklayer  | 12.00          | 1.50     |
| Bricklayer tender   | 7.00           | 0.875    |
| Bulldozer operator  | 6.00           | 1.00     |
| Bulldozer operator, over 50 HP  | 10.00          | 1.25     |
| Carpenter   | 9.00           | 1.125    |
| Caulker   | 6.00           | 0.75     |
| Cement finisher   | 10.00          | 1.25     |
| Clerk   | 6.00           | 0.75     |
| Compressor operator   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under   | 7.00           | 0.875    |
| Concrete mixerman   | 10.00          | 1.25     |
| Concrete spreader   | 6.00           | 0.75     |
| Concrete tamper   | 6.00           | 0.75     |
| Crane operator  | 12.00          | 1.50     |
| Driller   | 7.00           | 0.875    |
| Drill sharpener   | 6.00           | 0.75     |
| Electrician   | 10.00          | 1.25     |
| Engineer, hoisting  | 10.00          | 1.25     |
| Engineer, asphalt plant   | 11.00          | 1.375    |
| Finish machine operator   | 10.00          | 1.25     |
| Form setter   | 9.00           | 1.125    |
| Jackhammerman   | 7.00           | 0.875    |
| Kettleman, asphalt or lead  | 6.00           | 0.75     |
| Laborer, common   | 6.00           | 0.75     |
| Materialman   | 6.00           | 0.75     |
| Pipelayer   | 8.00           | 1.00     |
| Plumber   | 11.00          | 1.375    |
| Powderman   | 8.00           | 1.00     |
| Pumpman   | 9.00           | 1.125    |
| Reinforcing, preassembled steelworker   | 10.00          | 1.25     |
| Road grader operator  | 10.00          | 1.25     |
| Roller operator   | 10.00          | 1.25     |
| Shovel operator   | 12.00          | 1.50     |
| Shovel fireman and watchman   | 8.00           | 1.00     |
| Shovel oiler  | 7.40           | 0.925    |
| Teamster  | 5.00           | 0.625    |
| Tractor operator, with attachments  | 10.00          | 1.25     |
| Timekeeper  | 6.00           | 0.75     |
| Trenching machine operator  | 11.00          | 1.375    |
| Truck driver, 15,000# and under   | 5.60           | 0.70     |
| Truck driver, over 15,000#  | 6.40           | 0.80     |
| Watchman  | 5.00           | 0.625    |
| Welder  | 11.00          | 1.375    |
| Skilled laborer, not above listed   | 8.00           | 1.00     |
| Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half. |                |          |

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### RESOLUTION NO. 73396

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on the Alley in Block K Altadena, in said City of San Diego, as described in Resolution of Intention No. 72474, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated February 8, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### RESOLUTION NO. 73397

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and directed to enter into an agreement with the Southern California Telephone Company, a corporation, wherein and whereby the Southern California Telephone Company, as successor in interest to the Pacific Telephone and Telegraph Company, named as a party defendant in that certain condemnation suit now pending in the Superior Court of the State of California, in and for the County of

San Diego, entitled, "City of San Diego v. Whitney, et al., No. 94732," agrees to settle its claim for damages resulting from the necessity of having to relocate and remove its telephone facilities on account of the widening and extension of Camino del Rio, in said City, for the sum of \$352.37; and upon receipt of said payment said company agrees to file its disclaimer in the said action.

RESOLUTION NO. 73398

WHEREAS, Clem Salazar, of Potrero, California, is desirous of leasing certain lands owned by The City of San Diego, hereinafter described, for stock grazing and/or agricultural purposes; and

WHEREAS, the lands proposed to be leased are described as follows:

The N 1/2 of the NE 1/4; NE 1/4 of the NW 1/4 and S 1/2 of the NW 1/4 of Section 50, Twp. 17 South, Range 4 East, S.B.M., being 160 acres of land more or less, in the County of San Diego, State of California;

and

WHEREAS, said lands are not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$1050.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with Clem Salazar, of Potrero, California, for said above-described lands for a period of three (3) years, commencing on the 1st day of February, 1941, and ending on the 31st day of January, 1944, at a rental of One Hundred Dollars (\$100.00) per year, payable annually in advance; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

Presented by WALTER W. COOPER

EXHIBIT "A"

LEASE

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of February, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation of the County of San Diego, State of California, hereinafter designated as the City, and CLEM SALAZAR, hereinafter called the Lessee, WITNESSETH:

That the City, for and in consideration of the payment of the rent to be paid by the Lessee, as hereinafter set forth, and in consideration of the covenants of the Lessee hereinafter set out and their faithful performance by such Lessee, and upon and subject to the terms, conditions and reservations herein set forth, does by these presents lease, demise and let unto the said Lessee the following described property, situate in the County of San Diego, State of California, to-wit:

The N 1/2 of the NE 1/4; NE 1/4 of the NW 1/4 and S 1/2 of the NW 1/4 of Section 20, Twp. 17 South, Range 4 East, S.B.M., being 160 acres of land, more or less,

For a term of three (3) years, beginning on the 1st day of February, 1941, and ending on the 31st day of January, 1944, at the following rentals: One Hundred Dollars (\$100.00) per year payable in advance at the office of the Lessor annually during said term.

In consideration of the covenants herein contained the parties hereto agree as follows:

First. That the above described premises are leased to said lessee for stock grazing and/or agricultural purposes only, and for no other purpose or purposes.

Second. That this lease shall not be assigned or transferred, nor shall the said lessee have the right to sublet the leased premises, or any part thereof, without the consent in writing of the Council of said City.

Third. That the City reserves all gas, oil and mineral rights in and on said premises herein leased, with the right to go upon said property and prospect or drill for oil, gas and minerals.

Fourth. That the lessee shall keep and maintain said premises in as good repair and condition as he may receive them at his own expense (ordinary wear and tear and the acts of God excepted) and the said City shall not be called upon to make any expenditures or repairs on said premises.

Fifth. The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same, and/or for the purpose of drilling, operating and maintaining wells and pipelines on said premises, and for the purpose of making repairs to or developing the water system of said City; but the City shall not be required to furnish any water on said premises, except for domestic purposes, where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series).

Sixth. That the said lessee, paying the said rent and performing the covenants and agreements aforesaid, shall and may at all times during the said term, peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

Seventh. Said lessee agrees that on the last day of said term, or other sooner termination of this lease, the said lessee shall and will peaceably and quietly leave, surrender and yield up unto said City the said premises, in as good state and condition as the same are now in or may be put into, reasonable use and wear thereof and damage by the elements excepted.

Eighth. It is understood and agreed by the said parties that the said City may terminate this lease at any time by giving sixty (60) days' notice of such termination to the lessee, and by tendering to said lessee a proportionate part of any rentals paid in advance by said lessee.

Ninth. It is further agreed by and between the parties hereto that in case of the violation by the lessee of any of the terms and conditions of this lease, the City may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the lessee and for its account.

It is understood and agreed that a waiver by the City of any default hereunder shall not be considered, nor held to be, a waiver of any subsequent or other default, and also that consent to the subletting of said premises or any part thereof, or to the assignment of this lease, shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

It is further understood and agreed that if the lessee shall make default in the performance of any of the terms, conditions or covenants of this lease by the lessee to be kept, observed or performed, lessee will in such case pay to the City the expenses and costs incurred by the City in any action which may be commenced by the City based on, or arising out of, any such default, including a reasonable attorney's fee.

IN WITNESS WHEREOF, this agreement is executed by The City of San Diego, acting by and through the City Manager of said City, under and pursuant to Resolution No. \_\_\_\_\_ of the Council, authorizing such execution, and said lessee has hereunto subscribed his name the day and year first hereinabove written.

THE CITY OF SAN DIEGO, Lessor,  
By \_\_\_\_\_ City Manager  
\_\_\_\_\_  
Lessee

TO be read against 160 acres

I HEREBY APPROVE the form of the foregoing Lease this \_\_\_\_\_ day of February, 1941.

D. L. AULT, City Attorney  
By \_\_\_\_\_ Deputy City Attorney

Passed and adopted by the said Council of the said City of San Diego, California this 11th day of February, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers  
NAYS - Councilmen: None  
ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### RESOLUTION NO. 73399

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of George W. Marston, executed in favor of The City of San Diego, bearing date January 29, 1941, conveying to said City for public park purposes Lots 2 and 3, in Block 475, Old San Diego, according to the Map thereof made by James Pascoe, filed as Miscellaneous Map No. 40, in the office of the County Recorder of San Diego County, California; ALSO, Lot 15, Presidio Ridge, according to Map thereof No. 1760, filed in the office of said County Recorder, together with that portion of the northeasterly half of Hickory Street closed to public use by Resolution No. 34024 of the Common Council of said City of San Diego lying contiguous and adjoining said Lot 15, and that portion of the southeasterly half of Conde Street closed to public use by Resolution No. 60298 of the Council of said City of San Diego lying contiguous and adjoining said Lot 15, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73400

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of the San Diego Securities Company, executed in favor of The City of San Diego, bearing date December 23, 1940, conveying to said City all that certain un-numbered block bounded on the north by Water Street, on the south by southwesterly line of Middletown, on the east by Coutts Street, and on the west by Witherby Street, situate in Middletown, in the City of San Diego according to partition map thereof made by J.E. Jackson, on file in the office of the County Clerk of San Diego County; also, fractional Block 236, and all of fractional Block 231, except Lot 8; all in Middletown, according to said Map; excepting from the above described property any portion now or heretofore lying below the mean high tide line of the Bay of San Diego, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73401

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of the MISSION BEACH COMPANY, executed in favor of The City of San Diego, bearing date September 5, 1940, conveying to said City all that real property situated in Pueblo Lot 1803 of the Pueblo Lands of San Diego, according to map thereof by James Pascoe, being a portion of the Unnumbered Lot lying between the northerly line of San Fernando Place and the southerly line of Ventura Place, according to and as delineated on Map No. 1809 of Mission Beach on file in the office of the County Recorder of San Diego County, California, particularly described as Parcels 1 and 2 in said deed, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73402

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Jane A. Brownlee, executed in favor of The City of San Diego, bearing date January 31, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the northerly 4 feet of Lot 2 of Block 44 of Culverwell and Taggart's Addition, according to Map thereof No. 249 filed in the office of the County Recorder of San Diego County, January 8, 1870, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73403

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of C. N. Beatty and Gertrude H. Beatty, executed in favor of The City of San Diego, bearing date January 30, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the westerly 4 feet of the north 70 feet of Lots 23 and 24, in Block 49 of Ocean Beach, according to the map thereof No. 279 filed in the office of the County Recorder of San Diego County, California, May 28, 1887, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.



## R E S O L U T I O N NO. 73404

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Arthur Ingham and Katherine Ingham, executed in favor of The City of San Diego, bearing date February 3, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across Lot 27, in Block 17 of City Heights, according to the Amended Map thereof No. 1007 file in the office of the County Recorder of San Diego County, California, October 3, 1906, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73405

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Councilman Louis F. Weggenman is hereby authorized to attend the annual Spring Conference of Mayors and Councilmen section of the League of California Cities, at Fresno, March 7 and 8, and to incur the expense necessary therefor.

BE IT FURTHER RESOLVED, that the City Attorney be, and he is hereby authorized and directed to prepare and present an ordinance appropriating funds for said trip from the Unappropriated Balance Fund.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73344 to 73405 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 11th day of February, 1941.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Wilzig Deputy

## R E S O L U T I O N NO. 73406

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The proceedings heretofore taken for the improvement of Florence Street, between the east line of 37th Street and the west line of 38th Street, under Resolution of Intention No. 72939, adopted by the Council on December 17, 1940, be and they are hereby abandoned.

## R E S O L U T I O N NO. 73407

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the paving, with 4" asphalt concrete, of Florence Street between 37th and 38th Streets.

## R E S O L U T I O N NO. 73408

Talmadge Park Lighting District No. 1

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of VAN DYKE AVENUE, between the southerly and northerly boundary lines of Talmadge Park; TALMADGE DRIVE, for its entire length; VAN DYKE PLACE, for its entire length; and ADAMS AVENUE, between the westerly line of Talmadge Park and the southerly prolongation of the easterly line of Lot 184, Talmadge Park, in the City of San Diego, California, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 1," filed in the office of said City Clerk January 11, 1941, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

## R E S O L U T I O N NO. 73409

Talmadge Park Lighting District No. 2

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of HART DRIVE, for its entire length; ARGOS DRIVE, for its entire length; ALDER PLACE, for its entire length; and JEFFERSON STREET, between the westerly line of Talmadge Park Unit No. 2 and its termination in Alder Place, in the City of San Diego, California, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 2," filed in the office of the said City Clerk January 11, 1941, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

## R E S O L U T I O N NO. 73410

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The matter of the City Manager's recommendation that the cigars & tobacco license and food handling permit of Harry Phelps, 915 - 7th Avenue, be revoked, is hereby referred to the City Attorney for an opinion on the Council's right to revoke said license and permit.

## R E S O L U T I O N NO. 73411

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The matter of the City Manager's recommendation the card table license and food handling permit of C.S. Andrews, 937 - 6th Avenue, be revoked, is hereby referred to the City Attorney for an opinion on the Council's right to revoke said license and permits and on their right to revoke the music box, pin ball licenses, etc.

## R E S O L U T I O N NO. 73412

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The matter of the City Manager's recommendation that the cigars and tobacco license of Sid E. Almgren, 864 - 5th Avenue, be revoked, is hereby referred to the City Attorney for an opinion on the Council's right to revoke said license.

## R E S O L U T I O N NO. 73413

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Veterans of Foreign Wars, by Thomas C. Ryan, for free inspection permits for Clarks Greater Shows, to be exhibited February 20 to March 2, be, and it is hereby granted, on the condition that the regular \$50.00 per day carnival license fee be paid to the City.

## R E S O L U T I O N NO. 73414

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Card Room Operators, bearing Document No. 326726, regarding the closing hour for card rooms, is hereby referred to the City Manager for a report.

BE IT FURTHER RESOLVED, that The City Attorney is hereby authorized to report if the Council has any jurisdiction over chartered clubs which now purportedly remain open all night.

## R E S O L U T I O N NO. 73415

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The following communications regarding the converting of the Federal Building, Balboa Park, into a civic auditorium, are hereby referred to the 1941-42 Budget:

Amphion Club, Miss Gertrude Gilbert, president, 139 Fir St. - Document No. 326767.  
Southern California Music Company of San Diego, Stuart G. Ashenberg, President, 630 C Street - Document No. 326783.

Thearle Music Co., A. D. LaMotte, president, 640 Broadway - Document No. 326784.

## R E S O L U T I O N NO. 73416

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from the Harbor Commission, bearing Document No. 326775, re submitting a proposition to deed to the State of California tidelands site bounded by Pacific Highway, Belt, Ash and A Streets for State office building purposes, is hereby referred to the City Attorney for preparation and presentation of the necessary papers to place such a proposition on the April 22, 1941, ballot. It is to be provided that a useful unit, to cost not less than five hundred thousand dollars, is completed within five years.

## R E S O L U T I O N NO. 73417

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized to request the Board of Engineers for Rivers and Harbors, War Department, to set a hearing in Washington, D.C. in the matter of flood control on the San Diego River.

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized to attend such a hearing.

## R E S O L U T I O N NO. 73418

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized and directed to cause "Stop Ahead" signs to be placed on 47th Street, 400 feet in advance of the existing "Stop" signs; a "Cross Road" sign to be placed on Federal Boulevard, 400 feet in advance of the intersection each way.

BE IT FURTHER RESOLVED, that the San Diego Gas and Electric Company be, and it is hereby authorized to install a center suspension 1000 c.p. sodium vapor overhead light at the intersection of 47th Street and Federal Boulevard.

## R E S O L U T I O N NO. 73419

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized and directed to cause "No Standing" zones and crosswalks to be painted, and "Slow" buttons to be installed at the intersection of 9th Avenue and K Street, in accordance with sketch attached to recommendation from the Traffic Commission, bearing Document No. 326788.

## R E S O L U T I O N NO. 73420

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized and directed to cause the following work to be done at 26th and Main Streets:

The curb to be cut back on the inside of the curve of the sharp angle in Main Street east of 26th Street, and that larger warning signs with nine red reflector units and reflectorized directional arrows be installed in the place of the present reflectors; and that the curb be cut on the inside of the curb where traffic turns from Main Street into 26th Street and a row of buttons installed to guide south bound cars.

The above is in accordance with sketch attached to recommendation from the Traffic Commission, bearing Document No. 326789.

## R E S O L U T I O N NO. 73421

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Henry A. Pozner Co., 450 Sixth Avenue, for the establishment of a loading and unloading zone at 517-519 Island Avenue, be, and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 30-foot loading zone to be painted on the south side of Island Avenue, between points seventy feet and one Hundred feet east of the east line of 5th Avenue.

## R E S O L U T I O N NO. 73422

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized to cause "Slow" buttons to be installed, crosswalks and red curb markings to be painted at the intersection of India and Juniper Streets, in accordance with plat attached to Document No. 326804.

## R E S O L U T I O N NO. 73423

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized and directed to cause "slow" buttons to be installed at the south and east sides of the intersections of Boundary and Thorn Streets, with corresponding pavement markings at the approaches thereto.

## R E S O L U T I O N NO. 73424

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized and directed to cause suitable "no parking" signs or markings to be placed on all curb space on Palm, Sassafras and Vine Streets, within fifty feet of the center line of the main line tracks of the Atchison, Topeka and Santa Fe Railway Company.

## R E S O L U T I O N NO. 73425

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The existing 18-foot loading zone on the south side of C Street just west of 12th Avenue, be, and it is hereby abolished.

A 16-foot red "No Standing" zone is hereby established on the south side of C Street extending westerly from the west property line of 12th Avenue. A 45-foot loading zone is hereby established on the south side of C Street adjoining the above-mentioned "No Standing" Zone.

The City Manager is hereby authorized and directed to cause the first-mentioned loading zone to be painted out, and the "No Standing" and loading zones to be painted.

## R E S O L U T I O N NO. 73426

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of J. A. Finster, 826 - 14th Street, for establishment of a loading zone at 826 - 14th Street, be, and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 30-foot loading zone to be painted on the west side of Fourteenth Street, to extend north from a point 35 feet north of "G" Street.

## R E S O L U T I O N NO. 73427

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of McBride Distributing Company, 200 - 6th Avenue, for establishment of a loading zone at that address, be, and it is hereby granted.

The City Manager is hereby authorized and directed to cause a loading zone to be painted on the west side of Sixth Avenue, to extend twenty two feet north from a point twenty-eight feet north of L Street.

## R E S O L U T I O N NO. 73428

The petition of United Furniture Company, 1208 Market Street, for establishment of a loading zone, be, and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 34-foot loading zone to be painted on the north side of Market Street, east of 12th Avenue, to extend east from the 50-foot bus stop at that corner.

## R E S O L U T I O N NO. 73429

BE IT RESOLVED by the Council of the City of San Diego, as follows:

A temporary loading zone, effective during the construction operations on the east side of State Street, is hereby established on the west side, to serve number 642 State Street.

The City Manager is hereby authorized and directed to cause a 52-foot loading zone to be painted on the west side of State Street, to extend north from the driveway at number 642, for the duration of the above-mentioned construction.

## R E S O L U T I O N NO. 73430

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Qualitee Dairy Products Company, 11th Avenue at J Street, for the establishment of a loading zone, be, and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 40-foot loading zone to be painted on the south side of J Street, extending westerly from the west line of 11th Avenue.

## R E S O L U T I O N NO. 73431

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Vista Theatre, 4205 University Avenue, for a passenger zone establishment, be, and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 25-foot passenger zone to be painted, to begin eight feet east of the east line of 42nd Street on University Avenue, and to cause the eight feet between the corner and the passenger zone to be marked "No Standing".

## R E S O L U T I O N NO. 73432

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The following "No Standing" zones are hereby established adjacent to the S.D. Gas & Electric Co. Station "B" power plant properties, as follows:

The south side of Broadway between the west line of Kettner Blvd. and a point 17 feet west of the west line of Kettner Blvd.

The south side of Broadway between a point 50 feet west of the west line of Kettner Blvd. and a point 195 feet west of the west line of Kettner Blvd.

The north side of E Street between the west line of Kettner Blvd. and a point 112 feet west of the west line of Kettner Blvd.

The north side of E Street between a point 139 feet west of the west line of Kettner Blvd. and a point 200 feet west of the west line of Kettner Blvd.

The south side of E Street between the west line of Kettner Blvd. and a point 190 feet west of the west line of Kettner Blvd.

The west side of Kettner Boulevard between the south line of Broadway and a point 200 feet south of the south line of E Street.

The City Manager is hereby authorized and directed to cause said "No Standing" zones to be painted.



## R E S O L U T I O N NO. 73433

## Front Street

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, curbing, sidewalking and otherwise improving of FRONT STREET, between the westerly prolongation of the northerly line of Palm Street and the southerly line of Quince Street, in said City, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on February 4, 1941, under Document No. 326433, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1791, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

## R E S O L U T I O N NO. 73434

## Maple Street and 32nd Street

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving, curbing and sidewalking of MAPLE STREET, between the easterly line of 32nd Street and the center line of 33rd Street; and 32ND STREET, between the westerly prolongation of the north and south lines of Maple Street, in said City, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on February 4, 1941, under Document No. 326434, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1831, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said streets hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

## RESOLUTION OF AWARD NO. 73435

## NORTH AND SOUTH ALLEY IN BLOCK 46, W. P. HERBERT'S SUBDIVISION

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 11th day of February, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72881, adopted by the Council on December 10, 1940, and on file in the office of the City Clerk of said City for the grading and paving of the NORTH AND SOUTH ALLEY IN BLOCK 46, W. P. HERBERT'S SUBDIVISION, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To DALEY CORPORATION, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |          |
|---|----------|
| Excavation, per cubic yard,               | \$0.60   |
| Preparation of subgrade, per square foot, | \$0.01   |
| Pavement, per square foot,                | \$0.1225 |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM, Deputy

## RESOLUTION OF AWARD NO. 73436

## Strandway

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 11th day of February, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72882, adopted by the Council on December 10, 1940, and on file in the office of the City Clerk of said City for the grading and paving of STRANDWAY, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To V. R. DENNIS, an individual doing business under the firm name and style of V. R. DENNIS CONSTRUCTION COMPANY, at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |         |
|---|---------|
| Excavation, per cubic yard,               | \$0.15  |
| Preparation of subgrade, per square foot, | \$0.01  |
| Pavement, per square foot,                | \$0.149 |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION ORDERING WORK NO. 73437  
Alley in Block 60, University Heights.

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 73089, adopted by the Council on January 7, 1941, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving the ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted on the 31st day of December, 1941, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION ORDERING WORK NO. 73438  
ALLEYS IN BLOCK 6, HARTLEY'S NORTH PARK AND BLOCK C, MC FADDEN & BUXTON'S NORTH PARK

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 73088, adopted by the Council on January 7, 1941, and on file in the office of the City Clerk of said City for the grading and paving of the ALLEYS IN BLOCK 6, HARTLEY'S NORTH PARK AND BLOCK C, MCFADDEN & BUXTON'S NORTH PARK, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 73036, adopted on the 31st day of January, 1941, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION OF INTENTION NO. 73439

Maple Street and 32nd Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That portions of MAPLE STREET, in said City, between the easterly line of 32nd Street and the center line of 33rd Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base, and that Portland cement concrete curb, Portland cement concrete special curb and Portland cement concrete sidewalk be constructed therein.

That the said work hereinabove described on MAPLE STREET, between the easterly line of 32nd Street and a line parallel to and distant 20.00 feet easterly from the southerly prolongation of the easterly line of Bancroft Street, shall be done to the modified grade shown and indicated upon the plans and profiles on file in the office of the City Clerk of said City, and hereinafter referred to; and reference is hereby made to said plans and profiles for the description of the grade at which the work is to be done.

That a portion of 32ND STREET, in said City, between the westerly prolongation of the north and south lines of Maple Street, be graded, and that Portland cement concrete sidewalk be constructed therein.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 326434, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1831, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 73395, adopted on the 11th day of February, 1941, that 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, is as follows:

|                    | Per 8 hours day | Per hour |
|--------------------|-----------------|----------|
| Asphalt raker      | \$ 6.00         | \$ 0.75  |
| Asphalt spreader   | 6.00            | 0.75     |
| Auto mechanic      | 8.00            | 1.00     |
| Blacksmith         | 6.00            | 0.75     |
| Blademan           | 6.00            | 0.75     |
| Bricklayer         | 12.00           | 1.50     |
| Bricklayer tender  | 7.00            | 0.875    |
| Bulldozer operator | 8.00            | 1.00     |



|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Bulldozer operator, over 50 HP        | \$ 10.00       | \$ 1.25  |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 9.00           | 1.125    |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 25th day of March, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

## RESOLUTION OF INTENTION NO. 73440

## Front Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of FRONT STREET, in said City, between the westerly prolongation of the northerly line of Palm Street and the southerly line of Quince Street, be graded, and that Portland cement concrete curb; Portland cement concrete sidewalk; galvanized corrugated iron pipe culvert, connections, and appurtenances; cement concrete curb inlet, connections, and appurtenances; and wire link guard fence be constructed therein.

That the said work hereinabove described on FRONT STREET, between the westerly prolongation of the northerly line of Palm Street and a line parallel to and distant 40.00 feet southerly from the southerly line of Quince Street, shall be done to the modified grade shown and indicated upon the plans and profiles on file in the office of the City Clerk of said City, and hereinafter referred to; and reference is hereby made to said plans and profiles for the description of the grade at which the work is to be done.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 326433, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1791, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 73394, adopted on the 11th day of February, 1941, that 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, is as follows:

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 HP        | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 9.00           | 1.125    |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half. The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 25th day of March, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73441  
DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND PLACE OF HEARING THEREOF.

RESOLVED, By the Council of The City of San Diego, California:  
That the City Clerk of said City be, and he is hereby, authorized to give notice of the filing by the City Engineer of said City of his assessment No. 1723 made to cover the costs and expenses of the work done upon Main Street in said City, under Resolution of Intention No. 72211, adopted September 10, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

R E S O L U T I O N NO. 73442  
APPROVING ENGINEER'S REPORT AND FIXING TIME AND PLACE FOR HEARING THEREON - BAYSIDE LANE AND ALLEY IN BLOCK 234, MISSION BEACH

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 13th day of February, 1941, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of BAYSIDE LANE, between the north line of Ventura Place and the southerly line of the Alley in Block 234, Mission Beach; and the ALLEY IN BLOCK 234, MISSION BEACH, between the easterly line of Mission Boulevard and a line drawn from the southeasterly corner of Lot A, Block 234, Mission Beach, to the north-easterly corner of Lot H, in said Block 234, in the City of San Diego, California, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,  
BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 25th day of March, 1941, at 10:00 o'clock in the forenoon of said day and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby



authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73443

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY THE CITY ENGINEER - ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS.

WHEREAS, the Council of The City of San Diego, did on the 7th day of January, 1941, pass Resolution of Intention No. 73089, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 73089, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

FRED W. SICK, City Clerk of the City of San Diego, California. (SEAL)

By AUGUST M. WADSTROM, Deputy

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73444

RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION OF THE CITY ENGINEER - ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS.

WHEREAS, the Council of The City of San Diego did, on the 7th day of January, 1941, pass its Resolution of Intention No. 73089 to order certain work to be done and improvement to be made in the ALLEY IN BLOCK 60, UNIVERSITY HEIGHTS, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 18th day of February, 1941, duly pass its Resolution Ordering Work No. 73437, ordering said work to be done and said improvement to be made in said Alley in Block 60, University Heights, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73445

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY THE CITY ENGINEER - ALLEY IN BLOCK 6, HARTLEY'S NORTH PARK AND BLOCK C, McFADDEN & BUXTON'S NORTH PARK.

WHEREAS, the Council of The City of San Diego, did on the 7th day of January, 1941, pass Resolution of Intention No. 73088, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,  
BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 73088, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73446  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION OF  
THE CITY ENGINEER - ALLEYS IN BLOCK 6, HARTLEY'S NORTH PARK AND  
BLOCK C, McFADDEN & BUXTON'S NORTH PARK

WHEREAS, the Council of The City of San Diego did, on the 7th day of January, 1941, pass its Resolution of Intention No. 73088 to order certain work to be done and improvement to be made in the ALLEY IN BLOCK 6, HARTLEY'S NORTH PARK AND BLOCK C, McFADDEN & BUXTON'S NORTH PARK, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 18th day of February, 1941, duly pass its Resolution Ordering Work No. 73438, ordering said work to be done and said improvement to be made in said Alleys in Block 6, Hartley's North Park and Block C, McFadden & Buxton's North Park, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73447  
ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS.

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading and paving of the ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, between the north line of Polk Avenue and the south line of Howard Avenue, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 H.P.      | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Concrete tamper                       | \$ 6.00        | \$ 0.75  |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### RESOLUTION NO. 73448

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Monroe Avenue and Ohio Street, in said City of San Diego, as described in Resolution of Intention No. 72354, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated February 14, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### RESOLUTION NO. 73449

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving the Alley in Block 164, Mission Beach, as particularly described in Resolution of Intention No. 72683 and to be assessed to pay the expenses thereof.

#### RESOLUTION NO. 73450

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving the Alley in Block 37, City Heights, as particularly described in Resolution of Intention No. 72735 and to be assessed to pay the expenses thereof.

#### RESOLUTION NO. 73451

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager of The City of San Diego be, and he is hereby authorized to enter into an AGREEMENT FOR PARTIAL USE AND OCCUPANCY OF CITY STADIUM with Frank J. Guthrie and Tom H. Haynes, which said agreement shall be subject to the approval of the City Attorney.

Approved as to form by HARRY S. CLARK



R E S O L U T I O N NO. 73452

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the City Manager of The City of San Diego be, and he is hereby authorized and directed to execute for and on behalf of The City of San Diego the acknowledgement of the acceptance of the terms and conditions of a revocable permit from the United States of America, wherein and whereby The City of San Diego is granted permission to construct, operate and maintain an outfall sewer line across the grounds of the Naval Desbroyer Base at San Diego, California.  
Approved as to form by MOREY S. LEVENSON

R E S O L U T I O N NO. 73453

WHEREAS, The City of San Diego in the immediate future will invite sealed proposals by advertising in a newspaper of general circulation in The City of San Diego for the furnishing of all material and labor, minor items of material, transportation and services for the construction of the Pacific Beach Pipe Line for The City of San Diego; NOW, THEREFORE, BE IT RESOLVED By the Council of The City of San Diego, as follows:  
That in accordance with the Charter of The City of San Diego, and particularly Section 193 thereof, the City Council has ascertained the general prevailing rate of per diem wages and rates for legal holiday and overtime work in the locality in which this work is to be performed, for each classification or type of workman or mechanic needed to execute the contract which will be awarded the successful bidder. The prevailing rates so determined are as follows:

| Trade or Occupation                            | Per Diem Wage 8 hours |
|--|-----------------------|
| Blacksmiths                                    | \$ 6.00               |
| Blade Men                                      | 6.00                  |
| Carpenters                                     | 9.00                  |
| Caulkers                                       | 6.00                  |
| Cement Finishers                               | 10.00                 |
| Compressor Operators (Portable)                | 9.00                  |
| Concrete Mixermen (10 c.f. capacity and under) | 7.00                  |
| Concrete Tampers                               | 6.00                  |
| Crane Operators                                | 12.00                 |
| Dragline Operators                             | 12.00                 |
| Drillers                                       | 7.00                  |
| Drill Sharpeners                               | 6.00                  |
| Electricians                                   | 10.00                 |
| Hoist Operators                                | 10.00                 |
| Laborers, Common                               | 6.00                  |
| Pipe Layers                                    | 8.00                  |
| Powdermen                                      | 8.00                  |
| Pump Men                                       | 6.00                  |
| Reinforcing Steel Workers (Placers and Tiers)  | 10.00                 |
| Shovel Operators                               | 12.00                 |
| Shovel Firemen                                 | 8.00                  |
| Shovel Oilers                                  | 7.40                  |
| Teamsters                                      | 5.00                  |
| Tractor Operators                              | 10.00                 |
| Trenching Machine Operators                    | 11.00                 |
| Truck Drivers, under 15,500 pounds             | 5.60                  |
| Truck Drivers, over 15,500 pounds              | 6.40                  |
| Watchmen                                       | 5.00                  |
| Welders  | 11.00                 |
| Yarners  | 6.00                  |

Any craft or employment not specifically mentioned in the foregoing schedule of rates shall be paid not less than \$6.00 per day of 8 hours.  
For overtime, when the same is permitted by law, one and one-half the foregoing rates. For work performed on Sundays and legal holidays, as set forth in Section 10 of the Political Code of the State of California, one and one-half times the above rates.

Approved as to form by H. B. DANIEL  
Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL) ATTEST: P.J.BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy  
I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73454

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That any liability under the bond of Herbert E. Fish executed by the said Herbert E. Fish and the National Automobile Insurance Company to The City of San Diego, dated March 23, 1940, for any acts of said Herbert E. Fish in the performance of his duty as Councilman of The City of San Diego, on and after January 21, 1941, be considered as not covered by the terms of said bond; and that from and after said date of January 21, 1941, said National Automobile Insurance Company as surety, be released from future liability for any act committed by the said Herbert E. Fish, subsequent to said date.  
Approved as to form J. H. MCKINNEY

R E S O L U T I O N NO. 73455

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the City Manager of said City be, and he is hereby authorized and empowered to obtain from Messrs. Aber & Rutherford an appraisal of properties affected by the extension and widening of Washington Street, from Fifth Avenue to Lincoln Avenue, and to issue a requisition against Account 206-00, Rights of Way Trust and Revolving Fund in the sum of \$750.00 to cover the cost of said appraisal.

## R E S O L U T I O N NO. 73456

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor and Comptroller be, and he is hereby authorized and directed to transfer the sum of \$204.59 from "Outlay," (Account GD555, Bathing suits and towels), Department of Public Works Fund, Division of Public Buildings, to "Maintenance and Support (Account GD194, Plant Supplies), Department of Public Works Fund, Division of Public Buildings, as provided by Section 31 of Ordinance No. 1880 (New Series) of the ordinances of The City of San Diego.

Feb. 17 1941 Approved as to funds available J. S. BARBER City Auditor and Comptroller.

## R E S O L U T I O N NO. 73457

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The bill submitted by the San Diego Junior Chamber of Commerce in the sum of \$457.45 covering money advanced for entertainment of the junior officers of the Army, Navy, Marine Corps, Coast Guard and Marine football squad at the Plata Real, U.S. Grant Hotel, February, 1941, as approved by the Advertising Control Committee, be, and said bill is hereby approved for payment; and

BE IT FURTHER RESOLVED that a requisition be and it is hereby authorized to be drawn on the allocation set up in the Advertising and Publicity Fund of the City of San Diego for the fiscal year 1940-41 for said purpose.

## R E S O L U T I O N NO. 73458

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the partial reconveyance by Arthur C. Johnson and W. A. Hale, bearing date February 7, 1941, wherein said parties grant and reconvey, without warranty, to the person or persons legally entitled thereto, the estate now held by them under a certain deed of trust executed by James Holmesley and Nellie A. Holmesley to Arthur C. Johnson and W.A.Hale, dated June 22, 1938, recorded June 24, 1938, in Book 801 of official records at page 132, in the office of the County Recorder of San Diego County, California, to the following described portion of the real estate described therein: a right of way and easement for public sewer line on, under, over and across the southerly 6 feet of Lot 5, of Country Paradise, according to the Map thereof No. 1110 filed in the office of said County Recorder, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said partial reconveyance of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73459

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the subordination agreement of the Home Owners' Loan Corporation, bearing date February 7, 1941, whereby said corporation subordinates all its right, title and interest under a certain mortgage executed by Albert E. McFarland and Evelyn B. McFarland, as mortgagors, securing a debt of \$1676.29, bearing date of July 1, 1934, and recorded in the office of the County Recorder of San Diego County, California, in Book 321 of Official Records, at page 303, on August 31, 1934, to the right of way and easement heretofore granted The City of San Diego for sewer purposes by said Evelyn B. McFarland through, along and across the westerly 15 feet of the southerly 140 feet of Lot 18, in Country Paradise, according to the map thereof No. 1110 filed for record in the office of said County Recorder January 10, 1908, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said subordination agreement of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73460

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Orlan Lon Bradley and Gladys Elizabeth Bradley, executed in favor of The City of San Diego, bearing date January 31, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the east 35 feet of the west 100 feet of Lots 22, 23, 24, Block 191, City Heights, according to Map thereof No. 1007, filed in the office of the County Recorder of San Diego County, California, October 3, 1906, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73461

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Mamie Sacksteder, executed in favor of The City of San Diego, bearing date January 27, 1941, conveying to said City an easement and right of way for drain pipe purposes through, along and across a portion of Lot 43, in Block 4 of Bungalow Park according to the Map thereof No. 1175, filed for record in the office of the County Recorder of San Diego County, California, and an easement and right of way for maintaining earth material embankment slopes through, over and upon portions of Lots 43, 44, 45 and 46, in said Block 4, Bungalow Park, according to said map, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73462

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Ben Frieden and Anna Frieden, executed in favor of The City of San Diego, bearing date January 31, 1941, conveying to said City an easement and right of way to maintain earth material and embankment slopes through, over and upon portions of Lots 9 and 10, in Fairhaven Acres, according to Map thereof No. 1490, filed for record in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

RESOLUTION NO. 73463

WHEREAS, pursuant to authorization contained in Ordinance No. 1981 (New Series) of the ordinances of The City of San Diego, said City entered into a lease with the United States of America, bearing date the 30th day of October, 1940, of certain Pueblo Lands located on Torrey Pines Mesa; and,

WHEREAS, paragraph numbered 4 of said lease reads as follows:

"4. The Government shall not assign this lease in any event, and shall not sublet the demised premises and shall not permit the use of said premises by any one other than the Government, and the agents and servants of the Government;"

and

WHEREAS, the Government desires to make arrangements with Pacific Greyhounds Lines and Santa Fe Transportation Company for the transportation of the men stationed at Camp Callan established upon said leased premises between said camp and The City of San Diego; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That The City of San Diego, as the lessor in the hereinabove described lease, does hereby expressly authorize the United States of America, as lessee under said lease, to permit Pacific Greyhounds Lines and Santa Fe Transportation Company to operate their passenger-carrying buses within said leased premises, for the purpose of picking up and discharging passengers, subject to whatever rules and regulations the United States of America may see fit to make.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to furnish to the Government certified copies of this resolution.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

RESOLUTION NO. 73464

WHEREAS, on the 14th day of May, 1940, The City of San Diego, as Lessor, entered into a written lease agreement with Wayne W. Dailard, Warren Worcester and Curtis Coleman, as Lessees, of the premises and improvements known as Mission Beach Amusement Center, the term of said lease being for one year ending on the 28th day of May, 1941, with an option to the Lessees of an additional year; and

WHEREAS, said Lessees have filed with the City Clerk a written notice of exercise of said option, the same bearing Document No. 322609; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the term of the lease referred to in the preamble of this resolution be, and the same is hereby extended for a period of one year from May 28, 1941, upon the same terms and conditions and at the same rentals as provided for in said lease.

BE IT FURTHER RESOLVED that the City Manager be, and he is hereby authorized and empowered, on behalf of The City of San Diego, to enter into an agreement with said Lessees covering the extended term of said lease herein provided for.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

RESOLUTION NO. 73465

WHEREAS, the contract documents, including notice to contractors, instructions to bidders, proposal, contract, drawings and specifications for the furnishing of all material and labor, minor items of material, transportation and services for the construction of the Pacific Beach Pipe Line for The City of San Diego, were filed in the office of the City Clerk of The City of San Diego on the 18th day of February, 1941, and endorsed:

"CONTRACT DOCUMENTS INCLUDING NOTICE TO CONTRACTORS, INSTRUCTIONS TO BIDDERS, PROPOSAL, CONTRACT, DRAWINGS AND SPECIFICATIONS - PACIFIC BEACH PIPE LINE;"

and which said documents bear official Document No. 326792; and

WHEREAS, said contract documents including notice to contractors, instructions to bidders, proposal, contract, drawings and specifications have been submitted to this Council for approval; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the contract documents, including notice to contractors, instructions to bidders, proposal, contract, drawings and specifications for the furnishing of all material and labor, minor items of material, transportation and services for the construction of the Pacific Beach Pipe Line for The City of San Diego, filed and endorsed as aforesaid, be, and



the same are hereby approved.

BE IT FURTHER RESOLVED that the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to publish in accordance with law, notice to contractors calling for bids for the furnishing of all material and labor, minor items of material, transportation and services for the construction of the Pacific Beach Pipe Line, in accordance with said drawings and specifications hereinabove referred to.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P.J.BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION NO. 73466

BE IT RESOLVED by the Council of the City of San Diego, as follows:

There is hereby referred to the Budget for 1941-42 for consideration, the matter of the City Manager establishing a Lands Department to handle the sale, leasing, gifts of City-owned lands, and purchase of property by the City.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73406 to 73466 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 18th day of February, 1941.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Willig Deputy

#### RESOLUTION NO. 73467

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The protest of Forrest F. Davidson, et al, filed in the office of the City Clerk on February 20, 1941, under Document No. 326881, against the Engineer's estimate on the cost for the proposed work of improving the ALLEY IN BLOCK 5 CHESTER PARK ADDITION, between the north line of Orange Avenue and the southerly line of El Cajon Boulevard, be and it is hereby sustained, and all other protests are hereby sustained.

BE IT FURTHER RESOLVED, that the proceedings heretofore taken for the proposed improvement of said ALLEY IN BLOCK 5 CHESTER PARK ADDITION, be, and they are hereby abandoned.

#### RESOLUTION NO. 73468

Talmadge Park Lighting District No. 4

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of JEAN DRIVE, ADAMS AVENUE, MADISON AVENUE, MONROE AVENUE, 47TH STREET, EUCLID AVENUE, 48TH STREET, ESTRELLA AVENUE, 49TH STREET, MIRACLE DRIVE and LORRAINE DRIVE, within the limits and as particularly described in Resolution of Intention No. 73033, adopted by the Council December 31, 1940, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 4," filed in the office of said City Clerk January 11, 1941, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

#### RESOLUTION NO. 73469

Talmadge Park Lighting District No. 3

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of 44TH STREET, HIGHLAND AVENUE, 45TH STREET, MAX DRIVE, MONROE AVENUE, 47TH STREET, NORMA DRIVE, CONSTANCE DRIVE, NATALIE DRIVE and ADAMS AVENUE, within the limits and as particularly described in Resolution of Intention No. 73032, adopted by the Council December 31, 1940, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 3," filed in the office of said City Clerk January 11, 1941, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

#### RESOLUTION NO. 73470

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The proposed ordinance regulating nursing homes in the City of San Diego, requiring a permit therefor and providing penalties for the violation, be, and it is hereby referred to Council conference.

#### RESOLUTION NO. 73471

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from the City Attorney, bearing Document No. 326942, being an opinion regarding the City Council's authority to revoke licenses, be, and it is hereby Referred to Council conference.

## R E S O L U T I O N NO. 73472

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to J. Harold Peterson to improve Coutts Street between Pacific Highway and Kurtz Street, at his own expense, in accordance with plans submitted, as petitioned for under Document No. 326895, at a provisional grade.

## R E S O L U T I O N NO. 73473

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Engineer is hereby authorized to prepare and present to the Council a Resolution of Intention for change of grade proceedings on COUTTS STREET between Pacific Highway and Kurtz Street. It is understood that J. Harold Peterson shall pay all costs of such proceeding, in accordance with petition bearing Document No. 326894.

## R E S O L U T I O N NO. 73474

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to A. Schreiber, 4220 St. James Place, to improve Union Street between Thorn and Sassafras Streets; Sassafras Street from Union Street to one hundred feet westerly; and the intersection of Union and Sassafras Streets, by grading and surfacing and constructing curbs and drainage structures, all to be done to grades established by the City Engineer, at his own expense; as recommended by the City Engineer under Document No. 326650.

## R E S O L U T I O N NO. 73475

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to A. D. Elder, 1348 - 47th Street, to erect a second residence on a portion of the southeast quarter of the southeast quarter of Lot 18 Ex Mission Lands, on a parcel to be 75 x 300 feet.

Variance to the restrictions of Ordinance No. 35 New Series be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73476

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Walter Andersen, 3860 Rosecrans Street, to conduct an auto trailer camp, consisting of forty-eight units, on Lots 7-12 Block 372 Wehrman's Subdivision, provided the proposed camp is properly landscaped according to plans submitted to the City Planning Commission.

## R E S O L U T I O N NO. 73477

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Mrs. Bess G. Wicks, 3825 Eagle Street, for variance to the restrictions of Ordinance No. 138 N.S. on part of Lot 10, all of Lots 11, 12 & 13 Block 3, Stephen's Addition, for the purpose of maintaining and operating dog kennel at 6453 Pacific Highway, be, and it is hereby denied.

BE IT FURTHER RESOLVED, that a permit is hereby granted for a period of six months only, to continue operation of the kennels on said property, in order that another location for such operation may be secured.

## R E S O L U T I O N NO. 73478

BE IT RESOLVED by the Council of the City of San Diego, as follows:

An advertisement is hereby authorized in the 1941 edition of the "Gridiron", published by the San Diego Newspaper Guild.

BE IT FURTHER RESOLVED, that a requisition be, and it is hereby authorized to be drawn on the newspaper allocation of the Advertising and Publicity Fund for the sum of \$160.00 in payment thereof.

## R E S O L U T I O N NO. 73479

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Estate of Frances S. Rosie, by Donald Simison, administrator, 1222 West Arbor Drive, to replat Lots 1 and 2, 11 and 12, Block 55 Roseville, into three lots facing Plum Street. The lots on the corners of Fenelon and Garrison Streets shall each be 70 x 100 feet, and the center lot shall be 60 x 100 feet, provided the setbacks along Fenelon and Garrison Streets are maintained and that a setback of 10 feet is maintained on Plum Street.

Variance to the restrictions of Ordinance No. 32 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73480

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to James E. Restine, 4440 - 32nd Street, to erect a duplex on the south 9 feet of Lot 9 and all Lots 10-12 Block 60 Park Villas.

Variance to the restrictions of Ordinance No. 12820, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73481

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Louise Harty, 4424 Arch Street, to erect a third residential unit on the northerly portion of Villa Lots 236 and 237 University Heights.

Variance to the restrictions of Ordinance No. 12988, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73482

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to E. C. Sidwell, by Edward O. Caballero, to construct a bungalow court on the south half of Lots 1-3 Block 92 Roseville, not closer to the property line of Jarvis Street than six feet, provided the fifteen-foot setback is maintained along Rosecrans Street.

The provisions of Setback Ordinance No. 12321 be, and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73483

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Louise W. Fletcher, 3527 Dumas Street, by Stephen G. Fletcher, to erect a one-room addition to the residence on Lot 10 Block 252 Roseville, with a side yard of four feet, a rear yard of sixteen feet, and with a lot coverage of 42 per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73484

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Josephine A. Jackson, M.D., 7817 Prospect Place, to construct a single-family residence on Lot 6 Block 46 La Jolla Park, with side yards of five and twelve feet, and a rear yard of fifteen feet, provided that the dwelling and garage are not more than two stories in height.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73485

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to San Diego Unified School District, 825 - Union Street, by R. C. Dallard, Business Manager, to erect a school building on Lots 1-28 Block 2 S.W. Switzer Tract, to the property line on Eta Street.

The provisions of Setback Ordinance No. 12321 be, and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73486

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for naming the westerly seventy-five feet of the east and west alley in Block 1 Roseville Heights, VALEMONT PLACE, be, and it is hereby denied.

## R E S O L U T I O N NO. 73487

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition, bearing Document No. 320603, for the closing of portion of Friars Road south of the existing improved highway in portion of Pueblo Lot 1173, be, and it is hereby granted.

The City Engineer is directed to furnish a description of the district of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said proposed closing.

## R E S O L U T I O N NO. 73488

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Robert Conard, 1930 University Avenue, for amendment to Resolution No. 73355, adopted February 11, 1941, be, and it is hereby granted. Resolution No. 73355, be, and it is hereby amended to read as follows:

Permission is hereby granted to Robert Conard, 1930 University Avenue, to construct a garage with apartment above, on the west fifty feet of Lots 25-28 Block 195 University Heights, with a side yard of eighteen feet, a rear yard of four feet, and a lot coverage of 30 per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73489

BE IT RESOLVED by the Council of the City of San Diego, as follows:

An extension of two years from February 15, 1941, is hereby granted to T.A. McClellan, 1738 Dale Street, to operate a grocery, fruit and vegetable market on Lots 23 and 24, Block 97, E. W. Morse Addition, in accordance with variance to the provisions of Ordinance No. 12795, originally granted by Resolution No. 67194, adopted February 15, 1938; provided the building is painted, and any signs be approved by the Planning Commission before erection on the property.

## R E S O L U T I O N NO. 73490

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendations of the City Engineer and Acting City Planning Engineer that the offer of R.C. Rose, agent and part owner, P.O. Box 46 La Jolla, to deed land in P/Ls 1281 and 1280 for the extension of Avenida De La Playa be accepted, provided the owner grades, surfaces and drains the road in a manner acceptable to the City Engineer, be, and they are hereby adopted.

The City Engineer is hereby authorized and directed to proceed to secure a deed to said property on the conditions mentioned above.

## R E S O L U T I O N NO. 73491

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of C. Leon de Aryan, P.O. Box 349 East San Diego, requesting the Council to submit a proposition at the coming general election to open Seventh Avenue south to connect with the existing Park Road in Balboa Park, parallel with Sixth Avenue, be, and it is hereby denied.

## R E S O L U T I O N NO. 73492

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for a hearing requested by Ralph E. O'Brien, 2053 Woden Street, on his application for a City taxicab driver's license, denied by the Chief of Police, be, and it is hereby granted. A hearing is hereby set for March 4 at 10:00 o'clock A.M.

## R E S O L U T I O N NO. 73493

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized to send a representative to the Western States Defense Highways Conference, Southern California Section, on Thursday, February 27, 9:30 A.M. in the Auditorium of the State Building, Los Angeles, if he deems it advisable to have the City of San Diego represented at said Conference.



## R E S O L U T I O N NO. 73494

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from the City Clerk, bearing Document No. 326868, transmitting to the Council an initiative petition for amendment to the City Charter re members of the San Diego Fire Department, be, and it is hereby referred to the City Attorney for the necessary papers to place such proposition on the April 22, 1941, General Election ballot.

## R E S O L U T I O N NO. 73495

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of R.E.Hazard & Sons for the grading, paving and otherwise improving of Euclid Avenue, from the north line of El Cajon Boulevard to the south line of Monroe Avenue, for the sum of \$7694.24 be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said R.E.Hazard & Sons.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said R.E.Hazard & Sons for furnishing of said grading, paving, etc., pursuant to the plans and specifications therefor on file in the office of the City Clerk.

That the City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.

Approved as to form H. B. DANIEL

## R E S O L U T I O N NO. 73496

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Calvary Presbyterian Church, 390 South 39th Street, to erect four directional signs at their own expense, at the following locations:

39th and Imperial Avenue; 39th and Ocean View Boulevard; 39th and National Avenue; 38th and Franklin Avenue.

The size and design of the signs shall be subject to approval of the City Manager.

## R E S O L U T I O N NO. 73497

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized to raze the old Police headquarters, as recommended by the Manager and Director of Public Works in Document No. 326963.

## R E S O L U T I O N NO. 73498

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Councilman Fred W. Simpson is hereby authorized to accompany the City Manager to Washington, D.C., in the presentation of the City's case before the Board of Engineers for Rivers and Harbors in connection with securing Federal aid for San Diego River flood control.

BE IT FURTHER RESOLVED, that he is hereby authorized to incur the necessary expenses in connection therewith.

## R E S O L U T I O N NO. 73499

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of the El Cajon Boulevard Civic Association for free inspection and free electrical permits for Siebrand Shows, at a location on El Cajon Boulevard between 32nd and 33rd Streets at Bransom Place, for a period beginning March 2 and ending March 9, be, and it is hereby granted.

## R E S O L U T I O N NO. 73500

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to include among the Charter amendments to be submitted, an amendment to Section 118 regarding City employees, as outlined in his letter to the Mayor and Council under date of February 21, 1941.

## R E S O L U T I O N NO. 73501

Alley in Block 150, University Heights.

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of the ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, between the north line of Polk Avenue and the south line of Howard Avenue, in said City, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on February 13, 1941, under Document No. 326690, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1833, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said alley hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

## RESOLUTION OF AWARD NO. 73502

Alley in Block 173, University Heights, and Lincoln Avenue.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 18th day of February, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72940, adopted by the Council on December 17, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK 173, UNIVERSITY HEIGHTS, and LINCOLN AVENUE, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To R. E. HAZARD & SONS, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |          |
|---|----------|
| Excavation, per cubic yard,                 | \$ 1.00  |
| Embankment, per cubic yard,                 | \$ 0.50  |
| Removal of pavement, as shown on the plans, |          |
| per square foot,                            | \$ 0.10  |
| Preparation of subgrade, per square foot,   | \$ 0.015 |
| Pavement, per square foot,                  | \$ 0.12  |
| 4" sewer laterals, installed, EACH          | \$35.00  |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION ORDERING WORK NO. 73503

North and South Alley in Block 107, University Heights.

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 73139, adopted by the Council on January 14, 1941, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the NORTH AND SOUTH ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 73097, adopted on the 7th day of January, 1941, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73504

APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING  
CLERK TO GIVE NOTICE OF SAID HEARING - KENSINGTON MANOR  
LIGHTING DISTRICT NO. 1

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 21st day of February 1941, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 73332, adopted by said Council on the 4th day of February 1941, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required by law, NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 25th day of March, 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

KENSINGTON DRIVE, between Jefferson Avenue and Hilldale Road;  
 CANTERBURY DRIVE, for its entire length;  
 SUSSEX DRIVE, for its entire length;  
 WESTMINSTER TERRACE, for its entire length;  
 NORFOLK TERRACE, between Kensington Drive and the easterly line of Kensington Manor Unit No. 1;  
 ROCHESTER ROAD, for its entire length;  
 LYMER DRIVE, for its entire length;  
 MARLBOROUGH DRIVE, between Jefferson Avenue and Palisades Road;  
 EDGEWARE ROAD, between the westerly prolongation of the southerly line of Lot 10, Block 13, Kensington Park and Canterbury Drive, and between Middlesex Drive and Bedford Drive;

HEMPSTEAD CIRCLE, for its entire length;  
 HILLDALE ROAD, for its entire length;  
 MIDDLESEX DRIVE, for its entire length;  
 BEDFORD DRIVE, for its entire length;  
 HASTINGS ROAD, for its entire length;  
 BRISTOL ROAD, for its entire length;  
 ROXBURY ROAD, for its entire length;  
 BRAEBURN ROAD, for its entire length;  
 PALISADES ROAD, for its entire length; and  
 RIDGEWAY, between Marlborough Drive and Lane.

Such furnishing of electric current shall be for a period of one year, from and including May 1, 1941, to-wit, to and including April 30, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designed by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of The City of San Diego, California  
 FRED W. SICK  
 City Clerk of The City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of The City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

#### RESOLUTION OF INTENTION NUMBER 73505

##### College Park Lighting District Number One

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938", to order the following work to be done and improvement to be made in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

COLLEGE AVENUE between the southwesterly prolongation of the northwesterly line of Mesita Drive and the easterly prolongation of the northerly line of Lot 1, Block 1, College Park Unit No. 1.

MISSION VALLEY ROAD between College Avenue and the southerly prolongation of the westerly line of Lot 21, Partition of Rancho Mission of San Diego.

CAMPANILE DRIVE between the north line of Mission Valley Road and a line parallel to and distant 120 feet northerly therefrom.

CRESITA DRIVE for its entire length.

Such furnishing of electric current shall be for a period of one year from and including June 1, 1941, to-wit, to and including May 31, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by, and of the materials provided for in the plans and specifications therefor, to be hereafter prepared by the City Engineer of said City, and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in the City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at the most easterly corner of Lot 10, Block 7, College Park Unit No. 1, thence southwesterly along the southeasterly line of said Lot 10, a distance of 90 feet to a point, thence southwesterly in a direct line to the most easterly corner of Lot 17, Block 5, College Park Unit No. 1; thence southwesterly, northwesterly and northeasterly, along the southeasterly, southwesterly, and northwesterly lines of Block 5, College Park Unit No. 1, to the most northerly corner of Lot 3, Block 5, College Park Unit No. 1; thence northwesterly in a direct line to the most easterly corner of Lot 8, Block 4, College Park Unit No. 1; thence southwesterly, northwesterly and northeasterly along the southeasterly, southwesterly and northwesterly lines of Block 4, College Park Unit No. 1, to an intersection with a line parallel to and distant 100 feet southerly from the south line of Mission Valley Road; thence westerly along said parallel line to an intersection with the west line of Lot 21, Partition of Rancho Mission of San Diego; thence northerly along the west line of said Lot 21 to an intersection with the westerly prolongation of the north line of Block 3, in said College Park Unit No. 1; thence easterly along the westerly prolongation of the north line of said Block 3 and the north line of said Block 3 to the northeasterly corner thereof; thence easterly in a direct line to the northwesterly corner of Block 2 in said College Park Unit No. 1; thence easterly along the north line of said Block 2 and its easterly prolongation to the westerly line of Lot 3, Block 2, College Park Unit No. 1; thence northerly along the westerly line of Lots 1, 2, 3, Block 2, in said College Park Unit No. 1, to the northwest corner of said Lot 1; thence northerly in a direct line to the southwest corner of Lot 9, Block 1, College Park Unit No. 1; thence northerly along the westerly line of Block 1, College Park Unit No. 1, to the northwest corner of Lot 1, Block 1, College Park Unit No. 1;



thence easterly along the northerly line of Lot 1, Block 1, College Park Unit No. 1, to the northeast corner thereof; thence southeasterly in a direct line to the most northerly corner of Lot 1, Block 10, College Park Unit No. 1; thence southeasterly along the northeasterly line of said Lot 1, to the northeasterly corner thereof; thence southerly along the easterly line of said Block 10, to the southeasterly corner of Lot 7, in said Block 10; thence southerly in a direct line to the northeasterly corner of Lot 1, Block 9, College Park Unit No. 1; thence southerly and southeasterly along the easterly line of said Block 9 to the southeasterly corner of Lot 5, in said Block 9; thence southeasterly in a direct line to the northeasterly corner of Lot 1, Block 8, College Park Unit No. 1; thence southeasterly along the easterly line of said Block 8 to the southeasterly corner of Lot 4, in said Block 8; thence southeasterly in a direct line to the most northerly corner of Lot 5, Block 8, College Park Unit No. 1; thence southeasterly along the northeasterly line of said Block 8, to the most easterly corner of Lot 14, in said Block 8; thence southeasterly in a direct line to the northeasterly corner of Lot 1, Block 7, College Park Unit No. 1; thence southeasterly along the northeasterly line of said Block 7, to the point or place of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;
2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as College Park Lighting District Number One.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION OF INTENTION NO. 73506

Alley in Block 150, University Heights

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of the ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, in said City, between the north line of Polk Avenue and the south line of Howard Avenue, be graded, and the sub-grade prepared and paved with a six inch Portland cement concrete pavement.

That the said work hereinabove described on the ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, between a line parallel to and distant 180.00 feet northerly from the north line of Polk Avenue and a line parallel to and distant 120.00 feet northerly from said parallel line, shall be done to the modified grade shown and indicated upon the plans and profiles on file in the office of the City Clerk of said City, and hereinafter referred to; and reference is hereby made to said plans and profiles for the description of the grade at which the work is to be done.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 326690, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1833, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 73447, adopted on the 18th day of February, 1941; that 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, is as follows:

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 H.P.      | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 1st day of April, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION ORDERING IMPROVEMENT NO. 73507

Talmadge Park Lighting District No. 2

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City, and therefore the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

HART DRIVE, for its entire length;

ARGOS DRIVE, for its entire length;

ALDER PLACE, for its entire length; and

JEFFERSON STREET, between the westerly line of Talmadge Park Unit No. 2 and its termination in Alder Place.

Said furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 2," filed January 11, 1941, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 18th day of February, 1941, said Council did by Resolution No. 73409 confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement, heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 1," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district, more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego, the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION ORDERING IMPROVEMENT NO. 73508

Talmadge Park Lighting District No. 1

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City, and therefore the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

VAN DYKE AVENUE, between the southerly and northerly boundary lines of Talmadge Park;

TALMADGE DRIVE, for its entire length;

VAN DYKE PLACE, for its entire length; and

ADAMS AVENUE, between the westerly line of Talmadge Park and the southerly prolongation of the easterly line of Lot 184, Talmadge Park.



Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 1," filed January 11, 1941, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 18th day of February, 1941, said Council did by Resolution No. 73408 confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement, heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 1," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district, more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego, the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California,  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF INTENTION NO. 73509

PORTIONS OF MENDOTA STREET, JARVIS STREET, CAPISTRANO STREET;  
ALLEY IN BLOCK 1, GLENARTNEY, AND ALLEY IN BLOCK 2, GLENARTNEY.

BE IT RESOLVED, By the Council of The City of San Diego, that the public interest and convenience of said City require the closing up of a portion of the streets and alleys hereinafter mentioned; and

BE IT FURTHER RESOLVED, that it is the intention of said Council to order the closing of those portions of the streets and alleys described as follows:

(1) MENDOTA STREET, between the southwesterly line of Narragansett Avenue and the northeasterly line of Lowell Street.

(2) All that portion of JARVIS STREET in Glenartney, according to the map thereof No. 1458 on file in the office of the County Recorder of San Diego County, California, lying northeasterly of the northeasterly line of Lowell Street.

(3) CAPISTRANO STREET, between the southwesterly line of Macaulay Street and the northeasterly line of Lowell Street.

(4) All that portion of the ALLEY IN BLOCK 1, said Glenartney, lying between the southwesterly line of Narragansett Avenue and the southeasterly prolongation of the southwesterly line of Lot 9, Block 1, in said Glenartney.

(5) All that portion of the ALLEY IN BLOCK 1, said Glenartney, lying between the southwesterly line of Macaulay Street and the northeasterly line of Narragansett Avenue.

(6) The ALLEY IN BLOCK 2, said Glenartney, between the southwesterly line of Narragansett Avenue and the northeasterly line of Lowell Street.

That it is not deemed necessary that any land be taken therefor.

That the exterior boundaries of the district of lands in said City to be affected by said work and improvement, and to be assessed to pay the damages, costs and expenses thereof, are described as follows:

Beginning at the intersection of the southwesterly line of Macaulay Street with the southeasterly line of Glenartney, according to the map thereof No. 1458 on file in the office of the County Recorder of San Diego County, California; thence northwesterly, westerly and southwesterly along the southwesterly, southerly and southeasterly line of said Macaulay Street to the southeasterly line of Chatsworth Boulevard; thence southwesterly along the southeasterly line of said Chatsworth Boulevard to the most westerly corner of Lot 9, Block 1, in said Glenartney; thence southeasterly along the southwesterly line of said Lot 9 and its southeasterly prolongation to the southeasterly line of the Alley in said Block 1 in said Glenartney; thence southwesterly along the southeasterly line of said alley to the northeasterly line of Lowell Street; thence southeasterly along the northeasterly line of said Lowell Street to the southeasterly line of said Glenartney; thence northeasterly along the southeasterly line of said Glenartney to the point of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

That THE SAN DIEGO UNION, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper in which the Director of Public Works of said City shall cause to be published, in the manner and form required by law, notice of the passage of this Resolution of Intention, and the said Director of Public Works is hereby directed to cause notices of the passage of this resolution to be posted in the manner and form required by law, and to cause a notice similar in substance to be published in said newspaper for a period of ten days in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

# R E S O L U T I O N NO. 73510

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY THE CITY ENGINEER - NORTH AND SOUTH ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS.

WHEREAS, the Council of The City of San Diego, did on the 14th day of January, 1941, pass Resolution of Intention No. 73139, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 73139, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

# R E S O L U T I O N NO. 73511

RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION OF THE CITY ENGINEER - NORTH AND SOUTH ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS.

WHEREAS, the Council of The City of San Diego did, on the 14th day of January, 1941, pass its Resolution of Intention No. 73139 to order certain work to be done and improvement to be made in the NORTH AND SOUTH ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 25th day of February, 1941, duly pass its Resolution Ordering Work No. 73503, ordering said work to be done and said improvement to be made in said North and South Alley in Block 107, University Heights, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

# R E S O L U T I O N NO. 73512

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving Ibsen Street, as particularly described in Resolution of Intention No. 72796 and to be assessed to pay the expenses thereof.

# R E S O L U T I O N NO. 73513

WHEREAS, W. E. Bradbury is desirous of leasing certain lands owned by the City of San Diego, hereinafter described, for stock grazing and agricultural purposes; and

WHEREAS, the lands proposed to be leased are described as follows:

Parcel 1: S 1/2 of the NE 1/4 of Section 31, Twp. 12 South, Range 1 West, S.B.B.&M; excepting from the above described land all that portion thereof lying above the elevation of 395 feet above sea level, according to the U.S. Geological Survey datum; ALSO,

Parcel 2: The SW 1/4 of the SE 1/4 and the W 1/2 of the NW 1/4 of the SE 1/4 of Section 32, Twp. 12 South, Range 1 West, S.B.B.&M; ALSO,

Parcel 3: Commencing at a point 50 yards south of the northeast corner of the southwest 1/4 of said Section 32; thence West 156 yards; thence South 830 yards; thence East

156 yards; thence North 830 yards to the point of commencement; ALSO,

Parcel 4: The SE 1/4 of the SW 1/4 of Section 29, Twp. 12 So., Range 1 W., S.B.B. &M., excepting a strip of land 60 feet wide, being 30 feet on each side of the following described center line:

Beginning at a point on the east line of said SE 1/4 of the SW 1/4 of said Section 29, said point being North 0° 08' West 371.4 feet from the South one-quarter corner of said section, and running thence from said point of beginning, North 82° 06' West 1182.8 feet to the beginning of a curve to the right having a radius of 700 feet; thence along said curve through an angle of 13° 55' 30" a distance of 42.64 feet to a point on the west line of said SE 1/4 of the SW 1/4 of said Section, said point being North 0° 20' 20" West 586.73 feet from the southwest corner of said quarter quarter section;

ALSO,

Parcel 5: The W 1/2 of the NE 1/4 of the NW 1/4 of Section 32, Twp. 12 South, Range 1 West, S.B.B. &M.;

Containing in all 200 acres of land, more or less, with the improvements thereon, if any; excepting from the above all public roads and ways; subject to all easements, encumbrances and liens of every kind, nature and description whatsoever, existing against or in respect to said property; and subject to the right of redemption as to said Parcels 4 and 5 held by the mortgagor thereof under the mortgage by foreclosure of which the City acquired its title;

and

WHEREAS, said lands are not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$9,170.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with W. E. Bradbury for said above-described lands for a period of five years, commencing on the 1st day of March, 1941 and ending on the 28th day of February, 1946, at a rental of Five Hundred Twenty-five Dollars (\$525.00) per year, payable quarterly in advance; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

Presented by WALTER W. COOPER

#### L E A S E

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation of the County of San Diego, State of California, hereinafter designated as the City, and W. E. BRADBURY, hereinafter called the Lessee, WITNESSETH:

That the City, for and in consideration of the payment of the rent to be paid by the lessee, as hereinafter set forth, and in consideration of the covenants of the lessee hereinafter set out and their faithful performance by such lessee, and upon and subject to the terms, conditions and reservations herein set forth, does by these presents lease, demise and let unto the said lessee the following described property, situate in the County of San Diego, State of California, to-wit:

Parcel 1: S 1/2 of the NE 1/4 of Section 31, Twp. 12 South, Range 1 West, S.B.B. &M.; excepting from the above described land all that portion thereof lying above the elevation of 395 feet above sea level, according to the U. S. Geological Survey datum; ALSO,

Parcel 2: The SW 1/4 of the SE 1/4 and the W 1/2 of the NW 1/4 of the SE 1/4 of Section 32, Twp. 12 South, Range 1 West, S.B.B. &M.; ALSO,

Parcel 3: Commencing at a point 50 yards south of the northeast corner of the southwest 1/4 of said Section 32; thence West 156 yards; thence South 830 yards; thence East 156 yards; thence North 830 yards to the point of commencement; ALSO,

Parcel 4: The SE 1/4 of the SW 1/4 of Section 29, Twp. 12 So., Range 1 W., S.B.B. &M., excepting a strip of land 60 feet wide, being 30 feet on each side of the following described center line:

Beginning at a point on the east line of said SE 1/4 of the SW 1/4 of said Section 29, said point being North 0° 08' West 371.4 feet from the South one-quarter corner of said section, and running thence from said point of beginning, North 82° 06' West 1182.8 feet to the beginning of a curve to the right having a radius of 700 feet; thence along said curve through an angle of 13° 55' 30" a distance of 42.64 feet to a point on the west line of said SE 1/4 of the SW 1/4 of said Section, said point being North 0° 20' 20" West 586.73 feet from the southwest corner of said quarter quarter section;

ALSO,

Parcel 5: The W 1/2 of the NE 1/4 of the NW 1/4 of Section 32, Twp. 12 South, Range 1 West, S.B.B. &M.;

Containing in all 200 acres of land, more or less, with the improvements thereon, if any; excepting from the above all public roads and ways; subject to all easement, encumbrances and liens of every kind, nature and description whatsoever, existing against or in respect to said property; and subject to the right of redemption as to said Parcels 4 and 5 held by the mortgagor thereof under the mortgage by foreclosure of which the City acquired its title;

For a term of five (5) years, beginning on the 1st day of March, 1941, and ending on the 28th day of February, 1946, at the following rentals: Five Hundred Twenty-five Dollars (\$525.00) per year payable in advance at the office of the Lessor quarterly during said term.

In consideration of the covenants herein contained the parties hereto agree as follows:

First. That the above described premises are leased to said lessee for stock grazing and agricultural purposes only, and for no other purpose or purposes.

Second. That this lease shall not be assigned or transferred, nor shall the said lessee have the right to sublet the leased premises, or any part thereof, without the consent in writing of the Council of said City.

Third. That the City reserves all timber, sand, gravel, gas, oil and mineral rights in and on said premises herein leased, with the right to go upon said property and prospect or drill for oil, gas and minerals, and remove such timber, sand, gravel, gas, oil and minerals.

Fourth. That the lessee shall keep and maintain said premises in as good repair and condition as he may receive them at his own expense (ordinary wear and tear and the acts of God excepted) and the said City shall not be called upon to make any expenditures or repairs on said premises.

Fifth. The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same, and/or for the purpose of drilling, operating and maintaining wells and pipelines on said premises, and for the purpose of making repairs to or developing the water system of said City; but the City shall not be required to furnish any water on said premises, except for domestic purposes; where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series).

Sixth. That the said lessee, paying the said rent and performing the covenants



and agreements aforesaid, shall and may at all times during the said term, peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

Seventh. Said lessee agrees that on the last day of said term, or other sooner termination of this lease, the said lessee shall and will peaceably and quietly leave, surrender and yield up unto said City the said premises, in as good state and condition as the same are now in or may be put into, reasonable use and wear thereof and damage by the elements excepted.

Eighth. It is understood and agreed by the said parties that the said City may terminate this lease at any time by giving sixty (60) days' notice of such termination to the lessee, and by tendering to said lessee a proportionate part of any rentals paid in advance by said lessee.

Ninth. It is further agreed by and between the parties hereto that in case of the violation by the lessee of any of the terms and conditions of this lease, the City may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the lessee and for its account.

Tenth. Any tax imposed by the County of San Diego upon the leasehold interest which may become a lien against the real property herein leased shall be paid promptly when due by the lessee, and if not so paid may be charged to the account of the lessee and be just cause for cancellation of this lease.

It is understood and agreed that a waiver by the lessor of any default hereunder shall not be considered, nor held to be a waiver of any subsequent or other default, and also that consent to the subletting of said premises or any part thereof, or to the assignment of this lease, shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

It is further understood and agreed that if the lessee shall make default in the performance of any of the terms, conditions or covenants of this lease by the lessee to be kept, observed or performed, lessee will in such case pay to the City the expenses and costs incurred by the City in any action which may be commenced by the City based on, or arising out of, any such default, including a reasonable attorney's fee.

IN WITNESS WHEREOF, this agreement is executed by The City of San Diego, acting by and through the City Manager of said City, under and pursuant to Resolution No. \_\_\_\_\_ of the Council, authorizing such execution, and said lessee has hereunto subscribed his name, the day and year first hereinabove written.

THE CITY OF SAN DIEGO,  
By \_\_\_\_\_ City Manager  
\_\_\_\_\_  
Lessee

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73514

WHEREAS, G. E. Philbrook, of Lakeside, California, is desirous of leasing certain lands owned by The City of San Diego, hereinafter described, for stock grazing and agricultural purposes; and

WHEREAS, the lands proposed to be leased are described as follows:

That portion of Lot 2, Riverview Farms, Tract R, Rancho El Cajon, particularly described as follows:

Beginning at the most westerly corner of said Lot 2; thence easterly along the northerly line of said Lot 2, a distance of 1974.37 feet; thence South 8° 57' East, a distance of 478.61 feet to an intersection with the southerly line of said Lot 2; thence westerly along the southerly line of said Lot 2, a distance of 1981.97 feet to the point of beginning; containing 11 acres of land, more or less; and

WHEREAS, said lands are not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$1820.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with G. E. Philbrook for said above-described lands for a period of three years, commencing on the 1st day of February, 1941, and ending on the 31st day of January, 1944, at a rental of Twenty Dollars (\$20.00) per year, payable yearly in advance; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

Presented by WALTER W. COOPER

#### L E A S E

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of February, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation of the County of San Diego, State of California, hereinafter designated as the City, and G. E. Philbrook, hereinafter called the Lessee, WITNESSETH:

That the City, for and in consideration of the payment of the rent to be paid by the lessee, as hereinafter set forth, and in consideration of the covenants of the lessee hereinafter set out and their faithful performance by such lessee, and upon and subject to the terms, conditions and reservations herein set forth, does by these presents lease, demise and let unto the said lessee the following described property, situate in the County of San Diego, State of California, to-wit:

That portion of Lot 2, Riverview Farms, Tract R, Rancho El Cajon, particularly described as follows:

Beginning at the most westerly corner of said Lot 2; thence easterly along the northerly line of said Lot 2, a distance of 1974.37 feet; thence South 8° 57' East, a distance of 478.61 feet to an intersection with the southerly line of said Lot 2; thence westerly along the southerly line of said Lot 2, a distance of 1981.97 feet to the point of beginning; containing 11 acres of land, more or less.

p 484 Leases

For a term of three (3) years, beginning on the 1st day of February, 1941, and ending on the 31st day of January, 1944, at the following rentals: Twenty Dollars (\$20.00) payable in advance at the office of the Lessor annually during said term.

In consideration of the covenants herein contained the parties hereto agree as follows:

First. That the above described premises are leased to said lessee for stock grazing and agricultural purposes only, and for no other purpose or purposes.

Second. That this lease shall not be assigned or transferred, nor shall the said lessee have the right to sublet the leased premises, or any part thereof, without the consent in writing of the Council of said City.

Third. That the City reserves all gas, oil and mineral rights in and on said premises herein leased, with the right to go upon said property and prospect or drill for oil, gas and minerals.

Fourth. That the lessee shall keep and maintain said premises in as good repair and condition as he may receive them at his own expense (ordinary wear and tear and the acts of God excepted) and the said City shall not be called upon to make any expenditures or repairs on said premises.

Fifth. The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same, and/or for the purpose of drilling, operating and maintaining wells and pipelines on said premises, and for the purpose of making repairs to or developing the water system of said City; but the City shall not be required to furnish any water on said premises, except for domestic purposes, where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series).

Sixth. That the said lessee, paying the said rent and performing the covenants and agreements aforesaid, shall and may at all times during the said term, peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

Seventh. Said lessee agrees that on the last day of said term, or other sooner termination of this lease, the said lessee shall and will peaceably and quietly leave, surrender and yield up unto said City the said premises, in as good state and condition as the same are now in or may be put into, reasonable use and wear thereof and damage by the elements excepted.

Eighth. It is understood and agreed by the said parties that the said City may terminate this lease at any time by giving sixty (60) days' notice of such termination to the lessee, and by tendering to said lessee a proportionate part of any rentals paid in advance by said lessee.

Ninth. It is further agreed by and between the parties hereto that in case of the violation by the lessee of any of the terms and conditions of this lease, the City may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the lessee and for its account.

It is understood and agreed that a waiver by the lessor of any default hereunder shall not be considered, nor held to be a waiver of any subsequent or other default, and also that consent to the sub-letting of said premises or any part thereof, or to the assignment of this lease, shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

It is further understood and agreed that if the lessee shall make default in the performance of any of the terms, conditions or covenants of this lease by the lessee to be kept, observed or performed, lessee will in such case pay to the City the expenses and costs incurred by the City in any action which may be commenced by the City based on, or arising out of, any such default, including a reasonable attorney's fee.

IN WITNESS WHEREOF, this agreement is executed by The City of San Diego, acting by and through the City Manager of said City, under and pursuant to Resolution No. \_\_\_\_\_ of the Council, authorizing such execution, and said lessee has hereunto subscribed his named, the day and year first hereinabove written.

THE CITY OF SAN DIEGO,  
\_\_\_\_\_  
City Manager  
\_\_\_\_\_  
Lessee

I hereby approve the form of the foregoing Lease this \_\_\_\_\_ day of \_\_\_\_\_, 1941.

D. L. AULT, City Attorney  
By \_\_\_\_\_ Deputy City Attorney

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73515

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, has entered into a lease of certain portions of the tidelands with SUN HARBOR PACKING CO., a corporation, for a period of ten (10) years beginning on the 1st day of March, 1941, and ending on the 28th day of February, 1951, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission of The City of San Diego and Sun Harbor Packing Co., a corporation, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL.

#### L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation within the County of San Diego, State

of California, acting by and through the Harbor Commission of said City, as Lessor, hereinafter called the "City," and THE SUN HARBOR PACKING CO., a corporation organized and existing under and by virtue of the laws of the State of California, as Lessee, hereinafter called the "Company," WITNESSETH:

That the City, lessor as aforesaid, does by these presents demise and lease unto the Company, lessee as aforesaid, upon the terms and conditions and for the purposes and uses hereinafter recited, and the Company hereby hires and accepts from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, the lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California under the provisions of that certain Act of the Legislature of California, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the 1st day of May, 1911, and as subsequently amended, said property being particularly described as follows; to-wit:

PARCEL NO. 1:

Beginning at a point on the U. S. Bulkhead Line as said U. S. Bulkhead Line is now established for the Bay of San Diego, distant 164.70 feet northwesterly from U. S. Bulkhead Station 186; thence at right angles north  $39^{\circ} 10'$  east a distance of 519.29 feet, more or less, to a point on the Mean High Tide Line of the Bay of San Diego, as said Mean High Tide Line was established by that certain Superior Court Action numbered 35473; thence following along the said Mean High Tide Line, as follows: 1st, north  $55^{\circ} 48' 20''$  west a distance of 66.41 feet; thence north  $52^{\circ} 32' 50''$  west a distance of 100.013 feet; thence north  $48^{\circ} 18' 50''$  west a distance of 8.89 feet to a point; thence leaving the said Mean High Tide Line, south  $39^{\circ} 10'$  west a distance of 510.93 feet, more or less, to a point on the said U. S. Bulkhead Line; thence south  $50^{\circ} 50'$  east along the said U. S. Bulkhead Line to the point or place of beginning, containing an area of 90,000 square feet.

PARCEL NO. 2:

Beginning at a point on the U. S. Bulkhead Line, as said U. S. Bulkhead Line is now established for the Bay of San Diego, distant 209.70 feet northwesterly from U. S. Bulkhead Station 185; thence at right angles south  $39^{\circ} 10'$  west a distance of 300 feet to a point; thence north  $50^{\circ} 50'$  west a distance of 70 feet to a point; thence north  $39^{\circ} 10'$  east a distance of 200 feet to a point; thence north  $50^{\circ} 50'$  west a distance of 60 feet to a point; thence north  $39^{\circ} 10'$  east a distance of 100 feet, more or less, to a point on the said U. S. Bulkhead Line; thence south  $50^{\circ} 50'$  east along said U. S. Bulkhead Line to the point or place of beginning, containing a tideland water area of 27,000 square feet.

The said lands hereinabove described being shown on the map or plat attached hereto, marked "Exhibit A," and made a part hereof.

TO HAVE AND TO HOLD the said premises, and each and every parcel thereof, unto the said lessee for a term commencing on the 1st day of March, 1941, and terminating on the 28th day of February, 1951, unless sooner terminated as herein provided, at the following rentals:

For the first five (5) years of said term, one cent (1¢) per square foot per year for the premises hereinbefore described as Parcel No. 1;

For the second five (5) years of said term, two cents (2¢) per square foot per year for the premises hereinbefore described as Parcel No. 1;

Twenty-five dollars (\$25.00) per month for the premises hereinbefore described as Parcel No. 2;

All rentals hereunder shall be due and payable monthly in advance upon the first day of each and every month during the term of this lease.

Neither the whole nor any part of this lease shall be assignable or transferable, nor shall the lessee have the right to sublet the leased premises, or any part thereof, without the written consent of the lessor. Provided, however, that said City shall not refuse or withhold its approval to an assignment or transfer of this lease to an assignee conducting a packing business similar to that conducted or to be conducted on the leased premises by said Company, and whose financial standing and responsibility is at least equal to the present financial standing and responsibility of the lessee herein.

In addition to the foregoing provisions, it is hereby agreed by the parties hereto that the same is granted and accepted upon the further terms and conditions, to-wit:

(1) That the demised premises hereinabove described as Parcel No. 1 shall be used only and exclusively for the operation and maintenance thereon of a fish packing plant, including all activities connected therewith and convenient thereto; provided that all such activities shall comply with all health laws and with the requirements and regulations of the Public Health authorities, and shall never be permitted to constitute a public nuisance.

That the demised premises hereinabove described as Parcel No. 2 shall be used only and exclusively for the maintenance and operation of a wharf and other structures necessary for the loading and unloading of boats in connection with said fish packing business.

(2) All new buildings to be erected upon the lands included in this lease shall be in accordance with all valid City ordinances and regulations having application thereto, and that the plans therefor shall, prior to the erection of such buildings or structures, be submitted to and approved by the Harbor Commission and Planning Commission of said City.

(3) The City reserves the right to construct seawalls, docks and wharves on the bayside of the demised premises, and also reserves the right to lay and maintain water or sewer pipes across any of the premises occupied or to be occupied by the Company hereunder, provided that said Company shall not be disturbed in the possession and use of said premises to any greater degree than may be necessary for such purposes.

(4) The lessor shall at all times during ordinary business hours be authorized to enter upon and inspect such premises by its properly authorized representatives.

(5) The Company shall indemnify and keep the City harmless from any claim, costs or judgments, proximately resulting from its operations and occupancy under the terms hereof; provided, however, that prompt notice of any such claim as may be filed with the City shall be given to the Company, and it shall be afforded the timely privilege and option of defending the same.

(6) All buildings, structures and improvements placed by the Company on said premises, and all equipment installed on said premises by the Company shall remain the property of the Company, and upon the termination of this lease, said buildings, improvements, structures and equipment shall be removed from said premises by the Company, or otherwise disposed of within a reasonable time after termination hereof; subject, however, to any constitutional, statutory or contract lien which the City may have for unpaid rents or charges.

(7) In event of breach by the Company of the covenants herein contained, the City may serve notice in writing upon the Company that if such breach is not cured within a sixty (60) day period, the City may declare this lease at an end, and upon such a declaration by the City of its termination of this lease, the said Company shall remove from the said demised premises and have no further right or claim thereto, and the City shall immediately thereupon, without recourse to the Courts, have the right to take possession of said premises, and said Company shall forfeit all rights and claims thereto and thereunder; provided, however, that in the event of a termination of this lease as in this paragraph provided, the Company may within such reasonable time as the Harbor Commission may designate, remove all buildings, improvements, structures and equipment and other personal property of the Company from the premises herein leased, or otherwise dispose of the same; provided, further, that no such termination shall in any wise relieve the Company from the obligation to pay any



rentals and charges accrued and unpaid up to the time thereof.  
(8) If at any time during the term of this lease the tenancy hereunder shall interfere with the use of any of the tidelands of San Diego Bay lying bayward of the bulkhead line, as now established, for navigation, commerce and fisheries, or in any manner become inconsistent with the trusts under which the said tidelands are held from the State of California, the City shall have the right to terminate this lease upon one year's notice and the payment to the Company of reasonable compensation, which shall be based upon and limited to compensation for the actual value at the time of the termination of this lease of such buildings, structures and physical improvements placed upon the demised premises by the Company, as are authorized or permitted under the terms of this lease, and shall not be held to include or require compensation to be paid in any amount to said Company for any damage to or interference with, or loss of business or franchise, occasioned by any such termination.

(9) Reference is hereby made to all laws as now existing and as hereafter amended or enacted applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed or reservations made thereby are made a part of this lease with like effect as though the same were expressly set forth herein.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego, acting for and on behalf of said City, have hereunto subscribed their names as and for the act of said City, and the said Company, lessee as aforesaid, has caused this instrument to be executed and its corporate name and seal to be hereunto affixed by its proper officers, and this instrument, when so executed, shall be deemed effective from the date first hereinabove written. This instrument is executed in duplicate, both of which shall be deemed originals.

THE CITY OF SAN DIEGO Lessor.  
By  
Members of the Harbor Commission of The City of San Diego.  
  
SUN HARBOR PACKING CO. Lessee.  
  
President.

ATTEST: \_\_\_\_\_

I hereby approve the form of the forgoing Lease, this 20th day of February, 1941.  
D. L. AULT City Attorney  
By H. B. DANIEL Assistant City Attorney

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

EXHIBIT "A"

R E S O L U T I O N NO. 73516  
CONFIRMING AN AGREEMENT MODIFYING AND AMENDING A LEASE OF CERTAIN  
TIDELANDS, MADE BY THE HARBOR COMMISSION ON BEHALF OF THE CITY OF  
SAN DIEGO TO MICHAEL J. WALSH.

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, heretofore made and entered into a lease of certain portions of the tidelands with Michael J. Walsh, which said lease was duly ratified and confirmed by Resolution No. 63789 of the Council of The City of San Diego, and is on file in the office of the City Clerk of The City of San Diego, being Document No. 295757, recorded in Book 9, page 25 et seq., Records of said City Clerk; and

WHEREAS, the said Harbor Commission and said Michael J. Walsh are about to enter into an agreement amending and modifying said lease in the particulars set forth in that certain agreement of modification, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said agreement of modification, a copy of which is hereto attached, between the Harbor Commission of The City of San Diego and said Michael J. Walsh, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom a copy of said agreement of modification, to be attached to the original and duplicate original of said agreement of modification.

Approved as to form by H. B. DANIEL

AGREEMENT FOR MODIFICATION OF LEASE.

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of February, 1941, by and between THE CITY OF SAN DIEGO, acting by and through the members of the Harbor Commission of said City, party of the first part, hereinafter referred to as the City, and MICHAEL J. WALSH, party of the second part, WITNESSETH:

WHEREAS, The City of San Diego, as Lessor, and the said Michael J. Walsh, as lessee, heretofore on the 15th day of December, 1935, entered into a lease of certain tidelands of said City, which said lease is on file in the office of the City Clerk as Document No. 295757, and recorded in Book 9, page 25, et seq., Records of the City Clerk; and

WHEREAS, said City and said Michael J. Walsh are mutually desirous of amending and modifying said lease in certain particulars hereinafter set forth, wherein and whereby a portion of the leased premises shall be released and excluded from the operation of said lease, and the rentals paid under said lease readjusted;

NOW, THEREFORE, in consideration of the premises and of the matters and things hereinafter recited and the mutual consent of the parties, said above described lease is hereby modified and amended in the following particulars and none other:

(1) That the description of the leased premises set forth on page 1 of said lease is hereby changed to read as follows:

"Beginning at Station #185 on the U.S. Bulkhead Line, as said U.S. Bulkhead Line is now established for the Bay of San Diego; thence north 39° 10' east a distance of 140 feet to the true point or place of beginning; thence north 50° 50' west a distance of 140.50 feet to a point; thence at right angles north 39° 10' east a distance of 100 feet to a point;

thence south 50° 50' east a distance of 200 feet to a point; thence at right angles south 39° 10' west a distance of 100 feet to a point; thence at right angles north 50° 50' west a distance of 59.50 feet to the true point or place of beginning, containing a tideland area of 20,000 square feet.

(2) The rentals reserved on page 2 of said lease are hereby changed to read as follows:

"The sum of sixty-five dollars (\$65.00) per month."

(3) The plat marked "Exhibit A," attached to and made a part of said lease is hereby amended and supplemented by a plat attached hereto, marked "Exhibit B," and made a part hereof, designating and showing the parcel of land described in said lease as hereby amended.

It is mutually understood and agreed that the amendments to said lease herein provided for shall become effective upon the first day of March, 1941.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego, acting for and on behalf of said City, have hereunto subscribed their names as and for the act of said City, and the party of the second part has hereunto subscribed his name the day and year first hereinabove written.

This instrument is executed in duplicate, both of which shall be deemed originals.

Approved as to form:  
D. L. AULT, City Attorney  
By

Assistant City Attorney.

THE CITY OF SAN DIEGO

By

Members of the Harbor Commission  
of the City of San Diego.

#### EXHIBIT "B"

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT - Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION OF INTENTION NO. 73517

Eta Street and 40th Street

BE IT RESOLVED, By the Council of The City of San Diego, that the public interest and convenience of said City require the closing up of portions of the streets hereinafter mentioned; and

BE IT FURTHER RESOLVED, that it is the intention of said Council to order the closing of portions of ETA STREET and 40TH STREET, described as follows:

Close all of ETA STREET and 40TH STREET lying westerly of the southerly prolongation of the easterly line of Block 450, shown on the map of R. K. Porter's Subdivision according to the map thereof filed on Deed Book No. 15 at page 36 in the Office of the County Recorder of San Diego County, California, and the easterly line of said Block 450, said line being also the easterly line of Block 2, S.W. Switzer Tract, according to the Map thereof No. 1775 on file in the office of said County Recorder; and northerly of the easterly prolongation of the southerly line of Lots 26 and 27 in said Block 2; EXCEPTING therefrom the parcel of street or land described as follows: Beginning at the point of intersection of the southerly prolongation of the easterly line of said Block 450, being also the easterly line of said Block 2 and the easterly prolongation of said Lots 26 and 27; thence northerly along the southerly prolongation of the easterly line of said Block 450 a distance of 10.25 feet to the point of tangency of a curve concaved northwesterly having a radius of 10.00 feet; thence southerly, southwesterly and westerly along the arc of said curve a distance of 15.95 feet to a point of tangency on the easterly prolongation of the southerly line of said Lots 26 and 27; thence easterly along the easterly prolongation of the southerly line of said Lots 26 and 27 a distance of 10.25 feet to the point of beginning.

That it is not deemed necessary that any land be taken therefor.

That the exterior boundaries of the district of lands in said City to be affected by said work and improvement, and to be assessed to pay the damages, costs and expenses thereof, are described as follows:

Beginning at a point on the easterly line of Lot 28, Block 2, S.W. Switzer Tract, according to the map thereof No. 1775 on file in the office of the County Recorder of San Diego County, California, distant thereon 110.00 feet southerly from the northeasterly corner thereof; thence southerly along the said easterly line of said Lot 28 and its southerly prolongation to an intersection with the easterly prolongation of the southerly line of Lots 26 and 27 in said Block 2; thence westerly along the easterly prolongation of the southerly line of said Lots 26 and 27 and along the southerly line of Lot 28 in said Block 2 to the southwesterly corner of said Lot 28, being also the southeasterly corner of said Lot 27; thence northerly along the westerly line of said Lot 28 to a point thereon distant 110.00 feet southerly from the northwesterly corner thereof; thence easterly in a direct line to the point of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

That THE SAN DIEGO UNION, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper in which the Director of Public Works of said City shall cause to be published, in the manner and form required by law, notice of the passage of this Resolution of Intention, and the said Director of Public Works is hereby directed to cause notices of the passage of this resolution to be posted in the manner and form required by law, and to cause a notice similar in substance to be published in said newspaper for a period of ten days in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT - Councilmen: None

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73518

WHEREAS, Hages, Ltd., of San Diego, California, has made application to the City for a revocable permit for the laying of two refrigerator lines underneath and across "K" Street between Eighth and Ninth Avenues, said application, together with the blueprints accompanying the same, being on file in the office of the City Clerk, bearing Document No. 326,051; and

WHEREAS, the City Manager has recommended the granting of said application; and WHEREAS, pursuant to Ordinance No. 1156 (New Series) of the ordinances of The City of San Diego, the Council is empowered upon such conditions as it deems proper to grant such an application; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That Hages, Ltd., of San Diego, California, be, and it is hereby authorized to lay, construct and maintain across and over "K" Street between Eighth and Ninth Avenues, from its property on the southerly side of said "K" Street to its property on the northerly side of said "K" Street, two (2) refrigerating pipe lines beneath the pavement of said "K" Street, as shown by its map on file herein, upon the following terms and conditions, to-wit:

(1) That said pipe lines shall be installed wholly at the expense of said permittee and at a depth of not less than thirty (30) inches below the surface of said "K" Street, as fixed by the established official grade;

(2) That said pipe lines shall be established and maintained wholly at the expense of the permittee, and that any repairs of said pipe lines shall be made wholly at the expense of said permittee, and be conducted in a manner which will interfere to the least possible extent with the use of said "K" Street for traffic.

(3) That the installation of said pipe lines shall be under the supervision and approval of the City Engineer of The City of San Diego.

(4) That this permit is revocable at the pleasure of the City Council of said City upon sixty (60) days' written notice to the permittee by The City of San Diego, such revocation being evidenced by resolution of the Council of said City; and in event this permit is so revoked, the permittee shall without charge, claim or liability upon the City remove said pipe lines.

(5) In the event of the repair or removal of said pipe lines, the permittee shall at its own expense restore said "K" Street to the same condition as it was at the time of such repair or removal.

(6) That said permittee shall not be required to furnish bond in connection with the work herein to be done; but that said permittee shall use any and all barriers and lights necessary to protect the public from sustaining any injury by reason of said pipe lines being laid under said street.

(7) That said permittee shall indemnify the City against any loss or damage arising from or growing out of the installation and/or maintenance of said refrigerating pipes under said "K" Street, and said permittee, by the acceptance of this permit, expressly agrees to save The City of San Diego harmless from any damage or loss to property or personal injury to any person resulting directly or indirectly from the installation and/or maintenance of said pipe lines aforesaid.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby authorized and directed to transmit a copy of this resolution to Hages, Ltd., in San Diego, California.

Approved as to form by J. H. MCKINNEY

The undersigned hereby accepts the conditions of the permit herein granted and agrees to the terms and provisions contained therein.

HAGES, LTD.

ATTEST:

By \_\_\_\_\_

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73519

That the City Manager be, and he is hereby authorized and directed, for and on behalf of The City of San Diego, to make application to the Board of Supervisors of the County of San Diego, State of California, for the granting by said Board of Supervisors of an option to purchase the following described premises, to-wit:

Lots 15 to 46 inclusive, Block 4, Subdivision of Lots 48, 49 and north portion of Lot 50, Fleischer's Addition to San Diego, according to Map thereof No. 851, filed in the office of the County Recorder of San Diego County, California, July 20, 1898;

It satisfactorily appearing that said property has heretofore been deeded for delinquent taxes and/or assessments to the State of California; said application to be made under and pursuant to the terms and conditions of Section 3897-d of the Political Code of the State of California, as modified and embodied in the Revenue and Taxation Code of the State of California, adopted May 16, 1939, sections 3771-3773 and 3791-3810 thereof; the purchase price of said lands to be the sum of One Dollar (\$1.00) per lot.

Presented by WALTER W. COOPER

Approved as to form by JAMES J. BRECKENRIDGE



Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73520

That the City Manager be, and he is hereby authorized and directed, for and on behalf of The City of San Diego, to make application to the Board of Supervisors of the County of San Diego, State of California, for the granting by said Board of Supervisors of an option to purchase the following described premises, to-wit:

Beginning at a point North 77° 15' 30" West, 2324.79 ft. and South 33° 52' 41" West, 32.16 ft. from the Northwest corner of Pueblo Lot 182 in the Pueblo lands of the City of San Diego; thence South 33° 52' 41" West, 171.40 ft.; thence along a curve having a radius of 430 ft., bearing South 56° 07' 19" East, through an angle of 35° 05' 40" 263.40 ft.; thence South 88° 46' 52" West, to the mean high tide line of the Pacific Ocean; thence Northwesterly, Northerly and Northeasterly along the mean high tide line to a point which is North 77° 15' 30" West from the point of beginning; thence South 77° 15' 30" East, to the point of beginning in Pueblo Lot 193;

It satisfactorily appearing that said property has heretofore been deeded for delinquent taxes and/or assessments to the State of California; said application to be made under and pursuant to the terms and conditions of Section 3897-d of the Political Code of the State of California, as modified and embodied in the Revenue and Taxation Code of the State of California, adopted May 16, 1939, Sections 3771-3773 and 3791-3810 thereof; the purchase price of said lands to be the sum of One Dollar (\$1.00) per lot.

Presented by WALTER W. COOPER

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of February, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73521

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the action of the Mayor of The City of San Diego in appointing the following persons to act as members of a Home Registration Board, without compensation, to co-operate with the Federal Defense Housing Coordinator, to-wit:

Mr. Edgar N. Gott, representing the Consolidated Aircraft Company;

Mr. John Griffith, representing the San Diego Realty Board;

Mr. Ed T. Austin, Editor-in-Chief, San Diego Union-Tribune Sun;

Miss Lottie Crawford, State Planning Commissioner and Chairman of the Planning Commission of The City of San Diego;

Lt. Max I Black, 11th Naval District;

Mr. D. W. Campbell, representing the San Diego Chamber of Commerce;

Mr. Ed Walsh, Federal Housing Administrator;

Mr. Van H. France, representing the National Youth Administration

be, and the same is hereby ratified, confirmed and approved.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73467 to 73521, inclusive, of the Resolutions of the City of San Diego, California as passed and adopted by the Council of said City on the 25th day of February, 1941.

FRED W. SICK  
City Clerk of the City of San Diego, California

By Helan M. Willig Deputy

#### R E S O L U T I O N NO. 73522

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The protest of Wm. J. Wareh, filed in the office of the City Clerk on February 10, 1941, under Document No. 326629, and the verbal protest of Alice O'Day, against the Engineer's estimate on the cost for the proposed work of improving LANDIS STREET between the easterly line of Alabama Street and the westerly line of Mississippi Street, be, and they are hereby denied, and all other protests are hereby denied.

## R E S O L U T I O N NO. 73523

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare the necessary resolution determining that the proposed improvement of LANDIS STREET, between the easterly line of Alabama Street and the westerly line of Mississippi Street, to be feasible, and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, in the case of seven of the fifty-one parcels in the district the estimated cost of the proposed assessment, together with the existing liens will exceed one-half the true value of each parcel.

## R E S O L U T I O N NO. 73524

WHEREAS, the City Manager on February 11, 1941, addressed a communication to this Council recommending that the cigar and tobacco license No. 4190, issued to Sid E. Almgren, 864 Fifth Avenue, San Diego, be revoked because of the legal abuse by said licensee; and

WHEREAS, on February 18, 1941, a hearing was duly and regularly held for the purpose of gathering evidence on the merits of said recommendation; and

WHEREAS, said licensee was both personally present and represented by Mr. Dempster McKee, Attorney at Law; and

WHEREAS, documentary evidence was adduced by the Chief of Police of said City, and oral evidence was adduced by said licensee; all of which was duly considered by this Council; and

WHEREAS, this Council reserved its findings upon this evidence until March 4, 1941, the date of this resolution; and

WHEREAS, this Council has determined that there is sufficient legal cause to revoke said license; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the recommendation of the City Manager be, and the same is hereby upheld.

BE IT FURTHER RESOLVED, that said Cigar and Tobacco License No. 4190, issued to Sid E. Almgren, 864 Fifth Avenue, San Diego, be, and the same is hereby revoked; said revocation to be effective immediately.

Approved as to form by WILLIAM H. MACOMBER

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough.

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California.

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73525

WHEREAS, the City Manager on February 11, 1941, addressed a communication to this Council recommending that the card table license No. 2079, issued to C. S. Andrews, 937 Sixth Avenue, San Diego, be revoked because of the legal abuse by said licensee; and

WHEREAS, on February 18, 1941, a hearing was duly and regularly held for the purpose of gathering evidence on the merits of said recommendation; and

WHEREAS, said licensee was both personally present and represented by Mr. Dempster McKee, Attorney at Law; and

WHEREAS, documentary evidence was adduced by the Chief of Police of said City, and oral evidence was adduced by said licensee; all of which was duly considered by this Council; and

WHEREAS, this Council reserved its findings upon this evidence until March 4, 1941, the date of this resolution; and

WHEREAS, this Council has determined that there is sufficient legal cause to revoke said license; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the recommendation of the City Manager be, and the same is hereby upheld.

BE IT FURTHER RESOLVED, that said Card Table License No. 2079, issued to C.S. Andrews, 937 Sixth Avenue, San Diego, be, and the same is hereby revoked; said revocation to be effective immediately.

Approved as to form by WILLIAM H. MACOMBER

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73526

WHEREAS, the City Manager on February 11, 1941, addressed a communication to this Council recommending that the cigar and tobacco license No. 1510, issued to Harry Phelps, 915 Seventh Avenue, San Diego, be revoked because of the legal abuse by said licensee; and

WHEREAS, on February 18, 1941, a hearing was duly and regularly held for the purpose of gathering evidence on the merits of said recommendation; and

WHEREAS, said licensee was both personally present and represented by Mr. Dempster McKee, Attorney at Law; and

WHEREAS, documentary evidence was adduced by the Chief of Police of said City, and oral evidence was adduced by said licensee; all of which was duly considered by this Council; and

WHEREAS, this Council reserved its findings upon this evidence until March 4, 1941, the date of this resolution; and

WHEREAS, this Council has determined that there is sufficient legal cause to revoke said license; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the recommendation of the City Manager be, and the same is hereby upheld.

BE IT FURTHER RESOLVED, that said Cigar and Tobacco License No. 1510, issued to Harry Phelps, 915 Seventh Avenue, San Diego, be, and the same is hereby revoked; said revocation to be effective immediately.

Approved as to form by WILLIAM H. MACOMBER

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 73527

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Veterans of Foreign Wars to continue operation of Clarks Greater shows at the foot of Market Street and the embarcadero, to and including March 9, 1941, on the same basis as the original permit granted by Resolution No. 73413, adopted February 18, 1941.

#### R E S O L U T I O N NO. 73528

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Southeastern Chamber of Commerce, 2159 Logan Avenue, by C. C. Dail, president, to exhibit the Siebrand Shows, from March 10 to and including March 15, using temporary electric wiring equipment. Free inspection and permits are hereby granted covering said shows.

#### R E S O L U T I O N NO. 73529

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mrs. Clara A. Dewitz, 3758 Front Street, to remodel an existing office building on the north 40 feet of Lot 19 and all Lot 20 Block 6 Cleveland Heights, into a third living unit, with a one-foot side yard, provided that any future buildings on the property adjoining maintain a distance of six feet from the proposed remodeled building.

Variance to the restrictions of Ordinance No. 12988, be, and it is hereby granted in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 73530

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to H. C. Kern, 3888 Rosecrans Street, to conduct a 60-unit auto court on Lots 13 to 18 Block 374 Sonnichensen's Subdivision, provided the necessary sidewalks and landscaping are installed according to revised plans submitted to the Planning Commission.

#### R E S O L U T I O N NO. 73531

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Eugene B. Price, c/o Foster Wilmurt, 7810 Ivanhoe, La Jolla, to erect a single-family residence on Lots 20-21 Block 88 Middletown Addition to the property line on Sublett Street.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 73532

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to J. D. Wier, 1029 Rosecrans Street, to connect a temporary sewer line from 1025 Rosecrans Street to an existing sewer line at 1029 Rosecrans, on Lots 11 and 12 Block 9 New Roseville, for use of temporary real estate offices at those addresses.

The City of San Diego shall not be liable for any damage caused by this permit, and said J. D. Wier, shall assume all responsibility for any such damage that may occur as a result of said connection.

#### R E S O L U T I O N NO. 73533

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby requested to find ways and means to apply to the County of San Diego for a city-County cooperative project for the construction of a bridge in the vicinity of Cottonwood and Rigel Streets. In the event that the Manager cannot secure a cooperative agreement with the County, the City shall do the work.

#### R E S O L U T I O N NO. 73534

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of Clifford V. Pool, 1853 Denver Street, for a Class A license to conduct public dance at 3911 Pacific Highway, on premises where intoxicating liquor is sold, is hereby granted, subject to compliance with existing regulations.



## R E S O L U T I O N NO. 73535

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving Panama Place for its entire length, contained in Document No. 326886, be and it is hereby granted. Type of pavement to be 4" asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

## R E S O L U T I O N NO. 73536

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Coast Electric Company, 744 "G" Street, filed in the office of the City Auditor & Comptroller on February 10, 1941, against The City of San Diego in the amount of \$20.95, claimed to be due on account of damage done to its automobile on February 3, 1941 at Third and "F" Streets by a City garbage truck, be, and the same is hereby allowed.

BE IT FURTHER RESOLVED that the City Auditor and Comptroller be, and he is hereby authorized and directed to make payment from the Small Claims Payment Fund of the sum of \$20.95, in full settlement of said claim, upon the delivery to said City Auditor and Comptroller of a duly executed release, the form of which shall be approved by the City Attorney.

## R E S O L U T I O N NO. 73537

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of I. Bueno, 2246 National Avenue, filed in the office of the City Auditor and Comptroller of said City on February 20, 1941, against The City of San Diego in the amount of \$9.05, claimed to be due on account of damage done to his car while it was parked, by one of the City's trucks, be, and the same is hereby allowed.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be, and he is hereby authorized to make payment from the Small Claims Payment Fund of the sum of \$9.05, in full settlement of said claim, upon the delivery to said City Auditor and Comptroller of a duly executed release, the form of which shall be approved by the City Attorney.

## R E S O L U T I O N NO. 73538

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of William F. Driggers, 3637 - 37th Street, filed in the office of the City Auditor and Comptroller of said City on February 21, 1941, against The City of San Diego in the amount of \$48.10, claimed to be due on account of damage done to his automobile when it ran into an open manhole at Upas Street and Pershing Drive on or about January 31, 1941, be, and the same is hereby denied.

## R E S O L U T I O N NO. 73539

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is authorized and directed to cause a cross-walk to be installed at the south side of Gravilla Street in La Jolla Boulevard, La Jolla.

## R E S O L U T I O N NO. 73540

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Allied Refrigeration, by R. J. Moran, Manager, 1342 F Street, for a loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a loading zone to be painted on the north side of F Street to extend between points eight feet and thirty-four feet west of the west line of 14th Street.

## R E S O L U T I O N NO. 73541

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Hollywood Laundry & Dry Cleaners, 1145 - 16th Street, for the enlargement of the existing loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a 23-foot addition to be painted on 16th Street to connect with the existing loading zone at the south end, in front of the Hollywood Laundry & Dry Cleaners.

## R E S O L U T I O N NO. 73542

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of San Diego City Schools, by R. C. Dailard, Business Manager, for the establishment of a loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a 50-foot loading zone to be painted on Utah Street to extend eighteen feet south and thirty-two feet north from the center of the Utah Street entrance to the Jefferson School.

## R E S O L U T I O N NO. 73543

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare an ordinance prohibiting the parking of automobiles on the north side of Russ Boulevard between 11th and 12th Avenues, as outlined in communication from the Traffic Commission bearing Document No. 327130.

## R E S O L U T I O N NO. 73544

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The existing cross-walk in Pacific Highway at the Administration Building of the United Air Lines be, and it is hereby discontinued.

The City Manager is hereby authorized to cause a cross-walk to be installed in Pacific Highway at Palm Street.

The San Diego Electric Railway Company is hereby authorized to install bus stops in Pacific Highway at Palm Street, and to discontinue the existing bus stops in front of the United Air Lines Administration Building in Pacific Highway.

## R E S O L U T I O N NO. 73545

BE IT RESOLVED by the Council of the City of San Diego, as follows:

A permit is hereby granted to Weldell E. Pickerl, 326 Broadway, to operate two sightseeing busses, under the name of Tanner-Gray Line, in accordance with application on file in the office of the City Clerk, bearing Document No. 326334.

## R E S O L U T I O N NO. 73546

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communications from Charles C. Crouch, under date of February 28, and the communication from Thomas Whelan, dated March 4, relative to a charter amendment to increase salaries of Councilmen, be, and they are hereby referred to Council conference, for consideration at the March 11, 1941, meeting.

## R E S O L U T I O N NO. 73547

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized and directed to install overhead street lights - 400 c.p. - at the following locations: Draper and Arena Streets; Estrella and Trojan Avenues; 44th and Landis Streets.

## R E S O L U T I O N NO. 73548

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of Harry Muns for certain repairs and construction at the Golf Club-house in Balboa Park, The City of San Diego, for the sum of \$5237.00 be, and the same is hereby accepted; and the contract for same is hereby awarded to said Harry Muns.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Harry Muns for furnishing of said repairs and construction, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

That the City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.

Approved as to form J. H. McKINNEY

## CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Feb. 24, 1941

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California

To be paid out of Fund 234 San Dieguito Dam Strengthening. Not to exceed \$5237.00.

## RESOLUTION OF AWARD NO. 73549

Alley in Block 6, Subdivision of Blocks 3, 6, 9 and 12, City Heights Annex No. 1, and Wightman Street.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 25th day of February, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72992, adopted by the Council on December 24, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK 6, SUBDIVISION OF BLOCKS 3, 6, 9 and 12, CITY HEIGHTS ANNEX NO. 1, and WIGHTMAN STREET, in the City of San Diego, California; within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To HARRY L. FOSTER, at the prices named in his bid, for said work; on file in the office of the Clerk of said City of San Diego, to-wit:

|   |         |
|---|---------|
| Excavation, per cubic yard,   | \$ 0.40 |
| Preparation of subgrade, per square foot  | \$ 0.01 |
| Pavement, per square foot,  | \$ 0.16 |
| 6" cast iron water main, with fittings, connections and appurtenances, laid, per lineal foot, | \$ 1.50 |
| 6" cast iron gate valve, with box and cover, as shown on the plans complete for the sum of    | \$21.00 |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

RESOLUTION OF AWARD NO. 73550  
Ivy Street

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 25th day of February, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 72991, adopted by the Council on December 24, 1940, and on file in the office of the City Clerk of said City for the grading, paving and construction of curb in IVY STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To R. E. HAZARD & SONS, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |           |
|---|-----------|
| Excavation, per cubic yard,               | \$ 0.55   |
| Embankment, per cubic yard,               | \$ 0.55   |
| Preparation of subgrade, per square foot, | \$ 0.0125 |
| Pavement, per square foot,                | \$ 0.119  |
| Curb, per lineal foot,                    | \$ 0.60   |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

R E S O L U T I O N NO. 73551

Directing Notice Inviting Sealed Proposals, Talmadge Park  
Lighting District No. 1.

BE IT RESOLVED By the Council of the City of San Diego, California, as follows:

That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

VAN DYKE AVENUE, between the southerly and northerly boundary lines of Talmadge Park;

TALMADGE DRIVE, for its entire length;

VAN DYKE PLACE, for its entire length; and

ADAMS AVENUE, between the westerly line of Talmadge Park and the southerly prolongation of the easterly line of Lot 184, Talmadge Park

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 1," filed January 11, 1941, in the office of the City Clerk of said City.

That The SAN DIEGO UNION, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

Mayor of The City of San Diego, California

FRED W. SICK

City Clerk of The City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy



## R E S O L U T I O N NO. 73552

Directing Notice Inviting Sealed Proposals, Talmadge Park  
Lighting District No. 2.

BE IT RESOLVED By the Council of the City of San Diego, California, as follows:  
That the City Clerk of the City of San Diego, California, be, and he hereby is,  
directed to publish for two days, in the newspaper hereinafter designated, in the manner  
and form required by law, notice inviting sealed proposals or bids for doing all of the fol-  
lowing work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights  
located on:

HART DRIVE, for its entire length;  
ARGOS DRIVE, for its entire length;  
ALDER PLACE, for its entire length; and

JEFFERSON STREET, between the westerly line of Talmadge Park Unit No. 2 and its  
termination in Alder Place.

Said furnishing of electric current shall be for a period of one year from and in-  
cluding April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifica-  
tions contained in the report of the City Engineer of said City, being document entitled,  
"Engineer's Report and Assessment for Talmadge Park Lighting District No. 2," filed January  
11, 1941, in the office of the City Clerk of said City.

That The SAN DIEGO UNION, a daily newspaper, published and circulated and of gen-  
eral circulation in said City of San Diego, is hereby designated as the newspaper in which  
said notice inviting sealed proposals for doing the said work, shall be published, in the  
manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California,  
this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of The City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council  
of the said City of San Diego, at the time and by the vote above stated.

FRED W. SICK

(SEAL)

City Clerk of The City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION CHANGING GRADE NO. 73553

Palm Street

WHEREAS, all the acts and things required by law to confer jurisdiction upon the  
Council of The City of San Diego, California, to order the change of the grade of PALM  
STREET, between the northeasterly line of Kettner Boulevard and the southwesterly line of  
California Street, as described in Resolution of Intention No. 72580, on file in the office  
of the City Clerk of said City, have been done, and no protests against such proposed change  
or modification of grade having been filed with the Clerk of said Council within the time  
provided by law; NOW, THEREFORE,

BE IT RESOLVED, that the Council of The City of San Diego, California, hereby  
orders the change and modification of the grade of said Palm Street, between the above des-  
cribed limits, to be made as proposed by and described by reference in said Resolution of  
Intention; also, as shown on that certain map entitled, "MAP SHOWING OFFICIAL PROPERTY LINE  
GRADES TO BE CHANGED ON PALM STREET between the northeasterly line of Kettner Boulevard and  
the southwesterly line of California Street," signed by H. W. Jorgensen, City Engineer, and  
filed under Document No. 323929 in the office of the City Clerk of the City of San Diego,  
California, October 22, 1940.

And the grade of said Palm Street, between the points shown on said map herein-  
before mentioned, shall have a uniform ascent and descent.

All of said grade elevations to be above the datum line of levels, as fixed by  
Ordinance No. 3950 of the ordinances of said City.

That the San Diego Union, a daily newspaper published and circulated, and of gen-  
eral circulation, in the said City of San Diego, be, and it is hereby designated as the  
newspaper in which this resolution ordering change of grade shall be published for two days,  
in the manner and by the persons required by law.

That the Clerk of the said City of San Diego be, and he is hereby directed to cause  
this resolution ordering change of grade to be published by two insertions in said daily  
newspaper in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California,  
this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council  
of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION CHANGING GRADE NO. 73554

Vine Street

WHEREAS, all the acts and things required by law to confer jurisdiction upon the  
Council of The City of San Diego, California, to order the change of the grade of VINE STREET,  
between the southwesterly line of Kettner Boulevard and the Mean High Tide Line of San Diego  
Bay, as described in Resolution of Intention No. 72581, on file in the office of the City  
Clerk of said City, have been done, and no protests against such proposed change or modifi-  
cation of grade having been filed with the Clerk of said Council within the time provided

by law; NOW, THEREFORE,

BE IT RESOLVED, that the Council of The City of San Diego, California, hereby orders the change and modification of the grade of said Vine Street, between the above described limits, to be made as proposed by and described by reference in said Resolution of Intention; also, as shown on the certain map entitled, "MAP SHOWING OFFICIAL PROPERTY LINE GRADES TO BE CHANGED ON VINE STREET between the southwesterly line of Kettner Boulevard and the Mean High Tide Line of San Diego Bay," signed by H. W. Jorgensen, and filed under Document No. 323930 in the office of the City Clerk of the City of San Diego, California, October 22, 1940.

And the grade of said Vine Street, between the points shown on said map hereinbefore mentioned, shall have a uniform ascent and descent.

All of said grade elevations to be above the datum line of levels, as fixed by Ordinance No. 3950 of the ordinances of said City.

That the San Diego Union, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper in which this resolution ordering change of grade shall be published for two days, in the manner and by the persons required by law.

That the Clerk of the said City of San Diego be, and he is hereby directed to cause this resolution ordering change of grade to be published by two insertions in said daily newspaper in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION ORDERING IMPROVEMENT NO. 73555

Talmadge Park Lighting District No. 3

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City, and therefore the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

44TH STREET, between the southerly line of Talmadge Park Unit 3 and its termination in Highland Avenue;

HIGHLAND AVENUE, between the southerly line of Talmadge Park Unit 3 and its termination in 44th Street;

45TH STREET, between the northerly line of Monroe Avenue and the southerly line of Lot 464, Talmadge Park Unit 3;

MAX DRIVE, for its entire length;

MONROE AVENUE, between Fairmount Avenue and 47th Street;

47TH STREET, between Monroe Avenue and the northerly line of Talmadge Park Unit 3;

NORMA DRIVE, for its entire length;

CONSTANCE DRIVE, for its entire length;

NATALIE DRIVE, for its entire length;

ADAMS AVENUE, between Natalie Drive and the easterly line of Talmadge Park Unit 3, produced southerly.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 3," filed January 11, 1941, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 25th day of February, 1941, said Council did by Resolution No. 73469 confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement, heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 3," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district, more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego, the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEERBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## RESOLUTION ORDERING IMPROVEMENT NO. 73556

Talmadge Park Lighting District No. 4

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City; and therefore the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

JEAN DRIVE, for its entire length;

ADAMS AVENUE, between the westerly and the easterly lines of Talmadge Park Estates;

MADISON AVENUE, between the westerly and the easterly lines of Talmadge Park

Estates;

MONROE AVENUE, between the westerly and the easterly lines of Talmadge Park

Estates;

47TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;

EUCLID AVENUE, between the south line of Talmadge Park Estates and Adams Avenue;

48TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;

ESTRELLA AVENUE, between the south line of Talmadge Park Estates and Adams Avenue;

49TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;

MIRACLE DRIVE, for its entire length; and

LORRAINE DRIVE, for its entire length.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 4," filed January 11, 1941, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 25th day of February, 1941, said Council did by Resolution No. 73468 confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement, heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 4," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district, more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego, the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION NO. 73557

Approving Engineer's Report and Fixing Time and Place for Hearing

Thereon-Portion of Laurel Street.

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 24th day of February, 1941, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of LAUREL STREET, between the south westerly line of Kettner Boulevard and the Mean High Tide Line of the Bay of San Diego, in the City of San Diego, California, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 9th day of April, 1941, at 10:00 o'clock in the forenoon of said day and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy



R E S O L U T I O N NO. 73558  
SPECIAL ASSESSMENT PROCEEDINGS FOR THE IMPROVEMENT  
OF THE ALLEY IN BLOCK 47, UNIVERSITY HEIGHTS.

WHEREAS, this Council did by its Resolution No. 73142, do and determine all the things required by Sections 2 and 13 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and

WHEREAS, the owners of more than fifteen per cent of the area of the proposed assessment district, as described in said Resolution No. 73142, did by their return post cards demand the investigation provided for by said Act; NOW, THEREFORE,

BE IT RESOLVED by this Council that it be, and it is hereby determined that the owners of more than fifteen per cent of the area of said assessment district by their return post cards did demand the making of the investigation as provided by said Act.

BE IT FURTHER RESOLVED, that the City Engineer of said City be, and he is hereby authorized and directed to prepare a written report upon the proposed improvement of the ALLEY IN BLOCK 47, UNIVERSITY HEIGHTS, between the south line of Madison Avenue and the north line of Monroe Avenue, in the City of San Diego, California, which report shall contain, in addition to the matters mentioned in Section 2 of said Act, the following information, to-wit:

- A. Map, plat or diagram showing:
  1. The nature, location and extent of the improvement.
  2. Each separate lot or parcel of land to be assessed.
- B. The total estimated improvement cost:
  1. Incidental expenses to be separately shown.
  2. Cost of each class of construction must be separately shown.
- C. Assessed value as per latest equalized County Assessment Roll.
  1. Of each parcel to be assessed.
  2. The total assessed value of lands to be assessed.
- D. The total assessed value of improvements within the district.
- E. Total true value of all lands to be assessed, determined as per Section 2 of said Act.
- F. The true value of each parcel of the lands to be assessed.
- G. The per parcel, and the total outstanding special assessments (exclusive of interest and penalties); showing:
  1. Direct special assessments (as under 1911 Street Act).
  2. Unpaid, levied advalorem special assessments.
- H. Unlevied advalorem special assessments which will be levied upon each parcel of land to be assessed to pay principal of bonds theretofore issued.
  1. Estimated on each parcel of land to be assessed.
  2. Total estimated amount of such special assessments upon all the lands to be assessed. Said estimates to be proportioned according to the assessed value on said last equalized assessment roll, and also proportioned according to zones (if any), and the percentages of such zones.
- I. Estimated direct and advalorem special assessments in all proceedings in which a resolution ordering work has been adopted, but assessment unlevied, showing:
  1. Such estimates against each parcel of land to be assessed.
  2. Total upon all the parcels of land to be assessed. The advalorem assessments to be computed in the manner provided in paragraph (1) of Section 3 of said Limitation Act.
- J. Estimated assessments to be levied in this proceeding as follows:
  1. Estimated assessments upon each parcel of land to be assessed.
  2. Total assessment to be levied upon all the lands to be assessed.
- K. Serial bonds to be issued to represent assessments of \$25.00 or over.
  1. Number of years to run.
  2. Actual rate of interest.

The full report to be made in conformity with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and particularly with Section 3 thereof, and delivered to the Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73559

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving Santa Clara Place, as particularly described in Resolution of Intention No. 72794 and to be assessed to pay the expenses thereof.

R E S O L U T I O N NO. 73560

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is herewith directed to advertise for the purchase of not less than 1000 parking meters, installed at designated locations on the streets of the City of San Diego, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 327070.

Approved as to form H. B. DANIEL

R E S O L U T I O N NO. 73561

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That any liability under the bond of Imle L. Eno executed by the said Imle L. Eno and the Fidelity & Casualty Company of New York to The City of San Diego, dated February 12, 1940, for any acts of said Imle L. Eno in the performance of his duty as District Water Bill Collector, Pacific Beach, on and after March 1, 1941, be considered as not covered by the

terms of said bond; and that from and after said date of March 1, 1941, said Fidelity & Casualty Company of New York as surety, be released from future liability for any act committed by the said Imle L. Eno, subsequent to said date.

Approved as to form J. H. McKINNEY

#### RESOLUTION NO. 73562

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of the Union Title Insurance and Trust Company, executed in favor of The City of San Diego, bearing date February 10, 1941, conveying to said City an easement and right of way for the construction, operation and maintenance of drain pipes or conduits and incidents thereto, and to maintain earth material embankment slopes, through, along and across portions of Lot One in Block Three of Islenair Unit No. 1, according to Map thereof No. 1898, filed for record in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73563

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Fredric Lynn Weaver and Betty K. Weaver, executed in favor of the City of San Diego, bearing date February 21, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across Lots 13, 14 and 15, in Block 26 of Middletown Addition, according to Partition Map thereof made in the case of Roark, et al., v. Forward, et al., and on file in the office of the County Clerk of sand San Diego County (see Civil Case No. 5014 in the Superior Court of San Diego County), be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73564

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Annie L. Martin, also known as Mrs. Annie Martin, and Daniel J. Martin, executed in favor of The City of San Diego, bearing date January 29, 1941, conveying to said City an easement and right of way for street purposes through, along and across portions of Lots 31 and 32, Granada Tract, according to the Map thereof No. 1191, filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the lands therein conveyed are hereby set aside and dedicated to the public use as and for a public street, and the same are hereby named EUCLID AVENUE;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73565

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor of said City be, and he is hereby authorized and directed to transfer the sum of \$19.00 from Maintenance and Support (121, Janitor supplies), GD-Division of Public Buildings, Department of Public Works Fund, to Outlay, (553-4, New Work-Police Station), GD-Division of Public Buildings, said Department of Public Works Fund.

Approved as to form by H. B. DANIEL

#### RESOLUTION NO. 73566

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Health Department of said City be, and it is hereby authorized and directed to accept the following installation of sinks at the buildings being erected on the block bounded by Fifth Avenue, Fir Street, Sixth Avenue and Grape Street:

One 16 x 20 x 6 sink P 7020 with B989 cup strainer, Standard Catalog; and  
One 16 x 20 x 12 sink P 7760 with B999 strainer, Standard Catalog,

on a twin waste similar to the one provided for in Section 163 of Ordinance No. 11648 of the ordinances of said City.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Approved MAR 3 1941 WALTER W. COOPER City Manager

#### RESOLUTION NO. 73567

WHEREAS, in accordance with the provisions of Section 203 of the Streets and Highway Code, the Department of Public Works of the State of California shall expend or cause to be expended within the cities of the State from the State Highway Fund, an amount equal to the net revenue derived from the quarter-cent per gallon of tax on motor vehicle fuel upon State highways as are agreed upon by the Department and the legislative bodies of the cities of this State; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized to execute and forward to the Division of Public Works of the State of California the project statement for the expenditure of the Quarter Cent Fund on State Highways, within the limits of the City of San Diego, covering the improvement of said State Highways within said City, as set forth in Document No. 327111, on file in the office of the City Clerk of said City.

BE IT FURTHER RESOLVED, that the City Clerk of said City be, and he is hereby authorized and directed to forward a certified copy of this resolution to the Secretary of the California Highway Commission of the State of California.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

# R E S O L U T I O N NO. 73568

WHEREAS, Wilma Hudson is desirous of leasing certain lands and dwelling thereon owned by The City of San Diego, hereinafter described, for residential purposes; and WHEREAS, the property proposed to be leased is described as follows:

That certain dwelling house located on Lot A, Block 220, Horton's Addition, in the City of San Diego, County of San Diego, State of California, known as 1769 Front Street;

and

WHEREAS, said property is not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$5260.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with Wilma Hudson for said above-described premises for a period of two years, commencing on the 1st day of April, 1941, and ending on the 31st day of March, 1943, at a rental of Forty Dollars (\$40.00) per month, payable monthly in advance; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

Presented by WALTER W. COOPER

## L E A S E

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the City Manager, as Lessor, and WILMA HUDSON, as Lessee, WITNESSETH:

That the City, Lessor as aforesaid, does by these presents lease, demise and let unto the said Lessee, upon the terms and conditions hereinafter recited, that certain dwelling house located on Lot A, Block 220, Horton's Addition, in the City of San Diego, County of San Diego, State of California, known as 1769 Front Street, for a term of two (2) years, beginning on the 1st day of April, 1941, and ending on the 31st day of March, 1943, at the following rentals: Forty Dollars (\$40.00) payable on the 1st day of April, 1941, and Forty Dollars (\$40.00) per month thereafter, payable in advance on the 1st day of each month during said term.

It is expressly understood and agreed by and between the parties hereto that this lease is upon the following conditions and covenants, all of which the Lessee hereby covenants and agrees to and with the Lessor fully to observe, keep and perform.

(1) That the above described premises are leased to said Lessee for residential purposes only, and for no other purpose or purposes.

(2) That this lease shall not be assigned or transferred, nor shall the said Lessee have the right to sublet the leased premises without the consent in writing of the Council of said City.

(3) That the Lessee accepts the premises in the condition that the same now are, and that the Lessor shall not be required to make any repairs, alterations or improvements of any character whatsoever thereto or thereupon.

(4) The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same; but the City shall not be required to furnish any water on said premises, except for domestic purposes, where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series).

(5) That the Lessee shall maintain the leased premises in good repair and tenantable condition during the continuance of this lease, and shall at the expiration of this lease surrender the same to the Lessor in as good condition as reasonable and proper use thereof will permit, damage by the elements alone excepted.

(6) That in case of a violation by the Lessee of any of the terms and conditions of this lease, the Lessor may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the Lessee and for its account.

IN WITNESS WHEREOF, said City Manager has hereunto subscribed his name as and for the act of said City, and the Lessee has hereunto subscribed her name, the day and year first hereinabove written.

THE CITY OF SAN DIEGO,  
By \_\_\_\_\_ City Manager  
\_\_\_\_\_  
Lessee

I hereby approve the form of the foregoing Lease this \_\_\_\_\_ day of March, 1939.

D. L. AULT, City Attorney  
By \_\_\_\_\_ Deputy City Attorney

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



R E S O L U T I O N NO. 73569  
A RESOLUTION PROPOSING AND SUBMITTING TO THE ELECTORS OF THE CITY  
OF SAN DIEGO, AT THE REGULAR MUNICIPAL ELECTION CALLED FOR TUESDAY,  
THE 22ND DAY OF APRIL, 1941, CERTAIN PROPOSITIONS TO AMEND THE  
CHARTER OF THE CITY OF SAN DIEGO.

BE IT RESOLVED By the Council of The City of San Diego, as follows:

Pursuant to the provisions of Section Eight of Article Eleven of the Constitution of the State of California, the Council of The City of San Diego, being the legislative body of said City, hereby proposes and submits to the qualified electors thereof, to be voted on at the regular Municipal Election ordered, called and proclaimed for Tuesday, the 22nd day of April, 1941, the following propositions to amend the present Charter of said City:

PROPOSITION I.

Amend Sections 8, 9 and 10, Article II, of the Charter of The City of San Diego, so as to read as follows:

"Section 8. ELECTION CODE. Within ninety (90) days after this amendment has been ratified by the State Legislature the Council shall adopt an election code ordinance, providing an adequate and complete procedure to govern municipal elections, including the nomination of candidates for all elective offices. All elections provided for by this charter, whether for choice of officers or submission of questions to the voters, shall be conducted in the manner prescribed by said election code ordinance."

"Section 9. NOMINATIONS. Nominations of candidates for all elective offices shall be made in the manner prescribed by the election code ordinance provided for in Section 8 of this article."

"Section 10. ELECTIONS. The regular municipal primary election shall be held on the second Tuesday in March in each odd-numbered year, and the general municipal election shall be held on the third Tuesday in April of the same year, or, if either of these days fall on a legal holiday, then the election shall be held on the next succeeding day which is not a legal holiday. All other municipal elections which may be held under this charter shall be known as special municipal elections."

At the municipal primary election there shall be chosen by the electors of each Council District two candidates for the office of any councilman from a district whose term expires the succeeding May.

There shall be chosen by all of the electors of the City not more than twice the number of candidates necessary to fill any office of any other officer whose term expires the succeeding May.

In the event that any candidate, other than council candidates, for nomination to any office for which only one person is to be elected, shall receive a majority of the votes cast for all the candidates for nomination to such office at such primary election, the candidate so receiving such majority of votes shall be deemed to be, and declared by the Council to be, elected to such office; provided, that in the case of candidates for the office of Member of the Board of Education elected at large, the candidates therefor equal to or less than the number of such offices, for which nominations are made, who receive the votes of more than one-half of the qualified electors voting at such election, shall be deemed to be, and declared by the Council to be, elected to such office.

At the general municipal election the electors of the whole City shall select from among the candidates chosen at the primary election in each district one candidate for the office of the Councilman whose term expires the succeeding May, and there shall be chosen by all of the electors of the whole City from among the candidates chosen at the primary one candidate to succeed any other elective officer whose term expires in May succeeding the election.

The Council shall meet at its usual place of meeting at an hour previously determined, upon the second day next succeeding the date of each and every municipal election. The Council shall then and there by resolution duly adopted and entered on its minutes order the canvass made immediately by the City Clerk. The Council need not be in session during the time the canvass is being made by the City Clerk. The Council may appoint several sets of clerks to perform the clerical work of the canvass and to assist the City Clerk in canvassing the returns. The several sets of clerks so appointed may, under the order and direction of the City Clerk, perform their duties in the canvassing of the returns simultaneously. The canvass shall be made in public, and by opening the returns and determining the vote of the City for each person voted for and for and against each measure voted upon at the election, and declaring the result thereof. The canvass shall be continued daily, Sundays and holidays excepted, for not less than six hours each and every day until completed.

The City Clerk shall certify the results of the canvass to the Council, and the Council shall cause to be entered on its record a statement showing:

- (a) The whole number of votes cast in the City;
- (b) The names of the persons voted for;
- (c) The measures voted upon;
- (d) What office each person was voted for;
- (e) The number of votes given in the City to each person and for and against each measure;
- (f) A statement that the number of votes given in each precinct to each person, and for and against each measure, are recorded in the election returns book, which book is hereby authorized and shall be considered as a part of the record of the Council.

The results of the canvass shall be immediately made public.

After the result of an election for any office is declared, or when an appointment is made, the City Clerk, under his hand and official seal, shall issue a certificate therefor, and shall deliver the same immediately to the person elected or appointed, and such person must within ten days after receiving such certificate file his official bond, if one be required for his office, and take and subscribe to the oath of office required of him by this Charter, which oath must be filed with the City Clerk."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

PROPOSITION II.

Amend Section 12, Article III, of the Charter of The City of San Diego, so as to read as follows:

"Section 12. THE COUNCIL. The Council shall be composed of seven (7) Councilmen, including the Mayor, and shall be the legislative body of the City, each of the members of which, including the Mayor, shall have the right to vote upon all questions before it."

Councilmen, including the Mayor, shall be elected at a general municipal election held in the odd numbered years and, except as hereinafter provided, shall hold office for the term of four years from and after the first Monday after the first day of May next succeeding their election and until their successors are elected and qualified.

At the first election held after this Charter takes effect there shall be elected a Mayor, whose term of office shall expire May 6, 1935, and one Councilman from each of the six (6) Districts as provided in Article II of this Charter. At the first meeting of the Council held for organization under this Charter, the Councilmen elected from the six Districts shall draw lots to determine which three (3) Councilmen shall retire on May 6, 1935, and which three Councilmen shall retire on May 8, 1933. Thereafter there shall be elected at each general municipal election according as their respective terms of office expire either four Councilmen, including the Mayor, or three Councilmen.

Any vacancy occurring in the Council shall be filled from the District in which the vacancy occurs by appointment by the remaining Councilmen; but in the event that said remaining Councilmen fail to fill such vacancy by appointment within thirty (30) days after the vacancy occurs, they must immediately cause an election to be held to fill such vacancy; provided, however, that any person appointed to fill such vacancy shall hold office only until the next regular municipal election, at which date a person shall be elected to serve for the remainder of such unexpired term.

In case a member of the Council is absent from the City for a period of forty (40) days, unless by permission of the Council, his office shall be declared vacant by the Council and the same filled as in the case of other vacancies.

Each Councilman shall receive as compensation the sum of twelve hundred dollars (\$1200.00) per year, payable in semi-monthly installments. The compensation or salary of each Councilman may be changed at any time by a majority vote of the qualified electors of the City at either a special or general municipal election. The compensation herein provided for shall be payable to each Councilman in office at the time of the ratification of this amendment by the State Legislature until the expiration of the term for which he was elected.

No Councilman shall be eligible during the term for which he was appointed or elected to hold any other office or employment with the City, except as Mayor and a member of any Board, Commission or Committee thereof, of which he is constituted such a member by general law or by this Charter."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION III.

Amend Section 17, Article III, of the Charter of The City of San Diego, so as to read as follows:

"Section 17. WHEN ORDINANCES AND RESOLUTIONS TAKE EFFECT. - EMERGENCY MEASURES. Ordinances making the annual tax levy, the annual appropriation ordinances, ordinances calling or relating to elections, and emergency measures, shall take effect at the time indicated therein. All other ordinances passed by the Council shall take effect at the time indicated therein, but not less than thirty days from the date of their passage. Ordinances adopted by vote of the electors shall take effect at the time indicated therein, or, if no time be specified, then thirty days after their adoption. An emergency measure is an ordinance to provide for the immediate Preservation of the public peace, property, health, or safety, in which the emergency claimed is set forth and defined in the preamble thereto. The affirmative vote of at least five members of the Council shall be required to pass any ordinance as an emergency measure. No measure making or amending a grant, renewal or extension of a franchise or other special privilege shall ever be passed as an emergency measure. No situation shall be declared an emergency by the Council except as defined in this section, and it is the intention of this Charter that compliance with such definition shall be strictly construed by the courts.

Resolutions shall become effective immediately upon their passage, unless otherwise stated therein."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION IV.

Amend Section 23, Article III, of the Charter of The City of San Diego, so as to read as follows:

"Section 23. INITIATIVE, REFERENDUM AND RECALL. The right to recall municipal officers and the powers of the initiative and referendum are hereby reserved to the people of the City. Ordinances may be initiated; and referendum may be exercised on any ordinance passed by the Council, except an ordinance which by the provisions of this charter takes effect immediately upon its passage; and any elective officer may be recalled from office. The Council shall include in the election code ordinance required to be adopted by Section 8, Article II, of this charter, an expeditious and complete procedure for the exercise by the people of the initiative, referendum and recall, including forms of petitions; provided that the number of signatures necessary on petitions for the initiation of an ordinance for the consideration of the Council shall be three per cent of the registered voters of the City at the last general City election; that for the direct submission of a measure to the people it shall require a petition signed by ten per cent of the registered voters of the City at the last general City election; that for a referendum upon an ordinance passed by the Council it shall require a petition signed by five per cent of the registered voters of the City at the last general City election; and that for the recall of an elected officer it shall require a petition signed by fifteen per cent of the registered voters of the City at the last general City election."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION V.

Amend Section 53, Article V, of the Charter of The City of San Diego, so as to read as follows:

"Section 53. WATER DEPARTMENT. There shall be included in the administrative organization of the City a separate department to be known as the Water Department. The Department shall consist of three divisions or bureaus, viz., the Division of Development and Conservation, the Division of Distribution, and the Division of Accounts.

(a) The Manager shall appoint a competent hydraulic Engineer, who shall have charge of the Division of Development and Conservation and of such subordinate officers and employees in said Division as shall be authorized by ordinance. This Division shall have charge of all matters and things connected with, incidental or necessary to the development and conservation of water, and also of the conveyance and delivery of water to the distributing system of the City and to such consumers as are authorized to receive water from the City along the line of its supply.

(b) The Manager shall appoint a Superintendent of Distribution in the Water Department and such subordinate officers and employees as may be authorized by ordinance. This Division shall have charge of the distributing system of the City both within and without the territorial boundaries of the City, and of the actual distribution of water to the consumer, including the construction and maintenance of water mains, services and meters used in the distribution of water to the consumer. The Council shall from time to time establish a schedule of charges for water delivered by the City to the consumer, classified according to the purpose for which and the quantity of water used. Each such schedule shall be general in its application, and shall apply to all consumers. All Departments of the City using water from the distributing system shall pay for the same at the same rates as other consumers.

(c) The City Manager shall appoint a qualified accountant who shall have charge of the Division of Accounts and of such subordinate officers and employees in said Division as shall be authorized by ordinance. This Division shall have charge of all accounts and records required to be kept and maintained by Section 109 of this Charter with respect to said Water Department.

(d) The Council must provide an adequate sum in the annual appropriation ordinance for the proper maintenance of the Department. In addition thereto, the Council shall levy annually a tax sufficient to provide for the redemption of municipal bonds heretofore or hereafter issued for water purposes, together with a sum sufficient to pay the interest thereon. The amount of money necessary to be raised each year for the redemption of water bonds and the payment of interest thereon and for the retirement of any other funded or contractual indebtedness incurred by purchase or otherwise for the development, conservation or distribution of water shall be charged annually against the Water Department on the accounts of the City. All revenues, except such as have been heretofore appropriated by contract to some specific purpose, in excess of the amount necessary for the maintenance and operation of such Water Department shall be transferred monthly to the General Fund of the City and shall be available thereafter for use for any legal City purposes, and all such surplus funds so transferred shall be credited on the accounts of the City as a reimbursement credit for the monies paid by the City each year for the redemption of water bonds and the payment of interest thereon. Such accounts shall be kept by the City Auditor and Comptroller until such water bonds have been actually redeemed.

(e) The Manager shall appoint an Advisory Commission of three citizens who have knowledge of water development problems, to advise with the City Manager and the Council on plans for future water development.

(f) The Council shall have power to employ special counsel for the purpose of advising and representing the City in all matters, proceedings and things relating to or concerning the development, impounding and distribution of water.

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION VI.

Amend Section 54, Article V, of the Charter of The City of San Diego, so as to read as follows:

##### "Section 54. HARBOR DEPARTMENT.

(a) The Mayor, with the approval of the Council, shall appoint three electors of the City as members of the Harbor Commission, one to serve for two years, one for three years, and one for four years. Thereafter, members of the Harbor Commission shall be appointed to serve for four years and until their successors have been appointed and qualified. The members of the Harbor Commission in office at the time this Charter becomes effective shall remain in office until their successors are appointed and qualified. The Council may at any time by a vote of at least five (5) of their members remove from office any or all of said Harbor Commissioners. The members of the Harbor Commission shall serve without pay.

(b) The Harbor Commission is vested with jurisdiction and authority to exercise in the name of The City of San Diego such powers as are prescribed by general laws now in force and hereafter enacted, together with such additional powers and duties as may be prescribed by ordinance, this Charter, or the laws of the United States. The Commission shall have jurisdiction, supervision, management and control of the Bay of San Diego fronting upon The City of San Diego and within the jurisdiction of said City, including all tide and submerged lands, whether filled or unfilled, situated below the line of mean high tide within the limits of said City, except, however, such tide and submerged lands which have heretofore or which hereafter may be transferred to the exclusive control of the United States and excepting further such other land as may by vote of the people or act of the State Legislature be transferred to a purpose and use inconsistent with commerce, navigation and fisheries.

(c) The Harbor Commission shall have power to adopt, with the approval of the Council by ordinance, such rules and regulations as may be necessary to exercise and carry out the powers and duties prescribed by this Charter for said Harbor Commission.

(d) The Harbor Commission, subject to the Civil Service provisions of this Charter, shall appoint a Port Director, together with such other officers, employees and subordinates as may be necessary in the judgment of said Harbor Commission to carry out the duties prescribed by this Charter for said Harbor Commission and for the promotion of commerce, navigation and fisheries. All such offices and employments shall be created by ordinance upon the direct recommendation of the Harbor Commission. The Harbor Commission shall also have authority and power to employ legal counsel whenever in the judgment of said Commission such employment is necessary.

(e) The Port Director shall be the chief administrative officer of the Harbor Commission, and he shall exercise such powers and perform such duties as may be prescribed by the Harbor Commission. In addition to any duties imposed by the Harbor Commission and this Charter the Port Director shall also perform such duties as may be imposed upon harbor masters, port directors and administrative heads of harbors and ports by State or Federal law.

(f) The Council shall appropriate each fiscal year until the fiscal year 1948-1949, the sum of \$150,000.00 in the Annual Appropriation Ordinance for the use of



the Harbor Commission on harbor improvements. This sum so appropriated annually, together with such portions of the revenues and receipts of the department as may not be needed for operating expenses, shall be placed in a trust fund in the City Treasury, and expended by the Harbor Commission for capital purposes only in the development of the harbor of San Diego and of tidelands heretofore or hereafter granted to The City of San Diego by the State of California. When the harbor has been fully developed all such funds which are not necessary for the maintenance and operation of said department shall be placed in the general fund of the City and thereafter used for any lawful purpose.

(g) The Harbor Commission shall have authority to lease tidelands for such terms and upon such terms and upon such conditions as may be authorized by law; provided, however, that no lease of any tidelands within the jurisdiction of the City for a term longer than one year shall be valid unless said lease shall have been confirmed by the Council.

(h) Any municipal air ports now established or which may hereafter be established on the tidelands shall be under the control and supervision of the Harbor Commission until such time as the Council by ordinance shall create a Department of Aviation under the Manager, at which time the Council may provide in such ordinance for the control, regulation and supervision of municipal air ports by the Department of Aviation.

(i) And all matters concerning the development of the Harbor of San Diego in which the Planning Commission of The City of San Diego shall have an interest, and which relate to the planning and zoning of The City of San Diego, shall be referred by the Harbor Commission to the Planning Commission for recommendation before final action is taken thereon. In the event of a disagreement between the Harbor Commission and the Planning Commission concerning such proposed development, the matter shall be referred to the Council, whose decision on such development shall be final.

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION VII.

Amend Section 55, Article V, of the Charter of The City of San Diego, so as to read as follows:

"Section 55. PARK DEPARTMENT. The Park Department shall consist of the Park Division, the Cemetery Division and the Street Trees Division.

The Manager shall appoint a Park Commission of three members whose powers shall be as prescribed in Section 43.

The Manager shall appoint a Park Director, who, in turn, shall appoint a Superintendent of Cemeteries, and a Superintendent of Street Trees.

The Park Director shall, subject to the advice of the Manager, supervise the administration of the affairs of the Cemetery and Street Trees Divisions and shall, in addition, be the executive officer and director of activities of the Park Division.

(a) The Park Department shall have the control and management of the parks, parkways, plazas, cemeteries and street trees of the City. The Council shall by ordinance adopt regulations for the proper use and protection of park property, and provide penalties for violations thereof.

The Manager is charged with the enforcement of such regulations.

All real property heretofore or hereafter designated or set aside for park, recreation or cemetery purposes shall not be used for any but park, recreation or cemetery purposes without such changed use or purpose having been first authorized or permitted in such manner as is prescribed by the laws of the State of California in such cases and until such changed use or purpose is first authorized or ratified by a vote of two-thirds of the qualified electors of the City voting at an election for that purpose. Provided, however, that whenever the Council deems it to be for the best interests of the City, the Council may authorize the City Manager to enter into leases or contracts or let concessions, upon such terms and conditions as the Council shall prescribe, for the use and operation of the City Stadium in Balboa Park and for the use and operation of City-owned equipment and facilities of an amusement character located in the parks of the City, together with buildings and space therein necessary and convenient for the operation of the same.

The Park Director shall have the power, with the approval or on the recommendation of the Manager, and when not inconsistent with the proper park development or use, to permit the use by the Playgrounds and Recreation Department of suitable and convenient areas in any of the parks in the City for playgrounds, recreation centers or recreation camps.

The Park Director shall have all other powers conferred upon Boards of Park Commissioners by general laws, but the people may by a two-thirds vote modify such laws so as to designate boulevards, streets and highways in the parks and parkways as part of the public street and road system of the City and give to the Manager supervision over the construction, repair and maintenance thereof.

(b) THE CEMETERY DIVISION shall, subject to the advice of the Park Director, be charged with the management, control, preservation, regulation, improvement and embellishment of all public burial grounds and cemeteries belonging to the City, and the sale of lots therein.

The net proceeds from the sale of such lots shall be deposited with the City Treasurer to be placed in the Cemetery Perpetuity Fund.

The Cemetery Perpetuity Fund shall be administered by the Funds Commission and shall be vested in such income producing securities as the Funds Commission may decide; the principal of the Perpetuity Fund (subject to such accretion or diminution as may result from investing the same), shall not be available for meeting expenses of maintenance or upkeep of any nature whatsoever, but the income derived from such investment shall be transferred to the control of the Cemetery Division to be expended in the maintenance and upkeep of the Cemeteries.

The Cemetery Division shall have the power to construct, maintain and operate crematories, chapels and such other adjuncts as properly pertain to cemeteries, in so far as available funds will permit.

(c) THE STREET TREES DIVISION shall, subject to the advice of the Park Director, have charge of the planting, maintaining, and removal of trees along the streets and boulevards of the City.

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION VIII

Amend Section 77, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 77. SPECIAL TAX LEVY. In addition to the taxes herein or by general law authorized to be levied and collected in an amount sufficient to pay the bonded indebtedness of the City, and subject to the limitation of Section 76 of this Article, the Council shall have the power to levy and collect a tax at the rate of not more than five cents on each one hundred dollars of the assessed valuation during any one fiscal year, for the acquisition and construction of permanent improvements, real property, public buildings and structures and public offices, including equipping and furnishing of the same. Provided, however, that said amount of five cents may be increased by a vote of two-thirds of the electors voting on the proposition, but not to exceed the amount limited by said Section 76."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION IX.

Amend Section 77a, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 77a. The Council shall levy annually, in addition to all other taxes provided for in this Charter, not less than two cents (\$.02) on each one hundred dollars (\$100.00) of the assessed valuation of the real and personal property within the City, to be used exclusively for the maintenance in Balboa Park of zoological exhibits.

Whenever the Council deems it to be for the best interests of the City, the Council may enter into a contract, upon such terms and conditions as the Council may prescribe, for the maintenance in Balboa Park of zoological exhibits, with any organization formed primarily for the purposes of maintaining zoological gardens and zoological exhibits and conducting general zoological work; and may make available to such organization the proceeds of the special tax levy provided for in this section."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION X.

Amend Section 86, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 86. DISPOSITION OF PUBLIC MONEYS. All City officials and employees empowered to collect money for fees, permits, licenses, inspections, services, taxes or other municipal charges, shall collect the same promptly at the time they become due, turn them into the City Treasury daily, obtain a receipt therefor, and report the same to the City Auditor and Comptroller weekly; provided, however, that in the case of employees located in distant parts of the city or county who in the course of their duties collect money belonging to the City, which collections can be deposited in the City Treasury daily only with difficulty and undue cost to the City, such collections may be deposited in the City Treasury within one week after their receipt by the employee collecting the same. All such moneys and all fines or pecuniary penalties or forfeitures which may accrue to the City, and all funds which may remain in the possession of the City unclaimed after a period of one year from the date when due and payable, shall be credited to the general fund of the City, and shall be applicable to any purpose to which the Council may appropriate them and the Council shall appropriate from this fund whatever sum may be necessary to pay valid claims of more than one year's standing."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION XI.

Amend Section 95, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 95. PREFERENCE IN ACCEPTING BIDS. Any board, officer, commission or department empowered by this Charter to award contracts for goods, wares, merchandise, stores, supplies, drugs, subsistence, materials, equipment, tools, or other products of industry or manufacture, the cost or expense of which is to be paid by the City or any board, office, commission or department thereof, may award a contract for the purchase, sale and furnishing thereof to a regular bidder other than the lowest responsible bidder therefor, when, in the judgment of such awarding board, officer, commission or department, the best interests of the City and the public policy relating to the general welfare will be subserved thereby, and when the bidder specifies in his bid the following terms and conditions to be observed in the execution of the contract and he furnishes additional security for the fulfillment thereof, to-wit:

That the articles, products or materials are to be in whole or in part manufactured, made or produced in industries established in The City of San Diego or in the County of San Diego, specifying the name and location thereof; or that the articles, products or materials are regularly stocked, handled and sold by business establishments located in The City of San Diego or in the County of San Diego, specifying the name and location of such establishments.

Provided, however, that the bid of such higher bidder does not in amount or price exceed by five per cent that of the lowest responsible bidder for such contract."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION XII

Amend Section 99, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 99. CONTINUING CONTRACTS. No contract or obligation involving the payment of money out of the appropriations of more than one year, except bonded indebtedness provided for in Section 90 of this Article, shall be entered into unless there shall first have been notice published in the official newspaper of the City at least two weeks before final action of the Council thereon. Such a contract shall require the approval of not less than five members of the Council. If the contract is to be for a period of more than five years it must also first be submitted to the electors of the City at a regular or special election and be approved by a two-thirds majority of those voting thereon. Any contract entered into in violation of the requirements of this section shall be invalid, and no rights, indebtedness, liability or obligations shall arise thereunder or be created thereby."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

## PROPOSITION XIII.

Amend Sections 103, 104 and 105, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 103. FRANCHISES. The Council shall have power to grant to any person, firm or corporation, franchises, and all renewals, extensions and amendments thereof, for the use of any public property under the jurisdiction of the City. Such grants shall be made by ordinance adopted by vote of five of the members of the Council and only after recommendations thereon have been made by the Manager and an opportunity for free and open competition and for public hearings have been given. No ordinance granting a franchise or a renewal, extension or amendment of an existing franchise shall be effective until thirty days after its passage, during which time it shall be subject to the referendum provisions of this Charter. No franchises shall be transferable except with the approval of the Council expressed by ordinance."

"Section 104. TERM AND PLAN OF PURCHASE. Within six months after this Charter takes effect, copies of all franchises existing at the time shall be deposited with the Manager. The Council shall certify to the existence of such franchises and shall recognize them for periods not longer than the date of expiration on each. The Manager shall keep a public record of all franchises, leases or permits granted for the use of the public property of the City. The terms of all new franchises shall not extend beyond a period of fifty years, provided that any franchise may be terminated by ordinance whenever the City shall determine to acquire by condemnation or otherwise the property of any utility necessary for the welfare of the City, such termination to be effective upon and not before payment of the purchase price for the property to be acquired. The method of determining the price to be paid for the property so acquired shall be that provided by law affecting the purchase of public utility properties in effect at the time of the purchase or condemnation of such public utility property."

"Section 105. RIGHT OF REGULATION. All grants, renewals, extensions or amendments of franchise, whether it be so provided in the ordinance or not shall be subject to the right of the City to repeal the same by ordinance at any time for misuse or non-use or for failure to begin construction within the time prescribed, or otherwise to comply with the terms prescribed; also to initiate proceedings before the proper tribunal to require proper and adequate extensions of plant and service, the maintenance of the plant and fixtures at the highest practicable standard of efficiency, the establishing of reasonable standards of service and quality of products, and the preventing of unjust discrimination in service or rates; and also at any time to examine and audit the accounts and other records of any franchise holder, and to require annual and other reports from each franchise holder; provided that the Council may prescribe more detailed forms for the franchise holders within its jurisdiction in addition to the forms and reports required by the General Laws of the State of California and the regulations of the State Railroad Commission; and to impose such other regulations as may be necessary for the health, safety and welfare of the public.

The City may provide that the percentage of gross annual receipts derived from the franchise privilege shall be paid to the Treasurer in such amounts and at such times as shall be determined in the ordinance granting the franchise.

The owner of a street or interurban railway franchise or privilege shall at all times keep that portion of the street occupied by his or its tracks in good condition, constantly in repair, flush with the street and with good crossings, and in the event that the street on which said franchise or privilege is granted shall be paved either by the City or under proceedings authorized by the General Laws of the State, the said owner of said franchise or privilege shall be required to pay for only that portion of any construction in excess of that covered by the specifications for the improvement of the rest of the street and which shall be necessary to provide a safe and suitable foundation for the operation of car lines over a paved street. It is the intent and purpose of this section to relieve the owner of a franchise or privilege to operate street cars on the streets of The City of San Diego of the cost of new surface pavement between the tracks of said owner and for two feet on either side thereof on streets to be hereafter paved, and to require the owner of said franchise or privilege to lay a suitable foundation for the operation of car lines over a paved street.

Nothing herein contained, however, shall relieve the said owner of said franchise or privilege of his or its obligation to keep those portions of the streets occupied by the said owner constantly in repair flush with the street, and with good crossings, and to keep that portion of the pavement now existing or which may hereafter be placed between the rails, and for two feet on each side thereof, and between the tracks if there be more than one, in good condition.

In the event that a street on which a franchise under this section shall have been granted shall be paved or improved under any of the General Laws in force at the time said improvement is started, the property owners shall be required to bear the entire cost of the improvement of the street including the cost of improving that portion of the street occupied by the owner of said franchise, save and except that portion required to be borne by the owner of the franchise, as hereinbefore provided."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

## PROPOSITION XIV.

Amend Section 109, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 109. ACCOUNTS OF MUNICIPALLY OWNED UTILITIES. Accounts shall be kept for each public utility owned or operated by the City distinct from other City accounts and in accordance with the uniform classification of accounts, prescribed by the Railroad Commission of the State of California for such class of public utility, in so far as the same may be applicable to the accounts of municipally owned utilities. They shall show as nearly as possible the cost of any service furnished to or rendered by any such public utility by or to any other department of the City. They shall also show an estimate of the amount of ad valorem taxes, whether paid or not, that would be chargeable against the property if privately owned. There shall also be shown in such accounts the sinking fund or redemption requirements for all bonds hitherto or hereafter issued to obtain funds for the construction of the property of such public utility. The accounts shall show a proper allowance for depreciation on all property used in rendering utility service, and such depreciation shall be taken account of in fixing the charges made for service rendered by such utility. The purpose of such accounts shall be to show as nearly as may be the cost of rendering the service provided by such municipally owned utility. The Council may cause to be made and reproduced for public distribution reports showing the financial results of such City ownership and operation, or such other information as the Council shall deem expedient."



This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

PROPOSITION XV.

Amend Section 112, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 112. APPRAISAL OF CITY ASSETS. The Auditor and Comptroller shall show in his records the cost or value of all real estate, buildings, structures, furniture and fixtures, supplies, materials, equipment and property of any kind owned by the City, and may require every officer or Commission to assist him in procuring the data required therefor. Proper depreciation shall be made of all property of any kind which is used by the City for utility purposes. A proper balance sheet under classified heads shall be presented to the Manager for inclusion in the annual budget and shall be published in the annual report of the Auditor and Comptroller. This balance sheet shall show all convertible and other assets and all liabilities of the City."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

PROPOSITION XVI.

Amend Section 118, Article VIII, of the Charter of The City of San Diego, so as to read as follows:

"Section 118. RULES. The Civil Service Commission shall adopt and may amend rules for the government, supervision and control of the classified service. Such rules after adoption shall have the force and effect of law. No rule or amendment thereto, however, shall become effective unless it shall have been adopted after a public hearing thereon, with reasonable notice of such hearing first given, and only after such proposed rule or amendment thereto has been published once in the official newspaper of the City and posted in three public places, and has also been approved by the Council. The rules among other things shall provide:

(a) For the standardization and classification of all positions and employments in the classified service of the City. Such classification into groups and subdivisions shall be based upon and graded according to duties and responsibilities and so arranged as to promote the filling of the higher grades, so far as practicable, through promotions.

(b) For the rejection of any and all applicants who are not citizens of the United States. In making its selections, the Commission shall show preference (1) to citizens of the City of San Diego; (2) to citizens of the County of San Diego; (3) to citizens of California; (4) to other citizens of the United States.

(c) For competitive tests to ascertain the relative fitness of all applicants for appointment in the competitive class.

(d) For public notice of the time and place of all competitive tests, at least twenty days in advance thereof, by publication in the official paper of the City and by posting a notice in a conspicuous place in the City Hall.

(e) For the creation of eligible lists upon which shall be entered the names of the successful applicants in the order of their standing in the competitive tests and without reference to the time of the test.

(f) For the rejection of applicants or eligibles who do not satisfy reasonable requirements as to age, sex, physical condition and moral character or who have attempted deception or fraud in connection with any test or their application therefor.

(g) For the certification to the appointing authority, from the appropriate eligible list, for filling a vacancy in the competitive class, of the three names standing highest on such list.

(h) For temporary employment without test, in the absence of an eligible list; but no such temporary employment shall continue after the establishment of a suitable eligible list, nor for more than sixty days.

(i) For temporary employment for transitory work without test, but such employment shall require the consent of the Personnel Director in each case, and shall not continue for more than sixty days. No successive temporary appointments shall be allowed. Nor shall the acceptance or refusal to accept such temporary appointment on the part of a person on the eligible list be a bar to appointment to a permanent position from said eligible list.

(j) For transfer from one position to a similar position in the same class and grade, and for immediate reinstatement within one year of persons who, without fault or delinquency on their part, are separated from the service or reduced in rank.

(k) For non-competitive tests for appointments to positions designated by the City Manager or other City Officers in charge of a Department and approved by the Civil Service Commission and requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character.

(l) For promotion based on competitive tests and upon records of efficiency, character, conduct and seniority. Lists shall be created and promotions made therefrom in the same manner as prescribed for original appointments except as otherwise provided for in this Charter.

(m) For suspension for the purpose of discipline, for not longer than ninety days.

(n) For leave of absence, with or without pay.

(o) For the appointment of unskilled laborers in the order of priority of applications, and with such test of physical and mental fitness as the Personnel Director may prescribe.

(p) For discharge or reduction in rank or compensation after the person to be discharged or reduced has, if he so request, be presented by the person responsible for his appointment with the reasons therefor specifically stated in writing and has been given an opportunity to be publicly heard in his own defense by the Civil Service Commission or as otherwise provided for in this Charter. The written reasons for such discharge or reduction and any reply in writing thereto by any such officer or employee shall be filed forthwith with the Civil Service Commission.

(q) For investigating and keeping a record of the efficiency of officers and employees in the classified service, and for requiring markings and reports relative thereto from appointing authorities.

(r) An appointment or promotion shall not be deemed complete until a period of probation not to exceed six months has elapsed, and a probationer may be discharged or reduced at any time within the said period of six months without a hearing upon the recommendation of the head of the Department in which said probationer is employed, or by the City Manager, with the approval of the majority of the Commission.

(s) That the appointing authority, which appointing authority, within the meaning of this section, is hereby defined to be the person having the power in the first instance to select the employee from the eligible list provided for that purpose, shall have the power to lay off or suspend an employee or employees because of lack of funds, lack of work, or where there has been an insufficient appropriation to meet the salary requirements necessary to maintain existing personnel in any

office, department, division or bureau of the City. Provided, however, that any such lay-off or suspension shall be made in conformity with the rules and regulations of the Civil Service Commission governing the order in which employees shall be laid off or suspended in cases where a reduction of personnel is required."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION XVII.

Amend Section 130, Article VIII, of the Charter of The City of San Diego, so as to read as follows:

"Section 130. COMPENSATION ESTABLISHED. The Council shall by ordinance, prior to the beginning of each fiscal year, establish a schedule of compensation for officers and employees in the Classified Service, which shall provide uniform compensation for like service. It shall be the duty of the Civil Service Commission to prepare and furnish to the Council, prior to the adoption of said ordinance, for the information and guidance of the Council, a schedule of compensation recommending a minimum and maximum for any grade. The Council may adopt such schedule as presented, or make such changes therein as it may deem necessary and proper. An increase in compensation, within the limits provided for any grade, may be granted at any time by the City Manager or other appointing authority upon the basis of efficiency and seniority record, after having first received the approval of the Civil Service Commission therefor."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION XVIII.

Repeal Section 161, Article X, of the Charter of The City of San Diego.

Amend Section 162, Article X, of the Charter of The City of San Diego, so as to read as follows:

"Section 162. RETIREMENT FOR SERVICE.

(a) Whenever any person who shall heretofore have qualified as hereinafter provided, shall have been duly appointed, selected and sworn, and have served for twenty (20) years or more, in the aggregate, as a member or employee in any rank or capacity, in the Police Department of The City of San Diego, the Board of Trustees shall, upon the written request of such or any member or without such request if it deem it for the good of the service, retire such member from further service in the Police Department and from the date of such order of retirement the service of such person shall cease and he shall thereafter, during his lifetime, be paid from the Police Relief and Pension Fund a yearly pension equal to one-half (1/2) the amount of the average yearly salary of said person for the five (5) years immediately preceding the date of his retirement, payable to him in monthly installments; provided, however, that members of the Police Department of The City of San Diego who enter the service of the Department subsequent to the date of ratification of this amendment by the State Legislature shall not be so retired before they reach the age of fifty (50) years, and before twenty-five (25) years of service in the aggregate.

In computing the time of service required for retirement, the amount of time served in the United States Army, Navy, Marine Corps or any division thereof in time of war by any member of the City Police Force, who shall have left said force for the purpose of and entered such service of the United States Army, Navy, Marine Corps or any division thereof immediately thereafter, and who shall have returned to said Police Department within three months after having been honorably discharged from said military service, shall have such time counted as part of the aggregate service required for retirement pension.

(b) Upon the death of said pensioner, one-third (1/3) of the amount of his annual salary shall be paid to his widow, until she remarries, but in no case shall such pension exceed seventy-five dollars (\$75.00) per month; and if there be no widow, each child under eighteen (18) years of age, if unmarried, shall receive twenty dollars (\$20.00) per month, but in no case shall such pension exceed the sum of seventy-five dollars (\$75.00) per month for one family; and if no widow or children, one-third (1/3) of his annual salary, not to exceed fifty dollars (\$50.00) per month, shall be paid to his mother or father, if either of them were dependent upon him during his lifetime; and if no mother or father, then to any sister or brother under the age of eighteen (18) years and unmarried who was dependent upon him during his lifetime, so long as said sister or brother are under the age of eighteen (18) years and dependent.

Provided, however, if such pensioner was pensioned for service for twenty years or more the widow shall not be entitled to any pension unless she was married to said pensioner at least three years previous to the time of his retirement. If the widow of a pensioner entitled to a pension, shall refuse to provide for a dependent child or children or other dependent provided for in this Section, the Board of Trustees, upon satisfactory proof thereof, shall have the power to provide for said dependent child or children or other dependent, and to deduct such amount from the pension of said pensioner as may in the judgment of the Board be proper and necessary."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

#### PROPOSITION XIX

Repeal Section 183, Article XI, of the Charter of The City of San Diego.

Amend Section 184, Article XI, of the Charter of The City of San Diego, so as to read as follows:

"Section 184. RETIREMENT FOR SERVICE.

(a) Whenever any person who shall heretofore have qualified as hereinafter provided, shall have been duly appointed, selected and sworn, and have served for twenty (20) years or more, in the aggregate, as a member or employee in any rank or capacity, in the Fire Department of The City of San Diego, the Board of Trustees shall, upon the written request of such or any member or without such request if it deem it for the good of the service, retire such member from further service in the Fire Department and from the date of such order of retirement the service of such person shall cease and he shall thereafter, during his lifetime, be paid from the Firemen's Relief and Pension Fund a yearly pension equal to one-half (1/2) the amount of the average yearly salary of said person for the five (5) years immediately preceding the date of his retirement, payable to him in monthly installments; provided, however, that members of the San Diego Fire Department who enter the service of the Department subsequent to January 1, 1936, shall not be so retired before they reach the age of fifty (50) years, and before twenty-five (25) years of service in the aggregate.

In computing the time of service required for retirement, the amount of time served in the United States Army, Navy, Marine Corps or any division thereof in time of war by any member of the Fire Department who shall have left said Department for the purpose of and entered such service of the United States Army, Navy, Marine Corps or any division thereof, immediately thereafter, and who shall have returned to said Fire Department within three months, after having been honorably discharged from military service, or any member having served as substitute in the San Diego Fire Department, shall have such time counted as part of the aggregate service required

for a retirement pension.

(b) Upon the death of said pensioner, one-third of the amount of his annual salary shall be paid to his widow until she remarries and in no case shall such pension exceed seventy-five dollars (\$75.00) per month, and if no widow, each child under eighteen years of age, if they are not married, shall receive twenty dollars (\$20.00) per month, but in no case shall pensions exceed the sum of seventy-five dollars (\$75.00) per month for one family; and if no children, one-third of his annual salary, not to exceed fifty dollars (\$50.00) per month, shall be paid to a dependent mother or father; and any dependent orphaned sister or brother under eighteen years of age, and unmarried, shall receive twenty dollars (\$20.00) per month but in no case to exceed fifty dollars (\$50.00) per month for the family; provided, however, if such pensioner was pensioned under subdivision (a) of this Section or Section 186 of this Article, the widow shall not be entitled to any pension unless she was married to said pensioner three years previous to the time of such retirement. In the event of the widow receiving a pension, and refusing to provide for dependent child or children, or other dependents provided for in this Section, the Board of Trustees, upon satisfactory proof, shall have the power to divide the pension as it may deem proper. In the event that a member of the San Diego Fire Department who has been pensioned for disability shall marry after being placed on the pension list, upon the death of such member his widow shall not be entitled to any pension under the terms of this Article."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

PROPOSITION XX.

Repeal Sections 202 to 210, inclusive, comprising all of Article XIII, of the Charter of The City of San Diego.

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

PROPOSITION XXI.

Amend Section 213, Article XIV, of the Charter of The City of San Diego, so as to read as follows:

"Section 213. CONTINUING IN FORCE ORDINANCES AND CONTRACTS. All ordinances not inconsistent with any of the provisions of this Charter shall continue in force until amended or repealed, and all contracts of The City of San Diego in force at the time of the adoption of this Charter, and not inconsistent with any of the provisions thereof, shall continue in force until completed, amended or rescinded."

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.

The ballot provided at said regular Municipal Election to be held on April 22, 1941, shall be so printed as to state each of the propositions hereinabove set out for the amendment of the Charter of The City of San Diego in the manner and form following:

|   |     |  |
|---|-----|--|
| PROPOSITION I. Amend Sections 8, 9 and 10, Article II, of the Charter of The City of San Diego.<br>(a) Section 8. This amendment requires the City Council within 90 days after the ratification of this amendment by the State Legislature to adopt an election code ordinance providing an adequate and complete procedure to govern municipal elections, including the nomination of candidates for all elective offices, and requires all elections provided for by the Charter to be conducted in the manner prescribed by said election code ordinance.<br>(b) Section 9. This amendment requires nominations of candidates for all elective offices to be made in the manner prescribed by the election code ordinance provided for in the amendment to Section 8 of the Charter.<br>(c) Section 10. This amendment provides that the regular municipal Primary Election shall be held on the second Tuesday in March in each odd-numbered year and the general Municipal Election on the third Tuesday in April of the same year; provides that there shall be chosen by the electors of each Council District two candidates for the office of any councilman from a district whose term expires the succeeding May; provides for the election at the Primary Election of the candidate to any office for which only one person is elected who shall receive a majority of the votes cast for all candidates for nomination to such office; also provides that in the case of candidates for the office of Member of the Board of Education the candidates therefor equal to or less than the number of such offices for which nominations are made, who receive the votes of more than one-half of the qualified voters voting at said election shall be deemed elected; provides that at the general municipal election the electors of the whole city shall select from among the candidates chosen at the Primary Election in each district one candidate for the office of the Councilman whose term expires the succeeding May; and provides the manner in which the canvass of election returns shall be made, and empowers the City Council to delegate the duty of canvassing such returns to the City Clerk. | YES |  |
|   | NO  |  |
| PROPOSITION II. Amend Section 12, Article III, of the Charter of The City of San Diego. This amendment fixes the compensation of each Councilman at the sum of \$1200.00 per year, payable in semi-monthly installments, instead of the present compensation of \$10.00 per meeting fixed by People's Ordinance No. 379 (New Series), effective December 26, 1933.  | YES |  |
|   | NO  |  |
| PROPOSITION III. Amend Section 17, Article III, of the Charter of The City of San Diego. This amendment permits ordinances calling or relating to elections to take effect at the time indicated therein.   | YES |  |
|   | NO  |  |
| PROPOSITION IV. Amend Section 23, Article III, of the Charter of The City of San Diego. This amendment preserves to the people of the City the right to initiate ordinances, exercise the referendum upon ordinances passed by the Council, and to recall elective municipal officers; requires that there shall be included in the election code ordinance a complete procedure for the exercise of said rights, including forms of petitions; fixes the number of signatures necessary on petitions for the initiation of an ordinance, the referendum on an ordinance, and the recall of an elective officer at the following percentages of the registered voters of the City at the last general city election: Initiation of an ordinance for the consideration of the Council, 3%; for the direct submission of an   | YES |  |
|   | NO  |  |



ordinance to the people, 10%; for the referendum of an ordinance passed by the Council, 5%; and for the recall of an elected officer, 15%.

PROPOSITION V. Amend Section 53, Article V, of the Charter of The City of San Diego. This amendment creates the Division of Accounts in the Water Department, empowers the City Manager to appoint a qualified accountant to have charge of the Division of Accounts and of such subordinate officers and employees in said Division as shall be authorized by Ordinance. This Division shall have charge of all accounts and records required to be kept and maintained by Section 109 of the Charter with respect to the Water Department; requires the Council to provide an adequate sum in the Annual Appropriation Ordinance for the proper maintenance of the Department, and to levy annually a tax sufficient to provide for the redemption of municipal bonds heretofore or hereafter issued for water purposes, together with the interest thereon, and that the amount of money so raised each year shall be charged annually against the Water Department on the accounts of the City; provides that all revenues from the Water Department, except such as have been heretofore appropriated by contract to some specific purpose, in excess of the amount necessary for the maintenance and operation of such Water Department, shall be transferred monthly to the general fund of the City and made available thereafter for use for any legal city purposes, and that said surplus fund so transferred shall be credited on the accounts of the City as a reimbursement credit for the moneys paid by the City each year for the redemption of water bonds and payment of interest thereon; and empowers the Manager to appoint an Advisory Commission of three citizens to advise the City Manager and Council on plans for future water development.

YES

NO

PROPOSITION VI. Amend Section 54, Article V, of the Charter of the City of San Diego. This amendment amends subdivision (f) of Section 54 by extending the annual appropriation of \$150,000.00 for the development of the harbor until the fiscal year 1948-1949.

YES

NO

PROPOSITION VII. Amend Section 55, Article V, of the Charter of The City of San Diego. This amendment adds to Subdivision (a) of Section 55 a provision empowering the City Council, when deemed to be for the best interest of the City, to authorize the City Manager to enter into leases or contracts or let concessions upon terms prescribed by the Council, for the use and operation of the City Stadium in Balboa Park, and for the use and operation of city-owned equipment and facilities of an amusement character located in the city parks, together with buildings and space therein necessary and convenient for the operation of the same.

YES

NO

PROPOSITION VIII. Amend Section 77, Article VII, of the Charter of The City of San Diego. This amendment clarifies the meaning of the section which relates to a special tax levy of not more than five cents on each one hundred dollars of the assessed valuation during any fiscal year for the acquisition and construction of permanent improvements, real property, public buildings and public offices, by changing the present ambiguous wording of the section.

YES

NO

PROPOSITION IX. Amend Section 77a, Article VII, of the Charter of The City of San Diego. This amendment adds a new paragraph to the present section, and empowers the Council to enter into a contract, upon such terms and conditions as the Council may prescribe, for the maintenance in Balboa Park of Zoological exhibits, with any organization formed primarily for the purpose of maintaining zoological gardens and zoological exhibits and conducting general zoological work.

YES

NO

PROPOSITION X. Amend Section 86, Article VII, of the Charter of The City of San Diego. This amendment adds to Section 86, requiring all city officials and employees who collect money belonging to the City to deposit the same daily with the City Treasurer, a proviso that in case of employees located in distant parts of the city or county so collecting money, which collections cannot be deposited daily without difficulty and undue cost, such collections may be deposited in the City Treasury within one week after their receipt.

YES

NO

PROPOSITION XI. Amend Section 95, Article VII, of the Charter of The City of San Diego. This amendment provides that in competitive bidding for the supplying of materials and equipment or furnishing services to the City, the authority authorized to award the contract may award it to other than the lowest responsible bidder when such higher bidder specifies in his bid that the articles, products or materials are to be wholly or in part manufactured, made or produced in industries established in The City of San Diego or in the County of San Diego, or that the same are regularly stocked, handled and sold by business establishments located in The City of San Diego or in the County of San Diego, provided that the bid of such higher bidder does not in amount or price exceed by five per cent (5%) that of the lowest responsible bidder for the contract.

YES

NO

PROPOSITION XII. Amend Section 99, Article VII, of the Charter of The City of San Diego. This amendment provides that a contract or obligation involving the payment of moneys out of the appropriations of more than one year, except bonded indebtedness, shall first be published in the official newspaper of the City at least two weeks before final action of the Council thereon, and requires the approval of not less than five members of the Council; and that if the contract is to be for more than five years it must also first be submitted to the electors of the City at a regular or special election and be approved by a two-thirds majority of those voting thereon.

YES

NO

PROPOSITION XIII. Amend Sections 103, 104 and 105, Article VII, of the Charter of The City of San Diego.

(a) Section 103. This amendment empowers the Council to grant franchises and all renewals, extensions and amendments thereof for the use of public property under the jurisdiction of the City, upon such terms and conditions as are set forth in the ordinance of grant, which ordinance may only be adopted by a vote of five members of the Council and after recommendations thereon by the City Manager, and an opportunity for free and open competition and public hearings have been

YES

given; prohibits an ordinance granting a franchise, or a renewal, extension or amendment of an existing franchise from taking effect until thirty days after its passage, during which time it shall be subject to the referendum provisions of the Charter; prohibits transfer of a franchise without the approval of the Council expressed by ordinance.

(b) Section 104. This amendment empowers the City by ordinance to terminate any franchise whenever the City shall determine to acquire by condemnation or otherwise the property of any utility necessary for the welfare of the City, in lieu of the provision in the existing section which limits the exercise of this right to specified intervals of not more than ten years after the beginning of operation.

(c) Section 105. The existing section relates to the rights and powers of the City to regulate franchises granted by it. The amendment gives the City the additional right to provide that the percentage of gross annual receipts derived from the franchise privilege shall be paid to the Treasurer in such amounts and at such times as shall be determined in the ordinance granting the franchise.

NO

PROPOSITION XIV. Amend Section 109, Article VII, of the Charter of The City of San Diego. This amendment provides the manner of keeping count of municipally owned utilities, which is in accordance with the uniform classification of accounts prescribed by the Railroad Commission of the State of California for such class of privately owned public utilities in so far as the same may be applicable to the accounts of municipally owned utilities. It requires that the accounts show, as nearly as possible, the cost of any service furnished or rendered by any such utilities by or to any other department of the City; an estimate of the amount of ad valorem taxes, whether paid or not, that would be chargeable against the property if privately owned; the sinking fund or redemption requirements for all bonds hitherto or hereafter issued; the proper allowance for depreciation for all property used in rendering public utility service, and that such depreciation shall be taken account of in fixing the charges made for the service; authorizes the Council to cause to be made for public distribution reports showing the financial results of such City ownership and operation, or such other information as the Council shall deem expedient.

YES

NO

PROPOSITION XV. Amend Section 112, Article VII, of the Charter of The City of San Diego. This amendment requires the Auditor and Comptroller to show in his records the cost or value of all city-owned property of any kind, and to show proper depreciation of all property of any kind which is used by the City for utility purposes, and to furnish a proper balance sheet under classified heads to the Manager for inclusion in the annual budget and for publication in the annual report of the City Auditor and Comptroller.

YES

NO

PROPOSITION XVI. Amend Section 118, Article VIII, of the Charter of The City of San Diego. The existing section relates to the purposes for which the Civil Service Commission is required to adopt rules and regulations in the government of the Classified Service of the City. The amendment consists in adding to the section a new subdivision (s) empowering the appointing authority to lay off or suspend an employee or employees because of lack of funds, lack of work, or where there has been insufficient appropriation to meet the salary requirements necessary to maintain existing personnel in any office, department, division or bureau of the City; and provides that any such lay-off or suspension shall be made in conformity with the rules and regulations of the Civil Service Commission governing the order in which employees shall be laid off or suspended.

YES

NO

PROPOSITION XVII. Amend Section 130, Article VIII, of the Charter of The City of San Diego. This amendment requires the Council by ordinance, prior to the beginning of each fiscal year, to establish a schedule of compensation for officers and employees in the Classified Service, which shall provide uniform compensation for like service; imposes upon the Civil Service Commission the duty of preparing and furnishing to the Council prior to the adoption of such ordinance a schedule of compensation recommending a minimum and maximum for any grade; and provides that the Council may adopt such schedule as presented or make such changes therein as it may deem necessary and proper.

YES

NO

PROPOSITION XVIII. Repeal Section 161, Article X, of the Charter of The City of San Diego.

Amend Section 162, Article X, of the Charter of The City of San Diego.

(a) Section 161. This Section, as it now exists, provides that all pensioners in the San Diego Police Department shall have their pensions increased or decreased to meet the prevailing scale of salaries in the Police Department from time to time.

YES

(b) Section 162. This section relates to retirement for service in the Police Department. The amendment consists in providing that the amount of the pension shall be fixed at the time of retirement, which amount shall be equal to one-half the amount of the average yearly salary of the retiring person for the five years immediately preceding the date of his retirement, payable to him in monthly installments. It also adds a new proviso that members of the Police Department who enter the service of the department subsequent to the date of the ratification of this amendment by the State Legislature shall not be so retired before they reach the age of fifty years and before twenty-five years of service in the aggregate.

NO

PROPOSITION XIX. Repeal Section 183, Article XI, of the Charter of The City of San Diego.

Amend Section 184, Article XI, of the Charter of The City of San Diego.

(a) Section 183. This section, as it now stands, provides that all pensioners in the Fire Department of The City of San Diego shall have their pensions increased or decreased to meet the prevailing scale of salaries in the Fire Department from time to time.

YES

(b) Section 184. This section relates to retirement for service in the Fire Department. The amendment consists in providing that the amount of the pension shall be fixed at the time of retirement, which amount shall be equal to one-half the amount of the average yearly salary of the retiring person for the five years immediately preceding the date of his retirement, payable to him in monthly installments.

NO

|  |     |  |
|--|-----|--|
| PROPOSITION XX. Repeal Sections 202 to 210, inclusive, comprising all of Article XIII, of the Charter of The City of San Diego. Sections 202 to 210, inclusive, relate to the creation, maintenance and jurisdiction of a City Police Court. Upon the establishment in The City of San Diego of a Municipal Court system, which abolished such Police Court, these sections became inoperative and completely obsolete.  | YES |  |
|  | NO  |  |
| PROPOSITION XXI. Amend Section 213, Article XIV, of the Charter of The City of San Diego. This amendment continues in force all ordinances adopted prior to the taking effect of the present City Charter which are not inconsistent with any of the provisions of said Charter; and provides that all contracts of the City in force at the time of the adoption of said Charter and not inconsistent with any of its provisions shall continue in force until completed, amended or rescinded. | YES |  |
|  | NO  |  |

In addition to the directions which the General Laws of the State require to be printed on the ballot, it shall contain the following directions to the voters:

"To vote on any measure, stamp a cross (+) in the voting square after word 'Yes,' or after the word 'No.'"

Electors voting at said election shall indicate their choice on the said propositions to amend the Charter of The City of San Diego by stamping a cross (+) in the voting square at the right of the word "Yes," or in the voting square at the right of the word "No." If an elector shall have stamped a cross (+) in the voting square after the printed word "Yes," his vote shall be counted in favor of the adoption of said propositions; if he shall stamp a cross (+) after the printed word "No," his vote shall be counted against the adoption of the same.

BE IT FURTHER RESOLVED that the City Clerk of said City is hereby directed to procure and have printed the requisite number of ballots and sample ballots and other printed matter, and to procure whatever supplies may be necessary for use in submitting said propositions to amend the Charter of The City of San Diego to the electors of said City; and said City Clerk is further directed to issue his requisition against the Election Fund for such supplies as may be necessary for use in submitting said propositions at said election.

BE IT FURTHER RESOLVED, that the City Clerk of said City is further hereby directed to cause this resolution to be published once in the San Diego Union, being the official newspaper of said City, and to cause copies of such proposed amendments to be printed in convenient pamphlet form and in type of not less than ten point, and shall cause copies thereof to be mailed to each of the qualified electors of said City, and shall, until the day fixed for the election upon such amendments, advertise in said The San Diego Union, being the official newspaper of said City, and a newspaper of general circulation published in said City, a notice that copies of said amendments may be had upon application therefor to the City Clerk of said City.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California.  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73570

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF SAN DIEGO, AT THE REGULAR MUNICIPAL ELECTION CALLED FOR TUESDAY, THE 22ND DAY OF APRIL, 1941, A PROPOSITION TO AMEND THE CHARTER OF THE CITY OF SAN DIEGO.

WHEREAS, petitions signed by more than fifteen per cent of the registered electors of The City of San Diego were filed with the legislative body of The City of San Diego on the 8th day of February, 1941, requesting the submission to the qualified voters of said City of certain proposed amendments to the Charter of The City of San Diego, hereinafter particularly set out; and

WHEREAS, the signatures on such petitions have been verified by the authority having charge of the registration records of such city, and such petitions contain a sufficient number of signatures; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

Pursuant to the provisions of Section Eight of Article Eleven of the Constitution of the State of California, the Council of The City of San Diego, being the legislative body of said City, hereby submits to the qualified electors thereof, to be voted on at the regular Municipal Election ordered, called and proclaimed for Tuesday, the 22nd day of April, 1941, the following proposition to amend the present Charter of said City:

PROPOSITION

Amend Article V of the Charter of The City of San Diego, by adding two new sections thereto, to be numbered Sections 58a and 58b (proposed by initiative petition), which said sections read as follows:

"Section 58a. Anything in this Charter to the contrary notwithstanding, the members of the San Diego Fire Department of either A or B Platoons shall not be required to work more than seven of their respective platoon shifts without receiving their next working shifts off duty, and shall not receive less than Twenty-Five of their respective working shifts off duty per calendar year, and they shall not receive less than Fifty-Two of their respective working shifts off duty in two calendar years. Each member of A and B platoons shall receive as his annual vacation seven of his consecutive working shifts and such annual vacation shall be exclusive of his regular work shifts off duty, as hereinabove provided. Nothing herein contained, however, shall be construed as preventing the Chief of the Fire Department, in cases of riot, serious conflagration, or other great public emergency, from having power to assign all of the members of the Department to continuous duty or to continue any member on duty if necessary."

"Section 58b. Anything in this Charter to the contrary notwithstanding, the members of the San Diego Fire Department shall receive monthly salaries of not less than the amounts hereinafter set forth, to be paid to each member in semi-monthly



payments, to-wit:

Fireman, Fourth Class: .....\$170.00  
Fireman, Third Class: ..... 180.00  
Fireman, Second Class: ..... 190.00  
Fireman, First Class: ..... 200.00  
Engineer: ..... 215.00  
Lieutenant: ..... 222.00  
Captain: ..... 235.00  
Battalion Chief: ..... 275.00  
Assistant Chief: ..... 340.00  
Chief: ..... 450.00"

This proposition shall be presented and printed upon the ballot, and submitted to the voters, in the manner and form hereinafter in this resolution set out.  
The ballot provided at said regular Municipal Election to be held on April 22, 1941, shall be so printed as to state the proposition hereinabove set out for the amendment of the Charter of The City of San Diego in the manner and form following:

PROPOSITION XXII. Amend Article V of the Charter of The City of San Diego, by adding two new sections thereto, to be numbered Sections 58a and 58b (proposed by initiative petition), which said sections read as follows:

"Section 58a. Anything in this Charter to the contrary notwithstanding, the members of the San Diego Fire Department of either A or B Platoons shall not be required to work more than seven of their respective platoon shifts without receiving their next working shifts off duty, and shall not receive less than Twenty-Five of their respective working shifts off duty per calendar year, and they shall not receive less than Fifty-Two of their respective working shifts off duty in two calendar years. Each member of A and B platoons shall receive as his annual vacation seven of his consecutive working shifts and such annual vacation shall be exclusive of his regular work shifts off duty, as hereinabove provided. Nothing herein contained, however, shall be construed as preventing the Chief of the Fire Department, in cases of riot, serious conflagration, or other great public emergency, from having power to assign all of the members of the Department to continuous duty or to continue any member on duty if necessary."

YES

"Section 58b. Anything in this Charter to the contrary notwithstanding, the members of the San Diego Fire Department shall receive monthly salaries of not less than the amounts hereinafter set forth, to be paid to each member in semi-monthly payments, to-wit:

NO

Fireman, Fourth Class: .....\$170.00  
Fireman, Third Class: ..... 180.00  
Fireman, Second Class: ..... 190.00  
Fireman, First Class: ..... 200.00  
Engineer: ..... 215.00  
Lieutenant: ..... 222.00  
Captain: ..... 235.00  
Battalion Chief: ..... 275.00  
Assistant Chief: ..... 340.00  
Chief: ..... 450.00"

In addition to the directions which the General Laws of the State require to be printed on the ballot, it shall contain the following directions to the voters:

"To vote on any measure, stamp a cross (+) in the voting square after the word 'Yes,' or after the word 'No.'"

Electors voting at said election shall indicate their choice on the said proposition to amend the Charter of The City of San Diego by stamping a cross (+) in the voting square at the right of the word "Yes," or in the voting square at the right of the word "No." If an elector shall have stamped a cross (+) in the voting square after the printed word "Yes," his vote shall be counted in favor of the adoption of said proposition; if he shall stamp a cross (+) after the printed word "No," his vote shall be counted against the adoption of the same.

BE IT FURTHER RESOLVED that the City Clerk of said City is hereby directed to procure and have printed the requisite number of ballots and sample ballots and other printed matter, and to procure whatever supplies may be necessary for use in submitting said proposition to amend the Charter of The City of San Diego to the electors of said City; and said City Clerk is further directed to issue his requisition against the Election Fund for such supplies as may be necessary for use in submitting said proposition at said election.

BE IT FURTHER RESOLVED, that the City Clerk of said City is further hereby directed to cause this resolution to be published once in The San Diego Union, being the official newspaper of said City, and to cause copies of such proposed amendments to be printed in convenient pamphlet form and in type of not less than ten point, and shall cause copies thereof to be mailed to each of the qualified electors of said City, and shall, until the day fixed for the election upon such amendments, advertise in said The San Diego Union, being the official newspaper of said City, and a newspaper of general circulation published in said City, a notice that copies of said amendments may be had upon application therefor to the City Clerk of said City.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION NO. 73571  
A RESOLUTION DIRECTING THE SUBMISSION TO THE ELECTORS OF THE CITY OF SAN DIEGO AT THE REGULAR MUNICIPAL ELECTION CALLED FOR TUESDAY APRIL 22ND, 1941, OF A PROPOSITION TO RECEDE AND TRANSFER TO THE STATE OF CALIFORNIA FOR USE BY SAID STATE AS A SITE FOR THE CONSTRUCTION OF A STATE OFFICE BUILDING AND OTHER BUILDINGS, CERTAIN TIDELANDS IN THE BAY OF SAN DIEGO.

FOR THAT WHEREAS, pursuant to the terms, and for the purposes and upon the conditions set forth in Chapter 700 of the Statutes and Amendments to the Codes of California for the year 1911, and being an Act, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to The City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, and amendments thereto, there has been granted and conveyed to The City of San Diego, a municipal corporation in the County of San Diego, State of California, all the lands situate on The City of San Diego side of the Bay of San Diego lying and being between the line of mean high tide and the pierhead line in said Bay of San Diego, as the same has been or may hereafter be established by the Federal Government, and between the prolongation into the Bay of San Diego to the Pierhead line of the boundary line between The City of San Diego and National City, and the prolongation into the Bay of San Diego to the pierhead line of the northerly line of the United States Military Reservation on Point Loma; and

WHEREAS, The State of California is desirous of securing a site upon the tidelands for the purpose of erecting a state office building and other state buildings thereon; and WHEREAS, it is the desire and intention of this Council to secure the authorization and approval of the electors of said The City of San Diego to recede and transfer to the State of California, for the uses and purposes aforesaid, the area of tidelands hereinafter in this resolution described; and

WHEREAS, the regular Municipal Election has been ordered, called and proclaimed to be held in said City on Tuesday, the 22nd day of April, 1941; and

WHEREAS, it is the desire and intention of said Council to submit to the electors of said City for their approval at said regular Municipal Election the proposition of receding and transferring to the State of California the area of tidelands hereinafter in this resolution described; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That there be, and is hereby submitted to the qualified electors of said The City of San Diego, at the regular Municipal Election ordered, called and proclaimed for Tuesday, the 22nd day of April, 1941, the following proposition, namely:

PROPOSITION.

Shall The City of San Diego, through its Council, be empowered and authorized to recede and transfer to the State of California the hereinafter described area of tidelands and submerged lands situated within the boundaries of said The City of San Diego, being a portion of the lands conveyed to said City under and pursuant to the terms of that certain Act of the Legislature of the State of California, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, and amendments thereto, and which said tidelands are more particularly described as follows:

All that portion of Block 11, Municipal Tidelands, Subdivision Tract No. 1, bounded on the north by the prolongation of the south line of Ash Street; on the east by Pacific Highway; on the south by A Street; and on the west by Belt Street;

for the purpose only and exclusively of constructing thereon by the State of California a state office building costing not less than \$500,000.00, and other state buildings; the construction of said state office building to be commenced within five years from the date of such receding, and carried on continuously to completion?

This proposition shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out hereinafter in this resolution.

The ballot provided at said regular Municipal Election to be held on April 22, 1941 shall be so printed as to state the proposition hereinabove set out in the manner and form following:

|   |     |  |
|---|-----|--|
| Shall The City of San Diego, through its Council, be empowered and authorized to recede and transfer to the State of California the following described tidelands situated in The City of San Diego, to-wit: All that portion of Block 11, Municipal Tidelands, Subdivision Tract No. 1, bounded on the north by the prolongation of the south line of Ash Street, on the east by Pacific Highway, on the south by A Street, and on the west by Belt Street; which said tidelands are to be used by the State of California for the purpose only and exclusively of constructing thereon a state office building costing not less than \$500,000.00, and other state buildings; the construction of said state office building to be commenced within five years from the date of such receding, and carried on continuously to completion? | YES |  |
|   | NO  |  |

In addition to the directions which the General Laws of the State require to be printed on the ballot, it shall contain the following directions to the voters:

"To vote on any measure, stamp a cross (+) in the voting square after the word 'Yes,' or after the word 'No.'"

Electors voting at said election shall indicate their choice on the said proposition by stamping a cross (+) in the voting square at the right of the word "Yes," or in the voting square at the right of the word "No." If an elector shall have stamped a cross (+) in the voting square after the printed word "Yes," his vote shall be counted in favor of the adoption of said proposition; if he shall stamp a cross (+) after the printed word "No," his vote shall be counted against the adoption of the same.

BE IT FURTHER RESOLVED, that the City Clerk of said City is hereby directed to procure and have printed the requisite number of ballots and sample ballots and other printed matter, and to procure whatever supplies may be necessary for use in submitting said proposition to the electors of said City; and said City Clerk is further directed to issue his requisition against the Election Fund for such supplies as may be necessary for use in submitting said proposition at said election.

BE IT FURTHER RESOLVED, that the City Clerk of said City is further directed to cause this resolution to be published once in the city official newspaper, to-wit: The San Diego Union.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggeman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

## R E S O L U T I O N NO. 73572

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the Mayor and Members of the City Council do hereby extend to Mr. D.W.Campbell, Mr. Cecil M. Collins, Miss Louise Darby, Mr. Joseph E. Dryer, Mr. Earle F. Farnsworth, Mr. LeRoy E. Goodbody, Mr. Thomas M. Hamilton, Mr. William E. Harper, Mr. John M. Hartley, Mrs. H. J. Lambrechts, Mr. J. O. Miller, Mr. Caesar F. Pastore, Miss Mildred M. Perry, Mr. Arthur G. Peterson and Mr. Walter B. Whitcomb, members of the Advisory Charter Revision Committee, heretofore appointed by the Mayor and Council to consider and recommend desirable and necessary changes in the Charter of The City of San Diego, their sincerest appreciation and thanks for the many months of time and labor expended by the committee, the results of which have been of great aid and value to the legislative body of the City in guiding and enabling it to decide upon the Charter changes that immediately need to be made.

BE IT FURTHER RESOLVED That the City Clerk of said City be, and he is hereby directed to transmit a certified copy of this resolution to each of the members of the Advisory Charter Revision Committee.

Passed and adopted by the said Council of the said City of San Diego, California, this 4th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

## R E S O L U T I O N NO. 73573

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of El Cajon Boulevard Civic Association for free inspection and free electrical permits for Siebrand Shows, at Monroe Field, 4490 Boundary Street, for a period of two weeks from the date of this resolution, be, and it is hereby granted.

BE IT FURTHER RESOLVED, that Resolution No. 73499, granting a similar permit on El Cajon Boulevard, adopted February 25, 1941, be, and it is hereby repealed.

## R E S O L U T I O N NO. 73574

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager is hereby authorized for and on behalf of the City of San Diego to enter into an agreement to purchase lands necessary and required for the projected San Vicente reservoir.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73522 to 73574, inclusive, of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 4th day of March, 1941.

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By Helen M. Willey Deputy

## R E S O L U T I O N NO. 73575

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to L. G. Henderson, box at Moore & Witherby Streets, to conduct a 32-unit auto trailer camp on Lots 1 and 2 (SE 25') and Lots 3 and 4 Block 515 Old San Diego, on Trias Street between Moore and Hancock Streets, provided adequate plans are submitted to the Planning Commission for the construction and landscaping of the property.

## R E S O L U T I O N NO. 73576

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of the Atchison, Topeka and Santa Fe Railway Company, by E.E.McCarty, General Manager, for the closing of Beardsley Street, formerly 22nd Street; Railroad Avenue, formerly R Street; S Street; the alleys in Blocks 38, 39, 48, 49 and 50, for their entire widths and lengths in Pueblo Lot 1157 and southwesterly of Colton Avenue, as contained in Document No. 326541, is hereby granted.

The City Engineer is hereby authorized and directed to furnish a description of the lands to be closed, and a description of the district of lands to be assessed for said proposed closing.

## R E S O L U T I O N NO. 73577

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Margaret Pike, 1426 Edgemont Street, to remodel an existing residence on the front portion of Lots 17-18 Block 20 M. Santee's Subdivision, into a duplex, in addition to a third living unit on the rear of the lot.

Variance to the restrictions of Ordinance No. 12795, be, and it is hereby granted in so far as they relate to the property mentioned above.



## R E S O L U T I O N NO. 73578

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Walter H. and Hazel M. Palmer, 4533 Marlborough Drive, to conduct a 520-unit auto trailer camp on Pueblo Lot 276, at the northwesterly end of Kurtz Street, provided all construction is kept back forty feet from Houston Street.

## R E S O L U T I O N NO. 73579

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to A. T. Wray, 1263 Silverado Place, La Jolla, to conduct a 47-unit auto trailer camp on Lots 1 and 2 Block 543 Old San Diego, at Hortensia, Moore and Hancock Streets.

## R E S O L U T I O N NO. 73580

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Edith Ducker Steele, 1604 Grove Street, to operate a print shop in the existing garage at the address mentioned herein, on Lot 7 Block 4 South Park Addition.

Variance to the restrictions of Ordinance No. 12795, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73581

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to A. Radcliffe and Anna Roberta Fish, General Delivery, San Diego, to divide a portion of the southwesterly half of the northerly quarter of Pueblo Lot 265, to permit the construction of three additional residences, in accordance with plat attached to petition bearing Document No. 327255, provided an additional thirty feet along Knoxville Street is dedicated for street purposes.

Variance to the restrictions of Ordinance No. 85 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73582

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to C. W. & Irene D. McMichael, 4850 Marlborough Drive, to divide Lots 14 and 15 Block 10 Kensington Park, into three parcels, each for a single family residence, provided a ten-foot setback is maintained along Terrace Court.

Variance to the restrictions of Ordinance No. 12989, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73583

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to The Dennstedt Co., by K. L. Dennstedt, Secy., 4110 El Cajon Boulevard, to erect three single-family residences on Lots 1 and 2 Block 11 La Mesa Colony, provided the setback of fifteen feet is maintained along Mohawk Street, and the ten-foot setback is observed on 70th Street.

Variance to the restrictions of Ordinance No. 13558, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73584

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Rose G. Schweizer, by Tifal & King, to construct a single-family residence and an apartment over the garage on Lot 7 and the west five feet of Lot 6 Block 35 West End, with a four-foot rear yard and a ten-foot side yard.

Variance to the restrictions of Ordinance No. 13175, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73585

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to John P. Scripps, 306 Scripps Building, to remodel an existing garage into a kitchen and dining room, with a four-foot side yard and a rear yard of 1.5 feet, on Lots D, E, F, Block 289 Horton's Addition, provided that no part of the premises is used for a public dining room; and that the suspension herein granted be automatically revoked at the time the present tenant, Ben Floridi, vacates the premises.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned.

## R E S O L U T I O N NO. 73586

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Ewart W. Goodwin, 300 First National Bank Building, for suspension of the provisions of Setback Ordinance No. 12321 on Lots D-F Block 309 Horton's Addition, to permit the construction of a garage to the property line on 2nd Avenue, be, and it is hereby denied.

## R E S O L U T I O N NO. 73587

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby requested to look into the matter of establishment of trailer camps in San Diego, and to make recommendation to the Council on regulations which he deems advisable.

## R E S O L U T I O N NO. 73588

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Lee McKinney, 400 B Street, to conduct a 14-unit addition to the existing auto trailer camp on the northwesterly fifty feet of Lots 3 and 4 Block 379 Old San Diego, at Juan, Gaines and Sunset Streets, provided that facilities and landscaping are installed as shown on plans submitted to the Planning Commission.

## R E S O L U T I O N NO. 73589

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Joseph Wisentainer, R. 1, Lakeside, California, for a free license to peddle oranges from house to house, be and it is hereby denied.

## R E S O L U T I O N NO. 73590

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving and otherwise improving Ingelow Street, between Willow and Rosecrans Streets, contained in Document No. 327193, be and it is hereby granted. Type of pavement to be four inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

## R E S O L U T I O N NO. 73591

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby requested to secure a report from the Health Department on what inspections are actually made in connection with the operation of the Original Ranchers Market Association outdoor market, and report his findings to the Council.

## R E S O L U T I O N NO. 73592

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Percy Bilton, Inc., to improve by private contract and at its own expense, portions of Evergreen Street, Malaga Street and Madrid Street in Montemar Ridge, in accordance with plans and profiles to be submitted to the City Engineer, when approved by said Engineer.

## R E S O L U T I O N NO. 73593

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Ace Building Company, 3140 Kettner Boulevard, filed in the office of the City Auditor and Comptroller on February 13, 1941, for a refund of \$20.00 on sewer connection order number 42708, be, and it is hereby denied.

## R E S O L U T I O N NO. 73594

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Mrs. L. R. Davis, 4135 - 35th Street, filed in the office of the City Auditor and Comptroller of said City on February 27, 1941, against the City of San Diego, in the amount of \$53.85, claimed to be due on account of damage sustained to her automobile by reason of driving into a hole on LaVerne Place on February 24, 1941, be, and the same is hereby allowed.

BE IT FURTHER RESOLVED, that the City Attorney be, and he is hereby authorized to prepare and present to the Council an ordinance appropriating the sum of \$53.85 from the Unappropriated Balance Fund in payment of said claim.

## R E S O L U T I O N NO. 73595

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The proceedings heretofore taken for the improvement of BAYSIDE LANE, between the north line of Ventura Place and the southerly line of the Alley in Block 234 Mission Beach, and portion of alley in said Block, be, and they are hereby abandoned.

## R E S O L U T I O N NO. 73596

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement of BAYSIDE LANE, between the north line of Ventura Place and the southerly line of the Alley in Block 234 Mission Beach; and the ALLEY IN BLOCK 234 MISSION BEACH, between the easterly line of Mission Boulevard and a line drawn from the southeasterly corner of Lot A Block 234 Mission Beach to the northeasterly corner of Lot H in said Block 234.

## R E S O L U T I O N NO. 73597

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The proceedings heretofore taken for the construction of sewer system in the area approximately bounded by El Cajon Boulevard, 53rd Street, Dwight Street and Euclid Avenue, be and they are hereby abandoned.

## R E S O L U T I O N NO. 73598

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized to notify The Board of Engineers for Rivers and Harbors that the time set for hearing the City of San Diego's case in the matter of proposed improvement for flood control of the San Diego River, on March 31, 1941, from 9:15 a.m. to 10:00 a.m., is satisfactory to the City of San Diego.

## R E S O L U T I O N NO. 73599

WHEREAS the increase in population and activity brought on through the establishment of important National Defense Projects in San Diego has and will place heavy burdens upon the City of San Diego; and

WHEREAS many of these projects are federally owned and operated and therefore do not contribute directly to the maintenance and operation of municipal government in San Diego; and

WHEREAS the growth of Federal establishments in San Diego has greatly increased the demand for water service and has established the need for an assured standby source of water supply; and

WHEREAS the voters of the City of San Diego have authorized the issuance of \$4,300,000 of municipal bonds for further development of the municipally owned water system; and

WHEREAS it is the judgment of the Council of the City of San Diego that because of the extensive Federal investment in San Diego the Federal Government should provide a standby water service from an independent source; NOW THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, that the appropriate agencies of the United States Government be and they are hereby urged, at the earliest practicable date, to enter upon an investigation and study and prepare a report of the most practicable and feasible route preparatory to authorizing the construction with Federal funds of the necessary works and structures required to make available from the Colorado River an adequate standby water supply to meet the needs of the City of San Diego and the various Federal establishments located in San Diego during such periods of deficient rainfall as may occur in the San Diego area.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggénman, Housh, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73600

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
Permission is hereby granted to Peterson Lumber and Finance Company, 4105 Pacific Highway, to lay a storm drain across Coutts Street near the east line of Pacific Highway, to drain the water from the lot lying north of their property to the lot lying south of their property. The work shall be done by said company at their own expense, and be under City inspection.

R E S O L U T I O N NO. 73601

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The petition of Florence M. Stephenson, 4062 Harney Street, bearing Document No. 327107, requesting the City of San Diego to pay \$150.00 for damage done by flood water to her property at the address mentioned above, be, and it is hereby denied.

R E S O L U T I O N NO. 73602

WHEREAS, the City Manager has recommended that the City acquire certain lands in the southeastern section of San Diego for present and future sewer disposal facilities, for the sum of \$4,455.00, said recommendation being filed in the office of the City Clerk under Document No. 327325; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That the City Manager be, and he is hereby authorized to purchase for present and future sewer disposal facilities, the following described real property, to-wit:

Parcel 1: Those portions of Block 110, Partition Map of Pueblo Lot 1168, lying westerly from the Atchison, Topeka & Santa Fe Railway Company's spur track through said block.

Parcel 2: Those portions of Fractional Block 115, Partition Map of Pueblo Lot 1168, lying southerly from the Atchison, Topeka & Santa Fe Railway Company's main line right of way.

Parcel 3: Those portions of Block 114, Partition Map of Pueblo Lot 1168 lying westerly from the Atchison, Topeka & Santa Fe Railway Company's spur track through said block and southerly from said Railway Company's main line right of way (except Lots 1 to 11 inclusive, now owned by the City).

Parcel 4: Those portions of Block 67, Partition Map of Pueblo Lot 1168, also described as Block 67, S.E.Abel's Subdivision, lying northerly from the northerly line of Harbor Drive as shown on City Engineer's Drawing 5996-L.

Parcel 5: That portion of Lot 33, Block 68, Partition Map of Pueblo Lot 1168, also described as Block 68, S.E.Abel's Subdivision, lying northerly from the northerly line of Harbor Drive as shown on City Engineer's Drawing 5996-L.

for the sum of Four Thousand Four Hundred Fifty-five Dollars (\$4,455.00), said sum being apportioned as follows: for Parcel 1, the sum of \$4,000.00; for Parcel 2, the sum of \$100.00; for Parcel 3, the sum of \$150.00; for Parcel 4, the sum of \$105.00; for Parcel 5, the sum of \$100.00; and said City Manager is hereby authorized to draw requisition on "Outlay" (Purchase, various properties), General Appropriations, as provided by Section 34 of Ordinance No. 1880 (New Series) of the ordinances of said City, in the amount hereinabove set forth.

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized to expend the sum of Three Hundred Fifty Dollars (\$350.00), or any portion thereof, necessary for the payment of any escrow charges or incidental expenses in connection with the purchase of said property, said funds to be withdrawn by requisition of the City Manager from said "Outlay" (Purchase, various properties), General Appropriations.

Presented by WALTER W. COOPER  
Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggénman, Housh, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73603

BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That in conformity with and pursuant to the provisions of that certain act of the Legislature of the State of California, approved April 28, 1933 (Stats. 1933, page 642), and amendments thereto, entitled, "An Act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality



or other public or municipal corporation within the State," the Treasurer of The City of San Diego is hereby authorized and empowered to place on inactive deposit City funds in a total maximum amount of Two Million Dollars (\$2,000,000.00), said sum being in addition to the sum of \$1,250,000.00 heretofore authorized to be placed on inactive deposit by Resolution No. 72147, adopted August 28, 1940, for such term or terms, not exceeding one (1) year, as in the judgment of the City Treasurer may be to the best interests of the City, and to enter into agreements with the bank or banks in which said inactive deposits are made for the payment to the City of interest thereon at the rate of one per cent (1%) per annum, and to accept separate certificates of deposit for said funds so deposited.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73604  
DIRECTING NOTICE INVITING SEALED PROPOSALS, TALMADGE PARK  
LIGHTING DISTRICT NO. 4

BE IT RESOLVED By the Council of the City of San Diego, California, as follows:  
That the City Clerk of the City of San Diego, California, be, and he hereby is directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

JEAN DRIVE, for its entire length;

ADAMS AVENUE, between the westerly and the easterly lines of Talmadge Park Estates;

MADISON AVENUE, between the westerly and the easterly lines of Talmadge Park

Estates;

MONROE AVENUE, between the westerly and the easterly lines of Talmadge Park Estates;

47TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;

EUCLID AVENUE, between the south line of Talmadge Park Estates and Adams Avenue;

48TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;

ESTRELLA AVENUE, between the south line of Talmadge Park Estates and Adams Avenue;

49TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;

MIRACLE DRIVE, for its entire length; and

LORRAINE DRIVE, for its entire length.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 4," filed January 11, 1941, in the office of the City Clerk of said City.

That The SAN DIEGO UNION, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73605  
DIRECTING NOTICE INVITING SEALED PROPOSALS, TALMADGE PARK  
LIGHTING DISTRICT NO. 3

BE IT RESOLVED By the Council of the City of San Diego, California, as follows:  
That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

44TH STREET, between the southerly line of Talmadge Park Unit 3 and its termination in Highland Avenue;

HIGHLAND AVENUE, between the southerly line of Talmadge Park Unit 3 and its termination in 44th Street;

45TH STREET, between the northerly line of Monroe Avenue and the southerly line of Lot 464, Talmadge Park Unit 3;

MAX DRIVE, for its entire length;

MONROE AVENUE, between Fairmount Avenue and 47th Street;

47TH STREET, between Monroe Avenue and the northerly line of Talmadge Park Unit 3; NORMA DRIVE, for its entire length; CONSTANCE DRIVE, for its entire length; NATALIE DRIVE, for its entire length; ADAMS AVENUE, between Natalie Drive and the easterly line of Talmadge Park Unit 3, produced southerly.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 3," filed January 11, 1941, in the office of the City Clerk of said City.

That The SAN DIEGO UNION, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL) FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION OF AWARD NO. 73606  
Alley in Block 83, City Heights.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 4th day of March, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 73025, adopted by the Council on December 31, 1940, and on file in the office of the City Clerk of said City for the grading and paving of the ALLEY IN BLOCK 83, CITY HEIGHTS, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention. For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To R. E. HAZARD & SONS, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

Excavation, per cubic yard, .....\$0.55  
Preparation of subgrade, per square foot, .....\$0.0125  
Pavement, per square foot, .....\$0.12

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION OF AWARD NO. 73607

53RD STREET, MEADE AVENUE, TROJAN AVENUE AND PUBLIC RIGHTS OF WAY.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 4th day of March, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the improvement described in Resolution of Intention No. 73026, adopted by the Council on December 31, 1940, and on file in the office of the City Clerk of said City for the improvement of 53RD STREET, MEADE AVENUE, TROJAN AVENUE and PUBLIC RIGHTS OF WAY, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To HARRY L. FOSTER, at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

6" sewer main, laid, per lineal foot, .....\$ 1.70  
Manholes, EACH .....\$99.00  
Dropmanholes, EACH .....\$125.00  
Dead ends, EACH .....\$20.00

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF AWARD NO. 73608

University Avenue Lighting District No. 2

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 4th day of March 1941, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the curb lines of the following streets in the City of San Diego, California, to-wit:

FOURTH AVENUE, between the south line of Washington Street and the north line of Robinson Avenue;

FIFTH AVENUE, between the south line of University Avenue and the north line of Robinson Avenue; and

UNIVERSITY AVENUE, between the easterly line of Third Avenue and the westerly line of Park Boulevard.

Such furnishing of electric current shall be for a period of one year from and including March 16, 1941, to-wit, to and including March 15, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for University Avenue Lighting District No. 2," filed December 20, 1940, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit: To: SAN DIEGO GAS & ELECTRIC COMPANY, at the prices specified in its bid for said work on file in the office of the Clerk of said City of San Diego, to-wit: ONE THOUSAND SIX HUNDRED THIRTY-FIVE DOLLARS (\$1,635.00).

And said Council does hereby require and fix the sum of FOUR HUNDRED NINE DOLLARS (\$409.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said SAN DIEGO GAS & ELECTRIC COMPANY, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said SAN DIEGO GAS & ELECTRIC COMPANY on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT- Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73609

APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING

CLERK TO GIVE NOTICE OF SAID HEARING

Mission Beach Lighting District No. 1.

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 5th day of March 1941, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 73387, adopted by said Council on the 11th day of February 1941, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required



by law, NOW, THEREFORE,  
BE IT RESOLVED, by the Council of the City of San Diego, as follows:  
That Tuesday, the 8th day of April 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the street lamps on bracket arms attached to the poles on MISSION BOULEVARD, between the southerly line of Ventura Place and the southerly line of Pacific Beach Drive, in the City of San Diego, California; together with the maintenance of said bracket arms, wires and lamps on said Mission Boulevard; within the limits above mentioned. Such furnishing of electric current and such maintenance of appliances shall be for a period of one year from and including May 15, 1941, to-wit, to and including May 14, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73610  
San Jose Place and Bayside Walk

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of SAN JOSE PLACE, between the easterly line of Ocean Front Walk and the westerly line of Bayside Walk; and BAYSIDE WALK, between the easterly prolongation of the northerly and southerly lines of San Jose Place, in said City, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on January 28, 1941, under Document No. 326225, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1824, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said streets hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

RESOLUTION OF INTENTION NO. 73611  
San Jose Place and Bayside Walk

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That portions of SAN JOSE PLACE, in said City, between the easterly line of Ocean Front Walk and the westerly line of Bayside Walk, be graded, and the subgrade prepared and paved with a six inch Portland cement concrete pavement.

That a portion of BAYSIDE WALK, in said City, between the easterly prolongation of the northerly and southerly lines of San Jose Place, be graded, and the subgrade prepared and paved with a six inch Portland cement concrete pavement.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 326225, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 182425, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 73333, adopted on the 4th day of February, 1941, that 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, is as follows:

|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Asphalt raker                      | \$ 5.00        | \$ 0.625 |
| Asphalt spreader                   | 5.00           | 0.625    |
| Auto mechanic                      | 6.00           | 0.75     |
| Backfill machine operator          | 6.00           | 0.75     |
| Blacksmith                         | 6.00           | 0.75     |
| Blademan                           | 6.00           | 0.75     |
| Bricklayer                         | 12.00          | 1.50     |
| Bricklayer tender                  | 7.00           | 0.875    |
| Bulldozer operator                 | 6.00           | 0.75     |
| Bulldozer operator over 50 HP      | 10.00          | 1.25     |
| Carpenter                          | 8.00           | 1.00     |
| Caulker                            | 6.00           | 0.75     |
| Cement finisher                    | 10.00          | 1.25     |
| Clerk                              | 6.00           | 0.75     |
| Compressor operator                | 10.00          | 1.25     |
| Concrete mixerman                  | 7.00           | 0.875    |
| Concrete spreader                  | 5.00           | 0.625    |
| Concrete tamper                    | 5.00           | 0.625    |
| Crane operator                     | 9.00           | 1.125    |
| Driller                            | 7.00           | 0.875    |
| Drill sharpener                    | 6.00           | 0.75     |
| Electrician                        | 10.00          | 1.25     |
| Engineer, hoisting                 | 10.00          | 1.25     |
| Engineer, asphalt plant            | 10.00          | 1.25     |
| Finish machine operator            | 6.00           | 0.75     |
| Form setter                        | 6.00           | 0.75     |
| Jackhammer man                     | 7.00           | 0.875    |
| Kettleman, asphalt or lead         | 6.00           | 0.75     |
| Laborer, common                    | 5.00           | 0.625    |
| Materialman                        | 6.00           | 0.75     |
| Pipelayer                          | 6.00           | 0.75     |
| Plumber                            | 10.00          | 1.25     |
| Powderman                          | 6.00           | 0.75     |
| Pumpman                            | 6.00           | 0.75     |
| Reinforcing steel worker           | 10.00          | 1.25     |
| Road grader operator               | 6.00           | 0.75     |
| Roller operator                    | 10.00          | 1.25     |
| Shovel operator, 1 yard and over   | 10.00          | 1.25     |
| Shovel operator, less than 1 yard  | 8.00           | 1.00     |
| Shovel fireman and watchman        | 7.00           | 0.875    |
| Shovel oiler                       | 6.00           | 0.75     |
| Teamster                           | 5.00           | 0.625    |
| Tractor operator, over 50 HP       | 10.00          | 1.25     |
| Tractor operator, 50 HP and under  | 6.00           | 0.75     |
| Time keeper                        | 6.00           | 0.75     |
| Trenching machine operator         | 10.00          | 1.25     |
| Truck driver, 15,500 lbs and under | 5.44           | 0.68     |
| Truck driver, over 15,500 lbs      | 6.00           | 0.75     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled labor not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one-half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 15th day of April, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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" approved

April 7, 1911, and amendments thereto.  
Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: Housh and Knox

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

(SEAL)

RESOLUTION OF INTENTION NO. 73612  
Friars Road

BE IT RESOLVED, By the Council of The City of San Diego, that the public interest and convenience of said City require the closing up of a portion of the street hereinafter mentioned; and

BE IT FURTHER RESOLVED, that it is the intention of said Council to order the closing of that portion of FRIARS ROAD, in Pueblo Lot 1173 of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in the year 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, conveyed to the City of San Diego by deed from Minnie G. Stockton, dated March 29, 1916, recorded April 19, 1916, in Book 708 of Deeds, at page 182, in the office of said County Recorder, lying southeasterly and southerly from a line drawn parallel with and distant 40 feet southeasterly and southerly of the following described line:

Commencing at a point on the southerly line of Pueblo Lot 1183, according to said Pascoe map, distant 990.90 feet westerly therealong from the westerly line of Pueblo Lot 1109, according to said Pascoe Map, said point of commencement being being also a point on the northerly line of said Pueblo Lot 1173; thence south-westerly on a direct line making an angle of 43° 42' to the left from the southerly line of said Pueblo Lot 1183, a distance of 148.07 feet to the point of a tangent curve concave to the northwest, having a radius of 1150.00 feet; thence southwest-erly along the arc of said curve 549.62 feet to a point.

That it is not deemed necessary that any land be taken therefore.

That the exterior boundaries of the district of lands in said City to be affected by said work and improvement, and to be assessed to pay the damages, costs and expenses thereof, are described as follows:

All that portion of Pueblo Lot 1173 of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in the year 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, bounded and described as follows:

Commencing at the easterly corner of said Pueblo Lot 1173; thence westerly along the southerly line of said Pueblo Lot 1173 a distance of 1700 feet to a point; thence northeasterly on a direct line to the southwesterly corner of the East 1/2 of Pueblo Lot 1183 of said Pueblo Lands of San Diego, said point being also on the northerly line of said Pueblo Lot 1173; thence easterly along the northerly line of said Pueblo Lot 1173 to the point of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

That the San Diego Union, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper in which the Director of Public Works of said City shall cause to be published, in the manner and form required by law, notice of the passage of this Resolution of Intention, and the said Director of Public Works is hereby directed to cause notices of the passage of this resolution to be posted in the manner and form required by law, and to cause a notice similar in substance to be published in said newspaper for a period of ten days in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: Housh and Knox

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

(SEAL)

RESOLUTION OF INTENTION NO. 73613  
Couts Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to change the grade of COUTS STREET, between the northeasterly line of Kurtz Street and the southwesterly line of Pacific Highway in the City of San Diego, California, as shown on that certain map entitled, "MAP SHOWING OFFICIAL PROPERTY LINE GRADES TO BE CHANGED ON COUTS STREET between the northeasterly line of Kurtz Street and the southwesterly line of Pacific Highway," signed by H. W. Jorgensen, City Engineer, and filed under Document No. 327160 in the office of the City Clerk of the City of San Diego, California, March 4, 1941.

And the grades of said Couts Street, between the points shown on the map above referred to, shall have a uniform ascent and descent; all of said grade elevations to be above the datum line of levels as fixed by Ordinance No. 3950 of the ordinances of said City.

Said Council hereby elects to proceed, in making said Change of grade, under the provisions of the "Change of Grade Act of 1909."

That the SAN DIEGO UNION, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper



in which this Resolution of Intention shall be published for two days, and the notice of the passage thereof shall be published for six days in the manner and by the persons required by law.

That the Clerk of the said City of San Diego be, and he is hereby directed to post this Resolution of Intention conspicuously for two days on or near the chamber door of the said Council, and to cause the same to be published by two insertions in said daily newspaper in the manner required by law.

That the Director of Public Works of the City of San Diego shall thereupon cause to be conspicuously posted along the street designated in this Resolution of Intention where said change or modification of grade is proposed to be made, at not more than one hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published for six days in said daily newspaper in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 73614

#### RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN THE ALLEYS IN BLOCK 121, UNIVERSITY HEIGHTS.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, paving and otherwise improving of the EAST AND WEST ALLEY IN BLOCK 121, UNIVERSITY HEIGHTS, between the east line of Idaho Street and the west line of Utah Street; and the NORTH AND SOUTH ALLEY IN BLOCK 121, UNIVERSITY HEIGHTS, between the north line of Howard Avenue and the south line of said east and west alley, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 327118. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 73615

#### RELATING TO DEMAND OF PROPERTY OWNERS FOR REPORT UNDER THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931 - PORTIONS OF FRANKLIN AVENUE, CUYAMACA AVENUE, JAMUL AVENUE, SAN MIGUEL AVENUE, LOS PINOS AVENUE, AND OCEAN VIEW BOULEVARD.

It appearing to the Council that more than thirty (30) days have elapsed since the postcard notices have been served on the property owners in the proposed district to be assessed to pay the costs and expenses of the grading, subgrading, surfacing, construction of curb, gutters and drainage structures, and the removal of existing gutters and drainage structures in FRANKLIN AVENUE, between the easterly line of Boundary Street and its easterly termination in San Miguel Avenue; CUYAMACA AVENUE, between the north line of Ocean View

Boulevard and the southwesterly line of Franklin Avenue; JAMUL AVENUE, between the easterly line of Cuyamaca Avenue and the southwesterly line of Franklin Avenue; SAN MIGUEL AVENUE, between the north line of OceanView Boulevard and the northeasterly line of Franklin Avenue; LOS PINOS AVENUE, between the west line of San Pasqual Street and its westerly termination in San Miguel Avenue; OCEAN VIEW BOULEVARD, between a line parallel to and distant 15.00 feet easterly from the southerly prolongation of the easterly line Cuyamaca Avenue and a line parallel to and distant 80.00 feet westerly from said parallel line, and between a line parallel to and distant 15.00 feet easterly from the southerly prolongation of the easterly line of San Miguel Avenue and a line parallel to and distant 80.00 feet westerly from the last described parallel line, in the City of San Diego, California, and that the return postcards of such property owners demanding an investigation and report under said Act have been by this Council fully considered and computed; NOW, THEREFORE,

BE IT RESOLVED, and it is hereby ordered and determined that the owners of 15% of the area of the proposed district have not demanded such investigation and report.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading, subgrading, surfacing, construction of curb, gutters and drainage structures, and the removal of existing gutters and drainage structures in FRANKLIN AVENUE, CUYAMACA AVENUE, JAMUL AVENUE, SAN MIGUEL AVENUE, LOS PINOS AVENUE and OCEAN VIEW BOULEVARD, within the above described limits.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73616

WHEREAS, the City Engineer of The City of San Diego, California, in accordance with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" and amendments thereto, and as directed by Resolution No. 73034 of the Council of said City, has prepared and filed in the office of the City Clerk of said City, under Document No. 325785, a report upon the proposed improvement of FENELON STREET, between the northwesterly line of Rosecrans Street and the southeasterly line of Willow Street, in said City; and

WHEREAS, said report of the City Engineer shows that the estimated total cost of the improvements is more than one-half of the true value of all lands to be assessed, and that in the case of twenty-three (23) parcels the proposed assessment will exceed one-half of the true value of that parcel; and

WHEREAS, this Council has considered the said report of the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the proposed improvement of FENELON STREET, in said City, between the northwesterly line of Rosecrans Street and the southeasterly line of Willow Street, is hereby determined to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading, paving and otherwise improving of FENELON STREET, in said City, between the northwesterly line of Rosecrans Street and the southeasterly line of Willow Street.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73617

WHEREAS, the City Engineer of The City of San Diego, California, in accordance with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" and amendments thereto, and as directed by Resolution No. 73144 of the Council of said City, has prepared and filed in the office of the City Clerk of said City, under Document No. 326109, a report upon the proposed improvement of LANDIS STREET, between the easterly line of Alabama Street and the westerly line of Mississippi Street, in said City; and

WHEREAS, said report of the City Engineer shows that the estimated total cost of the improvements is less than one-half of the true value of all lands to be assessed, but that in the case of each of seven parcels the proposed assessment will exceed one-half of the true value of that parcel; and

WHEREAS, this Council has considered the said report of the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the proposed improvement of LANDIS STREET, in said City, between the easterly line of Alabama Street and the westerly line of Mississippi Street, is hereby determined to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading and paving of LANDIS STREET, in said City, between the easterly line of Alabama Street and the westerly line of Mississippi Street.

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73618

BE IT RESOLVED, by the Council of the City of San Diego, as follows:  
The following claims, attached to Transmittal No. 59 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number |                                     | Net Amount of Claim | Claim Number |
|------------|--------------|-------------------------------------|---------------------|--------------|
| 2/26/41    | 0841         | W. P. Fuller & Company              | 4.24                | 0692         |
| "          | 0860         | General Electric Supply Co.         | 10.83               | 0693         |
| "          | 0861         | Jess B. Worthington                 | 6.18                | 0694         |
| "          | 0866         | Flexrock Company                    | 19.30               | 0695         |
| "          | 0872         | Whitney & Company                   | 4.74                | 0696         |
| "          | 0873         | Dohrmann Hotel Supply Co.           | 60.26               | 0697         |
| "          | 0885         | Winter's Bakery                     | 5.56                | 0698         |
| "          | 0889         | Western Lumber Company              | 1.86                | 0699         |
| "          | 0891         | State Blind Shop                    | 4.89                | 0700         |
| "          | 0893         | Klauber Wagenheim Company           | 174.98              | 0701         |
| "          | 0894         | Hazard-Gould & Co.                  | .97                 | 0702         |
| "          | 0897         | Fred C. Silverthorn & Sons, Inc.    | 6.44                | 0703         |
| "          | 0906         | Otis Elevator Company               | 115.50              | 0704         |
| "          | 0910         | San Diego Gas & Electric Company    | 861.40              | 0705         |
| "          | 0911         | City Water Department               | 78.25               | 0706         |
| "          | 0912         | Kelley Laundry Company              | 4.83                | 0707         |
| "          | 0913         | County of San Diego-Stores Division | 5.53                | 0708         |
| "          | 0914         | City of San Diego                   | 18.71               | 0709         |
| "          | 0915         | San Diego County Garage             | 6.10                | 0710         |
| "          | 0916         | County Telephone Department         | 3.65                | 0711         |

R E S O L U T I O N NO. 73619

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The following claims, attached to Transmittal No. 60 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number |                       | Net Amount of Claim | Claim Number |
|------------|--------------|-----------------------|---------------------|--------------|
| 2/26/41    | 0896         | Whitney & Company     | 13.18               | 0712         |
| "          | 0868         | Flexrock Company      | 13.87               | 0713         |
| "          | 0919         | Rodney Stokes Company | 1.69                | 0714         |
| "          | 0922         | Hansen's Nurseries    | 4.64                | 0715         |

R E S O L U T I O N NO. 73620

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The following claims, attached to Transmittal No. 61 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number |                             | Net Amount of Claim | Claim Number |
|------------|--------------|-----------------------------|---------------------|--------------|
| 3/5/41     | 0847         |                             |                     |              |
| "          | 0871         | General Electric Supply Co. | 12.95               | 0716         |
| 3/8/41     | 0898         | Hazard Gould & Co.          | 1.03                | 0717         |
| 3/8/41     | 0902         | Fred C. Silverthorn & Sons  | 1.29                | 0718         |
| "          | 0907         | Austin Safe & Desk Company  | 10.00               | 0719         |
| "          | 0908         | W. E. Roberts               | 25.00               | 0720         |
| "          | 0909         | Public Service Oil Co.      | 205.92              | 0721         |
| "          | 0918         | Western Metal Supply Co.    | 1.81                | 0722         |
| "          | 0923         | National Sign Co.           | 2.50                | 0723         |

R E S O L U T I O N NO. 73621

That the City Manager be, and he is hereby authorized and directed, for and on behalf of The City of San Diego, to make application to the Board of Supervisors of the County of San Diego, State of California, for the granting by said Board of Supervisors of an option to purchase the following described premises, to-wit:

Beginning at a point North 77° 15' 30" West, 2324.79 ft. and South 33° 52' 41" West, 32.16 ft. from the Northwest corner of Pueblo Lot 182 in the Pueblo Lands of the City of San Diego; thence South 33° 52' 41" West, 171.40 ft.; thence along a curve having a radius of 430 ft., bearing South 56° 07' 19" East, through an angle of 35° 05' 49" 263.40 ft.; thence South 88° 46' 52" West, to the mean high tide line of the Pacific Ocean; thence Northwesterly, Northerly and Northeasterly along the mean high tide line to a point which is North 77° 15' 30" West from the point of beginning; thence South 77° 15' 30" East, to the point of beginning in Pueblo Lot 193;

it satisfactorily appearing that said property has heretofore been deeded for delinquent taxes and/or assessments to the State of California; said application to be made under and pursuant to the terms and conditions of Section 3897-d of the Political Code of the State of California, as modified and embodied in the Revenue and Taxation Code of the State of California, adopted May 16, 1939, Sections 3771-3773 and 3791-3810 thereof; the purchase price



of said lands to be the sum of One Dollar (\$1.00)  
BE IT FURTHER RESOLVED that Resolution No. 73520, adopted March 4, 1941, be, and the same is hereby repealed.  
Approved as to form by MOREY S. LEVENSON  
Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73622

WHEREAS, The City of San Diego has acquired certain lands for public purposes hereinafter described, and the City is now the owner, and in possession thereof; and  
WHEREAS, the deeds to said lands conveying the same to the City have been recorded in the official records of the County Recorder of San Diego County, as hereinafter more fully set forth; and

WHEREAS, said lands have been assessed for tax purposes and are now delinquent, and some of said parcels of land have been sold to the State of California for said delinquent taxes, while other parcels thereof have been assessed for tax purposes for the taxable year 1940-41, all of which taxes remain unpaid; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Attorney be, and he is hereby directed to file a petition with the Board of Supervisors of the County of San Diego, State of California, requesting that said taxes against said lands, together with all penalties and other expenses in connection therewith, be cancelled; and that said City Attorney be, and he is hereby authorized and directed to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes.

Said property is described as follows:

PARCEL 1:

Lots Eight and Nine, in Block Fourteen of Encanto Heights, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1063, filed in the office of the County Recorder of said San Diego County, October 22, 1907.

(The deed to The City of San Diego is dated January 17, 1941, and was recorded January 23, 1941, in Book 1121, at page 265, official records of the County Recorder of San Diego County, California.)

PARCEL 2:

Lots One, Two and Three, in Block Fourteen of Encanto Heights, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1063, filed in the office of the County Recorder of said San Diego County October 22, 1907.

(The deed to The City of San Diego is dated November 20, 1940, and was recorded January 23, 1941, in Book 1121, at page 266, official records of the County Recorder of San Diego County, California.)

PARCEL 3:

Lots One, Two, Three and Four in Block Four Hundred Sixty-nine of Old San Diego, in the City of San Diego, State of California, according to map thereof made by James Pascoe in May, 1870.

(The deed to The City of San Diego is dated December 17, 1940, and was recorded January 18, 1941, in Book 1123, at page 198, official records of the County Recorder of San Diego County, California.)

PARCEL 4:

Lots Two and Three, in Block Four Hundred Seventy-five, of Old San Diego, in the City of San Diego, State of California, according to map thereof made by James Pascoe, in May, 1870.

(The deed to The City of San Diego is dated January 29, 1941, and was recorded February 14, 1941, in Book 1134, at page 215, official records of the County Recorder of San Diego County, California.)

PARCEL 5:

Lot Fifteen, Presidio Ridge, in the City of San Diego, State of California, according to Map No. 1760, filed in the office of the County Recorder of San Diego County, California.

(The deed to The City of San Diego is dated January 29, 1941, and was recorded February 14, 1941, in Book 1134, at page 215, official records of the County Recorder of San Diego County, California.)

Presented by WALTER W. COOPER

Approved as to form by JAMES J. BRECKENRIDGE

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

## R E S O L U T I O N NO. 73623

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, has entered into a lease of certain portions of the tidelands with RYAN AERONAUTICAL COMPANY, a corporation, for a period of twenty-five (25) years, beginning on the 1st day of March, 1941, and ending on the 28th day of February, 1966, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission of The City of San Diego and Ryan Aeronautical Company, a corporation, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

## L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the Harbor Commission of said City, as Lessor, hereinafter called the City, and RYAN AERONAUTICAL COMPANY, a corporation, as Lessee, WITNESSETH:

That the City, lessor as aforesaid, does by these presents demise and let unto the lessee, upon the terms and conditions and for the purposes and uses hereinafter recited, and the lessee hereby hires and accepts from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, all those lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California under the provisions of that certain Act of the Legislature, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situated in the Bay of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the first day of May, 1911, and as subsequently amended, particularly described as follows, to-wit:

beginning at the intersection of the northwesterly line of Quince Street with the southwesterly line of California Street; thence southwesterly along the northwesterly line of Quince Street and the southwesterly prolongation thereof a distance of 308 feet to a point; thence northwesterly parallel to and distant 308 feet from the southwesterly line of California Street, a distance of 100 feet to the true point or place of beginning; thence continuing northwesterly parallel to and distant 308 feet southwesterly from the southwesterly line of California Street, a distance of 210.5 feet to a point, said point being the most easterly corner of that parcel of tideland area leased to the Consolidated Aircraft Corporation; thence at right angles south  $53^{\circ} 29' 10''$  west a distance of 599.99 feet to a point, said point being the most southerly corner of that tideland area leased to Consolidated Aircraft Corporation; thence south  $68^{\circ} 16' 30''$  east a distance of 247.57 feet to a point; thence north  $53^{\circ} 29' 10''$  east a distance of 469.67 feet, more or less, to the true point or place of beginning, containing 112,582 square feet.

The said lands hereinabove described being shown on the map or plat attached hereto, marked "Exhibit A," and made a part hereof.

TO HAVE AND TO HOLD the said premises unto the said lessee for a term beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 1941, and ending on the \_\_\_\_\_ day of \_\_\_\_\_, 1966, unless sooner terminated as herein provided, at the following rentals:

For the first five-year portion of said term, the sum of one hundred forty-five dollars (\$145.00) per month;

For the next five-year portion of said term, the sum of one hundred seventy dollars (\$170.00) per month;

For the next five-year portion of said term, the sum of one hundred ninety-five dollars (\$195.00) per month;

For the next five-year portion of said term, the sum of two hundred twenty dollars (\$220.00) per month;

For the remaining and final five-year portion of said term, the sum of two hundred forty-five dollars (\$245.00) per month;

All rentals hereunder shall be due and payable monthly in advance upon the first day of each and every month during the term of this lease.

In addition to the foregoing rentals, the lessee shall pay the sum of one hundred dollars (\$100.00) per month, payable in advance on the first day of each and every month, for so long as it shall use Lindbergh Field for flying training.

This lease shall be assignable only by the consent of the Harbor Commission of said City, evidenced by resolution duly passed. The lessee shall have the right to sublet portions of the buildings erected or to be erected upon the leased premises, as hereinafter provided.

The Council of said City, and the Harbor Commission of said City, and the people of said City, hereby reserve the right and privilege to annul, change or modify this lease in such manner as may seem proper, upon the payment to said lessee of reasonable compensation for damages occasioned by said annulment, change or modification. The reasonable compensation herein provided to be paid to the lessee shall be based upon and limited to compensation for the actual value of such buildings, structures and physical improvements placed upon the demised premises by the lessee as are required, authorized or permitted under the terms of this lease, and shall not be held to include compensation to said lessee for any damage to, interference with, or loss of business or franchise occasioned by any such annulment, change or modification.

In addition to the foregoing provisions, it is hereby agreed by the parties to this lease that the same is granted and accepted upon the further terms and conditions hereinafter provided, to-wit:

(1) The business of said lessee to be conducted upon said premises shall include any and/or all of the following: the repairing, maintaining, storing, operating and selling of aircraft; the sale of airplane and automobile gasoline, lubricants and related products, together with the sale of such articles of merchandise as are usually sold by establishments dealing in the hereinabove mentioned business; the operation of a school of aviation and the conducting of any and/or all forms of instruction; the operation of local and intercity passenger flying service; and the manufacturing of airplanes, parts, accessories and equipment of all kinds relating to airplanes.

(2) That all plans for buildings, structures and improvements to be erected or placed upon said leased premises shall comply with all the ordinances of The City of San Diego, and shall be subject to the approval of the said Harbor Commission and the Planning Commission of said City.

(3) That said lessee shall also have the right to use Lindbergh Field for such flying as may be necessary in connection with the operation of the above activities; provided, however, that in the use of said Lindbergh Field said lessee shall be subject to all conditions, rules and regulations which are now or may hereafter be adopted by the Harbor Commission pursuant to the provisions of Ordinance No. 11829 of the ordinances of said City, and ordinances amendatory thereof and supplemental thereto, and likewise to all laws of the United States, State of California, and ordinances of The City of San Diego applicable to

the operation of airports and/or aircraft and/or to the leasing of tidelands by said City.

(4) The lessee hereby agrees to indemnify and hold harmless said lessor and the leased property from any fine, lien, penalty or forfeiture which shall or may accrue from or by reason of the erection of any building or structure on said premises, or by reason of any use of said premises or said airport by the lessee; and it further agrees to indemnify and hold harmless the said lessor from all liability or claim of liability, and to pay any judgment rendered against said lessor, and to reimburse the lessor for any expense incurred by it, by reason of any action or suit at law or in equity brought against it, in which it is made a party, by reason of the erection of any such building or structure, or by reason of the occupancy or use by the lessee of the premises herein granted, or in any way relating to or connected with the use of the premises of the lessor. For the purpose of this paragraph the term "expense" shall be construed to include all costs incurred by the lessor in the defense or settlement of said action or suit, including attorney's fees, filing fees, salaries and expenses of any officials or employees of said lessor while engaged in the defense or settlement of said action or suit.

(5) That the said lessee shall at all times carry fire equipment and apparatus satisfactory to the Harbor Commission.

(6) That upon the expiration of the term of this lease, said lessee shall promptly remove any and all structures erected on said premises, at its own cost and expense.

(7) That said City reserves the right to lay water or sewer pipes across said lands, provided that said lessee shall not be disturbed in the possession and use of said premises to any greater degree than may be necessary for such purposes.

(8) In the event that the lessee shall fail to establish and maintain the activities above described upon the said demised land, or shall fail to fulfill in any manner the uses and purposes for which the said premises are leased, as above stated, or shall fail or refuse to perform the obligations by it under this lease undertaken, that then and in that event this lease shall terminate, and said lessee shall have no further rights thereunder, and the said lessee shall remove from said demised premises and shall have no further right or claim thereto, and the said City shall immediately thereupon, without recourse to the courts, have the right to take possession of said premises, and said lessee shall forfeit all rights and claims thereto and thereunder; and said lessee, in accepting this lease, hereby acknowledges the right of said City to take possession of said premises immediately upon the neglect or refusal of said lessee to comply with the terms and conditions hereinbefore mentioned.

(9) That all wires and wiring serving said leased premises shall be placed underground.

(10) Reference is hereby made to all laws as now existing and as hereafter amended or enacted, applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed, or reservations made, are made a part of this lease with like effect as though the same were expressly set forth herein.

It is mutually understood and agreed between the parties hereto that upon the execution of this lease and its ratification by the City Council, the two leases heretofore entered into between The City of San Diego and Ryan Aeronautical Company, covering portions of the premises hereby leased, shall terminate and be of no further force or effect. The leases hereby referred to are that certain lease dated May 15, 1936, the original of which is on file in the office of the City Clerk of said City, bearing Document No. 297939, and recorded in Book 9, page 157, Records of said City Clerk, and that certain lease dated August 18, 1938, the original of which is on file in the office of said City Clerk, bearing Document No. 309831, and recorded in Book 10, page 254, Records of said City Clerk.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego have hereunto subscribed their names as and for the act of said City, and the said lessee has caused this instrument to be executed, and its corporate name and seal to be hereunto affixed, by its proper officers, thereunto duly authorized, the day and year first hereinabove written.

THE CITY OF SAN DIEGO Lessor.  
By \_\_\_\_\_  
Members of the Harbor Commission  
of The City of San Diego.

ATTEST:

RYAN AERONAUTICAL COMPANY Lessee  
By \_\_\_\_\_ President

I hereby approve the form of the foregoing Lease, this 20th day of February, 1941.

D. L. Ault  
City Attorney  
By H. B. DANIEL  
Assistant City Attorney

EXHIBIT A

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: Housh and Knox

(SEAL) Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73624

BE IT RESOLVED By the Council of The City of San Diego, as follows:  
That Paragraph (4) of that certain Revocable Permit granted to the United States of America for the use and occupancy of a portion of Torrey Pines Park, dated October 30, 1940, authorized by Resolution No. 72614, be, and the same is hereby amended to read as follows:

"(4) The permitter shall not under or by reason of this permit, or by reason of anything contained herein, assume any responsibility or incur any expense or liability whatsoever, in connection with the Government's use of the premises described in this permit."

Passed and adopted by the said Council of the said City of San Diego, California, this 11th day of March, 1941, by the following vote, to-wit:



YEAS - Councilmen: Simpson, Weggenman, Boud, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilmen: Housh and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

#### RESOLUTION NO. 73626

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The proposed ordinance regulating traffic upon the public streets, providing a penalty for the violation thereof and repealing ordinances in conflict therewith, be, and it is hereby referred to Council conference.

#### RESOLUTION NO. 73625

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Nellie Spanhower, executed in favor of The City of San Diego, bearing date March 5, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across Lot 23, in Block 8 of Ocean Beach Park, according to map thereof No. 1167, filed in the office of the County Recorder of San Diego County, California, February 10, 1909, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73627

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Siebrand Shows, by R. W. Siebrand, be and it is hereby granted for permission to exhibit at the foot of Market Street from March 11 to 16, under auspices of the Southeastern Chamber of Commerce, on the same basis as originally granted under Resolution No. 73528.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73575 to 73627, inclusive, of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 11th day of March 1941.

FRED W. SICK  
 City Clerk of the City of San Diego, California

By Helen M. Wilbig Deputy

#### RESOLUTION NO. 73628

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The appeal of Mattie A. McIntire, filed in the office of the City Clerk of March 12, 1941, under Document No. 327407, from the City Engineer's Assessment No. 1723, made to cover the costs and expenses of the work done upon Main Street in said City, under Resolution of Intention 72211, adopted by said Council on September 10, 1940, be, and the said appeal be, and it is hereby overruled and denied, and all other appeals are hereby overruled and denied.

BE IT FURTHER RESOLVED, that the City Engineer's said Assessment No. 1723 is hereby confirmed and approved, and the City Engineer of said City is hereby authorized and directed to attach his warrant thereto and record and issue the same in the manner and form provided by law. Said warrant shall bear date of this order.

#### RESOLUTION NO. 73629

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The matter of enclosing automobile wrecking yards and junk yards, as required by Ordinances Nos. 2069 New Series and 2070 New Series, adopted February 25, 1941, which will go into effect on March 31, 1941, be and it is hereby referred to Council conference.

#### RESOLUTION NO. 73630

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Councilman Harley E. Knox, be, and he is appointed as a representative of the Council to meet with the Health Department and members of the Original Ranchers Market Association to study and recommend to the Council on the matter of food inspection permits for the operation of the Ranchers' Market at Eighth Avenue and G Street.

#### RESOLUTION NO. 73631

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Peniel Mission, 620 Market Street, by Miss Charlotte Warren and Miss Eleanor Bennett, for permit to conduct street meetings at the northwest corner of Sixth Avenue and Market Street, be, and it is hereby denied.

#### RESOLUTION NO. 73632

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Hage's, Ltd., by Wilbur Thomas, Vice President, to install indirect floor drains in the addition to their building now under construction at 835 K Street. The drains shall be connected to properly installed main floor drain, with each drain trapped and lines vented. Work shall be subject to approval of the Department of Public Health.

## R E S O L U T I O N NO. 73633

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mr. and Mrs. Lon Mason, 4073 Chamoune Avenue, to use a common soil and waste line for the first two units of a contemplated bungalow court on Lots 5 and 6 Block 17 Fairmount Addition to City Heights.

The City of San Diego shall not be held liable for any damage which may arise from the installation or use of said pipe line.

## R E S O L U T I O N NO. 73634

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Howard E. Ward and Pearl E. Martinsen, 4074 Ingalls Street, to conduct an auto trailer camp consisting of seventy units on the southerly 200 feet of the westerly 700 feet of Lot 4 Eureka Lemon Tract, at a location on Pacific Highway near Bunkerhill Street.

The camp shall be in accordance with revised plans submitted to the City Planning Commission.

## R E S O L U T I O N NO. 73635

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Percy Bilton, Inc., P. O. Box 87, San Gabriel, California, to divide Lots 6 to 15 Block 15 Montemar Ridge Unit 1 and Lot 1 Harbor Villas, into lots with 60-foot frontages.

Variance to the restrictions of Ordinance No. 31 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73636

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Capital Incomes Corporation, by Arthur Shepard, president, 5873 El Cajon Boulevard, to construct five residences on Lot C Encanto, with each residence to be on a parcel consisting of at least one acre.

Variance to the restrictions of Ordinance No. 116 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73637

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized to light the following standards with 400 c.p. lamps:

Point Loma Avenue at Alexandria Drive; Point Loma Avenue at Savoy Street; Varona Street at Savoy Street; La Paloma Street at Savoy Street; Valencia Drive at Moana Drive.

## R E S O L U T I O N NO. 73638

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of San Diego Firemen's Relief Association, by S. H. Shawver, for permission to conduct a public fireworks display on July 4 and July 5, 1941, in Balboa Stadium, is hereby granted; subject to Sections 12500-12513 of the Health and Safety Code, the Rules and Regulations adopted by the State Fire Marshal and Ordinance No. 1313 New Series of the City of San Diego, filed under Document No. 327529, be, and it is hereby granted.

## R E S O L U T I O N NO. 73639

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare and present an amendment to Ordinance No. 1313 New Series, to provide that insurance may be substituted in lieu of a bond for public fire works displays, as now required in said ordinance.

## R E S O L U T I O N NO. 73640

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving the east and west ALLEY IN BLOCK 37 NORMAL HEIGHTS, be, and it is hereby granted. Type of pavement to be four inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

## R E S O L U T I O N NO. 73641

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare and present to the Council a lease with Frank Evans on the Isolation Hospital as headquarters for the San Diego County Sheriff Rangers, being all of Block 356 J. P. Jones Subdivision belonging to the City, and all the land in P.L 1100 belonging to the City except Lot 15 Block E Addition to Silver Terrace. The term of the lease shall be for five years, with a sixty-day cancellation clause, at twenty dollars per month.

## R E S O L U T I O N NO. 73642

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from State-Wide Automobile Wreckers' Association of California, 650 South Grand Avenue, Los Angeles, bearing Document No. 327474, regarding the ordinance requiring the enclosing of automobile wrecking yards, be, and it is hereby referred to Council conference.

## R E S O L U T I O N NO. 73643

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from the Board of Supervisors of San Diego County, bearing Document No. 327461, together with a copy of resolution adopted by the Board of Supervisors on March 10, 1941, attached thereto, be, and they are hereby referred to the City Attorney for preparation of a resolution in connection with the proposed inclusion of land in the Vallecito and Carriso regions in the California State Park System.

## R E S O L U T I O N NO. 73644

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from Thomas H. Tulloch, Secretary of City Employees' Retirement System, bearing Document No. 327464, advising the Council that the five year term of C. F. Atkinson, the insurance member of the Board of Administration of the City Employees' Retirement System will expire on March 20, 1941, be, and it is hereby referred to Council conference.

## R E S O L U T I O N NO. 73645

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from Board of Directors, San Diego Symphony Orchestra Association, 918 San Diego Trust & Savings Building, by Donald B. Smith, president, requesting an allocation in the 1941-42 budget in the sum of \$5,000, be, and it is hereby referred to the budget.

## R E S O L U T I O N NO. 73646

WHEREAS, pursuant to the due and proper publication of notice inviting bids for the furnishing of material and for the construction of the Pacific Beach Pipe Line, in The City of San Diego, California, ten sealed bids were filed in the office of the City Clerk prior to ten o'clock A.M., March 11, 1941, as required by said notice; and

WHEREAS, at the hour of ten o'clock A.M. on said day, the City Council of The City of San Diego having convened in regular meeting, said bids were opened and publicly read, to-wit: the bids of United States Pipe & Foundry Company, American Cast Iron Pipe Company, Harry L. Foster, Daley Corporation, Tom Gogo and Steve Rados, R. A. Wattson Co., R. E. Hazard & Sons, J. L. Kruly, Williams & Van Valkenburgh, and V. R. Dennis Construction Company, and thereupon referred to the Hydraulic Engineer of said City for checking and report; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the bid submitted by United States Pipe & Foundry Company under Schedule I, for furnishing cast iron pipe, special castings and fittings, filed with the City Clerk on March 11, 1941, and bearing Document No. 327300, be, and the same is hereby declared the lowest bid received for furnishing material under said Schedule I, and that said United States Pipe & Foundry Company is the lowest responsible and reliable bidder for the furnishing of said material; and that the bid submitted by Harry L. Foster under Schedule II, for installing cast iron pipe and furnishing gate valves and miscellaneous items, filed with the City Clerk on March 11, 1941, and bearing Document No. 327302, be, and the same is hereby declared the lowest bid received under Schedule II, and that the said Harry L. Foster is the lowest responsible and reliable bidder under said Schedule II.

BE IT FURTHER RESOLVED that this Council hereby rejects all bids for doing said work except those next herein mentioned, and hereby awards the contract for furnishing cast iron pipe, special castings and fittings under Schedule I to the United States Pipe & Foundry Company at the prices named in its bid for furnishing said material, which bid is on file in the office of the City Clerk of The City of San Diego and bears Document No. 327300, and which said price is the sum of \$156,362.20, less freight; and this Council does hereby award the contract for installing cast iron pipe and furnishing gate valves and miscellaneous items to the lowest reliable bidder under Schedule II, to-wit: Harry L. Foster, at the price named in his bid for doing said work, which bid is on file in the office of the City Clerk of The City of San Diego and bears Document No. 327302 and which said price is the sum of \$80,707.05.

BE IT FURTHER RESOLVED that a majority of the members of this Council be, and they are hereby authorized to execute for and on behalf of The City of San Diego the contracts hereby awarded with the said United States Pipe & Foundry Company and said Harry L. Foster upon the execution by the United States Pipe & Foundry Company and said Harry L. Foster of such contracts, and upon the execution, delivery, filing and approval of the bonds required thereunder.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

(SEAL)

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73647

WHEREAS, The City of San Diego, during all the times herein referred to, was the owner of that certain property described as follows:

The Southwesterly seventy-five feet of Lot Four in Block Four Hundred Thirty-six of Old San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which said map was filed in the office of the County Recorder of San Diego County December 12, 1921 and is known as Miscellaneous Map No. 40;

and

WHEREAS, certain taxes were erroneously and illegally assessed against said property during said ownership and have become delinquent, as follows:

For the years 1931-32, 1932-33, 1933-34, 1934-35, 1935-36, 1936-37, 1937-38, 1938-39 and 1939-40;

and

WHEREAS, said property was the property of The City of San Diego during all the years in which said property was erroneously and illegally assessed and was, during all the times herein referred to, illegally included with other property and not segregated as required by law; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Attorney be, and he is hereby authorized and directed to file a petition with the Board of Supervisors of the County of San Diego, requesting that said taxes against the property hereinbefore described, together with all penalties and other expenses



in connection therewith, be cancelled, in accordance with the provisions of Section 3804a of the Political Code of the State of California.

Approved as to form by JAMES J. BRECKENRIDGE

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73648

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Forrest L. Hieatt, P. O. Box 865, San Diego, filed in the office of the City Auditor & Comptroller on March 4, 1941, against the City of San Diego in the amount of \$355.00, for damage to his property caused by fire resulting from the burning of rubbish on the ground occupied by the water tank near 72nd and Saranac Streets, be, and it is hereby denied.

#### R E S O L U T I O N NO. 73649

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Mrs. L. Espinosa, 955 - 26th Street, filed in the office of the City Auditor & Comptroller on February 24, 1941 against the City of San Diego in the amount of \$5.00, for expenses incurred for a plumber on account of sewer water backing into her house be, and it is hereby denied.

#### R E S O L U T I O N NO. 73650

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of C. H. LaVenture, 3551 Pringle Street, filed in the office of the City Auditor & Comptroller on May 15, 1940, against the City of San Diego, in the amount of \$13.14, on account of damage to his automobile by a City water truck on May 11, 1940, at 1403 University Avenue, be, and it is hereby denied.

#### R E S O L U T I O N NO. 73651

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized and directed to cause "No Standing" zone to be painted on the east side of Sixth Avenue between points thirty feet and sixty-four feet south of the south line of University Avenue, in accordance with sketch attached to recommendation from the Traffic Commission, bearing Document No. 327479.

#### R E S O L U T I O N NO. 73652

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of the Denison Mattress Co. 2352 India Street, by G.T. McDonough Manager, for the establishment of a loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a 30-foot loading zone to be painted on the west side of India Street to extend between points 67 feet and 97 feet south of the south line of Kalmia Street.

#### R E S O L U T I O N NO. 73653

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Johnnie W. Miller, 1262 India Street, for the establishment of a loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a 25-foot loading zone to be painted on the west side of India Street, between points 46 feet and 71 feet south of the south line of A Street.

#### R E S O L U T I O N NO. 73654

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of the San Diego Steam Laundry, 1165 Columbia Street, for the establishment of a larger loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a 50-foot loading zone to be painted on the south side of B Street to extend between points 57 feet and 107 feet east of the east line of Columbia Street.

BE IT FURTHER RESOLVED that the present 27-foot loading zone established on B Street for the above concern be abolished.

#### R E S O L U T I O N NO. 73655

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of the Francis W. Parker School, by Irene F. Thuli Director of Education, 4201 Randolph Street, for the establishment of a loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a 50-foot loading zone to be painted on the east side of Randolph Street to extend north from the north end of the "No Standing" zone on the east side of Randolph Street.

#### R E S O L U T I O N NO. 73656

WHEREAS, the San Diego State College basketball team has most ably represented the said State College in winning the National Intercollegiate Tournament held at Kansas City, Missouri,

BE IT RESOLVED By the Council of The City of San Diego that it extends its congratulations and appreciation to the members of the team and to the coach, Mr. Morris Gross,

for the credit reflected on the City of San Diego from their participation in the tournament, due to their success and sportsmanship.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to San Diego State College.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73657

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Tom M. Turner, 1814 Main Street, to conduct an auto trailer camp consisting of seven units, on Lots 1-4 Block 94 Mannasse & Schiller's Addition, for a period of two years from the date of this resolution.

#### RESOLUTION NO. 73658

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare and present to the Council an ordinance appropriating one hundred dollars from the Unappropriated Balance Fund in payment of expense in securing rights of way for Imperial Avenue, 49th Street and Franklin Avenue, affecting portions of the Northeast Quarter of Lot 52 Ex Mission Lands of San Diego and portions of Lots 1 and 48 Block N Tract Number Two of Alta Vista Suburb, from the San Diego Unified School District, as recommended by the City Engineer and City Manager in Document No. 327531.

#### RESOLUTION NO. 73659

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Southeastern Chamber of Commerce, 2159 Logan Avenue, to continue the Siebrand Shows at the foot of Market Street for an additional period of time from March 17 to 23, on the same basis as granted in Resolutions numbered 73528 and 73627.

#### RESOLUTION NO. 73660

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to El Cajon Boulevard Civic Association, by Humphrey P. Lane, Vice President, to use temporary electric wiring in connection with the Siebrand Shows to be held on Lots 1 to 12 Block 127 University Heights for a period commencing March 24, 1941 and ending March 31, 1941. Free inspection and free electrical permits be, and they are hereby granted for said show.

#### RESOLUTION NO. 73661

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized to install overhead street lights at the following locations: West end of Dickinson Street - 400 c.p.; Florida and Laurel Street - 1000 c.p. sodium vapor.

#### RESOLUTION NO. 73662

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The Council hereby goes on record favoring the widening of 6th Avenue from Upas Street to University Avenue to eighty feet, as proposed by the City Manager in communication bearing Document No. 327384.

#### RESOLUTION NO. 73663

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with seven (7) improved electric motor driven, vertical sewage and trash pumps, and accessories thereto, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 327490.

Approved as to form by

#### RESOLUTION NO. 73664

##### Loma Portal Lighting District Number One

RESOLVED that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938", to order the following work to be done and improvement to be made in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

At the intersection of LOCUST STREET with Curtis Street, Dumas Street, Elliott Street, Freeman Street, Goldsmith Street, Homer Street, Ibsen Street, James Street and Kingsley Street.

At the intersection of EVERGREEN STREET with Curtis Street, Dumas Street, Elliott Street, Freeman Street, Goldsmith Street, Homer Street, Ibsen Street, James Street and Kingsley Street.

At the intersection of WILLOW STREET with Curtis Street, Dumas Street, Elliott Street and Freeman Street.

At the intersection of PLUM STREET with Curtis Street.

At the intersection of CLOVE STREET with Curtis Street, Dumas Street and Elliott Street.

On DUMAS STREET between Clove Street and Willow Street.

On ELLIOTT STREET between Willow Street and the northwesterly line of Plumosa Park.

On FREEMAN STREET between Chatsworth Boulevard and Willow Street.

On GOLDSMITH STREET between Chatsworth Boulevard and Evergreen Street.

On CHATSWORTH BOULEVARD between the southwesterly line of Curtis Street produced northwesterly and its termination in Lytton Street.

On LYTTON STREET between its termination in Chatsworth Boulevard and Rosecrans Street (excepting the northeasterly side of said Lytton Street between Evergreen Street and Rosecrans Street).

On the northwesterly side of ROSECRANS STREET between the northeasterly line of Curtis Street produced southeasterly and Lytton Street.

On POINSETTIA DRIVE between Elliott Street and Amaryllis Drive.

On JONQUIL DRIVE between Elliott Street and Lotus Drive.

On NARCISSUS DRIVE between Elliott Street and Lotus Drive.

On HYACINTH DRIVE between the northerly line of Wing Street produced westerly and the northeasterly line of Plumosa Park.

On AZALEA DRIVE between Hyacinth Drive and the northeasterly line of Plumosa Park.

On WISTERIA DRIVE between Azalea Drive and the northeasterly line of Plumosa Park.

On LOTUS DRIVE between Poinsettia Drive and Hyacinth Drive.

On PLUMOSA DRIVE between Hyacinth Drive and Chatsworth Boulevard; and

On AMARYLLIS DRIVE between Poinsettia Drive and Lotus Drive.

Such furnishing of electric current shall be for a period of one year from and including June 28, 1941, to-wit, to and including June 27, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by and of the materials provided for in the plans and specifications therefor to be hereafter prepared by the City Engineer of said City, and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at the most northerly corner of Plumosa Park; thence southeasterly along the northeasterly line of Plumosa Park to the most easterly corner of Lot 12, Block C, Plumosa Park; thence southerly in a direct line to the most northerly corner of Lot 15, Block C, Plumosa Park; thence southeasterly along the northeasterly line of said Lot 15, to the most easterly corner thereof; thence easterly in a direct line to the most northerly corner of Lot 1, Block A, Plumosa Park; thence southeasterly along the northeasterly line of Plumosa Park to a point distant 20 feet southeasterly from the southerly line of Wisteria Drive; thence southerly along the easterly line of Lot 16, Block B, Plumosa Park, to the southeasterly corner thereof; thence southerly in a direct line to the northeasterly corner of Villa Lot 58, Chatsworth Terrace; thence easterly and northeasterly along the southerly and southeasterly lines of Wing Street to the most westerly corner of Villa Lot 68, Chatsworth Terrace; thence northeasterly in a direct line to the southwesterly corner of Lot 23, Country Club Terrace; thence northerly along the westerly line of said Lot 23, to the northwesterly corner thereof; thence northeasterly along the northwesterly lines of Lots 23, 22, 21 and 20, Country Club Terrace, to the northeasterly corner of said Lot 20; thence southerly in a direct line to the most northerly corner of Lot 19, Country Club Terrace; thence southeasterly along the northeasterly line of said Lot 19, to the most easterly corner thereof; thence southeasterly in a direct line to the point of intersection of the northeasterly line of Lytton Street with the easterly line of Evergreen Street; thence southeasterly, along the northeasterly line of Lytton Street to the northwesterly line of Rosecrans Street; thence southeasterly in a direct line to the point of intersection of the southwesterly line of Lytton Street with the southeasterly line of Rosecrans Street; thence southwesterly along the southeasterly line of Rosecrans Street to its intersection with the southeasterly prolongation of the southwesterly line of Curtis Street; thence northwesterly in a direct line to the most easterly corner of Lot 10, Block 236, Roseville; thence southwesterly along the southeasterly line of said Lot 10 to the most southerly corner thereof; thence northwesterly along a line parallel to and distant 100 feet southwesterly from the southwesterly line of Curtis Street and its northwesterly prolongation to a point distant 100 feet northwesterly from the northwesterly line of Chatsworth Boulevard; thence northeasterly along a line parallel to and distant 100 feet northwesterly from the northwesterly line of Chatsworth Boulevard to the southerly line of Curtis Street; thence northeasterly in a direct line to the most southwesterly corner of Lot 77, Point Loma Villas; thence northerly along the westerly line of said Lot 77 to the most southerly corner of Lot 75, Point Loma Villas; thence northwesterly along the southwesterly line of Lots 75 to 67, inclusive to the easterly line of Villa Drive; thence northerly in a direct line to a point on the easterly line of Lot D, Point Loma Villas, distant 91.48 feet southeasterly from the most northerly corner of said Lot D; thence northwesterly in a direct line to a point on the southeasterly line of Lot 3, Block J, Plumosa Park, distant 95 feet southwesterly from the most easterly corner of said Lot 3; thence southwesterly along the southeasterly line of said Lot 3, a distance of 4.97 feet to a point; thence northwesterly in a direct line to a point on the northwesterly line of said Lot 3, distant 100 feet southwesterly from the most northerly corner thereof; thence southwesterly along the northwesterly line of said Lot 3, to the most westerly corner thereof; thence northwesterly along the southwesterly line of Block J, Plumosa Park and along the northwesterly prolongation of the southwesterly line of said Block J, to the northwesterly line of Plumosa Park; thence northeasterly along the northwesterly line of Plumosa Park to the point or place of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;

2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego,



California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as Loma Portal Lighting District Number One.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Knox, and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Flowers

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73665

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving the alley in Block 173, University Heights, as particularly described in Resolution of Intention No. 72940 and to be assessed to pay the expenses thereof.

#### RESOLUTION NO. 73666

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving Strandway, as particularly described in Resolution of Intention No. 72882 and to be assessed to pay the expenses thereof.

#### RESOLUTION NO. 73667

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving the north and south alley in Block 46, W.P. Herbert's Subdivision, as particularly described in Resolution of Intention No. 72881 and to be assessed to pay the expenses thereof.

#### RESOLUTION NO. 73668

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving alley in Block 190, San Diego Land & Town Co's Addition, as particularly described in Resolution of Intention No. 72841 and to be assessed to pay the expenses thereof.

#### RESOLUTION NO. 73669

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving 44th Street, as particularly described in Resolution of Intention No. 72837 and to be assessed to pay the expenses thereof.

#### RESOLUTION NO. 73670

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Dickens Street and Emerson Street in said City of San Diego, as described in Resolution of Intention No. 72734, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated March 13, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### RESOLUTION NO. 73671

WHEREAS, in accordance with the provisions of Section 203 of the Streets and Highway Code, the Department of Public Works of the State of California shall expend or cause to be expended within the cities of the State from the State Highway Fund, an amount equal to the net revenue derived from the quarter cent per gallon of tax on motor vehicle fuel upon state highways as are agreed upon by the Department and the legislative bodies of the cities of this State; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized to execute and forward to the Division of Public Works of the State of California the Fifth Supplemental Memorandum of Agreement for Expenditure of 1/4 Cent Gas Tax For State Highways, covering the expenditure of funds for the improvement of State highways within the limits of the City of San Diego, as set forth in Document No. 327501, on file in the office of the City Clerk of said City.

BE IT FURTHER RESOLVED, that the City Clerk of said City be, and he is hereby

authorized and directed to forward a certified copy of this resolution to the Secretary of the California Highway Commission of the State of California.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 19th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Knox and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Flowers

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

# R E S O L U T I O N NO. 73672

That the City Manager be, and he is hereby authorized and directed, for and on behalf of The City of San Diego, to make application to the Board of Supervisors of the County of San Diego, State of California, for the granting by said Board of Supervisors of an option to purchase the following described premises, to-wit:

Lots 15 to 20, inclusive, and 22 to 46, inclusive, Block 4, Subdivision of Lots 48, 49 and north portion of Lot 50, Fleischer's Addition to San Diego, according to Map thereof No. 851, filed in the office of the County Recorder of San Diego County, California, July 20, 1898;

It satisfactorily appearing that said property has heretofore been deeded for delinquent taxes and/or assessments to the State of California; said application to be made under and pursuant to the terms and conditions of Section 3897-d of the Political Code of the State of California, as modified and embodied in the Revenue and Taxation Code of the State of California, adopted May 16, 1939, Sections 3771-3773 and 3791-3810 thereof; the purchase price of said lands to be the sum of One Dollar (\$1.00) per lot.

BE IT FURTHER RESOLVED that Resolution No. 73519, adopted March 4, 1941, be, and the same is hereby repealed.

Approved as to form by JAMES J. BRECKENRIDGE

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Knox and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Flowers

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

# R E S O L U T I O N NO. 73673

WHEREAS, the City Council by Resolution No. 73180, adopted January 21, 1941, authorized and directed the City Attorney to offer for sale the west fifty feet of Lots 37 and 38 (excepting the S. 10 feet of W. 50 feet of Lot 37) in Block 49, City Heights; and

WHEREAS, the above described property is not needed for any public purposes; and

WHEREAS, the appraisal of F. Russel Aber, in a document dated February 12, 1941, sets a value of Sixty-four Dollars (\$64.00) on said described property; and

WHEREAS, The City of San Diego paid the sum of One Hundred Ninety-eight and 10/100 Dollars (\$198.10) several years ago to cover the cost of paving assessed against the portion of said lots owned by the City as aforesaid; and

WHEREAS, the Council by said Resolution No. 73180 set the sum of Two Hundred Fifty Dollars (\$250.00) as the minimum amount they will consider for the sale of said lands hereinbefore described; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the Purchasing Agent of said City be, and he is hereby authorized to publish a notice in the official newspaper of said City of the intention of said Council to dispose of the above described property by a sale at public auction pursuant to the provisions of Section 9.03 of the Administrative Code of said City.

Approved as to form by JAMES J. BRECKENRIDGE

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Knox and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Flowers

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 73674

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and empowered to enter into a lease with A. A. Goethals of Glendale, California, for the leasing of the real property, together with all improvements thereon, located on a portion of Lot 3 (NW 1/4 of NW 1/4) of Fractional Section 5, T. 13 S., R. 2 W., S.B.M., for a term of one year beginning March 1, 1941, at a monthly rental of \$25.00.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

## R E S O L U T I O N NO. 73675

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor and Comptroller be, and he is hereby authorized and directed to transfer the sum of \$6000.00 from Account GB-531 (Valencia Park Sewer), to a new account to be set up in the City Auditor and Comptroller's Office, Department of Public Works Fund, Division of Sewers, as provided by Section 31 of Ordinance No. 1880 (New Series) of the ordinances of The City of San Diego, said funds to be used to cover Sponsor's contribution on the Interceptor Sewer, WPA Project 12.222, Sponsor's Proposal No. 304.

Approved as to form by H. B. DANIEL

Certified as to availability of funds J. S. BARBER City Auditor & Comptr.  
Mar. 18, 1941

## R E S O L U T I O N NO. 73676

WHEREAS, the City Lakes Fish and Game Commission has made its recommendation relative to the fishing season at the various City-owned and -controlled lakes and reservoirs; and

WHEREAS, the Council of The City of San Diego desires to adopt such recommendation and, by the terms of Ordinance No. 873 (New Series), adopted April 2, 1936, it is empowered to adopt such regulations; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the fishing season at Barrett, Lower Otay, and Hodges Reservoirs be, and the same is hereby ordered to be opened on April 26, 1941; that Upper Otay and El Capitan Reservoirs are to remain closed; that no boats be released for fishing before 6:00 a.m., and that no live bait other than suckers, crawfish or worms be permitted; and that all existing and effective City rules, regulations and ordinances covering the use of City reservoirs by the public for hunting, fishing and boating will remain effective and be enforced.

Presented by WALTER W. COOPER

Approved as to form by HARRY S. CLARK

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Knox and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Flowers

ATTEST: P. J. BENBOUGH

(SEAL) Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL) City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73677

WHEREAS, R. C. Woods is desirous of leasing certain lands owned by The City of San Diego, hereinafter described, for stock grazing and pasturage purposes; and

WHEREAS, the property proposed to be leased is described as follows:

South Half of the Northeast Quarter of Section 34, Township 16 South, Range 2 West, S.B.B.&M., containing 81.15 acres of land more or less, in the County of San Diego, State of California;

and

WHEREAS, said property is not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$20,170.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with R. C. Woods for said above-described premises for a period of three years, commencing on the 1st day of March, 1941, and ending on the 29th day of February, 1944, at a rental of Fifty Dollars (\$50.00) per year, payable semi-annually in advance; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

Presented by WALTER W. COOPER

Approved as to form by J. H. MCKINNEY

EXHIBIT "A" LEASE

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of March, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation of the County of San Diego, State of California, hereinafter designated as the City, and R. C. WOODS, hereinafter designated as the Lessee,

WITNESSETH: That the City, for and in consideration of the payment of the rents to be paid by the lessee, as hereinafter set forth, and in consideration of the covenants of the lessee hereinafter set out and their faithful performance by such lessee, and upon and subject to the terms, conditions and reservations herein set forth, does by these presents lease, demise and let unto the said lessee the following described property, situate in the County of San Diego, State of California, to-wit:

South Half of the Northeast Quarter of Section 34, Township 16 South, Range 2 West, S.B.B.&M., containing 81.15 acres of land more or less.

For a term of three (3) years, beginning on the 1st day of March, 1941, and ending on the 29th day of February, 1944, at the following rentals: Fifty Dollars (\$50.00) per year payable in advance at the office of the Lessor semi-annually during said term.

In consideration of the covenants herein contained the parties hereto agree as follows:



First. That the above described premises are leased to said lessee for stock grazing and pasture purposes only, and for no other purpose or purposes.

Second. That this lease shall not be assigned or transferred, nor shall the said lessee have the right to sublet the leased premises, or any part thereof, without the consent in writing of the Council of said City.

Third. That the City reserves all gas, oil and mineral rights in and on said premises herein leased, with the right to go upon said property and prospect or drill for oil, gas and minerals.

Fourth. That the lessee shall keep and maintain said premises in as good repair and condition as he may receive them at his own expense (ordinary wear and tear and the acts of God excepted) and the said City shall not be called upon to make any expenditures or repairs on said premises.

Fifth. The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same, and/or for the purpose of drilling, operating and maintaining wells and pipelines on said premises, and for the purpose of making repairs to or developing the water system of said City; but the City shall not be required to furnish any water on said premises, except for domestic purposes, where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series).

Sixth. That the said lessee, paying the said rent and performing the covenants and agreements aforesaid, shall and may at all times during the said term, peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

Seventh. Said lessee agrees that on the last day of said term, or other sooner termination of this lease, the said lessee shall and will peaceably and quietly leave, surrender and yield up unto said City the said premises, in as good state and condition as the same are now in or may be put into, reasonable use and wear thereof and damage by the elements excepted.

Eighth. It is understood and agreed by the said parties that the said City may terminate this lease at any time by giving sixty (60) days' notice of such termination to the lessee, and by tendering to said lessee a proportionate part of any rentals paid in advance by said lessee.

Ninth. It is further agreed by and between the parties hereto that in case of the violation by the lessee of any of the terms and conditions of this lease, the City may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the lessee and for its account.

Tenth. That the lessee shall construct, at his own expense a suitable cattle guard at the Chollas Reservoir road entrance to the premises herein leased.

Eleventh. That the City shall not be liable for any damages resulting from injury to stock grazed or pastured on said leased land.

Twelfth. That the lessee will keep all exterior boundary line fences in good condition and repair at his own expense.

It is understood and agreed that a waiver by the City of any default hereunder shall not be considered, nor held to be, a waiver of any subsequent or other default, and also that consent to the subletting of said premises or any part thereof, or to the assignment of this lease, shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

It is understood and agreed that if the lessee shall make default in the performance of any of the terms, conditions or covenants of this lease by the lessee to be kept, observed or performed, lessee will in such case pay to the City the expenses and costs incurred by the City in any action which may be commenced by the City based on, or arising out of, any such default, including a reasonable attorney's fee.

IN WITNESS WHEREOF, this agreement is executed by The City of San Diego, acting by and through the City Manager of said City, under and pursuant to Resolution No. \_\_\_\_\_, of the Council, authorizing such execution, and said lessee has hereunto subscribed his name, the day and year first hereinabove written.

THE CITY OF SAN DIEGO,  
By \_\_\_\_\_ City Manager

\_\_\_\_\_  
Lessee

I HEREBY APPROVE the form of the foregoing Lease this \_\_\_\_\_ day of March, 1941.

D. L. AULT, City Attorney  
By \_\_\_\_\_  
Deputy City Attorney

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Boud, Knox and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: Housh and Flowers

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73678

WHEREAS, Fred R. Clark, of Dulzura, California, is desirous of leasing certain lands owned by The City of San Diego, hereinafter described, for agricultural and/or stock grazing purposes; and

WHEREAS, the property proposed to be leased is described as follows:  
SE 1/4 of the SW 1/4, SW 1/4 of the SE 1/4; S 1/2 of the NW 1/4 and N 1/2 of the SW 1/4 of Section 23; W 1/2 of the NE 1/4, SE 1/4 of the NW 1/4, N 1/2 of the SW 1/4 and SE 1/4 of the SW 1/4 of Section 26; E 1/2 of the NE 1/4, SE 1/4 (except E 1/2 of the SE 1/4 of SE 1/4) and SW 1/4 of Section 27; NE 1/4 of the SE 1/4 and S 1/2 of the SE 1/4 of Section 28; Lots 2, 3 and 4 of Section 32; Lots 1, 2, 3 and 4 of Section 33; Lots 1, 2, 3 and the W 1/2 of Lot 4, Section 34; Lots 5, 6, 7 and 8, Section 35; all in Township 18 South, Range 2 East, S.B.B.&M., in the County of San Diego, State of California, containing 1400 acres of land, more or less;

and

WHEREAS, said property is not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$6,660.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with Fred R. Clark for said above-described premises for a period of three years, commencing on the 30th day of March, 1941, and ending on the 29th day of March, 1944, at a rental of Three Hundred Dollars (\$300.00) per year, payable in advance in equal quarterly installments; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

#### EXHIBIT "A" LEASE

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation of the County of San Diego, State of California, hereinafter designated as the City, and FRED R. CLARK, of Dulzura, California, hereinafter designated as the Lessee, WITNESSETH:

That the City, for and in consideration of the payment of the rents to be paid by the lessee, as hereinafter set forth, and in consideration of the covenants of the lessee hereinafter set out and their faithful performance by such lessee, and upon and subject to the terms, conditions and reservations, herein set forth, does by these presents lease, demise and let unto the said lessee the following described property, situate in the County of San Diego, State of California, to-wit:

SE 1/4 of SW 1/4, SW 1/4 of SE 1/4; S 1/2 of NW 1/4 and N 1/2 of SW 1/4 of Section 23; W 1/2 of the NE 1/4, SE 1/4 of the NW 1/4, N 1/2 of the SW 1/4 and SE 1/4 of the SW 1/4 of Section 26; E 1/2 of the NE 1/4, SE 1/4 (except E 1/2 of the SE 1/4 of SE 1/4) and SW 1/4 of Sections 27; NE 1/4 of the SE 1/4 and S 1/2 of the SE 1/4 of Section 28; Lots 2, 3 and 4 of Section 32; Lots 1, 2, 3 and 4 of Section 33; Lots 1, 2, 3 and the W 1/2 of Lot 4, Section 34; Lots 5, 6, 7 and 8, Section 35; all in Township 18 South, Range 2 East S.B.B.M., containing 1400 acres of land, more or less;

For a term of three (3) years, beginning on the 30th day of March, 1941, and ending on the 29th day of March, 1944, at the following rentals: Three Hundred Dollars (\$300.00) per year payable in advance at the office of the Lessor quarterly during said term.

In consideration of the covenants herein contained the parties hereto agree as follows:

First. That the above described premises are leased to said lessee for grazing and/or agricultural purposes only, and for no other purpose or purposes.

Second. That this lease shall not be assigned or transferred, nor shall the said lessee have the right to sublet the leased premises, or any part thereof, without the consent in writing of the Council of said City.

Third. That the City reserves all gas, oil and mineral rights in and on said premises herein leased, with the right to go upon said property and prospect or drill for oil, gas and minerals.

Fourth. That the lessee shall keep and maintain said premises in as good repair and condition as he may receive them at his own expense (ordinary wear and tear and the acts of God excepted) and the said City shall not be called upon to make any expenditures or repairs on said premises.

Fifth. The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same, and/or for the purpose of drilling, operating and maintaining wells and pipelines on said premises, and for the purpose of making repairs to or developing the water system of said City; but the City shall not be required to furnish any water on said premises, except for domestic purposes, where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series).

Sixth. That the said lessee, paying the said rent and performing the covenants and agreements aforesaid, shall and may at all times during the said term, peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

Seventh. Said lessee agrees that on the last day of said term, or other sooner termination of this lease, the said lessee shall and will peaceably and quietly leave, surrender and yield up unto said City the said premises, in as good state and condition as the same are now in or may be put into, reasonable use and wear thereof and damage by the elements excepted.

Eighth. It is understood and agreed by the said parties that the said City may terminate this lease at any time by giving sixty (60) days' notice of such termination to the lessee, and by tendering to said lessee a proportionate part of any rentals paid in advance by said lessee.

Ninth. It is further agreed by and between the parties hereto that in case of the violation by the lessee of any of the terms and conditions of this lease, the City may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the lessee and for its account.

Tenth. That the lessee will not pump water from any of the wells located on the land.

Eleventh. That all improvements of any kind or nature placed upon the land during the term of this lease shall become the unencumbered property of the lessor at the termination of the term of this lease.

Twelfth. The City shall have the right to install, maintain and operate stream gauging stations on Cottonwood and Tecate Creeks and to carry on all necessary investigations, core borings, works necessary for foundation investigations or any other work required and appurtenant to the development of the Marron project; and it is agreed by the parties hereto that all rights herein reserved for such water inspection and development shall inure, and apply, to any and all public bodies and/or to any and all persons or agencies cooperating with The City of San Diego in connection therewith.

The lessee shall not have the right to make, or suffer to be made, any alterations in said premises, or any buildings or improvements thereon, except as hereinabove mentioned, without first obtaining, in each instance, the written consent thereto by the lessor.

It is understood and agreed that a waiver by the lessor of any default hereunder shall not be considered, nor held to be a waiver of any subsequent or other default, and also that consent to the subletting of said premises or any part thereof, or to the assignment of this lease, shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

It is further understood and agreed that if the lessee shall make default in the performance of any of the terms, conditions or covenants of this lease by the lessee to be kept, observed or performed, lessee will in such case pay to the City the expenses and costs incurred by the City in any action which may be commenced by the City based on, or arising out of, any such default, including a reasonable attorney's fee.

It is expressly understood and agreed by the parties hereto that in the event of a breach of any of the covenants herein entered into, that in addition to the remedies provided herein, the lessor may, at its option, take immediate possession of the premises herein described and remove, with or without legal process, the lessee, his agents or assigns,

from said premises, and such immediate removal, whether by force or otherwise, shall not constitute any ground for legal action, either in law or equity, for such removal, and that any right of action, if any may exist therefor, is, by the Lessee, expressly waived.

IN WITNESS WHEREOF, The City of San Diego has caused this lease to be executed and its name to be hereunto affixed by the City Manager, under and pursuant to Resolution No. \_\_\_\_\_ of the Council, authorizing such execution, and said lessee has hereunto subscribed his name, the day and year first hereinabove written.

THE CITY OF SAN DIEGO,  
By \_\_\_\_\_ City Manager

\_\_\_\_\_  
Lessee

I HEREBY APPROVE the form of the foregoing lease this 17th day of \_\_\_\_\_, 1941.

D. L. AULT, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Approved as to form by J. H. McKINNEY.

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Knox and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Flowers

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73679

WHEREAS, Chas. A. Judson, of Escondido, California, is desirous of leasing certain lands owned by The City of San Diego, hereinafter described, for stock grazing, pasture and/or agricultural purposes; and

WHEREAS, the property proposed to be leased is described as follows:

Parcel 1:

Lot 4, Section 4; Lots 1, 2, 3 and 4, and the South Half of the Northeast Quarter, Section 5; all in Township 13 South, Range 1 West, S.B.B.&M; ALSO, the Southeast Quarter and Fractional Lots 3 and 4, in Section 31, Township 12 South, Range 1 West, S.B.B.&M; EXCEPTING from the Northwest Quarter of the Southeast Quarter of said Section 31 and from Fractional Lots 3 and 4, said Section 31, those portions thereof described in deed from Elbert Ward and Mary E. Ward, his wife, to Seth Hartley, dated February 14, 1911, recorded in Book 520 of Deeds, at page 43, in the office of the County Recorder of San Diego County, California, described as follows:

Commencing at the northwest corner of Lot 3, said Section 31; thence easterly along the north line of Lot 3, said Section 31, and easterly along the north line of the northwest quarter of the southeast quarter of said Section 31, 818 feet to a point; thence southwesterly in a direct line a distance of 1900 feet to an intersection with the east line of Rancho San Bernardo; thence northerly along the east line of said Rancho to the point of commencement;

ALSO, EXCEPTING from the northwest quarter of the southeast quarter and Fractional Lots 3 and 4, said Section 31, that portion thereof conveyed by Elbert Ward and Mary E. Ward, his wife, to Albert T. Burch, by deed dated June 21, 1911, recorded in Book 527 of Deeds, at page 140, in the office of said County Recorder, described as follows:

Commencing at a point on the north line of the northwest quarter of the southeast quarter of said Section 31, distant 818 feet east from the northwest corner of Lot 3, said Section 31; thence east along said north line 125 feet; thence southwesterly parallel with the easterly line of the land conveyed to Seth Hartley by deed dated February 14, 1911, recorded in Book 520 of Deeds, at page 43, said County Recorder's records, to an intersection with the easterly line of the Rancho San Bernardo; thence northeasterly along the easterly line of Rancho San Bernardo to the southerly corner of the land conveyed to said Seth Hartley; thence northeasterly along the easterly line of said Hartley's land 1900 feet to the northeast corner of said Hartley's land, the point of commencement;

ALSO, EXCEPTING from said above described property all those portions thereof lying above an elevation of 395 feet above sea level according to the United States Geological Survey datum;

Parcel 2:

ALSO, the South Half of the Southwest Quarter and the Southeast Quarter of the Southeast Quarter of Section 32, Township 12 South, Range 1 West, S.B.B.&M.; excepting from the southeast quarter of said last mentioned southwest quarter that portion thereof included within the following description:

Commencing at the northeast corner of the southwest quarter of said Section 32; thence West 156 yards; thence South 880 yards; thence East 156 yards; thence North 880 yards to the point of commencement;

EXCEPTING from the above described property all those portions thereof lying and being above an elevation of 395 feet above sea level according to the United States Geological Survey datum; ALSO, EXCEPTING from said Parcels 1 and 2 all public roads and highways.

and

WHEREAS, said property is not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$9,285.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with Chas. A. Judson, of Escondido, California, for said above-described premises for a period of five years, commencing on the 1st day of April, 1941, and ending on the 31st day of March, 1946, at a rental of Five Hundred Dollars (\$500.00) per year,



payable quarterly in advance; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

Presented by WALTER W. COOPER

Approved as to form by J. H. MCKINNEY

# EXHIBIT "A" LEASE

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation of the County of San Diego, State of California, hereinafter designated as the City, and CHAS. A. JUDSON, of Escondido, California, hereinafter called the Lessee, WITNESSETH:

That the City, for and in consideration of the payment of the rent to be paid by the lessee, as hereinafter set forth, and in consideration of the covenants of the lessee hereinafter set out and their faithful performance by such lessee, and upon and subject to the terms, conditions and reservations herein set forth, does by these presents lease, demise and let unto the said lessee the following described property, situate in the County of San Diego, State of California, to-wit:

Parcel 1: Lot 4, Section 4; Lots 1, 2, 3 and 4, and the South Half of the Northeast Quarter, Section 5; all in Township 13 South, Range 1 West, S.B.B.&M; ALSO, the Southeast Quarter and Fractional Lots 3 and 4, in Section 31, Township 12 South, Range 1 West, S.B. B.&M.; EXCEPTING from the Northwest Quarter of the Southeast Quarter of said Section 31 and from Fractional Lots 3 and 4, said Section 31, those portions thereof described in deed from Elbert Ward and Mary E. Ward, his wife, to Seth Hartley, dated February 14, 1911, recorded in Book 520 of Deeds, at page 43, in the office of the County Recorder of San Diego County, California, described as follows:

Commencing at the northwest corner of Lot 3, said Section 31; thence easterly along the north line of Lot 3, said Section 31, and easterly along the north line of the northwest quarter of the southeast quarter of said Section 31, 818 feet to a point; thence southwesterly in a direct line a distance of 1900 feet to an intersection with the east line of Rancho San Bernardo; thence northerly along the east line of said Rancho to the point of commencement;

ALSO, EXCEPTING from the northwest quarter of the southeast quarter and Fractional Lots 3 and 4, said Section 31, that portion thereof conveyed by Elbert Ward and Mary E. Ward, his wife, to Albert T. Burch, by deed dated June 21, 1911, recorded in Book 527 of Deeds, at page 140, in the office of said County Recorder, described as follows:

Commencing at a point on the north line of the northwest quarter of the southeast quarter of said Section 31, distant 818 feet east from the northwest corner of Lot 3, said Section 31; thence east along said north line 125 feet; thence southwesterly parallel with the easterly line of the land conveyed to Seth Hartley by deed dated February 14, 1911, recorded in Book 520 of Deeds, at page 43, said County Recorder's records, to an intersection with the easterly line of the Rancho San Bernardo; thence northeasterly along the easterly line of Rancho San Bernardo to the southerly corner of the land conveyed to said Seth Hartley; thence northeasterly along the easterly line of said Hartley's land 1900 feet to the northeast corner of said Hartley's land, the point of commencement;

ALSO, EXCEPTING from said above described property all those portions thereof lying above an elevation of 395 feet above sea level according to the United States Geological Survey datum.

Parcel 2: ALSO, the South Half of the Southwest Quarter and the Southeast Quarter of Section 32, Township 12 South, Range 1 West, S.B.B.&M; excepting from the southeast quarter of said last mentioned southwest quarter that portion thereof included within the following description:

Commencing at the northeast corner of the southwest quarter of said Section 32; thence West 156 yards; thence South 880 yards; thence East 156 yards; thence North 880 yards to the point of commencement;

EXCEPTING from the above described property all those portions thereof lying and being above an elevation of 395 feet above sea level according to the United States Geological Survey datum;

ALSO, EXCEPTING from said Parcels 1 and 2 all public roads and highways;

Subject to all easements, encumbrances and liens of every kind, nature and description whatsoever, existing against or in respect to said property.

For a term of five (5) years, beginning on the 1st day of April, 1941, and ending on the 31st day of March, 1946, at the following rentals: Five Hundred Dollars (\$500.00) per year, payable in advance at the office of the Lessor quarterly during said term.

In consideration of the covenants herein contained the parties hereto agree as follows:

First. That the above described premises are leased to said lessee for stock-grazing, pasturage and/or agricultural purposes only, and for no other purpose or purposes.

Second. That this lease shall not be assigned or transferred, nor shall the said lessee have the right to sublet the leased premises, or any part thereof, without the consent in writing of the Council of said City.

Third. That the City reserves all gas, oil and mineral rights in and on said premises herein leased, with the right to go upon said property and prospect or drill for oil, gas and minerals.

Fourth. That the lessee shall keep and maintain said premises in as good repair and condition as he may receive them at his own expense (ordinary wear and tear and the acts of God excepted) and the said City shall not be called upon to make any expenditures or repairs on said premises.

Fifth. The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same, and/or for the purpose of drilling, operating and maintaining wells and pipelines on said premises, and for the purpose of making repairs to or developing the water system of said City; but the City shall not be required to furnish any water on said premises, except for domestic purposes, where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series).

Sixth. That the said lessee, paying the said rent and performing the covenants and agreements aforesaid, shall and may at all times during the said term, peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

Seventh. Said lessee agrees that on the last day of said term, or other sooner termination of this lease, the said lessee shall and will peaceably and quietly leave, surrender and yield up unto said City the said premises, in as good state and condition as the same are now in or may be put into, reasonable use and wear thereof and damage by the elements excepted.

Eighth. It is understood and agreed by the said parties that the said City may terminate this lease at any time by giving sixty (60) days' notice of such termination to the lessee, and by tendering to said lessee a proportionate part of any rentals paid in advance by said lessee.

Ninth. It is further agreed by and between the parties hereto that in case of the violation by the lessee of any of the terms and conditions of this lease, the City may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the lessee and for its account.

Tenth. All exterior boundary line fences shall be constructed and kept in repair by and at the expense of the lessee, and upon the termination of this lease shall become

the property of the City.

Eleventh. That the City shall not be liable for any damages resulting from injury to stock grazed or pastured on said leased land.

It is understood and agreed that a waiver by the City of any default hereunder shall not be considered, nor held to be, a waiver of any subsequent or other default, and also that consent to the subletting of said premises or any part thereof, or to the assignment of this lease, shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

It is understood and agreed that if the lessee shall make default in the performance of any of the terms, conditions or covenants of this lease by the lessee to be kept, observed or performed, lessee will in such case pay to the City the expenses and costs incurred by the City in any action which may be commenced by the City based on, or arising out of, any such default, including a reasonable attorney's fee.

IN WITNESS WHEREOF, this agreement is executed by The City of San Diego, acting by and through the City Manager of said City, under and pursuant to Resolution No. \_\_\_\_\_ of the Council, authorizing such execution, and said lessee has hereunto subscribed his name, the day and year first hereinabove written.

THE CITY OF SAN DIEGO,  
By \_\_\_\_\_ City Manager

\_\_\_\_\_  
Lessee

I HEREBY APPROVE the form of the foregoing Lease this \_\_\_\_\_ day of \_\_\_\_\_, 1941.

D. L. AULT, City Attorney,

By \_\_\_\_\_

Deputy City Attorney

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Knox and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Flowers

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73680

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, is about to enter into a lease of certain portions of the tidelands with CALIFORNIA PACKING CORPORATION, a corporation, for a period of twenty-five (25) years beginning on the 1st day of September 1941, and ending on the 31st day of August, 1966, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego, as follows:

That said lease, copy of which is herety attached, between the Harbor Commission of The City of San Diego and California Packing Corporation, a corporation, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the Harbor Commission of said City, as Lessor, hereinafter called the City, and CALIFORNIA PACKING CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of New York, and authorized to do business in the State of California, as Lessee, hereinafter called the "Company," WITNESSETH:

That the City, lessor as aforesaid, does by these presents demise and lease unto the Company, lessee as aforesaid, upon the terms and conditions and for the purposes and uses hereinafter recited, and the Company hereby hires and accepts from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, the lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California under the provisions of that certain Act of the Legislature of California, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the 1st day of May, 1911, and as subsequently amended, said property being particularly described as follows, to-wit:

Beginning at a point on the U. S. Bulkhead Line, as said U. S. Bulkhead Line is now established for the Bay of San Diego, said point being south 56° 51' East 462.47 feet from U. S. Bulkhead Station 187; thence north 70° 50' east a distance of 71.06 feet to a point; thence south 73° 03' 40" east a distance of 28 feet to a point; thence north 8° 32' 40" east a distance of 409.28 feet to a point; thence north 81° 27' 20" west a distance of 394.58 feet to the point of beginning of a curve concave to the southeast having a radius of 310.623 feet, the center of which bears south 8° 32' 40" west; thence westerly along the arc of said curve an arc distance of 6.26 feet to a point; thence leaving said curve south 8° 32' 40" west a distance of 601.13 feet to a point; thence north 70° 50' east a distance of 350.42 feet to the true point or place of beginning, containing 199,040 square feet, or 4.569 acres, of tideland area.

The said lands hereinabove described being shown on the map or plat attached hereto, marked "Exhibit A," and made a part hereof.

TO HAVE AND TO HOLD the said premises, and each and every parcel thereof, unto the said lessee for a term commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 1941, and terminating on the \_\_\_\_\_ day of \_\_\_\_\_, 1966, unless sooner terminated as herein provided, at the following rentals:

For the first five-year portion of said term, one cent (1¢) per square foot per year;

For the next five-year portion of said term, two cents (2¢) per square foot per year;

For the next ten-year portion of said term, four cents (4¢) per square foot per year;







For the remaining and final five-year portion of said term, five cents (5¢) per square foot per year.

All rentals hereunder shall be computed on a monthly basis and shall be due and payable monthly in advance upon the first day of each and every month during the term of this lease.

Neither the whole nor any part of this lease shall be assignable or transferable, nor shall the lessee have the right to sublet the leased premises, or any part thereof, without the written consent of the lessor. Provided, however, that said City shall not refuse or withhold its approval to an assignment or transfer of this lease to an assignee conducting a packing business similar to that conducted or to be conducted on the leased premises by said Company, and whose financial standing and responsibility is at least equal to the present financial standing and responsibility of the lessee herein.

In addition to the foregoing provisions, it is hereby agreed by the parties hereto that the same is granted and accepted upon the further terms and conditions, to-wit:

(1) That the demised premises hereinabove described shall be used only and exclusively for the operation and maintenance thereon of a fish packing plant, including all activities connected therewith and convenient thereto; provided that all such activities shall comply with all health laws and with the requirements and regulations of the Public Health authorities, and shall never be permitted to constitute a public nuisance.

(2) All buildings to be erected upon the lands included in this lease shall be in accordance with all valid City ordinances and regulations having application thereto, and that the plans therefor shall, prior to the erection of such buildings or structures, be submitted to and approved by the Harbor Commission and Planning Commission of said City.

(3) The City reserves the right to construct seawalls, docks and wharves on the bayside of the demised premises, and also reserves the right to lay and maintain water or sewer pipes across any of the premises occupied or to be occupied by the Company hereunder, provided that said Company shall not be disturbed in the possession and use of said premises to any greater degree than may be necessary for such purposes.

(4) The lessor shall at all times during ordinary business hours be authorized to enter upon and inspect such premises by its properly authorized representatives.

(5) The Company shall indemnify and keep the City harmless from any claims, costs or judgments proximately resulting from its operations and occupancy under the terms hereof; provided, however, that prompt notice of any such claim as may be filed with the City shall be given to the Company, and it shall be afforded the timely privilege and option of defending the same.

(6) All buildings, structures and improvements placed by the Company on said premises, and all equipment installed on said premises by the Company shall remain the property of the Company, and upon the termination of this lease said buildings, improvements, structures and equipment shall be removed from said premises by the Company, or otherwise disposed of within a reasonable time after termination hereof; subject, however, to any constitutional, statutory or contract lien which the City may have for unpaid rents or charges.

(7) In event of breach by the Company of the covenants herein contained, the City may serve notice in writing upon the Company that if such breach is not cured within a sixty (60) day period, the City may declare this lease at an end, and upon such a declaration by the City of its termination of this lease, the said Company shall remove from the said demised premises and have no further right or claim thereto, and the City shall immediately thereupon, without recourse to the Courts, have the right to take possession of said premises, and said Company shall forfeit all rights and claims thereto and thereunder; provided, however, that in the event of a termination of this lease as in this paragraph provided, the Company may within such reasonable time as the Harbor Commission may designate, remove all buildings, improvements, structures and equipment and other personal property of the Company from the premises herein leased, or otherwise dispose of the same; provided, further, that no such termination shall in any wise relieve the Company from the obligation to pay any rentals and charges accrued and unpaid up to the time thereof.

(8) If at any time during the term of this lease the tenancy hereunder shall interfere with the use of any of the tidelands of San Diego Bay lying bayward of the bulkhead line, as now established, for navigation, commerce and the fisheries or in any manner become inconsistent with the trusts under which the said tidelands are held from the State of California, the City shall have the right to terminate this lease upon one year's notice and the payment to the Company of reasonable compensation, which shall be based upon and limited to compensation for the actual value at the time of the termination of this lease of such buildings, structures and physical improvements placed upon the demised premises by the Company as are authorized or permitted under the terms of this lease, and shall not be held to include or require compensation to be paid in any amount to said Company for any damage to or interference with, or loss of business or franchise occasioned by any such termination.

(9) Reference is hereby made to all laws as now existing and as hereafter amended or enacted applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed or reservations made thereby made a part of this lease with like effect as though the same were expressly set forth herein.

It is further understood and agreed that unless this lease shall have been terminated for a cause herein provided, upon the expiration of the term hereby granted the Company shall, provided it is not then in default as to any of the terms or conditions herein contained, have the right to a renewal of this lease, upon the same terms and conditions and for the same purposes and uses, for an additional period of twenty-five (25) years; provided, further, that if the Company shall desire and intend to avail itself of the right to such renewal, it shall notify the City in writing thereof at least one (1) year prior to the expiration of the term of this lease. The failure of the Company to give said notice of renewal shall relieve the City from any obligation to make such renewal.

In the event that the lessee shall exercise the option herein provided for, the rentals to be paid for such extended term of twenty-five years shall be agreed upon by The City of San Diego and said Company; provided that if an agreement cannot be reached then the matter shall be determined by submission to a Board of Arbitrators consisting of three members. One arbitrator shall be selected by the City and one arbitrator by the Company, and the two arbitrators so selected shall select a third. The decision of such board shall be final, and both the City and the Company shall be bound thereby.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego, acting for and on behalf of said City, have hereunto subscribed their names as and for the act of said City, and the said Company, lessee as aforesaid, has caused this instrument to be executed and its corporate name and seal to be hereunto affixed by its proper officers, and this instrument, when so executed, shall be deemed effective from the date first hereinabove written.

This instrument is executed in duplicate, both of which shall be deemed originals.

THE CITY OF SAN DIEGO Lessor

By

Members of the Harbor Commission of The City of San Diego.

CALIFORNIA PACKING CORPORATION Lessee

By

ATTEST:

I hereby approve the form of the foregoing Lease this \_\_\_\_\_ day of March, 1941.  
City Attorney

By \_\_\_\_\_  
Assistant City Attorney

EXHIBIT A

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Boud, Knox and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: Housh and Flowers

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
(SEAL) City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73681

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The following claims, attached to Transmittal No. 62 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number |                                 | Net Amount of Claim | Claim Number |
|------------|--------------|---------------------------------|---------------------|--------------|
| 3/14/41    | 0888         | S.D.Ice & Cold Storage Co.      | 1.03                | 0724         |
| 3/14/41    | 0890         | S.D.Janitor Sup. & Chemical Co. | 4.04                | 0725         |
| 3/14/41    | 0901         | Hazard-Gould & Co.              | 7.00                | 0726         |
| 3/14/41    | 0903         | Pacific Chemical Company        | 30.07               | 0727         |
| 3/14/41    | 0904         | Joseph Barnise                  | 21.20               | 0728         |
| 3/14/41    | 0905         | S.D.Unified School District     | 10.26               | 0729         |
| 3/14/41    | 0920         | Zellerbach Paper Company        | 50.47               | 0730         |

R E S O L U T I O N NO. 73682

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the deed of Harriet F. Nance, executed in favor of The City of San Diego, bearing date March 3, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the south 4 feet of Lots 85 and 88, in the Southern Title Guaranty Company's Subdivision, as shown on Map thereof No. 1864, filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;  
And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73683

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the deed of Frances C. Beaver, executed in favor of The City of San Diego, bearing date March 10, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the south one-half of Lot "A", in Block 20 of Mission Beach, according to map thereof No. 1651 filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;  
And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73684

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the deed of J. E. Hume and Claudia Hume, executed in favor of The City of San Diego, bearing date March 6, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the south 4 feet of Lots 25 and 26, Block 77, Ocean Beach, according to Map No. 279 on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;  
And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73685

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the deed of Edward M. Greene and Mary C. Greene, executed in favor of The City of San Diego, bearing date March 11, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the westerly 20 feet of Lots 21, 22, 23 and 24, of Block 7 of Mountain View Addition, according to Map thereof No. 1147 filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;  
And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73686

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the deed of Arnold Strehle and Thelma Strehle, executed in favor of The City of San Diego, bearing date February 7, 1941, conveying to said City an easement and right of way for street purposes through, along and across all fractional Lot 30 and portions of fractional Lots 29 and 31, in Block 150 of Choate's Addition, according to the Map thereof No. 167, filed for record in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the



lands therein conveyed are hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named FELTON STREET;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73687

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Glen L. Straw and Lola M. Straw, executed in favor of The City of San Diego, bearing date March 13, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the south 10 feet of the west 20 feet of Lot 2, and South 4 feet of east 50 feet of the west 70 feet of Lot 2, in Block 55 of City Heights, according to Amended Map thereof No. 1007, filed in the office of the County Recorder of San Diego County, California, October 5, 1906, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73688

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and directed to sign and execute for and on behalf of The City of San Diego, that certain form of "Contract for Industry Track" dated February 27th, 1941, between the Atchison, Topeka & Santa Fe Railway Company and The City of San Diego, for the construction, operation and maintenance of a track to serve the City sewage disposal plant, according to plans and specifications therein contained, for the sum of Two Thousand Four Hundred Ninety-nine & 13/100 Dollars (\$2,499.13) reference to which contract is hereby made for further particulars.

Presented by WALTER W. COOPER

Approved as to form by D. L. AULT

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Knox and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Flowers

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 73689

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That pursuant and subject to all the terms, conditions and provisions of the Public Health Act of the State of California, approved March 23, 1907, and all amendments thereto, application by The City of San Diego be made to the State Board of Public Health of the State of California, for a permit to construct a new sewage treatment plant to treat the sewage of the entire City, to be located near the Bay of San Diego at Una and Jutewood Streets, with an outfall discharging the effluent from the plant into the Bay of San Diego.

That the City Manager of said City be, and he is hereby authorized and directed to cause the necessary data to be prepared, and investigations to be made, and in the name of said City to sign and file such application with the said State Board of Public Health.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 18th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Knox and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Housh and Flowers

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73628 to 73689 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 18th day of March, 1941.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Willig Deputy

R E S O L U T I O N NO. 73690

Kensington Manor Lighting District No. 1

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of Kensington Drive, Canterbury Drive, Sussex Drive, Westminster Terrace, Norfolk Terrace, Rochester Road, Lymer Drive, Marlborough Drive, Edgeware Road, Hempstead Circle, Hilldale Road, Middlesex Drive, Bedford Drive, Hastings Road, Bristol Road, Roxbury Road, Braeburn Road, Palisades Road and Ridgeway, within the limits and as particularly described in Resolution of Intention No. 73332, adopted by said Council on February 4, 1941, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for Kensington Manor Lighting District No. 1," filed in the office of said City Clerk February 21, 1941, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

R E S O L U T I O N NO. 73691

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The provisions of Sections 3E6 and 4A8 of subdivision Ordinance No. 1025 New Series, insofar as they affect the tentative map of the proposed subdivision of Lot 21 The L. P. Delano Tract; to be known as A. B. Wright Subdivision Unit No. 1, be, and they are hereby suspended.

R E S O L U T I O N NO. 73692

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The tentative map of proposed subdivision of Lot 21 The L. P. Delano Tract, to be known as A. B. Wright Subdivision Unit No. 1, be, and it is hereby approved, with the following amendment:

A setback of ten feet from the property line of 29th Street and a setback of fifteen feet from the property line on Kalmia Street.

R E S O L U T I O N NO. 73693

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Charles L. Ryder, 2426 Locust Street, to construct an addition to the existing cleaning and dyeing plant at 3686 El Cajon Boulevard on portion of Lots 27-28 Block 44 W. P. Herbert's Subdivision, and increase the number of employees to twenty.

Variance to the provisions of Ordinance No. 12989, be, and it is hereby granted, in so far as they relate to the property mentioned above.

R E S O L U T I O N NO. 73694

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Hilda Bierling, 3516 Georgia Street, to replat Lots 1-3 Block 1 City Heights, at the southeast corner of Boundary and Landis Streets into three building sites facing on Landis Street.

Variance to the restrictions of Ordinance No. 12820, be, and it is hereby granted in so far as they relate to the property mentioned above.

R E S O L U T I O N NO. 73695

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Perry Wood, 3722 Lotus Drive, to replat Lots 5 and 6 Block 66 Roseville, to face Willow Street instead of Garrison Street as originally subdivided, provided a fifteen-foot setback is maintained on both Garrison and Willow Streets. Each Lot shall be fifty feet by one hundred feet.

Variance to the restrictions of Ordinance No. 32 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above.

R E S O L U T I O N NO. 73696

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Henry J. Theuner, 3364 University Avenue, to expand the existing Cabrillo Cleaners & Laundry on Lots 14-17 Block 196 City Heights, on the following conditions:

1. The maximum number of employees shall be twenty
2. The plant shall not operate after 6:30 P.M.
3. The fumes shall be vented in such a manner as not to be objectionable to owners of property in the vicinity

Variance to the restrictions of Ordinance No. 12820, be, and it is hereby granted in so far as they relate to the property mentioned above.

R E S O L U T I O N NO. 73697

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to American Cleaners, 3232 India Street, by Robert M. Montgomery, to add a new boiler room and expand the cleaning plant existing on Lots 8-9 Block 130 Middletown, on the following conditions:

1. The new boiler room shall have a boiler not to exceed 50 H.P.
2. There shall be a maximum of one hundred employees
3. The boiler shall be gas-fired
4. Smoke and soot nuisance shall be eliminated
5. That oil burner shall be permitted for emergency standby use only

Variance to the restrictions of Ordinance No. 12987, be, and it is hereby granted in so far as they relate to the property mentioned above.

R E S O L U T I O N NO. 73698

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Percy Bilton, Inc., by Percy Bilton, P. O. Box 87, San Gabriel, California, to divide Lots 2, 3, 4, 5 Block 18 Montemar Ridge into five lots varying from sixty five to eighty five feet in frontage along Seville and Evergreen Streets, as shown on plat attached to petition bearing Document No. 327740.

Variance to the restrictions of Ordinance No. 31 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73699

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Griffith Company, A. E. Kelley, agent, California Theatre Building, to redivide Lot 3 and ten feet of Lot 4 Block 4 Point Loma Heights, to permit the construction of a residence in addition to an existing residence on the adjoining portion of Lot 4.

Variance to the restrictions of Ordinance No. 31 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73700

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Charles J. and Pearl M. Brown, 3005 Midway Drive, to construct a drive-in restaurant at the southwest corner of Midway Drive and Rosecrans Street, 100 feet back from Rosecrans Street, on portion of Pueblo Lot 239.

Variance to the restrictions of Ordinance No. 34 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73701

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mary C. Baker, by R. H. Baker, 842 Rosecrans Street, to construct a riding stable with a maximum number of twenty horses, on Lot 22 Eureka Lemon Tract near Baker Street on Morena Boulevard.

Variance to the restrictions of Ordinance No. 100 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above, for a period of two years from the date of this resolution.

## R E S O L U T I O N NO. 73702

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Peter M. and Margaret W. Hannay, 2202 La Jolla Shores Drive, to construct a double garage with apartment above on Lot 14 Block 7 La Jolla Shores, with a side yard of nineteen feet, a rear yard of six feet and a lot coverage of thirty five per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73703

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Jeanne Marvin, 3354 Dumas Street, to construct a residence and garage to the mean high tide line of San Diego Bay, at the corner of Qualtrough and San Antonio Streets, on Block 165 La Playa, with a side yard of 0 feet, a rear yard of twenty five feet and with a lot coverage of fifty per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73704

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to F. B. Taylor, 3938 Arizona Street, to construct and conduct a two-unit auto court on the rear of Lots 31-32 Block 200 University Heights.

## R E S O L U T I O N NO. 73705

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to B. Genc, by Harry Warburton, agent, 6080 El Cajon Boulevard, to conduct an auto court, consisting of ten units and keeper's quarters on portion of Lot 9 La Mesa Colony, on El Cajon Boulevard, opposite 63rd Street, as shown on plat attached to petition bearing Document No. 327741.

## R E S O L U T I O N NO. 73706

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Esther L. Ogle, by J. R. McNaught, P. O. Box 473, La Jolla, to construct a residence on the south portion of Lots 12, 13, 14 Block 7 La Jolla Beach, at 7301 Monte Vista Street, not closer to the property line on Sea Lane than ten feet, provided the fifteen-foot setback is maintained along Monte Vista Street.

The provisions of Setback Ordinance No. 12321, be, and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73707

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to H. F. Landt, 715 - 4th Avenue, to construct a five-unit bungalow court on Lots 1-3 Block 106 Wonderland Beach, to the property line on West Point Loma Boulevard and not closer to the property line of Lotus Street than four feet.

The provisions of Setback Ordinance No. 12321, be, and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73708

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Chester H. Webber, 625 Broadway, to construct two residences on Lot 7 Block 213 Middletown, not closer to the property line on La Jolla Avenue than eight feet.

The provisions of Setback Ordinance No. 12321, be, and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73709

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to San Diego Post #6, American Legion, by John H. Briel, to operate the Crafts 20 Big Shows at the foot of Market Street from March 26 to April 6, 1941, and at Monroe Field from April 8 to 13, using temporary wiring and lighting equipment. Free electrical permit and free inspection are hereby granted. This permit is granted with the understanding that all equipment, etc., shall be subject to inspection by all authorities having jurisdiction.



## R E S O L U T I O N NO. 73710

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving Wightman Street, contained in Document No. 327194, be, and it is hereby granted. Type of pavement to be four inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

## R E S O L U T I O N NO. 73711

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, is about to enter into a lease of certain portions of the tidelands with National Iron Works, a corporation, for a period commencing on the 1st day of April, 1941, and ending on the 31st day of July, 1964, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission of The City of San Diego and National Iron Works, a corporation, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

## L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_\_ day of March, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the Harbor Commission of said City, as Lessor, hereinafter called the City, and NATIONAL IRON WORKS, a corporation, as Lessee, WITNESSETH:

That the City, lessor as aforesaid, does by these presents demise and let unto the lessee, upon the terms and conditions and for the purposes and uses hereinafter recited, and the lessee hereby hires and accepts from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, all those lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California, under the provisions of that certain Act of the Legislature, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situated in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the first day of May, 1911, and as subsequently amended, particularly described as follows, to-wit:

## PARCEL 1:

Beginning at a point on the U. S. Bulkhead Line, as said Bulkhead Line is now established for the Bay of San Diego, distant 1526.93 feet northwesterly from Bulkhead Station #183; thence at right angles north  $39^{\circ} 10'$  east a distance of 125 feet to a point; thence north  $70^{\circ} 50'$  east a distance of 401.52 feet to the true point or place of beginning; thence continuing north  $70^{\circ} 50'$  east a distance of 377.27 feet to the point of beginning of a 100 foot radius curve concave to the south; thence easterly along the arc of said curve an arc distance of 91.19 feet to a point; thence south  $56^{\circ} 55'$  east tangent to said curve a distance of 184.04 feet to the point of beginning of a curve concave to the south having a radius of 2654.93 feet; thence southeasterly along the arc of said curve an arc distance of 47.88 feet to a point of compound curve concave to the west and having a radius of 29.77 feet, the center of which bears south  $34^{\circ} 07'$  west; thence southeasterly along the arc of said curve an arc distance of 65.84 feet; thence tangent to said curve south  $70^{\circ} 50'$  west a distance of 574.10 feet to a point; thence at right angles north  $19^{\circ} 10'$  west a distance of 270 feet to the true point or place of beginning, containing 142,100 square feet of tideland area.

## PARCEL 2:

Beginning at a point on the U. S. Bulkhead Line, as said Bulkhead Line is now established for the Bay of San Diego, distant 1526.93 feet northwesterly from said Bulkhead Line Station #183; thence at right angles north  $39^{\circ} 10'$  east a distance of 125 feet to a point; thence north  $70^{\circ} 50'$  east a distance of 53.75 feet to the true point or place of beginning; thence continuing north  $70^{\circ} 50'$  east a distance of 347.77 feet, more or less, to the most westerly corner of the tideland area described in Parcel 1; thence south  $19^{\circ} 10'$  east a distance of 270 feet to the most southerly corner of the tideland area described in Parcel 1; thence south  $70^{\circ} 50'$  west a distance of 179.18 feet to the point of tangency of a curve concave to the north having a radius of 100 feet; thence westerly along the arc of said curve an arc distance of 101.81 feet to its point of tangency with a line parallel to and distant 125 feet northeasterly from the said U. S. Bulkhead Line; thence northwesterly along said parallel line a distance of 207.65 feet to the point of tangency of a curve concave to the east having a radius of 30 feet; thence northerly along the arc of said curve an arc distance of 63.70 feet to the true point or place of beginning, containing 84,840 square feet, or 1.947 acres, of tideland area.

The lands hereinabove described being shown on the map or plat marked "Exhibit A," attached hereto and made a part of this lease.

TO HAVE AND TO HOLD the said premises and each and every part thereof unto the lessee for a term beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 1941, and ending on the 31st day of July, 1964, unless sooner terminated as herein provided, at the following rentals:

A sum of money equal to one cent (1¢) per square foot per year for that portion of said term beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 1941, and ending on the 31st day of July, 1944;

A sum of money equal to one and one-half cents (1-1/2¢) per square foot per year for the next ten-year portion of said term; and

A sum of money equal to two and one-half cents (2-1/2¢) per square foot per year, for the last ten-year portion of said term.

All rentals hereunder shall be due and payable monthly and shall persist in any such failure or refusal for a period of thirty (30) days after receiving notice from the lessor requiring it to comply with the provisions of this lease in any and all respects wherein the lessee may be at fault, then and in that event this lease shall terminate, and said lessee shall thereupon forthwith remove from said premises, and shall have no further right or claim thereto, and that the said City shall immediately thereupon, without recourse to the courts, have the right to take possession of said premises, and said lessee shall forfeit all rights and claims thereto and thereunder; and said lessee, in accepting this lease, hereby acknowledges the right of said City to take possession of said premises immediately upon the neglect or refusal of said lessee to comply with the terms and conditions hereinbefore mentioned. in advance upon the first day of each and every month during the term of this lease.

Neither the whole, nor any part of this lease shall be assignable or transferable, nor shall the lessee have the right to sublet the leased premises, or any part thereof, without the consent of the Harbor Commission, evidenced by resolution duly and regularly passed and adopted.

The Council of said City and the Harbor Commission of said City, and the people of said City, hereby reserve the right and privilege to annul, change or modify this lease in

such manner as may seem proper, upon the payment to said lessee of reasonable compensation for damages occasioned by said annulment, change or modification. The reasonable compensation herein provided to be paid to the lessee shall be based upon and limited to compensation for the actual value of such buildings, structures and physical improvements placed upon the demised premises by the lessee as are required, authorized or permitted under the terms of this lease, and shall not be held to include compensation to said lessee for any damage to, interference with, or loss of business or franchise occasioned by any such annulment, change or modification.

In addition to the foregoing provisions, it is hereby agreed by the parties to this lease that the same is granted and accepted upon the further terms and conditions hereinafter provided, to-wit:

(1) That the demised premises shall be used for the construction and maintenance thereon of a structural steel fabricating shop, machine shop, pattern shop, foundry, and general metal manufacturing, general contracting business, and the doing of things incidental thereto, including the selling of the lessee's own products and the selling at wholesale of other steel and metal products and allied merchandise and heating equipment; provided, however, that the lessee shall not handle or sell upon said premises plumbing material or fixtures, nails, tools, or miscellaneous hardware.

(2) That all plans for buildings and improvements to be erected or placed upon said leased premises shall comply with all the ordinances of The City of San Diego, and shall be subject to the approval of the Harbor Commission and the Planning Commission of said City.

(3) That upon the expiration of the term of this lease, or upon the sooner termination thereof, as herein provided, said lessee shall have the right and shall be required to remove from said premises such buildings, structures, appliances and appurtenances as may have been constructed by said lessee on said premises.

(4) At no time during the life of this lease shall The City of San Diego be required to make any improvement on or for the benefit of the said leased lands hereinabove described.

(5) That said City reserves the right to lay water or sewer pipes across said premises, and to make such other improvements for the development of the facilities of the Bay of San Diego for the purpose of navigation, commerce and the fisheries, at such time and in such manner as may be provided in any general plan of harbor improvement adopted by the Council of said City, and that the lessee will remove any structure or buildings from said demised premises as shall interfere with carrying out the adopted harbor plan in any way whatsoever, at its own cost and expense, and without any claim or right to damages or compensation therefor; provided, only, that said lessee shall not be disturbed in the possession and use of said premises to any greater degree than is necessary in the carrying out and completion of said general plan of improvement.

(6) In the event the lessee shall fail to fulfill in any manner the uses and purposes for which the said premises are leased as above set forth, or shall fail or refuse to perform any of the obligations by it under this lease undertaken, and shall persist in any such failure or refusal for a period of thirty (30) days after receiving notice from the lessor requiring it to comply with the provisions of this lease in any and all respects wherein the lessee may be at fault, then and in that event this lease shall terminate, and said lessee shall thereupon forthwith remove from said premises, and shall have no further right or claim thereto, and that the said City shall immediately thereupon, without recourse to the courts, have the right to take possession of said premises, and said lessee shall forfeit all rights and claims thereto and hereunder; and said lessee, in accepting this lease, hereby acknowledges the right of said City to take possession of said premises immediately upon the neglect or refusal of said lessee to comply with the terms and conditions hereinbefore mentioned.

(7) That the lessee, upon the payment of the first installment of rent, as herein provided, and the execution of this lease, shall be placed in possession, and upon the faithful and timely performing and observing of all the covenants and conditions herein contained the lessee may peaceably hold and enjoy the said premises during the said term without any interruption by the lessor, subject to the terms of this lease.

(8) Reference is hereby made to all laws as now existing and as hereafter amended or enacted applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed or reservations made thereby are made a part of this lease, with like effect as though the same were expressly set forth herein.

It is mutually understood and agreed between the parties hereto that upon the execution of this lease and its ratification by the City Council, the lease heretofore entered into on the 14th day of July, 1939, between The City of San Diego and the National Iron Works, covering a portion of the premises hereby leased, the original of which is on file in the office of the City Clerk of said City, bearing Document No. 314772, and recorded in Book 11, page 65, Records of said City Clerk, shall terminate and be of no further force and effect.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego have hereunto subscribed their names, as and for the act of said City, and the said Lessee has caused this instrument to be executed and its corporate name and seal to be hereunto affixed, by its proper officers, thereunto duly authorized, the day and year first hereinabove written.

This instrument is executed in duplicate, both of which shall be deemed originals.

THE CITY OF SAN DIEGO

Lessor.

By

Members of the Harbor Commission of The City of San Diego.

NATIONAL IRON WORKS

Lessee

By

President

ATTEST:

Secretary

I hereby approve the form of the foregoing Lease this \_\_\_\_ day of March, 1941.

City Attorney

By

Assistant City Attorney

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Simpson

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

# R E S O L U T I O N NO. 73712

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, has entered into a lease of certain portions of the tidelands with American Products, Inc., a corporation, for a period of fifteen (15) years commencing on the 1st day of April, 1941, and ending on the 31st day of March, 1956, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission of The City of San Diego and American Products, Inc., be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

## L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_\_ day of March, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the Harbor Commission of said City, as Lessor, hereinafter called the City, and AMERICAN PRODUCTS, INC., a corporation, as Lessee, WITNESSETH:

That the City, lessor as aforesaid, does by these presents demise and let unto the lessee, upon the terms and conditions and for the purposes and uses hereinafter recited, and the lessee hereby hires and accepts from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, all those lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California under the provisions of that certain Act of the Legislature, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situated in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the first day of May, 1911, and as subsequently amended, particularly described as follows, to-wit:

Beginning at a point on the U. S. Bulkhead Line, as said U. S. Bulkhead Line is now established for the Bay of San Diego, distant 1698.02 feet northwesterly from said Bulkhead Line Station 183; thence north 70° 50' east a distance of 146.87 feet to a point; thence north 50° 50' west a distance of 55.81 feet to the true point or place of beginning; thence continuing north 50° 50' west a distance of 419.16 feet to the point of tangency of a 30 foot radius curve, concave to the east; thence northerly along the arc of said curve an arc distance of 63.70 feet to its point of ending; thence tangent to said curve north 70° 50' east a distance of 641.62 feet to the point of beginning of a tangent curve convex to the south having a radius of 100 feet; thence easterly along the arc of said curve an arc distance of 91.19 feet to its point of ending; thence tangent to said curve south 56° 55' east a distance of 235.52 feet to a point, said point being the most northerly corner of that tideland parcel now leased to the San Diego Planing Mill; thence south 70° 50' west along the northwesterly boundary of said parcel now leased to the San Diego Planing Mill a distance of 329.81 feet to the most westerly corner thereof; thence south 50° 50' east along the southwesterly boundary of said leased parcel and its southeasterly prolongation a distance of 264.35 feet to a point; thence south 70° 50' west a distance of 394.19 feet to the point of tangency of a 100 foot radius curve convex to the north; thence westerly along the arc of said curve an arc distance of 101.81 feet to the true point or place of beginning, containing 271,200 square feet, or 6.226 acres, of tideland area.

The lands hereinabove described being shown on the map or plat attached hereto, marked "Exhibit A," and made a part of this lease.

TO HAVE AND TO HOLD the said premises and each and every part thereof unto the lessee for a period of fifteen (15) years, beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 1941, and ending on the \_\_\_\_\_ day of \_\_\_\_\_, 1956, unless sooner terminated as herein provided, at the following rentals:

For the first five (5) years of the term of said lease, at the rate of one cent (1¢) per square foot per year;

For the next five (5) years of the term of said lease, at the rate of two cents (2¢) per square foot per year;

For the last five (5) years of the term of said lease, at the rate of four cents (4¢) per square foot per year.

All rentals hereunder shall be due and payable monthly in advance upon the first day of each and every month during the term of this lease.

Neither the whole, nor any part of this lease shall be assignable or transferable, nor shall the lessee have the right to sublet the leased premises, or any part thereof, without the consent of the Harbor Commission, evidenced by resolution duly and regularly passed and adopted.

The Council of said City and the Harbor Commission of said City, and the people of said City, hereby reserve the right and privilege to annul, change or modify this lease in such manner as may seem proper, upon the payment to said lessee of reasonable compensation for damages occasioned by said annulment, change or modification. The reasonable compensation herein provided to be paid to the lessee shall be based upon and limited to compensation for the actual value of such buildings, structures and physical improvements placed upon the demised premises by the lessees as are required, authorized or permitted under the terms of this lease, and shall not be held to include compensation to said lessee for any damage to, interference with, or loss of business or franchise occasioned by any such annulment, change or modification.

In addition to the foregoing provisions, it is hereby agreed by the parties to this lease that the same is granted and accepted upon the further terms and conditions hereinafter provided, to-wit:

(1) That the demised premises shall be used for the purpose of conducting and maintaining thereon the business of selling lumber and allied construction materials at wholesale. The lessee shall have the right to construct an office and warehouse, and such other building or buildings as may be necessary or convenient for conducting and carrying on said business.

(2) That said lessee shall at the expiration or termination of this lease have the right, and shall be required to remove all improvements placed upon said premises by it.

(3) That all plans for buildings and improvements to be erected or placed upon said leased premises shall comply with all the ordinances of The City of San Diego, and shall be subject to the approval of the Harbor Commission and the planning Commission of said City.



(4) That said City reserves the right to lay water pipes across said lands, and to make such other improvements for the development of the facilities of the Bay of San Diego for the purpose of navigation and commerce and the fisheries, at such time and in such manner as may be provided in any general plan of harbor improvement adopted by the Council of said City, and that the lessee will remove any structures or buildings from said demised premises as shall interfere with carrying out the adopted harbor plan in any way whatsoever, at its own cost and expense, and without any claim or right to damages or compensation therefor; provided, only, that said lessee shall not be disturbed in the possession and use of said premises to any greater degree than is necessary in carrying out and completion of said general plan of improvement.

(5) At no time during the life of this lease shall The City of San Diego be required to make any improvement on or for the benefit of the said leased lands hereinabove described.

(6) In the event the lessee shall fail to fulfill in any manner the uses and purposes for which the said premises are leased, as above set forth; or shall fail or refuse to perform any of the obligations undertaken by it under this lease, or shall violate any of the terms or conditions herein expressed, including the prompt payment when the same shall be due of all rentals reserved herein, then and in that event this lease shall terminate, and said lessee shall have no further rights hereunder, and the said lessee shall remove from said demised premises and shall have no further right or claim thereto, and the said City shall immediately thereupon, without recourse to the courts, have the right to take possession of said premises, and said lessee shall forfeit all rights and claims thereto and hereunder; and said lessee, in accepting this lease hereby acknowledges the right of said City to take possession of said premises immediately upon the neglect or refusal of said lessee to comply with the terms and conditions hereinbefore mentioned.

(7) Reference is hereby made to all laws as now existing, and as hereafter amended or enacted, applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed or reservations made therein, are made a part of this lease with like effect as though the same were expressly set forth herein.

It is mutually understood and agreed between the parties hereto that upon the execution of this lease and its ratification by the City Council, the two leases heretofore entered into between The City of San Diego and American Products, Inc., covering a portion of the premises hereby leased and a portion of the tidelands between 7th Avenue and 8th Avenue and northeasterly of Harbor Street, shall terminate and be of no further force or effect. The leases hereby referred to are that certain lease dated September 1, 1936, the original of which is on file in the office of the City Clerk of said City, bearing Document No. 300341, and recorded in Book 9, page 270, Records of said City Clerk, and that certain lease dated June 15, 1938, the original of which is on file in the office of said City Clerk, bearing Document No. 308542, and recorded in Book 10, page 178, Records of said City Clerk.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego have hereunto subscribed their names as and for the act of said City, and the said Lessee has caused this instrument to be executed, and its corporate name and seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first hereinabove written.

THE CITY OF SAN DIEGO Lessor

By

Members of the Harbor Commission of The City of San Diego

AMERICAN PRODUCTS, INC. Lessee

By

President

ATTEST:

Secretary

I hereby approve the form of the foregoing Lease, this \_\_\_\_ day of March, 1941.

City Attorney

By

Assistant City Attorney

"EXHIBIT A"

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Simpson

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

RESOLUTION NO. 73713

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of residents and taxpayers for naming of the alley east of Nile Street in the 3600 and 3700 blocks, between Wightman Street and Landis Street, "Nile Place", contained in Document No. 327742, be, and it is hereby denied.

RESOLUTION NO. 73714

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for the paving of the east and west alley in Block 38 Normal Heights, contained in Document No. 327317, and the petition for the paving of the north and south alley in said Block 38 Normal Heights, contained in Document No. 327383, be, and they are hereby granted. Type of pavement to be four inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

RESOLUTION NO. 73715

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving the alley in Block 69 University Heights, contained in Document No. 327316, be, and it is hereby granted. Type of pavement to be four inches of

asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

R E S O L U T I O N NO. 73716

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving Estrella Avenue between El Cajon Boulevard and Trojan Avenue, and Trojan Avenue between 48th and 49th Streets, contained in Document No. 327460, be, and it is hereby granted. Type of pavement to be four inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

R E S O L U T I O N NO. 73717

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of Sherman's Enterprise, Inc., by A. H. Aronsohn, for a Class A license to conduct public dance at Sherman's 402 West C St., on premises where intoxicating liquor is sold, is hereby granted, subject to compliance with existing regulations.

R E S O L U T I O N NO. 73718

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Sherman's Enterprise, Inc., to conduct a floor show with paid entertainment at Sherman's, 402 West C Street, where dancing is conducted and liquor is sold. This permission is subject to the regular license fee, and to compliance with existing regulations.

R E S O L U T I O N NO. 73719

WHEREAS, it has come to the attention of this Council that there are pending in the Legislature of the State of California, five bills which have been sponsored by the Shoreline Planning Association of California, Inc., providing for the acquisition, development and protection of beach areas for purposes of recreation; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That this Council hereby goes on record as endorsing Assembly Bill 1327, Senate Bill 614, Assembly Bill 1865, Assembly Bill 1249, Assembly Bill 2204, providing for the acquisition, development and protection of beach areas for purposes of recreation, and respectfully urges the adoption of said bills.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough.

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

R E S O L U T I O N NO. 73720

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from San Diego Chamber of Commerce, by G. A. Scott, President, filed in the office of the City Clerk under Document No. 327691, regarding unnecessary noises in the downtown area, and suggesting that the Council adopt a noise abatement ordinance, be, and it is hereby referred to Councilman A. E. Flowers for report and recommendation.

R E S O L U T I O N NO. 73721

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of C. J. Buthnis, 2406 Madison Avenue, for the establishment of stop signs, requiring Madison Avenue traffic to stop before crossing Texas Street, be, and it is hereby denied.

The City Manager is hereby authorized and directed to cause "Slow" buttons to be installed at the Madison Avenue approaches to its intersection with Texas Street, and to cause four crosswalks to be painted at said intersection.

R E S O L U T I O N NO. 73722

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Mrs. F. C. Foote, 2976 National Avenue, filed in the office of the City Auditor and Comptroller of said City on February 27, 1941, against The City of San Diego in the amount of \$100.00, claimed to be due on account of injuries alleged to have been sustained by falling over a fire hose in the vicinity of 30th Street and Newton Avenue, on or about January 20, 1941, be, and it is hereby denied.

R E S O L U T I O N NO. 73723

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Katherine Kissell, c/o Sanders and Kahn, Attorneys at Law, 920 Bank of America Building, filed in the office of the City Auditor and Comptroller of said City on March 12, 1941, against The City of San Diego in the amount of \$10,500.00, claimed to be due for personal injuries caused by a palm tree, be, and it is hereby denied.

r e s o l u t i o n no. 73724

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with its requirements of gasoline for the period beginning July 1, 1941 and ending June 30, 1942, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 327679.

Approved as to form H. B. DANIEL

## R E S O L U T I O N NO. 73725

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the San Diego Gas & Electric Company be, and it is hereby authorized and directed to change to 600 candle power all overhead street lamps within the area bounded by a red line on the map attached to the communication of the City Manager, dated March 24, 1941, and contained in Document No. 327762, on file in the office of the City Clerk of said City, and all such lamps along streets colored in blue on said map, which are not now 600 candle power, except the lamps hereinafter designated to be installed on El Cajon Boulevard, between Park Boulevard and Louisiana Street, and except the existing sodium vapor lamps.

BE IT FURTHER RESOLVED, that the San Diego Gas & Electric Company be, and it is hereby authorized and directed to remove the three (3) existing lamps, and to install twenty-two (22) 600 candle power overhead street lamps on Park Boulevard, between University Avenue and El Cajon Boulevard, in accordance with the Park Boulevard Plat attached to said communication of the City Manager.

BE IT FURTHER RESOLVED, that the San Diego Gas & Electric Company be, and it is hereby authorized and directed to remove the seven (7) existing lamps, and to install twelve (12) 1000 candle power overhead street lamps on El Cajon Boulevard, between Park Boulevard and Louisiana Street, in accordance with the El Cajon Boulevard Plat attached to said communication of the City Manager.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION OF AWARD NO. 73726

Alley in Block 60, University Heights.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 11th day of March, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 73089, adopted by the Council on January 7, 1941, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving the Alley in Block 60, University Heights, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent, per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To R. E. HAZARD & SONS, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|  |         |
|--|---------|
| Excavation, per cubic yard, .....  | \$ 0.40 |
| Preparation of subgrade, per square foot, .....  | \$ 0.01 |
| Pavement, per square foot, .....   | \$ 0.13 |
| 4" sewer laterals, installed, EACH .....   | \$32.50 |
| 3/4" water services, installed, EACH .....   | \$32.50 |
| 2" cast iron water main, with fittings, connections and appurtenances, as shown on the plans, laid, per lineal foot, ... | \$ 0.90 |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION OF AWARD NO. 73727

Alleys in Block 6, Hartley's North Park and Block C, McFadden & Buxton's North Park.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 11th day of March, 1941, opened, examined and publicly declared all sealed



proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 73088, adopted by the Council on January 7, 1941, and on file in the office of the City Clerk of said City for the grading and paving of the ALLEYS IN BLOCK 6, HARTLEY'S NORTH PARK AND BLOCK C, McFADDEN & BUXTON'S NORTH PARK, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To HARRY L. FOSTER at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

Excavation, per cubic yard .....\$ 0.55  
Preparation of subgrade, per square foot .....\$ 0.015  
Pavement, per square foot, .....\$0.164

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF AWARD NO. 73728

North and South Alley in Block 107, University Heights

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 18th day of March, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City to-wit:

All the street work and improvement described in Resolution of Intention No.73139, adopted by the Council on January 14, 1941, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the NORTH AND SOUTH ALLEY IN BLOCK 107, UNIVERSITY HEIGHTS, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To DALEY CORPORATION, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

Excavation, per cubic yard, .....\$ 0.60  
Embankment, per cubic yard, .....\$ 0.30  
Preparation of subgrade, per square foot, .....\$ 0.015  
Pavement, per square foot, .....\$ 0.12  
4" sewer laterals, installed, EACH .....\$35.00

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## RESOLUTION ORDERING WORK NO. 73729

32nd Street and Date Street

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 73383, adopted by the Council on February 11, 1941, and on file in the office of the City Clerk of said City for the grading and paving of 32ND STREET and DATE STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 73334, adopted on the 4th day of February, 1941, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION CHANGING GRADE NO. 73730

Bradford Street

WHEREAS, all the acts and things required by law to confer jurisdiction upon the Council of The City of San Diego, California, to order the change of the grade of BRADFORD STREET, in said City, between a line parallel to and distant 131.40 feet westerly from the west line of College Avenue and the west line of said College Avenue, as described in Resolution of Intention No. 73140 on file in the office of the City Clerk of said City, have been done, and no protests against such proposed change or modification of grade having been filed with the Clerk of said Council within the time provided by law, NOW, THEREFORE,

BE IT RESOLVED, That the Council of The City of San Diego, California, hereby orders the change and modification of the grade of said Bradford Street, between said points, to be made as proposed by and described in said Resolution of Intention, as follows, to-wit:

At a point on the north line of Bradford Street, distant 131.40 feet west of the intersection of the north line of Bradford Street with the west line of College Avenue, the grade elevation to remain at 435.20 feet; at a point on the north line of Bradford Street distant 80.00 feet east of the last named point, change the grade elevation from 433.20 feet to 432.64 feet; at a point on the north line of Bradford Street distant 20.00 feet east of the last named point, change the grade elevation from 432.77 feet to 432.00 feet; at a point on the north line of Bradford Street distant 20.00 feet east of the last named point, change the grade elevation from 432.47 feet to 431.37 feet; at the intersection of the north line of Bradford Street with the west line of College Avenue, change the grade elevation from 432.38 feet to 431.10 feet.

At a point on the south line of Bradford Street distant 131.40 feet west of the intersection of the south line of Bradford Street with the west line of College Avenue, the grade elevation to remain at 434.70 feet; at a point on the south line of Bradford Street distant 80.00 feet east of the last named point, change the grade elevation from 432.70 feet to 432.14 feet; at a point on the south line of Bradford Street distant 20.00 feet east of the last named point, change the grade elevation from 432.27 feet to 431.50 feet; at a point on the south line of Bradford Street distant 20.00 feet east of the last named point, change the grade elevation from 431.97 feet to 430.87 feet; at the intersection of the south line of Bradford Street with the west line of College Avenue, change the grade elevation from 431.88 feet to 430.60 feet.

And the grades of said Bradford Street, between the points hereinbefore mentioned, shall have a uniform ascent and descent. All of said grade elevations to be above the datum line of levels, as fixed by Ordinance No. 3950 of the ordinances of said City.

That the San Diego Union, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego; be, and it is hereby designated as the newspaper in which this resolution ordering change of grade shall be published for two days, in the manner and by the persons required by law.

That the Clerk of the said City of San Diego be, and he is hereby directed to cause this resolution ordering change of grade to be published by two insertions in said daily newspaper in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Weggenman

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73731

RESOLUTION DECLARING BOND OF WALTER H. BARBER FORFEITED.

WHEREAS, the Council of The City of San Diego, California, did in open session on the 26th day of November, 1940, award the contract for the work and improvement for the ALLEY IN BLOCK 12, SUBDIVISION OF LOTS 20 to 50 BLOCK N, TERALTA, as described in Resolution of Intention No. 72249, adopted by the Council on September 17, 1940, to Walter H. Barber; and

WHEREAS, the first publication of the Notice of Award of said contract to Walter H. Barber for said work and improvement was had on the 3rd day of December, 1940; and

WHEREAS, a period of twenty-five (25) days has elapsed from the date of said first publication; and

WHEREAS, within said 25-day period the said Walter H. Barber failed, neglected and/or refused to enter into said contract; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the bond accompanying the bid of said Walter H. Barber be, and the same is hereby declared to be forfeited to The City of San Diego; and the amount due thereon shall be collected and paid into General Fund of The City of San Diego.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73732

DIRECTING CITY CLERK TO RE-ADVERTISE FOR SEALED PROPOSALS OR BIDS FOR WORK AND IMPROVEMENT IN AND UPON THE ALLEY IN BLOCK 12, SUBDIVISION OF LOTS 20 to 50, BLOCK N, TERALTA.

WHEREAS, the Council of The City of San Diego did in open session on the 19th day of November, 1940, open and examine and publicly declare all sealed proposals or bids offered for doing the work ordered in Resolution Ordering Work No. 72574, adopted by said Council of The City of San Diego on October 22, 1940, wherein and whereby said Council did order certain work and improvement to be done and made in and upon the ALLEY IN BLOCK 12, SUBDIVISION OF LOTS 20 to 50, BLOCK N, TERALTA, in the City of San Diego, within the limits and as particularly described in Resolution of Intention No. 72249, adopted by the Council on September 17, 1940, which resolution is by reference thereto incorporated herein and made a part hereof; and

WHEREAS, the contract for the doing of said work was awarded to Walter H. Barber pursuant to Resolution of Award No. 72787, adopted by the Council on the 26th day of November, 1940; and

WHEREAS, the Notice of Award of said contract to Walter H. Barber was first published on the 3rd day of December, 1940; and

WHEREAS, said contract has not been executed and the time has expired within which it could be done; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Clerk of said City be, and he is hereby authorized and directed to re-advertise notice calling for sealed proposals or bids for doing the work described in said Resolution No. 72574 ordering the improvement work in and upon said Alley in Block 12, Subdivision of Lots 20 to 50, Block N, Teralta, as in the first instance. That said re-advertising shall be done and made in strict conformity to the orders and directions contained in said Resolution No. 72574 ordering work, and for the time and in the newspaper in said Resolution No. 72574 particularly described and ordered.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73733

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of William H. Gage, 4635 Saratoga Avenue, filed in the office of the City Auditor and Comptroller of said City on March 7, 1941, against The City of San Diego in the amount of \$8.81, claimed to be due for damage alleged to have been caused to his automobile on February 22, 1941, in a collision with a police car, be, and it is hereby denied.



R E S O L U T I O N NO. 73734  
 APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING  
 CLERK TO GIVE NOTICE OF SAID HEARING, COLLEGE PARK LIGHTING  
 DISTRICT NO. 1

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 12th day of March 1941, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 73505, adopted by said Council on the 25th day of February 1941, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required by law, NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 22nd day of April 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

COLLEGE AVENUE, between the southwesterly prolongation of the northwesterly line of Mesita Drive and the easterly prolongation of the northerly line of Lot 1, Block 1, College Park Unit No. 1;

MISSION VALLEY ROAD, between College Avenue and the southerly prolongation of the westerly line of Lot 21, Partition of Rancho Mission of San Diego;

CAMPANILE DRIVE, between the north line of Mission Valley Road and a line parallel to and distant 120 feet northerly therefrom; and

CRESITA DRIVE, for its entire length.

Such furnishing of electric current shall be for a period of one year from and including June 1, 1941, to-wit, to and including May 31, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

Mayor of The City of San Diego, California

FRED W. SICK

City Clerk of The City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

R E S O L U T I O N NO. 73735  
 APPROVING ENGINEER'S REPORT AND FIXING TIME AND PLACE FOR HEARING  
 THEREON-ALLEY IN BLOCK 47, UNIVERSITY HEIGHTS

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 13th day of March, 1941, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of the ALLEY IN BLOCK 47, UNIVERSITY HEIGHTS, between the south line of Madison Avenue and the north line of Monroe Avenue, in the City of San Diego, California, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 29th day of April, 1941, at 10:00 o'clock in the forenoon of said day and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

Mayor of The City of San Diego, California

FRED W. SICK

City Clerk of The City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION OF INTENTION NO. 73736

San Diego Lighting District Number One.

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938", to order the following work to be done and improvement to be made, in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

INDIA STREET between Ivy Street and Broadway;  
 COLUMBIA STREET between Beech Street and Broadway;  
 STATE STREET between Elm Street and Broadway;  
 UNION STREET between B Street and Broadway;  
 FRONT STREET between B Street and Broadway;  
 FIRST AVENUE between Beech Street and Broadway;  
 SECOND AVENUE between B Street and Broadway;  
 THIRD AVENUE between A Street and Market Street;  
 FOURTH AVENUE between Ivy Street and Market Street;  
 FIFTH AVENUE between Laurel Street and K Street;  
 SIXTH AVENUE between A Street and Island Avenue;  
 SEVENTH AVENUE between Beech Street and F Street;  
 EIGHTH AVENUE between Beech Street and Market Street;  
 NINTH AVENUE between B Street and Market Street;  
 TENTH AVENUE between B Street and Market Street;  
 ELEVENTH AVENUE between B Street and Market Street;  
 TWELFTH AVENUE between Russ Boulevard and Imperial Avenue;  
 SIXTEENTH STREET between C Street and the south line of Sherman's Addition.  
 ASH STREET between Seventh Avenue and Eighth Avenue;  
 A STREET between India Street and Eighth Avenue;  
 B STREET between Kettner Boulevard and Twelfth Avenue;  
 C STREET between Kettner Boulevard and Twelfth Avenue;  
 BROADWAY between Pacific Highway and Sixteenth Street;  
 E STREET between India Street and Sixteenth Street;  
 F STREET between Columbia Street and Sixteenth Street;  
 MARKET STREET between the east line of State Street produced south and Sixteenth Street;  
 IMPERIAL AVENUE between National Avenue and Thirteenth Street; and  
 NATIONAL AVENUE between Twelfth Avenue and Sixteenth Street.

Such furnishing of electric current shall be for the period of one year from and including July 1, 1941, to-wit, to and including June 30, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by, and of the materials provided for, in the plans and specifications therefor to be hereafter prepared by the City Engineer of said City and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at a point on the south line of Beech Street distant 100 feet east of the east line of 8th Avenue; thence west along the south line of Beech Street to a point distant 100 feet west of the west line of Seventh Avenue; thence south along a line parallel to and distant 100 feet west of the west line of Seventh Avenue to a point distant 50 feet north of the north line of A Street; thence west along a line parallel to and distant 50 feet north of the north line of A Street to a point distant 100 feet east of the east line of Fifth Avenue; thence north along a line parallel to and distant 100 feet east of the east line of Fifth Avenue to the south line of Laurel Street; thence west along the south line of Laurel Street to a point distant 100 feet west of the west line of Fifth Avenue; thence south along a line parallel to and distant 100 feet west of the west line of Fifth Avenue to the south line of Ivy Street; thence west along the south line of Ivy Street to a point distant 100 feet west of the west line of Fourth Avenue; thence south along a line parallel to and distant 100 feet west of the west line of Fourth Avenue to a point distant 50 feet north of the north line of A Street; thence west along a line parallel to and distant 50 feet north of the north line of A Street to the east line of Second Avenue; thence south along the east line of Second Avenue to a point distant 50 feet south of the south line of A Street; thence east along a line parallel to and distant 50 feet south of the south line of A Street to a point distant 100 feet east of the east line of Second Avenue; thence south along a line parallel to and distant 100 feet east of the east line of Second Avenue to a point distant 50 feet north of the north line of B Street; thence west along a line parallel to and distant 50 feet north of the north line of B Street to a point distant 100 feet west of the west line of Second Avenue; thence north along a line parallel to and distant 100 feet west from the west line of Second Avenue to a point distant 50 feet south of the south line of A Street; thence east along a line parallel to and distant 50 feet south of the south line of A Street to the west line of Second Avenue; thence north along the west line of Second Avenue to a point distant 50 feet north of the north line of A Street; thence west along a line parallel to and distant 50 feet north of the north line of A Street to a point distant 100 feet east of the east line of First Avenue; thence north along a line parallel to and distant 100 feet east of the east line of First Avenue to the south line of Beech Street; thence west along the south line of Beech Street to a point distant 100 feet west of the west line of First Avenue; thence south along a line parallel to and distant 100 feet west of the west line of First Avenue to a point distant 50 feet north of the north line of A Street; thence west along a line parallel to and distant 50 feet north of the north line of A Street to the east line of Front Street; thence south along the east line of Front Street to a point distant 50 feet south of the south line of A Street; thence east along a line parallel to and distant 50 feet south of the south line of A Street to a point distant 100 feet east of the east line of Front Street; thence south along a line parallel to and distant 100 feet east of the east line of Front Street to a point distant 50 feet north of the north line of B Street; thence west along a line parallel to and distant 50 feet north of the north line of B Street to a point distant 100 feet east of the east line of State Street; thence north along a line parallel to and distant 100 feet east of the east line of State Street to a point distant 50 feet south of the south line of A Street; thence east along a line parallel to and distant 50 feet south of the south line of A Street to the west line of Front Street; thence north along the west line of Front Street to a point distant 50 feet north of the north line of A Street; thence west along a line parallel to and distant 50 feet north of the north line of A Street to a point distant 100 feet east of the east line of State Street; thence north along a line parallel to and distant 100 feet east of the east line of State Street to the south line of Date Street; thence northerly in a direct line to a point on the north line of Date Street distant 99.64 feet easterly from the easterly line of Date Street; thence northerly on a line parallel to and distant 97.80 feet easterly from the easterly line of State Street and its southerly production to the southerly line of Elm Street; thence westerly along the southerly line of Elm Street to a point distant 97.80 feet westerly from the westerly line of State Street; thence southerly along a line parallel to and distant 97.80 feet westerly from the westerly line of State Street to the north line of Date Street; thence southerly in a direct line to a point on the south line of Date Street

distant 100 feet west of the west line of State Street; thence south along a line parallel to and distant 100 feet west of the west line of State Street to the south line of Beech Street; thence west along the south line of Beech Street to a point distant 100 feet east of the east line of India Street; thence north along a line parallel to and distant 100 feet east of the east line of India Street to the south line of Date Street; thence northerly in a direct line to a point on the north line of Date Street distant 99.17 feet easterly from the easterly line of India Street; thence northerly along a line parallel to and distant 97.80 feet easterly from the easterly line of India Street and its southerly and northerly productions, to the southeasterly line of Fir Street; thence northwesterly in a direct line to a point on the northwesterly line of Fir Street distant 100 feet northeasterly from the northeasterly line of India Street; thence northwesterly along a line parallel to and distant 100 feet northeasterly from the northeasterly line of India Street to the southeasterly line of Ivy Street; thence southwesterly along the southeasterly line of Ivy Street to a point distant 100 feet southwesterly from the southwesterly line of India Street; thence southeasterly along a line parallel to and distant 100 feet southwesterly from the southwesterly line of India Street to the northwesterly line of Fir Street; thence southeasterly in a direct line to a point on the southeasterly line of Fir Street distant 99.48 feet southwesterly from the westerly line of India Street; thence southerly along a line parallel to and distant 97.80 feet westerly from the westerly line of India Street to the north line of Date Street; thence southerly in a direct line to a point on the south line of Date Street distant 100 feet west of the west line of India Street; thence south along a line parallel to and distant 100 feet west of the west line of India Street to a point distant 50 feet north of the north line of C Street; thence west along a line parallel to and distant 50 feet north of the north line of C Street and its westerly prolongation, to the west line of Kettner Boulevard; thence south along the westerly line of Kettner Boulevard a distance of 180 feet to a point; thence east along a line parallel to and distant 50 feet south of the south line of C Street and its westerly prolongation, to a point distant 100 feet west of the west line of India Street; thence south along a line parallel to and distant 100 feet west of the west line of India Street to a point distant 50 feet north of the north line of Broadway; thence west along a line parallel to and distant 50 feet north of the north line of Broadway to a point distant 510 feet west of the east line of Kettner Boulevard; thence south along a line parallel to and distant 510 feet west of the east line of Kettner Boulevard to a point distant 50 feet south of the south line of Broadway; thence east along a line parallel to and distant 50 feet south of the south line of Broadway to the west line of Front Street; thence easterly in a direct line to a point on the east line of Front Street distant 35 feet south of the south line of Broadway; thence east along a line parallel to and distant 35 feet south of the south line of Broadway to a point distant 100 feet west of the west line of Third Avenue; thence south along a line parallel to and distant 100 feet west of the west line of Third Avenue to a point distant 50 feet north of the north line of E Street; thence west along a line parallel to and distant 50 feet north of the north line of E Street to the east line of India Street; thence south along the east line of India Street to a point distant 50 feet south of the south line of E Street; thence east along a line parallel to and distant 50 feet south of the south line of E Street to a point distant 100 feet west of the west line of Third Avenue; thence south along a line parallel to and distant 100 feet west of the west line of Third Avenue to a point distant 50 feet north of the north line of F Street; thence west along a line parallel to and distant 50 feet north of the north line of F Street to the east line of Columbia Street; thence south along the east line of Columbia Street to a point distant 50 feet south of the south line of F Street; thence east along a line parallel to and distant 50 feet south of the south line of F Street to the east line of State Street; thence north along the east line of State Street to the south line of F Street; thence east along the south line of F Street to the west line of Union Street; thence south along the west line of Union Street a distance of 50 feet to a point; thence west along a line parallel to and distant 50 feet south of the south line of F Street to a point distant 100 feet west of the west line of 3rd Avenue; thence south along a line parallel to and distant 100 feet west of the west line of Third Avenue to a point distant 50 feet north of the north line of Market Street; thence west along a line parallel to and distant 50 feet north of the north line of Market Street to the east line of State Street; thence south along the east line of State Street and its southerly production, to a point distant 50 feet south of the south line of Market Street; thence east along a line parallel to and distant 50 feet south of the south line of Market Street to a point distant 100 feet west of the west line of Fifth Avenue; thence south along a line parallel to and distant 100 feet west of the west line of Fifth Avenue to the north line of K Street; thence east along the north line of K Street to a point distant 100 feet east of the east line of Fifth Avenue; thence north along a line parallel to and distant 100 feet east of the east line of Fifth Avenue to the north line of Island Avenue; thence east along the north line of Island Avenue to a point distant 100 feet east of the east line of Sixth Avenue; thence north along a line parallel to and distant 100 feet east of the east line of Sixth Avenue to a point distant 50 feet south of the south line of Market Street; thence east along a line parallel to and distant 50 feet south of the south line of Market Street to the west line of Seventh Avenue; thence north along the west line of Seventh Avenue to a point distant 50 feet north of the north line of Market Street; thence west along a line parallel to and distant 50 feet north of the north line of Market Street a distance of 100 feet to a point; thence north along a line parallel to and distant 100 feet west of the west line of Seventh Avenue to a point distant 50 feet south of the south line of F Street; thence east along a line parallel to and distant 50 feet south of the south line of F Street to a point distant 100 feet east of the east line of Seventh Avenue; thence south along a line parallel to and distant 100 feet east of the east line of Seventh Avenue to a point distant 50 feet north of the north line of Market Street; thence west along a line parallel to and distant 50 feet north of the north line of Market Street to the east line of Seventh Avenue; thence south along the east line of Seventh Avenue to a point distant 50 feet south of the south line of Market Street; thence east along a line parallel to and distant 50 feet south of the south line of Market Street to a point distant 100 feet west of the west line of Twelfth Avenue; thence south along a line parallel to and distant 100 feet west of the west line of Twelfth Avenue to the north line of Imperial Avenue; thence southeasterly in a direct line to the northwest corner of Lot L, Block 154, Horton's Addition; thence south along the west line of Lots L and K, Block 154, Horton's Addition to the southwest corner of said Lot K; thence east along the south line of said Lot K to the southeast corner thereof; thence southeasterly in a direct line to the southwest corner of Lot E, Block 153, Horton's Addition; thence east along the south line of said Lot E, to the southeast corner thereof; thence south along the west line of Lot G, Block 153, Horton's Addition to the southwest corner thereof; thence southeasterly in a direct line to the point of intersection of the original center line of Fourteenth Street with the south line of Commercial Avenue; thence south along said center line of Fourteenth Street a distance of 100 feet to a point; thence east in a direct line to the northwest corner of Lot J, Block 168, Horton's Addition; thence south along the west line of said Lot J to the southwest corner thereof; thence southeasterly in a direct line to the point of intersection of the west line of Pueblo Lot 1157 with a line parallel to and distant 150 feet southwesterly from the southwesterly line of National Avenue; thence southeasterly along said parallel line to the northwesterly line of Sixteenth Street; thence northeasterly along the northwesterly line of Sixteenth Street to a point distant 140 feet northeasterly from the northeasterly line of National Avenue; thence northwesterly along a



line parallel to and distant 140 feet northeasterly from the northeasterly line of National Avenue to the south line of Sherman's Addition; thence west along the south line of Sherman's Addition to the original center line of Fifteenth Street; thence north along the said center line of Fifteenth Street a distance of 33.30 feet to a point; thence west in a direct line to the southeast corner of Lot 2, Block 72, Sherman's Addition; thence north along the east lines of Lots 2, and 1, Block 72, Sherman's Addition to the northeast corner of said Lot 1; thence northwesterly in a direct line to the southeast corner of Lot F, Block 169, Horton's Addition; thence north along the east line of said Lot F to the northeast corner thereof; thence west along the north line of said Lot F to the northwest corner thereof; thence northwesterly in a direct line to the northeast corner of Lot J, Block 153, Horton's Addition; thence west along the north line of said Lot J to the northwest corner thereof; thence north in a direct line to the northeast corner of Lot A, Block 153, Horton's Addition; thence northwesterly in a direct line to the northeast corner of Lot G, Block 151, Horton's Addition; thence west along the north line of said Lot G, to the northwest corner thereof; thence north along a line parallel to and distant 100 feet east of the east line of Twelfth Avenue to a point distant 50 feet south of the south line of Market Street; thence east along a line parallel to and distant 50 feet south of the south line of Market Street to the west line of Sherman's Addition; thence south along the west line of Sherman's Addition to the southwest corner of Lot 1, Block 18, Sherman's Addition; thence east along the south lines of Lots 1, 2, 3, and 4, Block 18, Sherman's Addition to the southeast corner of said Lot 4; thence northeasterly in a direct line to the southwest corner of Lot 1, Block 17, Sherman's Addition; thence east along the south line of said Lot 1 to the southeast corner thereof; thence south along a line parallel to and distant 100 feet west of the west line of Sixteenth Street to the south line of Sherman's Addition; thence east along the south line of Sherman's Addition to the northwesterly corner of Lot 25, Block 137, Mannasse and Schiller's Subdivision of Pueblo Lot 1157; thence southwesterly along the northwesterly line of said Lot 25 to the most westerly corner thereof; thence southeasterly along the southwesterly line of said Lot 25 to the most southerly corner thereof; thence northeasterly in a direct line to the point of intersection of the southerly line of Sherman's Addition with the southeasterly line of Sixteenth Street; thence northerly in a direct line to the point of intersection of the east line of Sixteenth Street with the south line of Commercial Avenue; thence northeasterly in a direct line to the southeast corner of Lot 6, Block 57, Sherman's Addition; thence north along a line parallel to and distant 100 feet east of the east line of Sixteenth Street to the south line of C Street; thence west along the south line of C Street to a point distant 100 feet west of the west line of Sixteenth Street; thence south along a line parallel to and distant 100 feet west of the west line of Sixteenth Street to a point distant 33.33 feet north of the north line of Broadway; thence west along a line parallel to and distant 33.33 feet north of the north line of Broadway to the east line of Fifteenth Street; thence south along the east line of Fifteenth Street to a point distant 50 feet south of the south line of Broadway; thence east along a line parallel to and distant 50 feet south of the south line of Broadway to a point distant 100 feet west of the west line of Sixteenth Street; thence south along a line parallel to and distant 100 feet west of the west line of Sixteenth Street to a point distant 50 feet north of the north line of E Street; thence west along a line parallel to and distant 50 feet north of the north line of E Street to the west line of Fifteenth Street; thence north along the west line of Fifteenth Street to a point distant 100.30 feet north of the north line of Broadway; thence west along a line parallel to and distant 100.30 feet north of the north line of Broadway a distance of 125 feet to a point; thence north along a line parallel to and distant 125 feet west of the west line of Fifteenth Street a distance of 40.20 feet to a point; thence west along a line parallel to and distant 140.50 feet north of the north line of Broadway to the east line of Horton's Addition; thence south along the east line of Horton's Addition a distance of 40.50 feet to a point; thence west along a line parallel to and distant 100 feet north of the north line of Broadway to the east line of Fourteenth Street; thence westerly in a direct line to a point on the west line of Fourteenth Street distant 90 feet north of the north line of Broadway; thence west along a line parallel to and distant 90 feet north of the north line of Broadway to the east line of Thirteenth Street; thence south along the east line of Thirteenth Street to a point distant 50 feet south of the south line of Broadway; thence east along a line parallel to and distant 50 feet south of the south line of Broadway to the east line of Horton's Addition; thence south along the east line of Horton's Addition a distance of 200 feet to a point; thence west along a line parallel to and distant 50 feet north of the north line of E Street to the east line of Thirteenth Street; thence south along the east line of Thirteenth Street to a point distant 50 feet south of the south line of E Street; thence east along a line parallel to and distant 50 feet south of the south line of E Street to the west line of Fourteenth Street; thence easterly in a direct line to a point on the east line of Fourteenth Street distant 46.67 feet south of the south line of E Street; thence east along a line parallel to and distant 46.67 feet south of the south line of E Street a distance of 104.25 feet to a point; thence south along a line parallel to and distant 104.25 feet east of the east line of Fourteenth Street to a point distant 140 feet north of the north line of F Street; thence west along a line parallel to and distant 140 feet north of the north line of F Street to the east line of Fourteenth Street; thence southwesterly in a direct line to a point on the west line of Fourteenth Street distant 50 feet north of the north line of F Street; thence west along a line parallel to and distant 50 feet north of the north line of F Street to the east line of Thirteenth Street; thence south along the east line of Thirteenth Street to a point distant 50 feet south of the south line of F Street; thence east along a line parallel to and distant 50 feet south of the south line of F Street to the west line of Sherman's Addition; thence south along the west line of Sherman's Addition a distance of 90 feet to a point; thence east along a line parallel to and distant 140 feet south of the south line of F Street to the west line of Fifteenth Street; thence northeasterly in a direct line to the southwest corner of Lot 12, Block 14, Sherman's Addition; thence east along the south line of said Lot 12 to the southeast corner thereof; thence south along a line parallel to and distant 100 feet west of the west line of Sixteenth Street to a point distant 50 feet north of the north line of Market Street; thence west along a line parallel to and distant 50 feet north of the north line of Market Street to the west line of Sherman's Addition; thence north along the west line of Sherman's Addition to a point distant 50 feet north of the north line of Market Street in Horton's Addition; thence west along a line parallel to and distant 50 feet north of the north line of Market Street to a point distant 100 feet east of the east line of Twelfth Avenue; thence north along a line parallel to and distant 100 feet east of the east line of Twelfth Avenue to a point distant 50 feet south of the south line of F Street; thence east along a line parallel to and distant 50 feet south of the south line of F Street to the west line of Thirteenth Street; thence north along the west line of Thirteenth Street to a point distant 50 feet north of the north line of F Street; thence west along a line parallel to and distant 50 feet north of the north line of F Street a distance of 100 feet to a point; thence north along a line parallel to and distant 100 feet east of the east line of Twelfth Avenue a distance of 200 feet to a point; thence east along a line parallel to and distant 50 feet south of the south line of E Street to the west line of Thirteenth Street; thence north along the west line of Thirteenth Street to a point distant 50 feet north of the north line of E Street; thence west along a line parallel to and distant 50 feet north of the north line of E Street a distance of 100 feet to a point; thence north along a line parallel to and distant 100 feet east of the east line of Twelfth Avenue a distance of 200

feet to a point; thence east along a line parallel to and distant 50 feet south of the south line of Broadway to the west line of Thirteenth Street; thence north along the west line of Thirteenth Street to a point distant 50 feet north of the north line of Broadway; thence west along a line parallel to and distant 50 feet north of the north line of Broadway a distance of 100 feet to a point; thence north along a line parallel to and distant 100 feet east of the east line of Twelfth Avenue to the south line of Russ Boulevard; thence west along the south line of Russ Boulevard to a point distant 100 feet west of the west line of Twelfth Avenue; thence south along a line parallel to and distant 100 feet west of the west line of Twelfth Avenue to a point distant 50 feet north of the north line of B Street; thence west along a line parallel to and distant 50 feet north of the north line of B Street to a point distant 100 feet east of the east line of Eighth Avenue; thence north along a line parallel to and distant 100 feet east of the east line of Eighth Avenue to the south line of Beech Street, which is the point of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;

2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as San Diego Lighting District Number One.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 73737

##### Fenelon Street

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, paving and otherwise improving of FENELON STREET, between the northwesterly line of Rosecrans Street and the southeasterly line of Willow Street, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                  | Per 8 hour day | Per hour |
|----------------------------------|----------------|----------|
| Asphalt raker                    | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                 | 6.00           | 0.75     |
| Auto mechanic                    | 8.00           | 1.00     |
| Blacksmith                       | 6.00           | 0.75     |
| Blademan                         | 6.00           | 0.75     |
| Bricklayer                       | 12.00          | 1.50     |
| Bricklayer tender                | 7.00           | 0.875    |
| Bulldozer operator               | 8.00           | 1.00     |
| Bulldozer operator, over 50 H.P. | 10.00          | 1.25     |
| Carpenter                        | 9.00           | 1.125    |
| Caulker                          | 6.00           | 0.75     |
| Cement finisher                  | 10.00          | 1.25     |
| Clerk                            | 6.00           | 0.75     |
| Compressor operator              | 9.00           | 1.125    |

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Concrete mixerman, 10 cu ft and under | \$ 7.00        | \$ 0.875 |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one-half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

R E S O L U T I O N NO. 73738

SPECIAL ASSESSMENT PROCEEDINGS FOR THE IMPROVEMENT OF THE ALLEY

IN BLOCK L, ALTADENA.

WHEREAS, this Council did by its Resolution No. 73262, do and determine all the things required by Sections 2 and 13 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and

WHEREAS, the owners of more than fifteen per cent of the area of the proposed assessment district, as described in said Resolution No. 73262, did by their return post cards demand the investigation provided for by said Act; NOW, THEREFORE,

BE IT RESOLVED by this Council that it be, and it is hereby determined that the owners of more than fifteen per cent of the area of said assessment district by their return post cards did demand the making of the investigation as provided by said Act.

BE IT FURTHER RESOLVED, that the City Engineer of said City be, and he is hereby authorized and directed to prepare a written report upon the proposed improvement of the ALLEY IN BLOCK L, ALTADENA, between the north line of Redwood Street and a line parallel to and distant 5.00 feet northerly from the easterly prolongation of the north line of Lot 5 in said Block L, in the City of San Diego, California, which report shall contain, in addition to the matters mentioned in Section 2 of said Act, the following information, to-wit:

A. Map, plat or diagram showing:

1. The nature, location and extent of the improvement.
2. Each separate lot or parcel of land to be assessed.

B. The total estimated improvement cost:

1. Incidental expenses to be separately shown.
2. Cost of each class of construction must be separately shown.

C. Assessed value as per latest equalized County Assessment Roll.

1. Of each parcel to be assessed.
2. The total assessed value of lands to be assessed.

D. The total assessed value of improvements within the district.

E. Total true value of all lands to be assessed, determined as per Section 2 of said Act.

F. The true value of each parcel of the lands to be assessed.

G. The per parcel, and the total outstanding special assessments (exclusive of interest and penalties); showing:

1. Direct special assessments (as under 1911 Street Act).
2. Unpaid, levied advalorem special assessments.



H. Unlevied advalorem special assessments which will be levied upon each parcel of land to be assessed to pay principal of bonds theretofore issued.

1. Estimated on each parcel of land to be assessed.
2. Total estimated amount of such special assessments upon all the lands to be assessed. Said estimates to be proportioned according to the assessed value on said last equalized assessment roll, and also proportioned according to zones (if any), and the percentages of such zones.

I. Estimated direct and advalorem special assessments in all proceedings in which a resolution ordering work has been adopted, but assessment unlevied, showing:

1. Such estimates against each parcel of land to be assessed.
2. Total upon all the parcels of land to be assessed. The advalorem assessments to be computed in the manner provided in paragraph (i) of Section 3 of said Limitation Act.

J. Estimated assessments to be levied in this proceeding as follows:

1. Estimated assessments upon each parcel of land to be assessed.
2. Total assessment to be levied upon all the lands to be assessed.

K. Serial bonds to be issued to represent assessments of \$25.00 or over.

1. Number of years to run.
2. Actual rate of interest.

The full report to be made in conformity with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and particularly with Section 3 thereof, and delivered to the Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73739

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED  
BY THE CITY ENGINEER - 32ND STREET AND DATE STREET.

WHEREAS, the Council of The City of San Diego, did on the 11th day of February, 1941, pass Resolution of Intention No. 73383, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 73383, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73740

RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - 32ND STREET AND DATE STREET

WHEREAS, the Council of The City of San Diego did, on the 11th day of February, 1941, pass its Resolution of Intention No. 73383 to order certain work to be done and improvement to be made in portions of 32ND STREET and DATE STREET, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 25th day of March, 1941, duly pass its Resolution Ordering Work No. 73729, ordering said work to be done and said improvement to be made in said 32nd Street and Date Street, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73741  
RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN THE EAST  
AND WEST ALLEY IN BLOCK 21, NORMAL HEIGHTS.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, paving and otherwise improving of the EAST and WEST ALLEY IN BLOCK 21, NORMAL HEIGHTS, between the east line of Cherokee Avenue and the southwesterly line of East Mountain View Drive, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 327516. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73742  
RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN A PORTION  
OF FLORENCE STREET.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, paving and otherwise improving of FLORENCE STREET, between the east line of 37th Street and the west line of 38th Street, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 327517. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in

manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73743

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on SANTA CLARA PLACE in said City of San Diego, as described in Resolution of Intention No. 72794, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated March 18, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### R E S O L U T I O N NO. 73744

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on BOSTON AVENUE in said City of San Diego, as described in Resolution of Intention No. 72635, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated March 19, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### R E S O L U T I O N NO. 73745

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on Paving the Alley in Block 6, Subdivision of Blocks 3, 6, 9 and 12, City Heights Annex No. 1, and Wightman Street, as particularly described in Resolution of Intention No. 72992 and to be assessed to pay the expenses thereof.

#### R E S O L U T I O N NO. 73746

THAT WHEREAS, under and by virtue of Congressional Act, Public No. 738, 74th Congress H.R. 8466, approved June 22, 1936, and acts and amendments supplemental thereto, and at the solicitation of The City of San Diego the U. S. Engineer's Office of the United States War Department has caused a preliminary examination and survey to be made of the San Diego River, from the foot of Presidio Park to the outlet of Mission Bay, with a view of controlling its flood waters through the construction of a flood control channel as a Federal Project at the expense of the Government and The City of San Diego; and

WHEREAS, said Engineer's Office has heretofore prepared a tentative map or blue print of a proposed channel between the foot of Presidio Park and the mouth of Mission Bay, a copy of which blue print is now in the possession of the City Manager; and

WHEREAS, said Engineer's Office has heretofore outlined a plan for the construction, maintenance, operation and control of said proposed flood control channel; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the proposed flood control plan, as shown on said blue print, be, and the same is hereby approved.

BE IT FURTHER RESOLVED that this Council hereby goes on record as desiring said flood control project to be undertaken at the earliest date possible by the United States Government, and that The City of San Diego will at its own expense acquire all rights of way for said project and will provide spoil dump areas.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded forthwith to the U. S. Engineer's Office, 751 South Figueroa Street, Los Angeles, California, by the City Clerk.

BE IT FURTHER RESOLVED that Resolution No. 70501, adopted by this Council December 19, 1939, be, and the same is hereby rescinded.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



R E S O L U T I O N NO. 73747

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

Pursuant to the provisions of Ordinance No. 1156 (New Series) of the ordinances of the City of San Diego, and the recommendation of the City Manager, be, and there is hereby granted to the Century Lumber & Mill Company, having its principal place of business at 3600 Kettner Boulevard, San Diego, California, permission to install and maintain an electric power service across Walnut Street, west of Kettner Boulevard, for the purpose of serving the lumber unloader now being erected in the lumber yard of said Century Lumber & Mill Company, in accordance with the application for such permit heretofore made by said Century Lumber & Mill Company, filed in the office of the City Clerk of said City under Document No. 327711 together with the recommendation of the City Manager thereon. This permit is granted upon the following terms and conditions, to-wit:

(1) That this permit and all provisions granted thereby shall be subject to revocation at any time by resolution of the City Council.

(2) That the permittee shall install said electric power service, subject to all the rules and regulations of The City of San Diego in connection therewith, and shall not injure the streets or sidewalks during said installation and during all such times as the same shall be placed in use.

(3) Permittee, in consideration of the granting of said permit, shall save and keep The City of San Diego, and all of its officers, harmless from any and all liability, costs, damages or expenses that the City or any of its officials may incur or be obliged to pay by reason of, or that may arise out of the granting of this permit by reason of the installation or removal of said overhead electric power service.

(4) In event this permit shall be revoked, the permittee at its own cost and expense shall remove said overhead electric power service if so directed by the City Council, and restore to their former condition any streets or sidewalks which may be injured or damaged by such removal.

(5) That the permittee shall furnish to The City of San Diego a good and sufficient indemnity bond issued by an approved bonding company, in the amount of One Thousand Dollars (\$1000.00), to indemnify the said City against loss sustained by it because of the failure of the permittee to perform all of the terms and conditions on its part to be performed as provided in this resolution.

The exercise by the permittee of any of the privileges hereby granted shall operate as an acceptance of the terms and conditions herein stated, and shall obligate and bind the permittee to perform and fulfill the same.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to furnish a certified copy of this resolution to said Century Lumber & Mill Company.

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

R E S O L U T I O N NO. 73748

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and empowered to execute on behalf of The City of San Diego a contract of employment between The City of San Diego a contract of employment between The City of San Diego and Al Tyner, whereby said Al Tyner is to have full and complete charge of the City Dump located on a portion of Pueblo Lot 1186, at the rate of Twenty Dollars (\$20.00) per month, for a period of six (6) months.

Presented by F. A. RHODES

Approved as to form by James J. Breckenridge

R E S O L U T I O N NO. 73749

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and empowered on behalf of The City of San Diego to enter into an agreement with the La Mesa, Lemon Grove and Spring Valley Irrigation District for the transportation of city water from El Capitan Reservoir to Murray Reservoir, upon the terms and conditions set forth in the proposed contract, a copy of which is hereto attached and made a part of this resolution.

Approved as to form by H. B. DANIEL

AGREEMENT GOVERNING TRANSPORTATION AND STORAGE

OF CITY-OWNED WATER IN MURRAY RESERVOIR.

THIS AGREEMENT, entered into this \_\_\_\_\_ day of March, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation in the State of California, hereinafter in this agreement referred to as the "City," and the LA MESA, LEMON GROVE AND SPRING VALLEY IRRIGATION DISTRICT, a State agency of the State of California, hereinafter referred to as the "District," WITNESSETH:

THAT WHEREAS, under the provisions of an agreement heretofore entered into and now existing between the City and the District, the City has certain storage rights for its El Capitan water in the District's Murray Reservoir, but has no facilities for transporting such water to or from said reservoir; and

WHEREAS, the City is now desirous of utilizing its storage rights and the District is willing to make available certain of its facilities to the extent, in the manner and upon the terms and conditions hereinafter in this agreement set forth;

NOW, THEREFORE, in consideration of the matters and things hereinafter recited the parties hereto agree together as follows:

1. The District agrees to transport such water as may be delivered to it by the City through its main flume line from El Capitan Reservoir to the point of discharge into the open ditch from which water from the main flume line is carried into Murray Reservoir, and to be measured and transported through said open ditch for storage into Murray Reservoir, to be subsequently withdrawn by The City of San Diego for delivery into its distribution system, for a charge of twentyfive cents (25¢) per acre foot for the amount of water discharged from said main flume line into the open ditch, and said City of San Diego agrees to pay said sum of twenty-five cents (25¢) per acre foot for the amount of water so delivered.

2. The District agrees to prepare said open ditch for the transportation of water and for such period of time as the City shall deliver water into said ditch, to maintain the same in reasonably good condition, and the City agrees to pay, upon receipt of billing, the actual cost thereof incurred by the District.

3. The District agrees to measure all water discharged from the open ditch into Murray Reservoir and to keep accurate records thereof and to credit the City with the amount of water actually delivered into Murray Reservoir, and the City, during such time as said water shall be stored in Murray Reservoir, agrees to pay to the District the proportion of any cost of treatment of the water in Murray Reservoir that the amount of water so stored therein by the City bears to the total amount of water stored in said Murray Reservoir.

4. The District agrees to deliver such water as the City may desire to withdraw from Murray Reservoir up to the amount of City water placed therein as hereinabove provided, to a pumping plant to be installed by the City on one of the District's main feeder lines in the vicinity of 69th and Mohawk Streets; provided, however, that city water placed in storage in Murray Reservoir shall be subject to deduction for proportional evaporation losses.

5. The City shall install a Sparling meter and check valve between the pump and the District's feeder pipeline, and shall furnish daily readings of the same to the District whenever the pump is being operated.

6. If the District is required to make any connections, move any pumps, install gates, or perform any other services in order to provide for the withdrawal of the City's water from Murray Reservoir for its delivery into the City's distribution system, the District will charge the City the actual cost thereof, which the City agrees to pay upon receipt of bill.

7. The District agrees to allow the City to use one of its pumps now located in the District's El Monte Pumping Plant, and the City agrees to pay for the cost of disconnecting and removing the pump from said El Monte Pumping Plant and will install the same at its expense at the point where the pump is to be used by the City. The City agrees to pay to the District a rental of One Dollar (\$1.00) per day for the use of such pump from the time it is installed and ready for operation until it is removed and returned to the District. The City agrees to maintain the pump in good condition and repair it at its expense and at such time as its use shall be discontinued, the City agrees to return the pump to the District's El Monte Pumping Plant in the same condition as received, ordinary wear and tear excepted. The City further agrees to pay the costs incurred by the District in reinstalling the pump at the District's El Monte Pumping Plant.

IN WITNESS WHEREOF the parties hereto have caused this agreement to be executed as of the day and year first above written under the authority of resolutions duly adopted by the Board of Directors of said Irrigation District and by the Council of The City of San Diego.

ATTEST:

\_\_\_\_\_  
City Clerk

THE CITY OF SAN DIEGO, a Municipal Corporation in the State of California.

By \_\_\_\_\_  
Members of the Council of  
The City of San Diego.

LA MESA, LEMON GROVE AND SPRING VALLEY IRRIGATION DISTRICT, a State Agency of the State of California

By \_\_\_\_\_  
President

By \_\_\_\_\_  
Secretary

I hereby approve the form of the foregoing Agreement this \_\_\_\_\_ day of March, 1941.

\_\_\_\_\_  
City Attorney  
By \_\_\_\_\_  
Assistant City Attorney

#### R E S O L U T I O N NO. 73750

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and directed, for and on behalf of The City of San Diego, to make application to the Board of Supervisors of the County of San Diego, State of California, for the granting by said Board of Supervisors of an option to purchase the southeast 37.50 feet of Lot 4, Block 453, Old San Diego, according to Map thereof made by James Pascoe, a copy of which map is filed as Miscellaneous Map No. 40, in the office of the County Recorder of San Diego County, California, heretofore deeded for delinquent taxes and/or assessments to the State of California, under and pursuant to the terms and conditions of Section 3897d of the Political Code of the State of California; the purchase price of said land not to exceed the sum of \$125.00.

Approved as to form by James J. Breckenridge

#### R E S O L U T I O N NO. 73751

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The Council hereby goes on record requesting the City Manager to provide funds in the forthcoming budget appropriation for moving the dumps from 47th Street and Federal Boulevard and the dump from the vicinity of the Old Town bridge.

#### R E S O L U T I O N NO. 73752

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

Pursuant to the provisions of Ordinance No. 1156 (New Series) of the ordinances of The City of San Diego, and the recommendation of the City Manager, be, and there is hereby granted to the Federal Works Agency, Public Buildings Administration, Defense Housing, San Diego, California, permission to excavate and construct a tunnel under the Linda Vista Road right of way located at Pueblo Lot 1175 for the purpose of installing an 18" vitrified pressure sewer pipeline to serve the Defense Housing Project, said location being particularly shown upon that certain map bearing title, "R/W Sewer & Linda Vista, Drawing No. P-9", dated March 15, 1941, and said construction work being shown upon that certain map bearing title, "South Interceptor Sewer Tunnel at Linda Vista Road, Drawing No. E-3S-3-1," dated February 24, 1941, said maps together with communication of City Manager recommending granting of this permit being filed in the office of the City Clerk of said City under Document No. 327672. This permit is granted upon the following terms and conditions, to-wit:

(1) That this permit and all provisions granted thereby shall be subject to revocation at any time by resolution of the City Council.

(2) The permittee shall install said tunnel and pipeline so as not to injure the Linda Vista Road any more than is absolutely necessary in order to complete the installation

and shall protect the public by the erection of barriers and warning lights, whenever necessary, during said construction.

(3) Permittee, in consideration of the granting of said permit, shall save and keep The City of San Diego, and all of its officers, harmless from any and all liability, costs, damages or expenses that the City or any of its officials may incur or be obliged to pay by reason if, or that may arise out of the granting of this permit by reason of installation, maintenance and/or removal of said tunnel and pipeline.

(4) In event this permit shall be revoked, the permittee at its own cost and expense shall remove said pipeline if so directed by the City Council and restore to its former condition any street which may be injured or damaged by such removal.

The exercise by the permittee of any of the privileges hereby granted shall operate as an acceptance of the terms and conditions herein stated, and shall obligate and bind the permittee to perform and fulfill the same.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to furnish a certified copy of this resolution to said Federal Works Agency, Public Buildings Administration, Defense Housing, Gordon S. Barber, Project Manager.

Presented by F. A. RHODES

Approved as to form by James J. Breckenridge

Passed and adopted by the said Council of the said City of San Diego, California, this 25th day of March, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

(SEAL)

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 73753

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor and Comptroller be, and he is hereby authorized and directed to transfer the sum of \$125.00 from Maintenance and Support (Account GG-111, Stationery and Office Supplies), to Outlay (Account GG-5, Miscellaneous Equipment), Administration and General Office, Department of Public Works Fund, as provided by Section 31 of Ordinance No. 1880 (New Series) of the ordinances of said City.

Approved as to form by H. B. DANIEL

Approved as to funds available J. S. BARBER City Auditor & Compt.

#### R E S O L U T I O N NO. 73754

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Solon S. Kipp and Della A. Kipp, executed in favor of The City of San Diego, bearing date March 12, 1941, conveying to said City Lot One of the Subdivision of the East Half of Pueblo Lot 1215, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 690 filed in the office of the Recorder of said San Diego County October 31, 1891, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73755

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The Mayor and the City Manager are hereby authorized to enter into negotiations with the Metropolitan Water District directors on behalf of the City of San Diego, regarding the transportation of water to San Diego from the Colorado River.

#### R E S O L U T I O N NO. 73756

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The proposed ordinance entitled, "An Ordinance Relating to the Regulation of Traffic on the Public Streets of the City of San Diego; Providing for the Installation, Regulation and Control of Parking Meters; Requiring Deposit of Coins for the Use of Parking Meters; Providing for Parking Meter Zones; and Providing a Penalty for the Violation Hereof", be, and it is hereby referred to Council conference.

#### R E S O L U T I O N NO. 73757

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and empowered, on behalf of the City, to enter into an agreement with Julian Hinds, retaining the services of said Julian Hinds as Consulting Engineer in and about the construction of San Vicente Dam and other projects for the Water Department; such agreement to be for one year, and to provide that during the year the City shall have the right to have such consultant's services up to a total of three months. That the compensation to be paid to said Julian Hinds therefor shall be the total sum of \$5400.00, payable in quarterly installments.

BE IT FURTHER RESOLVED that said sum of \$5400.00 shall be chargeable against and payable out of the San Vicente Dam Bond Fund.

Approved as to form by H. B. DANIEL

#### R E S O L U T I O N NO. 73758

BE IT RESOLVED by the Council of the City of San Diego, as follows:

There is hereby referred to Council conference for study, the matter of methods of securing new revenues for the City of San Diego.



## R E S O L U T I O N NO. 73759

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The Board of Supervisors of the County of San Diego, be, and they are hereby requested to enter into a cooperative agreement with the City of San Diego for the construction of a pile and timber bridge at Rigel and Dalbergia Streets, the total cost of which would be \$2400.00.

## R E S O L U T I O N NO. 73760

BE IT RESOLVED by the Council of the City of San Diego, as Follows: The Harbor Commission is hereby requested to meet with the Council in conference on the matter of proposed leasing of tidelands area for amusement purposes.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73690 to 73760 inclusive of the Resolutions of the City of San Diego, as passed and adopted by the Council of said City on the 25th day of March, 1941.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Wilhig Deputy

## R E S O L U T I O N NO. 73761

DECLARING THE RESULT OF THE MUNICIPAL PRIMARY ELECTION HELD IN THE CITY OF SAN DIEGO, CALIFORNIA, ON TUESDAY, THE 25TH DAY OF MARCH A. D. 1941.

WHEREAS, a Municipal Primary Election was held in The City of San Diego, California, on Tuesday, the 25th day of March, A.D. 1941, in pursuance of the provisions of Section 10, Article II of the Charter of The City of San Diego, California, and of the provisions of Ordinance No. 2043 (New Series) of the ordinances of said City, entitled, "An Ordinance proclaiming a municipal primary election in The City of San Diego, California," passed and adopted by the Council of said City January 28, 1941; and

WHEREAS, said election was held for the nomination of candidates for the following named municipal offices to be filled in said City, to-wit:

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 1:

Two to be nominated;

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 3:

Two to be nominated;

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 4:

Two to be nominated;

FOR CITY ATTORNEY:

Two to be nominated;

FOR JUDGE OF THE MUNICIPAL COURT, DEPARTMENT NO. 2:

Two to be nominated;

FOR MEMBERS OF THE BOARD OF EDUCATION:

Six to be nominated; and

WHEREAS, all the various election boards appointed in said Ordinance No. 2043 (New Series) have made returns of the said election to the City Clerk and to the Council, all as required by law; and

WHEREAS, said Council did on the second day next succeeding the date of said election then and there proceed to canvass the said returns, and said canvass having been postponed from day to day until all absent voter ballots have been received and canvassed, and the result thereof determined; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the result of said Municipal Primary Election be, and it is hereby declared to be, as follows:

The whole number of votes cast in said City at said Municipal Primary Election is Twenty-nine thousand forty-one (29,041).

The total vote received by each candidate at said Municipal Primary Election is as follows:

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 1:

EDWARD A. KICKHAM received 1792 votes

FRED W. SIMPSON received 3394 votes

Scattering received 2 votes

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 3:

ALEX BENSON received 815 votes

PAUL J. HARTLEY received 3185 votes

JOSEPH W. HINCHY received 895 votes

Scattering received 2 votes

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 4:

ERNEST J. BOUD received 1294 votes

GEORGE J. LAPTHORNE received 873 votes

HARRY WARBURTON received 850 votes

ANDREW K. WEIR received 1087 votes

WILLIAM W. WHITE received 651 votes

FOR CITY ATTORNEY

DAYTON L. AULT received 19302 votes

JEAN F. DU PAUL received 7288 votes

Scattering received 4 votes

FOR JUDGE OF THE MUNICIPAL COURT, DEPARTMENT NO. 2:

EUGENE DANNEY, JR. received 24346 votes

Scattering received 27 votes

FOR MEMBERS OF THE BOARD OF EDUCATION:

JOHN D. AXTELL received 9102 votes

MILDRED L. HALE received 20711 votes

EDWARD L. HARDY received 21921 votes

EUNICE B. PARKER received 8553 votes

JACOB WEINBERGER received 18497 votes

The City Clerk of said City is hereby directed to cause this resolution to be published at least once in two newspapers of general circulation in said City.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Housh, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By CLARK M. FOOTE JR. Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By CLARK M. FOOTE JR.,  
Deputy

RESOLUTION NO. 73762  
DECLARING THE RESULT OF THE MUNICIPAL PRIMARY ELECTION HELD ON TUESDAY, MARCH 25TH, 1941, IN THAT PORTION OF THE SAN DIEGO UNIFIED SCHOOL DISTRICT LYING OUTSIDE THE CORPORATE LIMITS OF THE CITY OF SAN DIEGO, FOR THE PURPOSE OF VOTING ON THE NOMINATION OF CANDIDATES FOR MEMBERS OF THE BOARD OF EDUCATION.

WHEREAS, a Municipal Primary Election was held in that portion of the San Diego Unified School District lying outside the corporate limits of The City of San Diego, California, on Tuesday, the 25th day of March, 1941, in pursuance of the provisions of Section 10, Article II, and Section 66, Article VI, of the Charter of The City of San Diego, and of the provisions of Ordinance No. 2044 (New Series) of the ordinances of said City, entitled, "An Ordinance proclaiming a Municipal Primary Election in that portion of the San Diego Unified School District lying outside the corporate limits of The City of San Diego, for the purpose of voting on the nomination of candidates for Members of the Board of Education to be nominated at the Municipal Primary Election to be held in The City of San Diego on the 25th day of March, 1941," passed and adopted by the Council of said City January 28, 1941; and

WHEREAS, said election was held for the purpose of voting on the nomination of candidates for members of the Board of Education to be nominated at the Municipal Primary Election held in The City of San Diego, California, on Tuesday, the 25th day of March, A.D. 1941, to-wit:

FOR MEMBERS OF THE BOARD OF EDUCATION:

Six to be nominated; and

WHEREAS, all the various election boards appointed in said Ordinance No. 2044 (New Series) have made returns of the said election to the City Clerk and to the Council, all as required by law; and

WHEREAS, said Council did on the second day next succeeding the date of said election then and there proceed to canvass the said returns, and said canvass having been postponed from day to day until all absent voter ballots have been received and canvassed, and the result thereof determined; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the result of said Municipal Primary Election in said portion of the San Diego Unified School District lying outside of the corporate limits of The City of San Diego, be, and it is hereby declared to be, as follows:

The whole number of votes cast in said portion of the San Diego Unified School District lying outside of the corporate limits of The City of San Diego is ninety-seven (97).

The total vote received by each candidate for Members of the Board of Education at said Municipal Primary Election in said portion of the San Diego Unified School District lying outside of the corporate limits of The City of San Diego is as follows:

FOR MEMBERS OF THE BOARD OF EDUCATION:

|                  |          |          |
|------------------|----------|----------|
| JOHN D. AXTELL   | Received | 34 votes |
| MILDRED L. HALE  | Received | 75 votes |
| EDWARD L. HARDY  | Received | 81 votes |
| EUNICE B. PARKER | Received | 30 votes |
| JACOB WEINBERGER | Received | 61 votes |

The City Clerk of said City is hereby directed to cause this resolution to be published at least once in two newspapers of general circulation in said City.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Housh, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By CLARK M. FOOTE JR.,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By CLARK M. FOOTE JR.,  
Deputy

RESOLUTION NO. 73763  
A RESOLUTION DECLARING THE RESULT OF THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF SAN DIEGO, CALIFORNIA, ON TUESDAY, MARCH 25TH, 1941, UPON THE PROPOSITION OF WHETHER CERTAIN PORTIONS OF BALBOA PARK, IN THE CITY OF SAN DIEGO BE DESIGNATED AS A BOULEVARD, STREET OR HIGHWAY AND MADE A PART OF THE PUBLIC STREET AND ROAD SYSTEM OF THE CITY UNDER THE SUPERVISION OF THE CITY MANAGER

WHEREAS, a Special Municipal Election was held in The City of San Diego, California, on the 25th day of March, 1941, in pursuance of the provisions of Ordinance No. 2045 (New Series) of the ordinances of said City, entitled, "An Ordinance calling a special municipal election in The City of San Diego, California, to be held in said City on March 25, 1941, and submitting to the voters thereof the proposition of whether certain portions of Balboa Park, in The City of San Diego be designated as a boulevard, street or highway and made a part of the public street and road system of the City under the supervision of the City Manager," passed and adopted January 28, 1941; and

WHEREAS, at said special municipal election there was submitted to the qualified voters of said City, in pursuance of the provisions of said Ordinance No. 2045 (New Series) the following propositions, namely:

PROPOSITION I.

Shall the following described portions of Balboa Park, in The City of San Diego, California, be designated as a boulevard, street or highway and made a part of the public street and road system of the City under the supervision of the City Manager:

## PARCEL NO. 1

Portions of Balboa Park situated within Pueblo Lots 1131, 1135 and 1144 of the Pueblo Lands of The City of San Diego, according to Map thereof made by James Pascoe in the year 1870, filed as Miscellaneous Map No. 36, in the Office of the County Recorder of San Diego County, California:

Beginning at the intersection of the center line of the State Department of Public Works' survey in the City of San Diego, Road XI-SD-77-SD, as shown on the Map thereof No. 151, filed in the Office of said County Recorder on January 27, 1941, with the common boundary of Balboa Park and Russ Boulevard, which intersection is Engineer's Station 43+16.77 of said survey and which station bears north 89° 58' 30" west, 20 feet from the intersection of the northerly prolongation of the center line of Eleventh Avenue with the said common boundary; thence along the said common boundary north 89° 58' 30" west 20 feet to the northerly prolongation of the west line of said Eleventh Avenue; thence along the boundary of said Balboa Park, being also along the northerly prolongation of the west line of said Eleventh Avenue, south 0° 01' 30" west, 60 feet to the northeast corner of Lot H of Block 186, as delineated on the Official Map of Horton's Addition, according to the survey made by L. L. Lockling, filed June, 1871, in Deed Book 13, page 522, Records of San Diego County; thence along the common boundary of said Balboa Park and said Block 186 south 89° 52' 30" west, 136.80 feet to a granite monument set for the southwest corner of Balboa Park; thence along the common boundary of Balboa Park and Bay View Homestead, according to Map No. 150, Records of San Diego County, north 0° 38' east, 572.35 feet to the northerly line of Block 22 of said Bay View Homestead; thence south 89° 58' 30" east, 50.72 feet to a point distant 100 feet westerly at right angles from Engineer's Station 48+28.73 of said survey center line; thence parallel with said center line north 0° 01' 30" east, 447.67 feet; thence along a curve to the left, concentric with said survey center line, with a radius of 2150 feet, through an angle of 14° 49' 30" a distance of 556.30 feet; thence north 14° 48' west, 567.07 feet; thence along a curve to the right with a radius of 2100 feet, through an angle of 39° 43', a distance of 1455.69 feet; thence north 24° 55' east 242.48 feet; thence along a curve to the left, with a radius of 1200 feet, through an angle of 51° 13' a distance of 1072.68 feet; thence north 26° 18' west, 317.54 feet; thence along a curve to the right, with a radius of 1500 feet, through an angle of 27° 37', a distance of 723.00 feet; thence north 1° 19' east 329.97 feet; thence along a curve to the left, with a radius of 4900 feet, through an angle of 10° 27', a distance of 893.70 feet; thence north 9° 08' west 372.11 feet; thence along a curve to the right, concentric with said survey center line, with a radius of 4100 feet, through an angle of 7° 04' 34", a distance of 506.36 feet to a point on the common boundary of Balboa Park and Upas Street; thence along the last said common boundary, being the south line of Upas Street, north 89° 54' 45" east, 100.06 feet to Station 123+13.49 of said survey, which station bears south 87° 03' 40" east, 955.73 feet from a 6" x 6" concrete monument with lead and tack set for the northwest corner of the original Balboa Park, being also the northwest corner of said Pueblo Lot 1131; thence continuing along the south line of Upas Street, north 89° 54' 45" east, 100.07 feet; thence from a tangent which bears south 2° 09' 30" east, along a curve to the left, concentric with said survey center line, with a radius of 3900 feet, through an angle of 6° 58' 30" a distance of 474.77 feet; thence south 9° 08' east 372.11 feet; thence along a curve to the right with a radius of 5100 feet, through an angle of 10° 27', a distance of 930.17 feet; thence south 1° 19' west, 329.97 feet; thence along a curve to the left, with a radius of 1300 feet, through an angle of 27° 37', a distance of 626.60 feet; thence south 26° 18' east, 317.54 feet; thence along a curve to the right, with a radius of 1400 feet, through an angle of 51° 13', a distance of 1251.46 feet; thence south 24° 55' west, 242.48 feet; thence along a curve to the left, with a radius of 1900 feet, through an angle of 39° 43', a distance of 1317.05 feet; thence south 14° 48' east, 567.07 feet; thence along a curve to the right, concentric with said survey center line, with a radius of 2350 feet, through an angle of 14° 49' 30", a distance of 608.05 feet; thence, south 0° 01' 30" west, 959.63 feet to the said common boundary of Balboa Park and Russ Boulevard; thence north 89° 58' 30" west, 100 feet to the point of beginning; containing 1,635,200 square feet, or 37.54 acres.

## PARCEL NO. 2.

A portion of that part of Balboa Park, formerly known as Lot 21 of Marston Hills, according to Map No. 1790, Records of said San Diego County, described as follows: Beginning at the intersection of the center line of the State Department of Public Works' survey, in the City of San Diego, Road XI-SD-77-SD, as shown on the Map thereof No. 151, filed in the office of said County Recorder on January 27, 1941, with the north line of Pueblo Lot 1131, said north line being the common boundary of the original Balboa Park and said Lot 21, which intersection is Engineer's Station 123+63.51 of said survey, and which station is distant 952.95 feet, measured along the north line of said Pueblo Lot 1131, from a 6" x 6" concrete monument with lead and tack set for the northwest corner of the said original Balboa Park, being also the northwest corner of said Pueblo Lot 1131; thence along said common boundary, being also the north line of Upas Street, south 89° 54' 45" west, 9.48 feet to the southwest corner of said Lot 21; thence along the common boundary of Canyada Way and said Lot 21, from a tangent which bears north 10° 57' 45" west, along a curve to the right with a radius of 530 feet, through an angle of 36° 43' 30" a distance of 339.71 feet to a point of reverse curvature; thence from a tangent which bears north 25° 45' 45" east, along a curve to the left with a radius of 240 feet, through an angle of 42° 55' 30" a distance of 179.80 feet; thence north 17° 09' 45" west, 32.50 feet; thence along the northerly line of said Lot 21, from a tangent which bears south 17° 09' 45" east, along a curve to the left with a radius of 20 feet, through an angle of 55° 42' a distance of 19.44 feet to a point of compound curvature; thence from a tangent which bears south 72° 51' 45" east, along a curve to the left, with a radius of 100 feet, through an angle of 42° 25' 30" a distance of 74.05 feet, to an intersection with a line parallel with and 100 feet easterly at right angles from the said survey center line; thence along said parallel line, south 5° 37' west, 50.76 feet; thence along a curve to the left, concentric with the center line of said survey, with a radius of 3900 feet, through an angle of 7° 02' 24" a distance of 479.20 feet to the said north line of Upas Street; thence south 89° 54' 45" west, 100.02 feet to the point of beginning; containing 36,700 square feet, or 0.84 of an acre.

AND WHEREAS, all the various election boards appointed pursuant to the provisions of said Ordinance No. 2045 (New Series), have made returns of the said election to the City Clerk and to the Council, all as required by law; and

WHEREAS, said Council did on the second day next succeeding the date of said election then and there proceed to public open and canvass the said returns, and said canvass having been postponed from day to day until all absent voter ballots have been received and canvassed, and the result thereof determined; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the result of said special municipal election be, and it is hereby declared to be as follows:

That the whole number of ballots cast in said City at said special municipal election is Twenty-eight thousand two hundred forty-four (28,244).

That on the proposition, hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION I. Shall the following described portions of Balboa Park, in The City of San Diego, California, be designated as a boulevard, street or highway and made a part of the public street and road system of the City under the supervision of the City Manager:



PARCEL NO. 1

Portions of Balboa Park situated within Pueblo Lots 1131, 1135 and 1144 of the Pueblo Lands of The City of San Diego, according to Map thereof made by James Pascoe in the year 1870, filed as Miscellaneous Map No. 36, in the office of the County Recorder of San Diego County, California;

Beginning at the intersection of the center line of the State Department of Public Works' survey in the City of San Diego, Road XI-SD-77-SD, as shown on the Map thereof No. 151, filed in the office of said County Recorder on January 27, 1941, with the common boundary of Balboa Park and Russ Boulevard, which intersection is Engineer's Station 43+16.77 of said survey and which station bears north 89° 58' 30" west, 20 feet from the intersection of the northerly prolongation of the center line of Eleventh Avenue with the said common boundary; thence along the said common boundary north 89° 58' 30" west 20 feet to the northerly prolongation of the west line of said Eleventh Avenue; thence along the boundary of said Balboa Park, being also along the northerly prolongation of the west line of said Eleventh Avenue, south 0° 01' 30" west, 60 feet to the northeast corner of Lot H of Block 186; as delineated on the Official Map of Horton's Addition, according to the survey made by L. L. Lockling, filed June, 1871, in Deed Book 13, page 522, Records of San Diego County; thence along the common boundary of said Balboa Park and said Block 186 south 89° 52' 30" west, 136.80 feet to a granite monument set for the southwest corner of Balboa Park; thence along the common boundary of Balboa Park and Bay View Homestead, according to Map No. 150, Records of San Diego County, north 0° 38' east, 572.35 feet to the northerly line of Block 22, of said Bay View Homestead; thence south 89° 58' 30" east, 50.72 feet to a point distant 100 feet westerly at right angles from Engineer's Station 48+28.73 of said survey center line; thence parallel with said center line north 0° 01' 30" east, 447.67 feet; thence along a curve to the left, concentric with said survey center line, with a radius of 2150 feet, through an angle of 14° 49' 30" a distance of 556.30 feet; thence north 14° 48' west, 567.07 feet; thence along a curve to the right with a radius of 2100 feet, through an angle of 39° 43', a distance of 1455.69 feet; thence north 24° 55' east 242.48 feet; thence along a curve to the left, with a radius of 1200 feet, through an angle of 51° 13', a distance of 1072.68 feet; thence north 26° 18' west, 317.54 feet; thence along a curve to the right, with a radius of 1500 feet, through an angle of 27° 37', a distance of 723.00 feet; thence north 1° 19' east 329.97 feet; thence along a curve to the left, with a radius of 4900 feet, through an angle of 10° 27', a distance of 893.70 feet; thence north 9° 08' west 372.11 feet; thence along a curve to the right, concentric with said survey center line, with a radius of 4100 feet, through an angle of 7° 04' 34", a distance of 506.36 feet to a point on the common boundary of Balboa Park and Upas Street; thence along the last said common Boundary, being the south line of Upas Street, north 89° 54' 45" east, 100.06 feet to Station 123+13.49 of said survey, which station bears south 87° 03' 40" east, 955.73 feet from a 6" x 6" concrete monument with lead and tack set for the northwest corner of the original Balboa Park, being also the northwest corner of said Pueblo Lot 1131; thence continuing along the south line of Upas Street, north 89° 54' 45" east, 100.07 feet; thence from a tangent which bears south 2° 09' 30" east, along a curve to the left, concentric with said survey center line, with a radius of 3900 feet, through an angle of 6° 58' 30" a distance of 474.77 feet; thence south 9° 08' east, 372.11 feet; thence along a curve to the right, with a radius of 5100 feet, through an angle of 10° 27', a distance of 930.17 feet; thence south 1° 19' west, 329.97 feet; thence along a curve to the left, with a radius of 1300 feet, through an angle of 27° 37', a distance of 626.69 feet; thence south 26° 18' east, 317.54 feet; thence along a curve to the right, with a radius of 1400 feet, through an angle of 51° 13', a distance of 1251.46 feet; thence south 24° 55' west, 242.48 feet; thence along a curve to the left, with a radius of 1900 feet through an angle of 39° 43', a distance of 1317.05 feet; thence south 14° 48' east, 567.07 feet; thence along a curve to the right, concentric with said survey center line, with a radius of 2350 feet, through an angle of 14° 49' 30", a distance of 608.05 feet; thence, south 0° 01' 30" west, 959.63 feet to the said common boundary of Balboa Park and Russ Boulevard; thence north 89° 58' 30" west, 100 feet to the point of beginning; containing 1,635,200 square feet, or 37.54 acres.

PARCEL NO. 2.

A portion of that part of Balboa Park, formerly known as Lot 21 of Marston Hills, according to Map No. 1790, Records of said San Diego County, described as follows: Beginning at the intersection of the center line of the State Department of Public Works' Survey, in the City of San Diego, Road XI-SD-77-SD, as shown on the Map thereof No. 151, filed in the office of said County Recorder on January 27, 1941, with the north line of Pueblo Lot 1131, said north line being the common boundary of the original Balboa Park and said Lot 21, which intersection is Engineer's Station 123+63.51 of said survey, and which station is distant 952.95 feet, measured along the north line of said Pueblo Lot 1131, from a 6"x6" concrete monument with lead and tack set for the northwest corner of the said original Balboa Park, being also the northwest corner of said Pueblo Lot 1131; thence along said common boundary, being also the north line of Upas Street, south 89° 54' 45" west, 9.48 feet to the southwest corner of said Lot 21; thence along the common boundary of Canyada Way and said Lot 21, from a tangent which bears north 10° 57' 45" west, along a curve to the right with a radius of 530 feet, through an angle of 36° 43' 30" a distance of 339.71 feet to a point of reverse curvature; thence from a tangent which bears north 25° 45' 45" east, along a curve to the left with a radius of 240 feet, through an angle of 42° 55' 30" a distance of 179.80 feet; thence north 17° 09' 45" west, 32.50 feet; thence along the northerly line of said Lot 21, from a tangent which bears south 17° 09' 45" east, along a curve to the left with a radius of 20 feet, through an angle of 55° 42', a distance of 19.44 feet to a point of compound curvature; thence from a tangent which bears south 72° 51' 45" east, along a curve to the left, with a radius of 100 feet, through an angle of 42° 25' 30" a distance of 74.05 feet, to an intersection with a line parallel with and 100 feet easterly at right angles from the said survey center line; thence along said parallel line, south 5° 37' west, 50.76 feet; thence along a curve to the left, concentric with the center line of said survey, with a radius of 3900 feet, through an angle of 7° 02' 24", a distance of 479.20 feet to the said north line of Upas Street; thence south 89° 54' 45" west, 100.02 feet to the point of beginning; containing 36,700 square feet, or 0.84 of an acre.

the vote was:

|                          |              |
|--------------------------|--------------|
| For said proposition     | 24,661 votes |
| Against said proposition | 3,110 votes  |
| Void ballots             | 671          |

That the total number of votes given in said City in favor of said proposition is Twenty-four thousand six hundred sixty-one (24,661), and the total number of votes given against said proposition is Three thousand one hundred ten (3,110), and the total number of void ballots is Six hundred seventy-one (671), and said proposition has received the vote of two-thirds of all the voters voting thereon at said election.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Housh, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By CLARK M. FOOTE JR.,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By CLARK M. FOOTE JR.,  
Deputy

## R E S O L U T I O N NO. 73764

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Vern A. Milton, 2104 Guizot Street, for variance to the restrictions of Ordinance No. 12793, on Lot 1, Block 2, Ocean View, for the purpose of erecting a single-family residence and garage in addition to existing cottage, be, and it is hereby denied.

## R E S O L U T I O N NO. 73765

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the offer of property owners to dedicate a 45 foot strip of land to extend La Dorna Street and a 50 foot strip of land to extend Catoctin Drive be and said offer is hereby accepted.

## R E S O L U T I O N NO. 73766

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Myron H. Stone, P. O. Box 72 Encanto, to erect a second residence on a one-acre parcel of Lot 12 Ex-Mission Rancho, on the condition that all responsibility of building adjoining a private road without access to a public street shall be assumed by the builder of the residence.

Variance to the restrictions of Ordinance No. 117 N.S. be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73767

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to F.T.Scripps, Inc., to construct two residences on each of the following lots, as shown on record of survey attached to petition bearing Document No. 327924: Lots 5, 6, Block 11; Lots 2, 3, 4 and westerly fifty feet of Lot 5, Lot 6 and easterly fifty feet of Lot 7 Block 8; Lots 1, 2, 5 and 6 Block 17 F.T.Scripps Addition to La Jolla Park, according to the official map thereof filed with the Recorder of San Diego County on July 22, 1903.

Variance to the restrictions of Ordinance No. 13294, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73768

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Lina M. Schubert, c/o H. Gibson 2800-1/2 El Cajon Blvd., to erect a residence, in Zone R-1, on portion of Lot 3, Block 508, Old San Diego; said lot being 53 x 140 feet in size.

Variance to the restrictions of Ordinance No. 12990, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73769

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to James A. Morrow, 2818 India Street, to construct a single family residence, on a portion of Pueblo Lot 181 being Wly 55' of Ely 115.5' of Sly 164' of West half of P.L. 181 upon the following conditions:

Necessary easements be given for the widening of Charles Street and an alley 20 feet wide in the rear.

Variance to the restrictions of Ordinance No. 32 N.S. be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73770

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to William J. Canavan, by W. W. Allington, Box 81, Encanto, to erect a residence and garage on Lot 107, Block 2, Treasure Hill, not closer to the property line on C Street than 20 feet, in Zone R-2.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73771

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Earl E. Sorenson, 3375 - 28th Street, to erect an apartment building on N. 1/2 of Lot 53 and all of Lot 54, Block 247, University Heights at southwest corner of Cypress and Indiana Streets not closer to the property line on Indiana Street than 13 feet.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73772

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Kensington Heights Company by George T. Forbes, 5100 Marlborough Avenue, to erect a residence on Lot 10, Kensington Heights #2, at Canterbury and Bedford Dr. not closer to the property line on Canterbury than 15 feet, in Zone R-1.

The provisions of Setback Ordinance No. 12321 be and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73773

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Marion Helwig, 2822 - 30th Street, to construct an addition to an existing residence on W. 35' of Lots 47, 48, Block 210 University Heights in Zone R-4 with a rear yard of 3 feet and a side yard of 9 feet and a lot coverage of 53.2 per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73774

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mrs. R. J. Anderson, 1334 - 7th Avenue, to construct an addition to the apartment building at 1334 - 7th Avenue, on Lot 9, Block 5, Bay View Homestead and N. 2.9' of Lot H, Block 190, Horton's Addition with a lot coverage of 73 per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924 as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73775

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Donald H. Storms, 4444 - 51st Street, to construct a garage in Zone R-2, on Lots 17, 18, Block 24, Ocean Beach with a side yard of 18 inches, 61 feet from front property line.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73776

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to A. H. VanHarten, 4826 Biona Dr. to construct an addition to an existing garage fronting on 42nd Street, on Lot 10, Block B, Kensington Park Extension in Zone R-1, with a side yard of 6 inches, 4 feet from front property line.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73777

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of residents for the re-zoning of a block of land including Lots 1 and 2, Block 4, Roseville and a portion of Pueblo Lot 188; property being bounded by Willow, Addison, Evergreen and Canon Streets, be, and it is hereby granted.

BE IT FURTHER RESOLVED, that the City Attorney be and he is hereby authorized and directed to prepare and present an ordinance re-zoning said property.

## R E S O L U T I O N NO. 73778

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the tentative map of the proposed subdivision of lots in Blocks 4, 8, 11 and 17, F.T. Scripps Addition, be and it is hereby approved, subject to the recommendations of the City Planning Engineer, City Engineer and Director, Bureau of Sanitary Engineering, as follows:

That the usual setbacks are maintained in Blocks 4, 8 and 11, and that a 10 foot setback be maintained along Fern Glen and 15 foot setback be maintained along Draper and Westbourne in Block 17. Sewer to be provided for the northerly one hundred feet of Lot 1, Block 17, and the southerly one hundred feet of lot 6, Block 17.

## R E S O L U T I O N NO. 73779

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of La Jolla Beach & Tennis Club, Estate of F.W. Kellogg by Wm. S. Kellogg, executor, 2000 Spindrift Dr. La Jolla, California, for a class E license to conduct public dance at the above mentioned address, on premises where intoxicating liquor is sold, is hereby granted, subject to compliance with existing regulations.

## R E S O L U T I O N NO. 73780

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Joe Robison, 303 S. Bancroft Street, to conduct a floor show with paid entertainment at the Creole Palace, 206 Market Street, where dancing is conducted and liquor is sold. This permit is subject to the regular license fee, and to compliance with existing regulations.

## R E S O L U T I O N NO. 73781

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The offer of certain property owners to dedicate certain lands for road purposes through portion Lot 12, Ex-Mission Rancho be and said offer is not accepted.

## R E S O L U T I O N NO. 73782

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Coral B. Davis, 408 Broadway Building, San Diego, California, to improve a portion of Emory Street by private contract, at her own expense, under plans and specifications to be approved by the City Engineer.

## R E S O L U T I O N NO. 73783

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to D. L. Furry et al, 1310 Gergory Street, to grade Ash Street and Gregory Street by private contract, according to plans and specifications to be approved by the City Engineer. Said work on Ash Street to be between Felton and Gregory; and work on Gregory Street to be to end of Street.

## R E S O L U T I O N NO. 73784

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Harriett Newcomb et al to grade the north 250 feet of the Alley in Block 2, Sun Harbor Tract No. 1, by private contract and at their own



expense, according to plans and specifications to be approved by the City Engineer.

#### R E S O L U T I O N NO. 73785

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
Permission is hereby granted to George Graves, owner by Harry L. Titus, 4526 W. Talmadge Dr. to improve Pitta Street, formerly Rose Drive, by private contract, according to plans and specifications to be approved by the City Engineer.

#### R E S O L U T I O N NO. 73786

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The petition for grading, sidewalking and curbing Winona Street between University Avenue and Polk Avenue, as petitioned for in Document No. 325581, be and it is hereby granted.  
The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for this proposed improvement.

#### R E S O L U T I O N NO. 73787

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The Manager is hereby requested to make a survey of the district bounded by 17th, 18th, C and F Streets with the idea in view of possible opening of 18th Street; and any other problems which effect-traffic in that neighborhood.

#### R E S O L U T I O N NO. 73788

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the Funds Commission of The City of San Diego be and it is hereby authorized and empowered to accept the sum of \$200.00 for delinquent Street Improvement Bond 293, Series 1292 against Lot 1, Block 3, Normal Heights, held in Mount Hope Cemetery Fund, as recommended by said Funds Commission and the City Attorney in his communication to the Council dated March 31, 1941, and contained in Document No. 327912, on file in the office of the City Clerk of said City.

#### R E S O L U T I O N NO. 73789

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The interested City departments are hereby authorized and directed to accept the amount shown below for delinquent street improvement bonds held in Mount Hope Cemetery Fund, as recommended by the City Funds Commission, under Document No. 327903;  
Bonds numbered 2, 3, 44, 49, 50, 51, 52, 72, 73, 74, 75, Series 814 amount offered by Mr. Earl Taylor by Miss Erma Taylor is par plus interest in amount \$605.64.

#### R E S O L U T I O N NO. 73790

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the City Attorney is hereby requested to prepare and present a lease for the old City Jail building located on Second Avenue between F and G Streets to be occupied by the United States Government through the Eleventh Naval District, Navy Commandant.

#### R E S O L U T I O N NO. 73791

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The claim of Ernest W. Robb, 1364 Moreno Boulevard, filed in the office of the City Auditor March 5, 1941, against the City of San Diego in the amount of \$640.00, claimed to be due on account of damages alleged to have been caused by flood waters, be, and the same is hereby denied.

#### R E S O L U T I O N NO. 73792

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with ten (10) rectifiers for use in connection with cathodic protection on the Bonita Pipe Line, San Diego, California, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 327881.

Approved as to form H. B. DANIEL.

#### R E S O L U T I O N NO. 73793

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with approximately 18,700 feet of Class 200, and approximately 5200 feet of Class 150, 24" cast iron pipe, together with special castings, fittings and gate valves, for the Mission Valley pipeline; and approximately 8444 feet of 16" Class 250 cast iron pipe, special castings, fittings and gate valves, for La Jolla Shores and Harbor Drive pipelines, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 327886.

Approved as to form H. B. DANIEL

#### R E S O L U T I O N NO. 73794

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The City Attorney is hereby requested to prepare the necessary papers to authorize a right of way agreement with Southern California Telephone Co. for underground cable installation across certain Pueblo lots owned by the City of San Diego.

#### R E S O L U T I O N NO. 73795

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the Civil Service Commission is hereby requested to review the recommended schedule of compensation, classified service, City of San Diego, for the fiscal year 1941-42, relative to proposed reductions in classification rate numbers of numerous positions; which if placed in effect would take from present wage classifications and place in lower wage classifications a large number of employees.

## R E S O L U T I O N NO. 73796

RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN PORTIONS  
OF BAYSIDE LANE AND THE ALLEY IN BLOCK 234, MISSION BEACH.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, paving and otherwise improving of BAYSIDE LANE, between the north line of Ventura Place and the southerly line of the alley in block 234, Mission Beach; and the ALLEY IN BLOCK 234, MISSION BEACH, between the easterly line of Mission Boulevard and a line drawn from the southeasterly corner of Lot A, Block 234, Mission Beach, to the northeasterly corner of Lot H, in said Block 234, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 327510. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson, Boud, Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By HELEN M. WILLIG

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By HELEN M. WILLIG,

Deputy

## R E S O L U T I O N NO. 73797

RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN A PORTION  
OF DALBERGIA STREET.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading and curbing of DALBERGIA STREET, between the southeasterly line of Thor Street and the northwesterly line of Una Street, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 327511. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson, Boud, Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By HELEN M. WILLIG,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG, Deputy

R E S O L U T I O N NO. 73798

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving Ivy Street, as particularly described in Resolution of Intention No. 72991 and to be assessed to pay the expenses thereof.

R E S O L U T I O N NO. 73799

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on installing sewer in 53rd Street, Meade Avenue and Trojan Avenue, as particularly described in Resolution of Intention No. 73026 and to be assessed to pay the expenses thereof.

R E S O L U T I O N NO. 73800

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving the Alley in Block 83, City Heights, as particularly described in Resolution of Intention No. 73025 and to be assessed to pay the expenses thereof.

R E S O L U T I O N NO. 73801

WHEREAS, The City of San Diego in the immediate future will invite sealed proposals by advertising in a newspaper of general circulation in The City of San Diego for the furnishing of all material and/or labor, minor items of material, transportation and services for the construction of the Mission Valley Pipe Line for The City of San Diego; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That in accordance with the Charter of The City of San Diego, and particularly Section 193 thereof, the City Council has ascertained the general prevailing rate of per diem wages and rates for legal holiday and overtime work in the locality in which this work is to be performed, for each classification or type of workman or mechanic needed to execute the contract which will be awarded the successful bidder. The prevailing rates so determined are as follows:

| Trade or Occupation                            | Per Diem Wage 8 hours |
|--|-----------------------|
| Blacksmiths                                    | \$ 6.00               |
| Blade Men                                      | 6.00                  |
| Carpenters                                     | 9.00                  |
| Caulkers                                       | 6.00                  |
| Cement Finishers                               | 10.00                 |
| Compressor Operators (Portable)                | 9.00                  |
| Concrete Mixermen (10 c.f. capacity and under) | 7.00                  |
| Concrete Spreaders                             | 6.00                  |
| Concrete Tampers                               | 6.00                  |
| Crane Operators                                | 12.00                 |
| Dragline Operators                             | 12.00                 |
| Drillers                                       | 7.00                  |
| Drill Sharpaners                               | 6.00                  |
| Electricians                                   | 10.00                 |
| Hoist Operators                                | 10.00                 |
| Laborers, common                               | 6.00                  |
| Pipe Layers                                    | 8.00                  |
| Powdermen                                      | 8.00                  |
| Pump Men                                       | 6.00                  |
| Reinforcing Steel Workers(Placers and Tiers)   | 10.00                 |
| Shovel Operators                               | 12.00                 |
| Shovel Firemen                                 | 8.00                  |
| Shovel Oilers                                  | 7.40                  |
| Teamsters                                      | 5.00                  |
| Tractor Operators                              | 10.00                 |
| Trenching Machine Operators                    | 11.00                 |
| Truck Drivers, under 15,500 pounds             | 5.60                  |
| Truck Drivers, over 15,500 pounds              | 6.40                  |
| Watchmen                                       | 5.00                  |
| Welders  | 11.00                 |
| Yarners  | 6.00                  |

Any craft or employment not specifically mentioned in the foregoing schedule of rates shall be paid not less than \$6.00 per day of 8 hours.

For overtime, when the same is permitted by law, one and one-half the foregoing rates. For work performed on Sundays and legal holidays as set forth in Section 10 of the Political Code of the State of California, one and one-half times the above rates.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson, Boud and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG, Deputy



## R E S O L U T I O N NO. 73802

WHEREAS, the City Manager has submitted to the Council a recommendation that the installation on La Jolla Shores Drive of a water pipeline to replace the present wood-stave water pipeline be done by city forces rather than by contract, and has submitted with said recommendation estimates indicating that said work can be done by the City more economically than if let by contract; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Manager be, and he is hereby authorized to proceed with the installation of a water pipeline on La Jolla Shores Drive north of La Jolla with the appropriate city forces.

BE IT FURTHER RESOLVED that the cost of doing said work shall be charged against and payable out of the Water Distribution Bond Fund, said work being one of the purposes for which the City's Water Distribution Bonds were issued.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By HELEN M. WILLIG,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By HELEN M. WILLIG,

Deputy

## R E S O L U T I O N NO. 73803

WHEREAS, the contract documents, including Notice to Contractors, Instructions to Bidders, Proposal, Contract, Drawings and Specifications for the furnishing of material and/or labor, minor items of material, transportation and services for the construction of the Mission Valley Pipe Line for The City of San Diego, were filed in the office of the City Clerk of The City of San Diego on the 31st day of March, 1941, and endorsed:

CONTRACT DOCUMENTS INCLUDING NOTICE TO CONTRACTORS, INSTRUCTIONS TO BIDDERS, PROPOSAL, CONTRACT, DRAWINGS AND SPECIFICATIONS - MISSION VALLEY PIPE LINE;

and bear official Document No. 327939; and

WHEREAS, said contract documents, including Notice to Contractors, Instructions to Bidders, Proposal, Contract, Drawings and Specifications have been submitted to this Council for approval; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the contract documents including Notice to Contractors, Instructions to Bidders, Proposal, Contract, Drawings and Specifications for the construction of the Mission Valley Pipe Line for The City of San Diego, filed and endorsed as aforesaid, be, and the same are hereby approved.

BE IT FURTHER RESOLVED that the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to proceed to publish in accordance with law, notice to contractors calling for bids for the furnishing of material and/or labor, minor items of material, transportation and services for the construction of the Mission Valley Pipe Line, in accordance with said drawings and specifications hereinabove referred to.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By HELEN M. WILLIG,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By HELEN M. WILLIG,

Deputy

## R E S O L U T I O N NO. 73804

RESOLUTION AUTHORIZING EXECUTION OF A LEASE OF CERTAIN LANDS OWNED BY THE CITY OF SAN DIEGO TO H. N. PEAVEY.

WHEREAS, H. N. Peavey of Palm City, California, (Box 92), is desirous of leasing certain lands owned by The City of San Diego, hereinafter described, for stock grazing and/or agricultural purposes; and

WHEREAS, the lands proposed to be leased are described as follows:

NE 1/4 of the NE 1/4 of Section 5; the NW 1/4 of the NW 1/4, the S 1/2 of the NE 1/4 of the NW 1/4 and the South 5 acres of the N 1/2 of the NE 1/4 of the NW 1/4 of Section 4, Twp. 19 South, Range 2 West, S.B.B.&M., being 105 acres of land in the Tia Juana Valley; subject to encumbrances, if any;

and

WHEREAS, said lands are not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$1220.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with H. N. Peavey for said above-described lands for a period of five years, commencing on the 1st day of April, 1941, and ending on the 31st day of March, 1946,

at a rental of One Hundred Seventy-five Dollars (\$175.00) per year, payable yearly in advance; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

Presented by WALTER W. COOPER

Approved as to form by J. H. McKinney

EXHIBIT "A" LEASE

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation of the County of San Diego, State of California, hereinafter designated as the City, and H. N. Peavey, of Palm City, California, hereinafter called the Lessee, WITNESSETH:

That the City, for and in consideration of the payment of the rent to be paid by the lessee, as hereinafter set forth, and in consideration of the covenants of the lessee hereinafter set out and their faithful performance by such lessee, and upon and subject to the terms, conditions and reservations herein set forth, does by these presents lease, demise and let unto the said lessee the following described property, situate in the County of San Diego, State of California, to-wit:

NE 1/4 of the NE 1/4 of Section 5; the NW 1/4 of the NW 1/4, the S 1/2 of the NE 1/4 of the NW 1/4 and the South 5 acres of the N 1/2 of the NE 1/4 of the NW 1/4 of Section 4, Twp. 19 South, Range 2 West, S.B.B.&M., being 105 acres of land in the Tia Juana Valley; subject to encumbrances, if any; For a term of five (5) years, beginning on the 1st day of April, 1941, and ending on the 31st day of March, 1946, at the following rentals: One Hundred Seventy-five Dollars (\$175.00) payable in advance at the office of the Lessor annually during said term.

In consideration of the covenants herein contained the parties hereto agree as follows:

First. That the above described premises are leased to said lessee for stock grazing and/or agricultural purposes only, and for no other purpose or purposes.

Second. That this lease shall not be assigned or transferred, nor shall the said lessee have the right to sublet the leased premises, or any part thereof, without the consent in writing of the Council of said City.

Third. That the City reserves all gas, oil and mineral rights in and on said premises herein leased, with the right to go upon said property and prospect or drill for oil, gas and minerals.

Fourth. That the lessee shall keep and maintain said premises in as good repair and condition as he may receive them at his own expense (ordinary wear and tear and the acts of God excepted) and the said City shall not be called upon to make any expenditures or repairs on said premises.

Fifth. The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same, and/or for the purpose of drilling, operating and maintaining wells and pipelines on said premises, and for the purpose of making repairs to or developing the water system of said City; but the City shall not be required to furnish any water on said premises, except for domestic purposes, where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series).

Sixth. That the said lessee, paying the said rent and performing the covenants and agreements aforesaid, shall and may at all times during the said term, peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

Seventh. Said lessee agrees that on the last day of said term, or other sooner termination of this lease, the said lessee shall and will peaceably and quietly leave, surrender and yield up unto said City the said premises, in as good state and condition as the same are now in or may be put into, reasonable use and wear thereof and damage by the elements excepted.

Eighth. It is understood and agreed by the said parties that the said City may terminate this lease at any time by giving sixty (60) days' notice of such termination to the lessee, and by tendering to said lessee a proportionate part of any rentals paid in advance by said lessee.

Ninth. It is further agreed by and between the parties hereto that in case of the violation by the lessee of any of the terms and conditions of this lease, the City may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the lessee and for its account.

Tenth. That the lessee shall be required to develop water on said lands for irrigation purposes and to plant in suitable farm crop and irrigate at lease seven acres of the leased land; irrigation to be only at such times required to develop the crop, but plantings and irrigation shall be continuous from year to year during the term of this lease.

Eleventh. Any pumps and appurtenances, including pipe lines, outbuildings and interior fencing, constructed by and at the expense of the lessee may be removed by him at the termination of this lease.

Twelfth. That the lessee shall construct such stock proof fences along the exterior boundary lines of said land as required, at his own expense, such fences to become the property of the City upon the termination of this lease.

Thirteenth. Any wells which lessee shall sink upon said leased lands shall be done at his own expense, and shall be left intact and become the property of the City upon the termination of this lease.

Fourteenth. That the City shall not be liable for any damages resulting from injury to stock grazed or pastured on said leased land.

It is understood and agreed that a waiver by the City of any default hereunder shall not be considered, nor held to be, a waiver of any subsequent or other default, and also that consent to the subletting of said premises or any part thereof, or to the assignment of this lease shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

It is understood and agreed that if the lessee shall make default in the performance of any of the terms, conditions or covenants of this lease by the lessee to be kept, observed or performed, lessee will in such case pay to the City the expenses and costs incurred by the City in any action which may be commenced by the City based on, or arising out of, any such default, including a reasonable attorney's fee.

IN WITNESS WHEREOF, this agreement is executed by The City of San Diego, acting by and through the City Manager of said City, under and pursuant to Resolution No. \_\_\_\_\_ of the Council, authorizing such execution, and said lessee has hereunto subscribed his name, the day and year first hereinabove written.

THE CITY OF SAN DIEGO

By \_\_\_\_\_ City Manager

Lessee

I HEREBY APPROVE the form of the foregoing Lease this \_\_\_\_\_ day of \_\_\_\_\_, 1941.

D. L. AULT, City Attorney

By \_\_\_\_\_ Deputy City Attorney

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By HELEN M. WILLIG

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By HELEN M. WILLIG,

Deputy

#### RESOLUTION NO. 3805

#### RESOLUTION AUTHORIZING EXECUTION OF A LEASE OF CERTAIN LANDS

OWNED BY THE CITY OF SAN DIEGO TO OLIVER SEXSON.

WHEREAS, Oliver Sexson, 344 Kalmia Street, San Diego, California, is desirous of leasing certain lands owned by The City of San Diego, hereinafter described, for stock grazing, pasturage and/or agricultural purposes; and

WHEREAS, the lands proposed to be leased are described as follows:

##### Parcel 1:

All those lands in Rancho San Bernardo, in the County of San Diego, State of California, lying northerly and northeasterly from Lake Hodges and southerly from the northerly line of the "Sikes Tract" as said north line is described in Deed Book 5, at page 261, records of the County Recorder of said County of San Diego; EXCEPTING from the above described lands those portions thereof lying and being above an elevation of 395 feet above sea level according to the United States Geological Survey datum; ALSO, EXCEPTING all those portions thereof lying and being below an elevation of 315 feet above sea level according to said survey datum; ALSO, EXCEPTING the existing frame house and outbuildings commonly known as the "Hopkins Place", together with an area of five acres of land immediately contiguous thereto; ALSO, EXCEPTING the tract of approximately 8.0 acres of land under lease from the City of San Diego to Julia S. G. Porter as particularly described in City Clerk's Document No. 327248; ALSO, EXCEPTING all public roads and highways; ALSO,

##### Parcel 2:

All those lands in said Rancho San Bernardo, lying easterly, southeasterly and southerly from Lake Hodges, EXCEPTING therefrom all lands lying westerly from the following described line:

Commencing at the intersection of contour elevation line 330 feet above sea level according to United States Geological Survey datum, with the easterly line of U.S. Highway 395 on the south side of Lake Hodges; thence easterly on a direct line a distance of 4000 feet, more or less, to the west side of the cattle guard on a north and south fence line as located at the date of this lease, the TRUE POINT OF BEGINNING; thence due north and due south along said fence line to intersections with contour elevation lines 315 feet and 395 feet of Hodges Reservoir, respectively, according to said survey datum.

ALSO, EXCEPTING from said Parcel 2 all those portions lying and being above an elevation of 395 feet above sea level according to said Geological Survey datum; ALSO, EXCEPTING from said Parcel 2 all those portions thereof lying and being below an elevation of 315 feet above sea level according to said Geological Survey datum; ALSO, EXCEPTING from said Parcel 2 all public roads and highways; ALSO,

##### Parcel 3:

Lots 1, 2, 3, 4 the SE 1/4 of the NW 1/4 and the NE 1/4 of the SW 1/4 of Section 7, Township 13 South, Range 1 West, S.B.B.&M.; ALSO, Lots 1 and 2, Section 13, Township 13 South, Range 2 West, S.B.B.&M.; ALSO, Lots 1, 2, 3 and 4 Section 12, Township 13 South, Range 2 West, S.B.B.&M., all in the County of San Diego, State of California; EXCEPTING those portions thereof lying above an elevation of 395 feet above sea level according to the United States Geological Survey datum.

Said Parcels 1, 2 and 3 include 1300 acres of land, more or less.

Said Parcels 1, 2 and 3 are subject to all easements, conditions, reservations, liens and encumbrances of every kind and nature whatsoever.

WHEREAS, said lands are not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$45,500.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with Oliver Sexson for said above-described lands for a period of five years, commencing on the 1st day of April, 1941, and ending on the 31st day of March, 1946, at a rental of Six Hundred Seventy-five Dollars (\$675.00) per year, payable yearly in advance; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

Presented by WALTER W. COOPER

Approved as to form by J. H. McKinney

#### EXHIBIT "A" LEASE

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation of the County of San Diego, State of California, hereinafter designated as the City, and OLIVER SEXSON, hereinafter called the Lessee, WITNESSETH:

That the City, for and in consideration of the payment of the rent to be paid by the lessee, as hereinafter set forth, and in consideration of the covenants of the lessee hereinafter set out and their faithful performance by such lessee, and upon and subject to the terms, conditions and reservations herein set forth, does by these presents lease, demise and let unto the said lessee the following described property, situate in the County of San Diego, State of California, to-wit:

##### Parcel 1:

All those lands in Rancho San Bernardo, in the County of San Diego, State of California, lying northerly and northeasterly from Lake Hodges and southerly from the northerly line of the "Sikes Tract" as said north line is described in Deed Book 5, at page 261, records of the County Recorder of said County of San Diego; EXCEPTING from the above described lands those portions thereof lying and being above an elevation of 395 feet above sea level according to the United States Geological Survey datum; ALSO EXCEPTING all those portions thereof lying and being below an elevation of 315 feet above sea level according to



said survey datum; ALSO EXCEPTING the existing frame house and outbuildings commonly known as the "Hopkins Place", together with an area of five acres of land immediately contiguous thereto; ALSO, EXCEPTING the tract of approximately 8.0 acres of land under lease from the City of San Diego to Julia S. G. Porter as particularly described in City Clerk's Document No. 327248; ALSO, EXCEPTING all public roads and highways; ALSO,

Parcel 2:

All those lands in said Rancho San Bernardo, lying easterly, southeasterly and southerly from Lake Hodges, EXCEPTING therefrom all lands lying westerly from the following described line:

Commencing at the intersection of contour elevation line 330 feet above sea level according to United States Geological Survey datum, with the easterly line of U.S. Highway 395 on the south side of Lake Hodges; thence easterly on a direct line a distance of 4000 feet, more or less, to the west side of the cattle guard on a north and south fence line as located at the date of this lease, the TRUE POINT OF BEGINNING; thence due north and due south along said fence line to intersections with contour elevation lines 315 feet and 395 feet of Hodges Reservoir, respectively, according to said survey datum.

ALSO, EXCEPTING from said Parcel 2 all those portions thereof lying and being above an elevation of 395 feet above sea level according to said Geological Survey datum; ALSO, EXCEPTING from said Parcel 2 all those portions thereof lying and being below an elevation of 315 feet above sea level according to said Geological Survey datum; ALSO, EXCEPTING from said Parcel 2 all public roads and highways; ALSO,

Parcel 3:

Lots 1, 2, 3, 4, the SE 1/4 of the NW 1/4 and the NE 1/4 of the SW 1/4 of Section 7, Township 13 South, Range 1 West, S.B.B.&M; ALSO, Lots 1 and 2, Section 13, Township 13 South Range 2 West, S.B.B.&M; ALSO, Lots 1, 2, 3 and 4, Section 12, Township 13 South, Range 2 West, S.B.B.&M, all in the County of San Diego, State of California, EXCEPTING those portions thereof lying above an elevation of 395 feet above sea level according to the United States Geological Survey datum.

Said Parcels 1, 2 and 3 include 1300 acres of land, more or less.

Said Parcels 1, 2, and 3 are subject to all easements, conditions, reservations, liens and encumbrances of every kind and nature whatsoever.

For a term of five (5) years, beginning on the 1st day of April, 1941 and ending on the 31st day of March, 1946, at the following rentals: Six Hundred Seventy-five Dollars (\$675.00) per year payable in advance at the office of the Lessor yearly during said term.

In consideration of the covenants herein contained the parties hereto agree as follows:

First. That the above described premises are leased to said lessee for stock grazing, pasturage and/or agricultural purposes only, and for no other purpose or purposes.

Second. That this lease shall not be assigned or transferred, nor shall the said lessee have the right to sublet the leased premises, or any part thereof, without the consent in writing of the Council of said City.

Third. That the City reserves all gas, oil and mineral rights in and on said premises herein leased, with the right to go upon said property and prospect or drill for oil, gas and minerals.

Fourth. That the lessee shall keep and maintain said premises in as good repair and condition as he may receive them at his own expense (ordinary wear and tear and the acts of God excepted) and the said City shall not be called upon to make any expenditures or repairs on said premises.

Fifth. The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same, and/or for the purpose of drilling, operating and maintaining wells and pipelines on said premises, and for the purpose of making repairs to or developing the water system of said City; but the City shall not be required to furnish any water on said premises, except for domestic purposes, where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series).

Sixth. That the said lessee, paying the said rent and performing the covenants and agreements aforesaid, shall and may at all times during the said term, peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

Seventh. Said lessee agrees that on the last day of said term, or other sooner termination of this lease, the said lessee shall and will peaceably and quietly leave, surrender and yield up unto said City the said premises, in as good state and condition as the same are now in or may be put into, reasonable use and wear thereof and damage by the elements excepted.

Eighth. It is understood and agreed by the said parties that the said City may terminate this lease at any time by giving sixty (60) days' notice of such termination to the lessee, and by tendering to said lessee a proportionate part of any rentals paid in advance by said lessee.

Ninth. It is further agreed by and between the parties hereto that in case of the violation by the lessee of any of the terms and conditions of this lease, the City may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the lessee and for its account.

Tenth. Lessee shall construct and keep in good repair and condition a stock proof fence around the lake shore contiguous to the land leased, the labor and materials for such work to be furnished by lessee at his own expense. Upon the termination of this lease such fence shall become the property of the City.

Eleventh. That the City shall not be liable for any damages resulting from injury to stock grazed or pastured on said leased land.

It is understood and agreed that a waiver by the City of any default hereunder shall not be considered, nor held to be, a waiver of any subsequent or other default, and also that consent to the subletting of said premises or any part thereof, or to the assignment of this lease, shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

It is understood and agreed that if the lessee shall make default in the performance of any of the terms, conditions or covenants of this lease by the lessee to be kept, observed or performed, lessee will in such case pay to the City the expenses and costs incurred by the City in any action which may be commenced by the City based on, or arising out of, any such default, including a reasonable attorney's fee.

It is mutually understood and agreed between the parties hereto that upon the execution of this lease, the lease heretofore entered into on the 2nd day of February, 1939, between The City of San Diego and Oliver Sexson, covering a portion of the premises hereby leased, the original of which is on file in the office of the City Clerk of said City, bearing Document No. 312045, and recorded in Book 10, page 357, Records of said City Clerk, shall terminate and be of no further force and effect; PROVIDED, that there shall be credited upon the rentals reserved in this lease the sum of \$ , being the amount of advance rental heretofore paid under said lease dated February, 1939, hereby terminated, covering the period from April 1, 1941 to January 30, 1942.

IN WITNESS WHEREOF, this agreement is executed by The City of San Diego, acting by and through the City Manager of said City, under and pursuant to Resolution No. of the Council, authorizing such execution, and said lessee has hereunto subscribed his name, the

day and year first hereinabove written.

THE CITY OF SAN DIEGO,  
Lessor  
By \_\_\_\_\_ City Manager  
\_\_\_\_\_  
Lessee

I HEREBY APPROVE the form of the foregoing lease this \_\_\_\_\_ day of \_\_\_\_\_, 1941.  
D. L. AULT, City Attorney  
By \_\_\_\_\_ Deputy City Attorney

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Weggenman, Housh, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: Simpson and Knox

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
(SEAL) City Clerk of the City of San Diego, California  
By HELEN M. WILLIG, Deputy

R E S O L U T I O N NO. 73806

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the City Manager of said City be, and he is hereby authorized and empowered to execute an agreement between the City of San Diego and the Atchison, Topeka & Santa Fe Railway Company covering the construction of a grill over opening of a 60-inch storm drain conduit located on said Railway Company's right of way between Thorn and Upas Streets, San Diego, California.  
Approved as to form by H. B. DANIEL

R E S O L U T I O N NO. 73807

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the bill of the La Valencia Hotel in the sum of \$16.43 covering entertainment furnished by the City Council in connection with the meeting of the Board of Directors of The Shoreline Planning Association of California, Inc., held in La Jolla on March 12th, 1941, be and the same is hereby approved; and  
BE IT FURTHER RESOLVED that a requisition be and it is hereby authorized to be drawn against the Council entertainment allocation of the 1940-41 budget.

R E S O L U T I O N NO. 73808

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the bills submitted by the San Diego California Club, in connection with the advertising of the City of San Diego, and as approved by the Advertising Control Committee, under date of March 25th, 1941, be and the said bills are hereby approved; and  
BE IT FURTHER RESOLVED that a requisition be and it is hereby authorized to be drawn in the sum of \$1343.34 against the allocation setup in the 1940-41 budget for said purpose.

R E S O L U T I O N NO. 73809

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the deed of Mary B. Mills, executed in favor of The City of San Diego, bearing date March 19, 1941, conveying to said City the East half of the NW 1/4 of Section 25, Township 14 South, Range 1 West, S.B.M., according to U.S. Government Survey; the N 1/2 of the NE 1/4 and the SE 1/4 of the NE 1/4 of Section 25, Township 14 South, Range 1 West, S.B.M., according to U.S. Government Survey, approved February 24, 1876; and Lot 4 or (SW 1/4 of SW 1/4) of Section 19, Township 14 South, Range 1 East, S.B.M., according to U. S. Government Survey approved December 12, 1881; all in the County of San Diego, State of California, be, and the same is hereby accepted on the conditions therein expressed;  
And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73810

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the deed of dedication of the San Diego Unified School District of San Diego County, California, executed in favor of The City of San Diego, conveying to said City an easement and right of way for a water pipe through and across a portion of Haines Street in the City of San Diego, County of San Diego, State of California, shown on Map of Pacific Beach No. 946, records of said County, as vacated April 4, 1939, by the City Council of said City of San Diego by Resolution No. 69138 of said Council, be, and the same is hereby accepted on the conditions therein expressed;  
And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73811

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, is about to enter into a lease of certain portions of the tidelands with The United States of America, for a period of three (3) months, commencing on the 1st day of April, 1941, and ending on the 30th day of June, 1941, with an option to renew said lease each year thereafter, for the period beginning with July 1, 1941, and ending with June, 1942, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,  
BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission of The City of San Diego and The United States of America, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

LEASE BETWEEN THE CITY OF SAN DIEGO  
AND THE UNITED STATES OF AMERICA.

THIS LEASE, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the members of the Harbor Commission of said City, for its successors and assigns, hereinafter called the "Lessor," and THE UNITED STATES OF AMERICA, hereinafter called the "Government;"

WITNESSETH: The parties hereto, for the considerations hereinafter mentioned, covenant and agree as follows:

1. The Lessor hereby leases to the Government the following described premises, located, in The City of San Diego, County of San Diego, State of California, viz:

Beginning at the point of intersection of the southerly prolongation of the westerly line of Kettner Boulevard with the U. S. Bulkhead Line, as said Bulkhead Line is now established for the Bay of San Diego, said point being north 89° 37' 30" east, 621.97 feet from U. S. Bulkhead Station 181; thence north 0° 01' 10" east along the southerly prolongation of the westerly line of Kettner Boulevard a distance of 65.73 feet to a point; thence south 89° 35' 43" east a distance of 47 feet to the true point or place of beginning; thence north 0° 01' 10" east on a line parallel to and distant 47 feet easterly from the southerly prolongation of the westerly line of Kettner Boulevard a distance of 405.78 feet to a point; thence south 50° 50' east a distance of 648.10 feet to a point; thence north 89° 35' 43" west a distance of 502.63 feet, more or less, to the true point or place of beginning, containing 101,976 square feet, or 2.341 acres, of tideland area.

together with all improvements thereon and appurtenances thereto, to be used for the purpose of erecting, maintaining and operating upon the said premises temporary shelters and related appurtenances and facilities for the housing of workers, students, trainees, and officials engaged in, or preparing to become engaged in, National Defense activities.

2. TO HAVE AND TO HOLD the said premises with their improvements and appurtenances for the term beginning with April 1, 1941, and ending with June 30, 1941.

3. The Government shall pay to the Lessor, as rent for the said premises, the sum of three cents (3¢) per square foot per annum, payable as follows: The sum of two hundred fifty-four and 94/100 dollars (\$254.94) at the end of each month during said term.

4. The Government shall have the option to renew this lease, each year thereafter, for the period beginning with July 1, 1941, and ending with June 30, 1942, at a rental of three cents (3¢) per square foot per annum, payable as follows: The sum of two hundred fifty-four and 94/100 dollars (\$254.94) at the end of each month, and otherwise upon the terms and conditions herein specified, by giving to the Lessor notice in writing of intention to renew at least thirty (30) days before the beginning of each such renewal period, said notice to be computed from the date of mailing; provided, however, that no such renewal shall extend the period of occupancy of the said premises beyond the 30th day of June, 1946.

5. The Lessor shall furnish to the Government, during the occupancy of the said premises, as part of the consideration for the payment by the Government of the rental herein specified, the following: Nothing.

6. The Government shall have the right to let to tenants, occupants or other persons which it shall select the shelters and living quarters to be erected by it upon the leased premises.

7. The Government shall have the right to make alterations and attach fixtures to the said premises, and erect, install and maintain thereon additions and structures and any and all improvements, including utilities and roads, in connection with the operation of the said premises for the purposes specified in paragraph "1" hereof. All such alterations, fixtures, additions, structures, and improvements so placed in or upon or attached to the said premises shall be and remain the property of the Government and may be removed therefrom by the Government prior to or within a reasonable time following the expiration of this lease, and if they are so removed, the Government shall restore the said premises to the same condition as that existing at the time of entering thereon under this lease, reasonable and ordinary wear and tear and damages by the elements or by circumstances over which the Government has no control, excepted.

8. The Lessor covenants and agrees that it is the true and legal owner of the leased premises and that said premises are free and clear of all encumbrances, and upon payment of the rental and performance of all covenants by the Government to be paid and performed as herein contained, the Government shall peaceably and quietly hold and enjoy the leased premises during the full term of this lease, or any renewal thereof.

9. The Government may terminate this lease or any renewal thereof at any time by giving thirty (30) days' notice in writing of such termination to the Lessor, said notice to be computed from the date of mailing. In the event of such termination, the rent payable hereunder for the term during which the termination occurs shall be reduced by the proportion which the number of days remaining in said term after the effective date of such termination bears to the total number of days in said term.

10. No Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this lease or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this lease if made with a corporation for its general benefit.

IN WITNESS WHEREOF, the parties hereto have executed this lease as of the day and year first above written.

THE CITY OF SAN DIEGO

By \_\_\_\_\_

Members of the Harbor Commission  
of The City of San Diego.

THE UNITED STATES OF AMERICA

By \_\_\_\_\_

Official Title

I hereby approve the form of the foregoing Lease, this \_\_\_\_\_ day of April, 1941.

City Attorney

By \_\_\_\_\_

Assistant City Attorney

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Knox

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California



(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

## R E S O L U T I O N NO. 73812

WHEREAS, there have been filed with the Civil Aeronautics Board the following applications for air routes:

1. By Western Air Express, from San Diego to Imperial Valley and Phoenix
2. By American Airlines from Los Angeles to San Diego, El Centro and Phoenix
3. By Transcontinental and Western Air, from Los Angeles to San Diego, El Centro, Phoenix, Albuquerque, Amarillo, Kansas City, Chicago and New York; and

WHEREAS, the commercial intercourse and tourist travel between San Diego and the various communities to which service is proposed, demands adequate transportation facilities by air; and

WHEREAS, The City of San Diego feels that its growth and development will be greatly enhanced through the establishment of suitable and adequate air transportation service from this community to eastern cities, and further believes that the volume of air traffic which can be developed over these routes will justify the inauguration and maintenance of scheduled air service; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That this Council does hereby endorse the proposed service, as set forth in the above mentioned applications, and does hereby urge that the necessity and convenience of these services be favorably considered by the Civil Aeronautics Board.

Passed and adopted by the said Council of the said City of San Diego, California, this 1st day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By HELEN M. WILLIG,  
Deputy

## R E S O L U T I O N NO. 73813

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the request of the San Diego Post #6, American Legion, by John H. Briel, to move the Crafts 20 Big Shows from Monroe Field to 30th & Marcey Streets be and said request is hereby denied.

## R E S O L U T I O N NO. 73814

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to San Diego Post #6, American Legion, by John H. Briel, to operate the Crafts 20 Big Shows at the foot of Market Street from April 7th to 13th, using temporary wiring and lighting equipment. Free electrical permit and free inspection are hereby granted. This permit is granted with the understanding that all equipment etc., shall be subject to inspection by all authorities having jurisdiction.

Permission heretofore granted by Resolution No. 73709 to operate these shows at Monroe Field for the period ending April 13th, 1941, is hereby rescinded.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73761 to 73814 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 1st day of April, 1941.

FRED W. SICK  
City Clerk of the City of San Diego, California

By Helen M. Willig Deputy

## R E S O L U T I O N NO. 73815

Mission Beach Lighting District No. 1

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of four-fifths of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of the street lamps on bracket arms attached to the poles on MISSION BOULEVARD, between the southerly line of Ventura Place and the southerly line of Pacific Beach Drive, in the City of San Diego, California; together with the maintenance of said bracket arms, wires and lamps on said Mission Boulevard, within the limits above mentioned, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for Mission Beach Lighting District No. 1," filed in the office of said City Clerk March 5, 1941, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

## R E S O L U T I O N NO. 73816

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Jas. S. Yglesias and T. R. Yglesias, and Star & Crescent Oil Co. to erect a neon sign on a flood light standard on Lots 1 and 2 Block 291

Middletown to the front property line of Pacific Highway.

The provisions of Setback Ordinance No. 401 N.S. be, and they are hereby suspended in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 73817

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Frank Doran, 3735 - 7th Avenue, to erect two residences on Lot 9 Block 96 Ocean Bay Beach, not closer to the property line on Muir Street than five feet.

The provisions of Setback Ordinance No. 12321, be, and they are hereby suspended in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 73818

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mrs. J. E. Jennison, 3774 - 5th Avenue, to remodel an existing office on Lots 7 and 8 Block 6 Nutt's Addition to living quarters, with a side yard of 0 feet, a rear yard of 20 feet and a lot coverage of 60 per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 73819

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of James H. Kennedy, Pickwick Hotel, for a Class A license to conduct public dance at the "College Inn", 109 West C Street, on premises where intoxicating liquor is sold, is hereby granted, subject to compliance with existing regulations.

#### R E S O L U T I O N NO. 73820

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of James H. Kennedy, Pickwick Hotel, for a Class A License to conduct public dance at the "New Paris Inn", 102 West C Street, on premises where intoxicating liquor is sold, is hereby granted, subject to compliance with existing regulations.

#### R E S O L U T I O N NO. 73821

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to James H. Kennedy, Pickwick Hotel, to conduct a floor show with paid entertainment at the "College Inn", 109 West C Street, where dancing is conducted and liquor is sold. This permission is subject to the regular license fee, and to compliance with existing regulations.

#### R E S O L U T I O N NO. 73822

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to James H. Kennedy, Pickwick Hotel, to conduct a floor show with paid entertainment at the "New Paris Inn", 102 West C Street, where dancing is conducted and liquor is sold. This permission is subject to the regular license fee, and to compliance with existing regulations.

#### R E S O L U T I O N NO. 73823

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of S. L. Kelly for permission to conduct an auto trailer camp consisting of forty-four units on Lots 1 to 7 and the northerly 30 feet of Lots 14-17 Valley Gardens, at Anna and Stewart Streets near Pacific Highway, be, and it is hereby denied.

#### R E S O L U T I O N NO. 73824

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Chas. Gabriel, 3808 El Cajon Boulevard, to improve the westerly 157 feet of the east and west alley in Block 47 W.P. Herbert's Subdivision, by paving with four inches of asphalt concrete pavement, when approved plans are submitted to the City Engineer for the work to be done; as recommended under Document No. 328044.

#### R E S O L U T I O N NO. 73825

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas & Electric Company is hereby authorized and directed to change the sodium vapor light at Lytton Street and Barnett Avenue to a 600 c.p. incandescent light, and is authorized and directed to move the light on Lytton Street just west of Barnett Avenue to a position over the crosswalk at the Naval Training Station main entrance.

#### R E S O L U T I O N NO. 73826

The San Diego Gas & Electric Company is hereby authorized and directed to change

the sodium vapor light at Rosecrans Street and Pacific Highway to a 600 c.p. incandescent light.

#### R E S O L U T I O N NO. 73827

RESOLUTION DETERMINING AND PROPOSING TO GRANT A FRANCHISE TO SAN DIEGO ELECTRIC RAILWAY COMPANY, A CORPORATION, FOR AUTHORITY TO OPERATE AUTOMOBILE BUSES, STAGES AND/OR OTHER SELF-PROPELLED VEHICLES FOR THE TRANSPORTATION OF PASSENGERS FOR HIRE ALONG AND UPON CERTAIN STREETS IN THE CITY OF SAN DIEGO NAMED IN THE APPLICATION FOR SUCH FRANCHISE HERETOFORE FILED AND DATED MARCH 22nd, 1941; THE TERM OF SAID FRANCHISE TO COMMENCE UPON THE EFFECTIVE DATE OF THE ORDINANCE OF FINAL GRANT AND TO CONTINUE TO THE 10TH DAY OF NOVEMBER, 1973; AND ORDERING NOTICE OF SAID APPLICATION AND OF THE DETERMINATION OF THE COUNCIL TO GRANT THE SAME TO BE HAD BY PUBLICATION IN THE OFFICIAL NEWSPAPER OF SAID CITY AND FIXING THE AMOUNT OF THE BOND.

WHEREAS, San Diego Electric Railway Company, a corporation, on March 24th, 1941, filed a written application to the Council of the City of San Diego for the grant to it of the franchise and authority to operate automobile buses, stages and/or other self-propelled vehicles for the transportation of passengers for hire along and upon certain streets in the City of San Diego, the term of said franchise so applied for to commence upon the effective date of the ordinance of final grant and to continue to the 10th day of November, 1973, which said application is on file with the City Clerk of the City of San Diego and

is marked in the files of said Clerk as Document No. 327693; and  
WHEREAS, upon due consideration of said application said Council has determined that it is for the best interests of said City that such franchise and authority be granted, and that the said Council proposes to grant the same; NOW THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That it is now determined that such franchise and authority shall be granted for the period named and as applied for in said application.

That the City Clerk be, and he is hereby directed to advertise the fact of said application, together with a statement that it is proposed to grant the same as applied for and stating that bids will be received for such franchise and authority, and that it will be sold, struck off and awarded to the highest cash bidder therefor, by publication in the official newspaper of said City, to wit: San Diego Union, once a day for ten successive days; and said City Clerk is hereby further directed to sign said notice and advertisement, and to state in said notice the character of said franchise and authority proposed to be granted, the terms for which it is to be granted as to each route, and the route to be traversed; and that sealed bids therefor will be received up to the hour of 10:00 o'clock A.M. on Tuesday, the 13th day of May, 1941, when in open session said Council will open and publicly declare all bids; and that the successful bidder and assigns must during the life of said franchise pay to said City two percentum (2%) of the gross annual receipts of the person, partnership or corporation to whom the franchise is awarded arising from its use, operation or possession, such percentage to be payable annually, and to commence to accrue from the date of taking effect of the ordinance granting the franchise; and that the successful bidder will be required to file a bond running to the City of San Diego, with at least two good and sufficient sureties, to be approved by the City Council, in the penal sum of One Thousand Dollars (\$1,000.00), conditioned that such bidder shall well and truly observe, fulfill and perform each and every term and condition of such franchise, and that in case of any breach of condition of such bond, the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages and shall be recoverable from the principal and sureties upon said bond. Said advertisement shall also contain and set forth all other matters and things required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF AWARD NO. 73828

Talmadge Park Lighting District No. 2

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 25th day of March 1941, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

- HART DRIVE, for its entire length;
- ARGOS DRIVE, for its entire length;
- ALDER PLACE, for its entire length; and
- JEFFERSON STREET, between the westerly line of Talmadge Park Unit No. 2 and its termination in Alder Place.

Said furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 2," filed January 11, 1941, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit: To: San Diego Gas & Electric Company, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: THREE HUNDRED SIXTEEN and 20/100 DOLLARS (\$316.20).

And said Council does hereby require and fix the sum of EIGHTY DOLLARS (\$80.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said San Diego Gas & Electric Company, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said San Diego Gas & Electric Company on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



## RESOLUTION ORDERING WORK NO. 73829

Maple Street and 32nd Street

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 73439, adopted by the Council on February 18, 1941, and on file in the office of the City Clerk of said City for the grading, paving, curbing and sidewalking of MAPLE STREET and 32ND STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five(5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 73395, adopted on the 11th day of February, 1941, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION ORDERING WORK NO. 73830

Front Street

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 73440, adopted by the Council on February 18, 1941, and on file in the office of the City Clerk of said City for the grading, curbing, sidewalking and otherwise improving of FRONT STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five(5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 73394, adopted on the 11th day of February, 1941, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION ORDERING IMPROVEMENT NO. 73831

Kensington Manor Lighting District No. 1

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City, and therefor the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

KENSINGTON DRIVE, between Jefferson Avenue and Hilldale Road;  
 CANTERBURY DRIVE, for its entire length;  
 SUSSEX DRIVE, for its entire length;  
 WESTMINSTER TERRACE, for its entire length;  
 NORFOLK TERRACE, between Kensington Drive and the easterly line of Kensington

Manor Unit No. 1;

ROCHESTER ROAD, for its entire length;  
 LYMER DRIVE, for its entire length;  
 MARLBOROUGH DRIVE, between Jefferson Avenue and Palisades Road;  
 EDGEWARE ROAD, between the westerly prolongation of the southerly line of Lot 10, Block 13, Kensington Park and Canterbury Drive, and between Middlesex Drive and Bedford Drive;

HEMPSTEAD CIRCLE, for its entire length;  
 HILLDALE ROAD, for its entire length;  
 MIDDLESEX DRIVE, for its entire length;  
 BEDFORD DRIVE, for its entire length;  
 HASTINGS ROAD, for its entire length;  
 BRISTOL ROAD, for its entire length;  
 ROXBURY ROAD, for its entire length;  
 BRAEBURN ROAD, for its entire length;  
 PALISADES ROAD, for its entire length; and  
 RIDGEWAY, between Marlborough Drive and Lane.

Such furnishing of electric current shall be for a period of one year, from and including May 1, 1941, to-wit, to and including April 30, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Kensington Manor Lighting District No. 1," filed February 21, 1941, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 25th day of March, 1941, said Council did by Resolution No. 73690 confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement, heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for Kensington Manor Lighting District No. 1," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego, the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

## RESOLUTION ORDERING WORK, NO. 73832

Sassafras Street

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require the work hereinafter described to be done, and the time prescribed during which objections to said work and improvement might be made having expired, and no objection thereto having been made, and said Council hereby finding that no assessment is necessary therefor:

NOW, THEREFORE, the said Council hereby orders the following work to be done in said city, to-wit:

The closing of the northwesterly 5.00 feet of SASSAFRAS STREET, between the north-easterly line of India Street and the southwesterly line of Columbia Street, in the City of San Diego, California;

And the said portion of said Street is hereby closed.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

## RESOLUTION ORDERING WORK, NO. 73833

Unnamed Street or Alleys lying southwesterly of the Atchison, Topeka and Santa Fe Railway Company's Right of Way and northeasterly of Blocks 1, 2, 3, 4, 31, 30, 5, 6, 7 and 8, Sorrento; the Alleys in Blocks 31, 30 and 5, and a portion of the Alley in Block 6, all in Sorrento, and portions of Fuchsia Street, Goldenrod Street and Heliotrope Street.

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require the work hereinafter described to be done, and the time prescribed during which objections to said work and improvement might be made having expired, and no objection thereto having been made, and said Council hereby finding that no assessment is necessary therefor:

NOW, THEREFORE, the said Council hereby orders the following work to be done in said city, to-wit:

The closing of those portions of the streets or alleys described as follows:

(1) The UNNAMED STREET OR ALLEYS IN SORRENTO according to the map thereof No. 483 on file in the office of the County Recorder of San Diego County, California, lying between the southwesterly line of the Atchison, Topeka and Santa Fe Railway Company's Right of Way and the northeasterly line of Blocks 1, 2, 3, 4, 31, 30, 5, 6, 7 and 8 in said Sorrento and the northwesterly prolongations of the northeasterly lines of said Blocks 1, 2, 3, 31, 30, 5, 6 and 7, and between the northeasterly prolongation of the southeasterly line of Block 1 in said Sorrento and the northeasterly prolongation of the northwesterly line of Block 4 in said Sorrento; and between the northeasterly prolongation of the southeasterly line of Block 31 in said Sorrento and the northeasterly prolongation of the northwesterly line of Block 8 in said Sorrento, including any portions of Begonia Street, Calla Street, Daffodil Street, Fuchsia Street, Goldenrod Street, Heliotrope Street, Iris Street and Jasmine Street lying within the limits of said unnamed street or alleys.

(2) The ALLEY IN BLOCK 31 in said SORRENTO, between the northwesterly line of Edelweiss Street and the southeasterly line of Fuchsia Street.

(3) The ALLEY IN BLOCK 30 IN SAID SORRENTO, between the northwesterly line of Fuchsia Street and the southeasterly line of Goldenrod Street.

(4) The ALLEY IN BLOCK 5 IN SAID SORRENTO, between the northwesterly line of Goldenrod Street and the southeasterly line of Heliotrope Street.

(5) All that portion of the ALLEY IN BLOCK 6, IN SAID SORRENTO, between the northwesterly line of Heliotrope Street and a line parallel to and distant 150.00 feet northwesterly from the northwesterly line of said Heliotrope Street.

(6) FUCHSIA STREET, between the northeasterly line of Smilax Street and the southwesterly line of the Atchison, Topeka and Santa Fe Railway Company's right of way.

(7) GOLDENROD STREET, between the northeasterly line of Smilax Street and the southwesterly line of the Atchison, Topeka and Santa Fe Railway Company's right of way.

(8) HELIOTROPE STREET, between the northeasterly line of Smilax Street and the southwesterly line of the Atchison, Topeka and Santa Fe Railway Company's right of way.

And the said portions of said streets are hereby closed.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION NO. 73834

APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING CLERK TO GIVE NOTICE OF SAID HEARING, LOMA PORTAL LIGHTING DISTRICT NO. 1

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 1st day of April 1941, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 73664, adopted by said Council on the 18th day of March 1941, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required by law, NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 6th day of May, 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

At the intersection of LOCUST STREET with Curtis Street, Dumas Street, Elliott Street, Freeman Street, Golsmith Street, Homer Street, Ibsen Street, James Street and Kingsley Street;

At the intersection of EVERGREEN STREET with Curtis Street, Dumas Street, Elliott Street, Freeman Street, Goldsmith Street, Homer Street, Ibsen Street, James Street and Kingsley Street;

At the intersection of WILLOW STREET with Curtis Street, Dumas Street, Elliott Street and Freeman Street;

At the intersection of PLUM STREET with Curtis Street;

At the intersection of CLOVE STREET with Curtis Street, Dumas Street and Elliott Street;

On DUMAS STREET, between Clove Street and Willow Street;

On ELLIOTT STREET, between Willow Street and the northwesterly line of Plumosa Park;

On FREEMAN STREET, between Chatsworth Boulevard and Willow Street;

On GOLDSMITH STREET, between Chatsworth Boulevard and Evergreen Street;

On CHATSWORTH BOULEVARD, between the southwesterly line of Curtis Street produced northwesterly and its termination in Lytton Street;

On LYTTON STREET, between its termination in Chatsworth Boulevard and Rosecrans Street (excepting the northeasterly side of said Lytton Street between Evergreen Street and



Rosecrans Street);

On the northwesterly side of ROSECRANS STREET, between the northeasterly line of Curtis Street produced southeasterly and Lytton Street;

On POINSETTIA DRIVE, between Elliott Street and Amaryllis Drive;

On JONQUIL DRIVE, between Elliott Street and Lotus Drive;

On NARCISSUS DRIVE, between Elliott Street and Lotus Drive;

On HYACINTH DRIVE, between the northerly line of Wing Street produced westerly and the northeasterly line of Plumosa Park;

On AZALEA DRIVE, between Hyacinth Drive and the northeasterly line of Plumosa Park;

On WISTERIA DRIVE, between Azalea Drive and the northeasterly line of Plumosa Park;

On LOTUS DRIVE, between Poinsettia Drive and Hyacinth Drive;

On PLUMOSA DRIVE, between Hyacinth Drive and Chatsworth Boulevard; and

On AMARYLLIS DRIVE, between Poinsettia Drive and Lotus Drive.

Such furnishing of electric current shall be for a period of one year from and including June 28, 1941, to-wit, to and including June 27, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION NO. 73835

Fenelon Street

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of FENELON STREET, in said City, between the northwesterly line of Rosecrans Street and the southeasterly line of Willow Street, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on March 17, 1941, under Document No. 327514, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1817, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

#### RESOLUTION OF INTENTION NO. 73836

Fenelon Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That portions of FENELON STREET, in said City, between the northwesterly line of Rosecrans Street and the southeasterly line of Willow Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base, and that Portland cement concrete curb, Portland cement concrete sidewalk, cement concrete sewer laterals and appurtenances, copper water service connections and appurtenances, cast iron water main, connections, fittings and appurtenances, cast iron fire hydrant, connections, fittings and appurtenances complete with steel clamp and shackle anchor complete, be constructed therein, and that existing gutters be surfaced with a one and one-half inch asphalt concrete wearing surface, and that existing concrete pipe drains with wing walls, and existing concrete sidewalks, driveways and curbs be removed.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 327514, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1817, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 73737, adopted on the 25th day of March, 1941, that 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, is as follows:

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 H.P.      | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one-half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 13th day of May, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, and 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73837

RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION OF  
THE CITY ENGINEER-MAPLE STREET AND 32ND STREET.

WHEREAS, the Council of The City of San Diego did, on the 18th day of February, 1941, pass its Resolution of Intention No. 73439, to order certain work to be done and improvement to be made in portions of Maple Street and 32nd Street, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 8th day of April, 1941, duly pass its Resolution Ordering Work No. 73829, ordering said work to be done and said improvement to be made in said Maple Street and 32nd Street, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73838

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER - MAPLE STREET AND 32ND STREET.

WHEREAS, the Council of The City of San Diego, did on the 18th day of February, 1941, pass Resolution of Intention No. 73439, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 73439, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



R E S O L U T I O N NO. 73839  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED  
BY THE CITY ENGINEER - FRONT STREET.

WHEREAS, the Council of The City of San Diego, did on the 18th day of February, 1941, pass Resolution of Intention No. 73440, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 73440, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

R E S O L U T I O N NO. 73840  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION  
OF THE CITY ENGINEER - FRONT STREET.

WHEREAS, the Council of The City of San Diego did, on the 18th day of February, 1941, pass its Resolution of Intention No. 73440 to order certain work to be done and improvement to be made in a portion of Front Street, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 8th day of April, 1941, duly pass its Resolution Ordering Work No. 73830, ordering said work to be done and said improvement to be made in said Front Street, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

R E S O L U T I O N NO. 73841  
Portion of Landis Street

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading and paving of LANDIS STREET, between the easterly line of Alabama Street and the westerly line of Mississippi Street, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                | Per 8 hour day | Per hour |
|--------------------------------|----------------|----------|
| Asphalt raker                  | \$ 6.00        | \$ 0.75  |
| Asphalt spreader               | 6.00           | 0.75     |
| Auto mechanic                  | 8.00           | 1.00     |
| Blacksmith                     | 6.00           | 0.75     |
| Blademan                       | 6.00           | 0.75     |
| Bricklayer                     | 12.00          | 1.50     |
| Bricklayer tender              | 7.00           | 0.875    |
| Bulldozer operator             | 8.00           | 1.00     |
| Bulldozer operator, over 50 HP | 10.00          | 1.25     |
| Carpenter                      | 9.00           | 1.125    |
| Caulker                        | 6.00           | 0.75     |
| Cement finisher                | 10.00          | 1.25     |

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Clerk                                 | \$ 6.00        | \$ 0.75  |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73842

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on the Alley in Block 37, Amended Map of City Heights, in said City of San Diego, as described in Resolution of Intention No. 72735, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 1, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

R E S O L U T I O N NO. 73843

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on the Alley in Block 164, Mission Beach, in said City of San Diego, as described in Resolution of Intention No. 72683, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 1st, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

R E S O L U T I O N NO. 73844

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Polk Avenue in said City of San Diego, as described in Resolution of Intention No. 72398, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 1st, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### RESOLUTION NO. 73845

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on the alley in Block A, Altadena in said City of San Diego, as described in Resolution of Intention No. 72534, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 1, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### RESOLUTION NO. 73846

WHEREAS, the Division of Highways of the Department of Public Works, State of California, has adopted plans for the widening of State Highway 101 (State Route 2), from a three-lane to a four-lane roadway, from the northerly side of the Torrey Pines Mesa to the overhead crossing of the Santa Fe Railway just north of the Town of Del Mar; and

WHEREAS, it will be necessary in the course of said widening for said Division of Highways to make cuts, fills and slopes outside of the limits of the existing right of way for said highway, and has requested that the City grant it permission to execute such work outside of said right of way boundaries; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That there be, and there is hereby granted to the Division of Highways of the Department of Public Works, State of California, upon the terms and conditions hereinafter recited, the right to make or cause to be made cuts, fills and slopes upon the hereinafter described property, together with the right of ingress and egress over said property, and the further right to erect, maintain, operate and remove any equipment or machinery used in said work. The property covered by this permit is that portion of certain Pueblo Lots and Torrey Pines Park embraced within and indicated by red lines upon those certain plans or drawings on file with the City Clerk of The City of San Diego bearing official Document No. 328057; the permission hereby granted being upon the following terms and conditions:

(a) No cut or excavation shall be made to an elevation lower than one foot above the established grade of said highway.

(b) That the native planting be preserved to the greatest possible extent consistent with the necessities of the work.

(c) That existing young pines which interfere with the work shall be moved and replanted wherever possible.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby authorized and directed to forward a certified copy of this resolution to the District Engineer of District 11, of the Division of Highways of the State of California.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION OF AWARD NO. 73847

Talmadge Park Lighting District No. 1

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 25th day of March 1941, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

VAN DYKE AVENUE, between the southerly and northerly boundary lines of Talmadge Park;

TALMADGE DRIVE, for its entire length;

VAN DYKE PLACE, for its entire length; and

ADAMS AVENUE, between the westerly line of Talmadge Park and the southerly prolongation of the easterly line of Lot 184, Talmadge Park.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 1," filed January 11, 1941, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit: To: San Diego Gas & Electric Company, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: FIVE HUNDRED THIRTY and 40/100 DOLLARS (\$530.40).

And said Council does hereby require and fix the sum of ONE HUNDRED THIRTY-THREE DOLLARS (\$133.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said San Diego Gas & Electric Company, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED; that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract



with said San Diego Gas & Electric Company on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73848

WHEREAS, the location in residential portions of the City and in those portions of the City wherein retail business is carried on, by circuses, carnivals and traveling shows, is objectionable to such neighborhoods, and destructive of the peace and quiet thereof, and tends to increase traffic congestion and traffic hazards therein; and

WHEREAS, this Council is desirous of limiting and restricting such enterprises to sections of the City where they are not objectionable or a nuisance; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the Planning Commission be, and it is hereby requested to cause a survey to be made at the earliest practicable date, for the purpose of ascertaining the areas and locations within the City suitable and proper for the use of circuses, carnivals and traveling shows, and to report the findings and recommendations of the Commission to this Council, to the end that proper zoning or restrictive legislation may be thereupon enacted.

Presented by ERNEST J. BOUD

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73849

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Wallace A. Walter and Jessie I. Walter, executed in favor of The City of San Diego, bearing date September 7, 1940, conveying to said City an easement and right of way for sewer purposes through, along, and across the westerly four feet of Lot 5, Block B, Cabrillo Terrace, according to the map thereof No. 1448, filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73850

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of the First National Trust and Savings Bank of San Diego, executed in favor of The City of San Diego, bearing date September 5, 1940, conveying to said City an easement and right of way for sewer purposes through, along and across the westerly four feet of Lot A, Block B, Cabrillo Terrace, according to Map thereof No. 1448 filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73851

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Albert Boscow and Sarah Boscow, executed in favor of The City of San Diego, bearing date March 27, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the west 40 feet of Lots 25 and 26, in Block 45 of Park Villas, according to Map No. 438, filed in the office of the County Recorder of San Diego County, California, October 14, 1887, and also that portion of the south 7 feet of Wightman Street adjoining said Lot 25 herein described on the north, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73852

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Anna Roberta Fish, executed in favor of The City of San Diego, bearing date April 2, 1941, conveying to said City an easement and right of way for street purposes through, along and across the northwesterly 30 feet of the westerly five acres of the northerly 10 acres of the southerly 30 acres of Pueblo Lot 265 of the Pueblo Lands of

San Diego, according to the Map thereof made by James Pascoe and filed for record in the office of the County Recorder of San Diego County, California, as Miscellaneous Map No. 36, be, and the same is hereby accepted on the conditions therein expressed; and the lands therein conveyed are hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named KNOXVILLE STREET;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73853

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Bill of Sale executed by Frank Doran on March 31, 1941, covering 1 - crawler type No. 500 Austin trench excavator, including certain equipment and extra parts; 1 - Diesel powered 40 HP caterpillar; 1 - LeTourneau angledozer with power control unit, including certain equipment and extra parts; 1 - Crawler type No. 35 P & H backfiller, including certain equipment and extra parts, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said bill of sale of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 73854

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

The following claims, attached to Transmittal No. 63 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number |  | Net Amount of Claim | Claim Number |
|------------|--------------|--|---------------------|--------------|
| 3/26/41    | 0835         | Postmaster                                 | 10.00               | 0731         |
| "          | 0917         | Coast Electric Company                     | 14.13               | 0732         |
| "          | 0933         | Austin Safe & Desk Company                 | 2.22                | 0733         |
| "          | 0934-        |  |                     |              |
| "          | 0949         | W. P. Fuller & Co.                         | 9.22                | 0734         |
| "          | 0938         | Fred C. Silverthorn & Sons Inc.            | 1.55                | 0735         |
| "          | 0940         | Sabol's Service                            | 3.61                | 0736         |
| "          | 0951         | City Water Department                      | 74.61               | 0737         |
| "          | 0952         | San Diego Gas & Electric Company           | 836.44              | 0738         |
| "          | 0953         | Otis Elevator Company                      | 115.50              | 0739         |
| "          | 0954         | W. E. Roberts                              | 25.00               | 0740         |
| "          | 0955         | Hercules Oil Company (Public Service Ltd.) | 154.44              | 0741         |
| "          | 0957         | County of San Diego-Stores Department      | 9.86                | 0742         |
| "          | 0959         | San Diego County Garage                    | 4.20                | 0743         |
| "          | 0960         | County Telephone Department                | 3.65                | 0744         |

#### R E S O L U T I O N NO. 73855

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the Southern Machinery Company to furnish The City of San Diego with seven (7) electric motor driven vertical sewage and trash pumps, for the sum of \$20,547.00 be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said Southern Machinery Company.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Southern Machinery Company for furnishing of said pumps, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

Approved as to form H. B. DANIEL

#### CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated Apr. 8, 1941

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California

To be paid out of General Fund (GB5532-B) not to exceed \$21163.41

#### R E S O L U T I O N NO. 73856

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor of said City be, and he is hereby authorized and directed to transfer the sum of \$100.00 Maintenance and Support, Item 315 (Upkeep and repairs, Auto), Police Department Fund, to Outlay, Item 559 (Tools, badges), said Police Department Fund, as provided by Section 22 of Ordinance No. 1880 (New Series) of the ordinances of The City of San Diego.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

#### R E S O L U T I O N NO. 73857

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the Board of Supervisors of the County of San Diego be, and they are hereby requested to enter into a co-operative agreement with The City of San Diego to open and extend EUCLID AVENUE, from the northerly termination of 49th Street in Talmadge Park Estates northeasterly to intersection with the extension of 54th Street; and the extension of 54th STREET, from the northerly termination of the pavement at Collier Avenue and 54th Street, northerly along 54th Street, as now located, through the Marcellena Tract, to its intersection with the Mission Valley Road; said work to be done on the following basis, to-wit;

(1) That The City of San Diego will acquire all necessary easements and rights of way and provide the necessary engineering work to locate the roads and establish the grades.

(2) That the City of San Diego will furnish The County of San Diego with materials necessary for construction of drainage structures.

(3) Upon completion of the cooperative agreement between said City and the County for construction of the Otay Road, The City of San Diego will make available to the County of San Diego, without charge, three City dump trucks.

(4) That the County of San Diego will furnish the labor, equipment and oil necessary to oil the extension of Euclid Avenue throughout its entire length, and 54th Street from the northerly line of El Cajon Avenue to its termination at the Mission Valley Road, with the exception of that portion which has already been paved.

(5) That the County of San Diego will assume jurisdiction over the whole construction work.

BE IT FURTHER RESOLVED, that the City Manager of said City be, and he is hereby authorized to enter into said cooperative agreement with the Board of Supervisors of the County of San Diego.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to cause a certified copy of this resolution to be transmitted forthwith to said Board of Supervisors.

Presented by F. A. RHODES

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73858

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for the construction of storm drains and appurtenances, curb inlet and storm drain outlet on REED AVENUE, between a line parallel to and distant 20 feet east of the west line of Ingraham Street and a line parallel to and distant 185 feet west of the west line of Haines Street, including the furnishing of all materials, labor and equipment necessary therefor; all to be in accordance with the specifications and plans contained in Document No. 328126 on file in the office of the City Clerk of said City.

BE IT RESOLVED, that in accordance with the Charter of The City of San Diego, and particularly Section 193 thereof, the City Council has ascertained the general prevailing rate of per diem wages and rates for legal holiday and overtime work in the locality in which this work is to be performed for each classification or type of workman or mechanic needed to execute the contract which will be awarded the successful bidder. The prevailing rates so determined are as follows:

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 H.P.      | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |



Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one-half.

Said advertisement shall specify the per diem rate of wages in this resolution fixed.

Presented by F. A. RHODES

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION NO. 73859

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and directed, for and on behalf of The City of San Diego, to make application to the Board of Supervisors of the County of San Diego, State of California, for the granting by said Board of Supervisors of an option to purchase the South 169.62 feet (ex. street) of Lot 9, E. W. Morse's Sub-division of the West Half of Pueblo Lot 1106, according to the Map thereof No. 103, filed in the office of the County Recorder of San Diego County, California, heretofore deeded for delinquent taxes and/or assessments to the State of California, under and pursuant to the terms and conditions of Section 3897d of the Political Code of the State of California; the purchase price of said land to be the sum of \$1.00.

#### RESOLUTION NO. 73860

WHEREAS, W. E. Bradbury is desirous of leasing certain lands owned by The City of San Diego, hereinafter described, for stock grazing and agricultural purposes; and

WHEREAS, the lands proposed to be leased are described as follows:

Parcel 1: S 1/2 of the NE 1/4 of Section 31, Twp. 12 South, Range 1 West, S.B.B. & M.; excepting from the above described land all that portion thereof lying above the elevation of 395 feet above sea level, according to the U.S. Geological Survey datum; ALSO,

Parcel 2: The SW 1/4 of the SE 1/4 and the W 1/2 of the NW 1/4 of the SE 1/4 of Section 32, Twp. 12 South, Range 1 West, S.B.B.&M.; ALSO,

Parcel 3: Commencing at a point 50 yards south of the northeast corner of the southwest 1/4 of said Section 32; thence West 156 yards; thence South 830 yards; thence East 156 yards; thence North 830 yards to the point of commencement;

Containing in all 150 acres of land, more or less, with the improvements thereon, if any; excepting from the above all public roads and ways; subject to all easements encumbrances and liens of every kind, nature and description whatsoever, existing against or in respect to said property; and

WHEREAS, said lands are not at present being put to any productive use by the City, and the leasing of the same will provide some revenue not otherwise obtainable therefrom; and

WHEREAS, the Auditor and Comptroller of said City has appraised the value of said lands at the sum of \$9,170.00; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized and empowered to execute a lease with W.E. Bradbury for said above-described lands for a period of five years, commencing on the 1st day of April, 1941, and ending on the 31st day of March, 1946, at a rental of Five Hundred Dollars (\$500.00) per year, payable quarterly in advance; the form of which said lease is attached hereto, marked "Exhibit A" and made a part of this resolution.

BE IT FURTHER RESOLVED, that Resolution No. 73513, adopted by the Council of said City on February 25, 1941, be, and the same is hereby repealed.

Presented by WALTER W. COOPER

Approved as to form by J. H. MCKINNEY

EXHIBIT "A" LEASE

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation of the County of San Diego, State of California, hereinafter designated as the City, and W. E. BRADBURY, hereinafter called the Lessee, WITNESSETH:

That the City, for and in consideration of the payment of the rent to be paid by the lessee, as hereinafter set forth, and in consideration of the covenants of the lessee hereinafter set out and their faithful performance by such lessee, and upon and subject to the terms, conditions and reservations herein set forth, does by these presents lease, demise and let unto the said lessee the following described property, situate in the County of San Diego, State of California, to-wit:

Parcel 1: S 1/2 of the NE 1/4 of Section 31; Twp. 12 South, Range 1 West, S.B.B. & M.; excepting from the above described land all that portion thereof lying above the elevation of 395 feet above sea level, according to the U. S. Geological Survey datum; ALSO,

Parcel 2: The SW 1/4 of the SE 1/4 and the W 1/2 of the NW 1/4 of the SE 1/4 of Section 32, Twp. 12 South, Range 1 West, S.B.B.&M.; ALSO,

Parcel 3: Commencing at a point 50 yards south of the northeast corner of the southwest 1/4 of said Section 32; thence West 156 yards; thence South 830 yards; thence East 156 yards; thence North 830 yards to the point of commencement;

Containing in all 150 acres of land, more or less, with the improvements thereon, if any; excepting from the above all public roads and ways; subject to all easements, encumbrances and liens of every kind, nature and description whatsoever, existing against or in respect to said property;

For a term of five (5) years, beginning on the 1st day of April, 1941, and ending on the 31st day of March, 1946, at the following rentals: Five Hundred Dollars (\$500.00) per year payable in advance at the office of the Lessor quarterly during said term.

In consideration of the covenants herein contained the parties hereto agree as

follows:

First. That the above described premises are leased to said lessee for stock grazing and agricultural purposes only, and for no other purpose or purposes.

Second. That this lease shall not be assigned or transferred, nor shall the said lessee have the right to sublet the leased premises, or any part thereof, without the consent in writing of the Council of said City.

Third. That the City reserves all timber, sand, gravel, gas, oil and mineral rights in and on said premises herein leased, with the right to go upon said property and prospect or drill for oil, gas and minerals, and remove such timber, sand, gravel, gas, oil and minerals.

Fourth. That the lessee shall keep and maintain said premises in as good repair and condition as he may receive them at his own expense (ordinary wear and tear and the acts of God excepted) and the said City shall not be called upon to make any expenditures or repairs on said premises.

Fifth. The City reserves and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition of same, and/or for the purpose of drilling, operating and maintaining wells and pipelines on said premises, and for the purpose of making repairs to or developing the water system of said City; but the City shall not be required to furnish any water on said premises, except for domestic purposes, where mains and connections are installed, and then only according to the terms of Ordinance No. 1482 (New Series), and amendments thereto.

Sixth. That the said lessee, paying the said rent and performing the covenants and agreements aforesaid, shall and may at all times during the said term, peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

Seventh. Said lessee agrees that on the last day of said term, or other sooner termination of this lease, the said lessee shall and will peaceably and quietly leave, surrender, and yield up unto said City the said premises, in as good state and condition as the same are now in or may be put into, reasonable use and wear thereof and damage by the elements excepted.

Eighth. It is understood and agreed by the said parties that the said City may terminate this lease at any time by giving sixty (60) days' notice of such termination to the lessee, and by tendering to said lessee a proportionate part of any rentals paid in advance by said lessee.

Ninth. It is further agreed by and between the parties hereto that in case of the violation by the lessee of any of the terms and conditions of this lease, the City may either terminate this lease upon notice and take possession of the premises, or may enter and possess the same as the agent of the lessee and for its account.

Tenth. Any tax imposed by the County of San Diego upon the leasehold interest which may become a lien against the real property herein leased shall be paid promptly when due by the lessee, and if not so paid may be charged to the account of the lessee and be just cause for cancellation of this lease.

It is understood and agreed that a waiver by the lessor of any default hereunder shall not be considered, nor held to be a waiver of any subsequent or other default, and also that consent to the subletting of said premises or any part thereof, or to the assignment of this lease, shall not be construed or considered as a consent to any other or subsequent subletting or assignment.

It is further understood and agreed that if the lessee shall make default in the performance of any of the terms, conditions or covenants of this lease by the lessee to be kept, observed or performed, lessee will in such case pay to the City the expenses and costs incurred by the City in any action which may be commenced by the City based on, or arising out of, any such default, including a reasonable attorney's fee.

IN WITNESS WHEREOF, this agreement is executed by The City of San Diego, acting by and through the City Manager of said City, under and pursuant to Resolution No. \_\_\_\_\_ of the Council, authorizing such execution, and said lessee has hereunto subscribed his name, the day and year first hereinabove written.

THE CITY OF SAN DIEGO,  
By \_\_\_\_\_  
City Manager

\_\_\_\_\_  
Lessee

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73861

WHEREAS, pursuant to Resolution No. 73673, adopted by the Council of The City of San Diego on the 18th day of March, 1941, authorizing the Purchasing Agent of said City to publish a notice in the official newspaper of said City of the intention of said Council to dispose of the real property described therein, pursuant to the provisions of Section 9.03 of the Administrative Code of said City, the following described property situate in the City of San Diego, State of California, was offered for sale at public auction:

The west fifty feet of Lots 37 and 38 (excepting the S. 10 feet of W. 50 feet of Lot 37) in Block 49, City Heights, according to map thereof on file in the office of the County Recorder of San Diego County, California;

and  
WHEREAS, at said auction sale Charles Breitkopf offered the sum of Two Hundred Fifty Dollars (\$250.00) for said property, which was the highest and best bid made at said sale, and said property was sold to the said Charles Breitkopf; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the Mayor and City Clerk of The City of San Diego be, and they are hereby authorized and directed to execute for and on behalf of The City of San Diego a deed granting and conveying to the said Charles Breitkopf the property hereinabove described.

Approved as to form by James J. Breckenridge

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:  
 YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

#### R E S O L U T I O N NO. 73762

DIRECTING THE MAYOR AND CITY CLERK OF THE CITY OF SAN DIEGO  
 TO EXECUTE A QUITCLAIM DEED TO DANCIGER BROS., INC.

WHEREAS, on November 13, 1928, a suit was commenced in the Superior Court of the State of California, in and for the County of San Diego, entitled, "Frank F. Faust, plaintiff, vs. City of San Diego, defendant", being case numbered 58116, to quiet title to eighty (80) acres of land described as follows:

The East Half (E 1/2) of Pueblo Lot 1179, according to the Pascoe Map of the Pueblo Lands, on file in the office of the County Recorder of San Diego County, California;

and

WHEREAS, on November 15, 1928, a Lis Pendens was filed with the San Diego County Recorder by the plaintiff above-named describing said property; and

WHEREAS, on February 27, 1929, R. L. McKellar and Mattie L. McKellar, his wife, as grantors, executed and delivered to The City of San Diego a quitclaim deed to the above described property, at which time said grantors had and possessed no record interest in or to said property; and

WHEREAS, they have at no time since acquired any right, title or interest in said property; and

WHEREAS, the only interest which said grantors R. L. McKellar and Mattie L. McKellar purported to have in and to said property, according to recitals contained in said quitclaim deed were derived from a certain unrecorded lease from The City of San Diego, dated March 4, 1929, by the provisions of which the said quitclaim deed was to be delivered to the City Attorney of The City of San Diego with instructions, as recited also in said quitclaim deed, to record the same with the County Recorder of said County if within the period of one year from the date of said lease said grantors had not commenced the drilling of a certain oil well; and

WHEREAS, on March 15, 1932, a decree was entered in the case of "Frank F. Faust, plaintiff, vs. City of San Diego, defendant", above described, quieting title in favor of Frank F. Faust and against The City of San Diego, which decree was recorded March 16, 1932, in Book 108, page 86, of Official Records of the County Clerk's Office; and

WHEREAS, said proceedings were regular and the decree entered therein has become final, thus concluding any claim that The City of San Diego might have in or to said property; and

WHEREAS, on September 7, 1939, the said quitclaim deed was filed and recorded by The City of San Diego with the County Recorder of San Diego County, California, at a time when it now appears said City had no interest, right or title in or to said property whatsoever; and

WHEREAS, Danciger, Bros., Inc., has acquired the right, title and interest of Frank F. Faust in said property, as defined in the legal proceedings above referred to; and

WHEREAS, Danciger Bros., Inc., together with their interest in said property are to be taken over by the United States Federal Housing Authority for the purpose of constructing homes and dwellings thereon, which homes and dwellings are much needed by this community; and

WHEREAS, in law, fairness and justice Danciger Bros., Inc., is entitled to a quitclaim deed from The City of San Diego, conveying all right, title and interest which the City has in and to said property in order that Danciger Bros., Inc., may remove said cloud; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the Mayor of The City of San Diego and the City Clerk of said City be, and each of them are hereby authorized and directed to forthwith execute and deliver to Danciger Bros., Inc., for and on behalf of The City of San Diego, a quitclaim deed conveying all right, title or interest which The City of San Diego has or possesses in the East Half (E 1/2) of Pueblo Lot 1179, according to the Pascoe Map of the Pueblo Lands, on file in the office of said County Recorder.

Approved as to form by WILLIAM H. MACOMBER

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

#### R E S O L U T I O N NO. 73863

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, is about to enter into a lease of certain portions of the tidelands with The United States of America, for a period of three (3) months, commencing on the 1st day of April, 1941, and ending on the 30th day of June, 1941, with an option to renew said lease each year thereafter, for the period beginning



with July 1, 1941, and ending with June 30, 1942, upon the terms and conditions contained in the form of lease, copy of which is hereto attached, and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission of The City of San Diego and The United States of America, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

LEASE BETWEEN THE CITY OF SAN DIEGO AND

THE UNITED STATES OF AMERICA.

THIS LEASE, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the members of the Harbor Commission of said City, for its successors and assigns, hereinafter called the "Lessor," and THE UNITED STATES OF AMERICA, hereinafter called the "Government;"

WITNESSETH; The parties hereto, for the considerations hereinafter mentioned, covenant and agree as follows:

1. The Lessor hereby leases to the Government the following described premises, located in The City of San Diego, County of San Diego, State of California, viz:

Beginning at Station 300 on the U. S. Bulkhead Line, as said Bulkhead Line is now established for the Bay of San Diego, said Station being also the most westerly corner of the U. S. Destroyer Base; thence due east along the northerly boundary line of the U. S. Destroyer Base a distance of 85.61 feet to a corner point; thence north 0° 32' 40" west along the westerly boundary line of the said U.S. Destroyer Base a distance of 430.50 feet to the northwest corner thereof, said corner being 25 feet easterly from the southerly prolongation of the easterly line of 28th Street; thence north 0° 32' 40" west on a line parallel to and distant 25 feet easterly from the southerly prolongation of the easterly line of 28th Street a distance of 170 feet to a point; thence at right angles south 89° 27' 20" west to a point which is 30 feet westerly from the southerly prolongation of the westerly line of 28th Street; thence north 0° 32' 40" west on a line parallel to and distant 30 feet westerly from the southerly prolongation of the westerly line of 28th Street a distance of 91.58 feet to the true point or place of beginning; thence at right angles south 89° 27' 20" west a distance of 200 feet to a point; thence at right angles north 0° 32' 40" west a distance of 132 feet to a point; thence north 36° 42' 40" west a distance of 374 feet to a point; thence north 71° 47' 40" west a distance of 98 feet to a point; thence north 16° 40' east distance of 249.64 feet to a point; thence north 70° 50' east a distance of 55 feet to a point on a curve concave to the south having a radius of 1732 feet the center of said curve bearing south 11° 41' 55" west; thence southeasterly along the arc of said curve an arc distance of 371.72 feet to a point of compound curve, concave to the southwest, having a radius of 80 feet; thence along the arc of said compound curve an arc distance of 55.08 feet, more or less, to a point which is 30 feet westerly from the southerly prolongation of the westerly line of 28th Street; thence leaving said curve south 0° 32' 40" east on a line parallel to and distant 30 feet westerly from the southerly prolongation of the westerly line of 28th Street a distance of 562 feet, more or less, to the true point or place of beginning, containing 237,056 square feet, or 5.442 acres, of tideland area.

The lands hereinabove described being shown as Parcel No. 2 on the map or plat marked "Exhibit A," attached hereto and made a part of this lease.

together with all improvements thereon and appurtenances thereto, to be used for the purpose of erecting, maintaining and operating upon the said premises temporary shelters and related appurtenances and facilities for the housing of workers, students, trainees, and officials engaged in, or preparing to become engaged in, National Defense activities.

2. TO HAVE AND TO HOLD the said premises with their improvements and appurtenances for the term beginning with April 1, 1941, and ending with June 30, 1941.

3. The Government shall pay to the Lessor, as rent for the said premises, the sum of one and one-half cents (1-1/2¢) per square foot per annum, payable as follows: The sum of two hundred ninety-six and 32/100 dollars (\$296.32) at the end of each month during said term.

4. The Government shall have the option to renew this lease, each year thereafter, for the period beginning with July 1, 1941, and ending with June 30, 1942, at a rental of one and one-half cents (1-1/2¢) per square foot per annum, payable as follows: The sum of two hundred ninety-six and 32/100 dollars (\$296.32) at the end of each month, and otherwise upon the terms and conditions herein specified, by giving to the Lessor notice in writing of intention to renew at least thirty (30) days before the beginning of each renewal period, said notice to be computed from the date of mailing; provided, however, that no such renewal shall extend the period of occupancy of the said premises beyond the 30th day of June, 1946.

5. The Lessor shall furnish to the Government, during the occupancy of the said premises, as part of the consideration for the payment by the Government of the rental herein specified, the following: Nothing.

6. The Government shall have the right to let to tenants, occupants or other persons which it shall select the shelters and living quarters to be erected by it upon the leased premises.

7. The Government shall have the right to make alterations and attach fixtures to the said premises, and to erect, install and maintain thereon additions and structures and any and all improvements, including utilities and roads, in connection with the operation of the said premises for the purposes specified in paragraph "1" hereof. All such alterations, fixtures, additions, structures, and improvements so placed in or upon or attached to the said premises shall be and remain the property of the Government and may be removed therefrom by the Government prior to or within a reasonable time following the expiration of this lease, and if they are so removed, the Government shall restore the said premises to the same condition as that existing at the time of entering thereon under this lease, reasonable and ordinary wear and tear and damages by the elements or by circumstances over which the Government has no control, excepted.

8. The Lessor covenants and agrees that it is the true and legal owner of the leased premises and that said premises are free and clear of all encumbrances, and upon payment of the rental and performance of all covenants by the Government to be paid and performed as herein contained, the Government shall peaceably and quietly hold and enjoy the leased premises during the full term of this lease, or any renewal thereof.

9. The Government may terminate this lease or any renewal thereof at any time by giving thirty (30) days' notice in writing of such termination to the Lessor, said notice to be computed from the date of mailing. In the event of such termination, the rent payable hereunder for the term during which the termination occurs shall be reduced by the proportion which the number of days remaining in said term after the effective date of such termination bears to the total number of days in said term.

10. No Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this lease or to any benefit that may arise therefrom, but

this provision: shall not be construed to extend to this lease if made with a corporation for its general benefit.  
IN WITNESS WHEREOF, the parties hereto have executed this lease as of the day and year first above written.

THE CITY OF SAN DIEGO  
By \_\_\_\_\_  
Members of the Harbor Commis-  
sion of The City of San Diego.  
THE UNITED STATES OF AMERICA  
By \_\_\_\_\_  
(Official Title)

I hereby approve the form of the foregoing Lease, this \_\_\_\_\_ day of April, 1941.

\_\_\_\_\_  
City Attorney  
By \_\_\_\_\_  
Assistant City Attorney

STATE OF CALIFORNIA, }  
County of San Diego } ss.

On this \_\_\_\_\_ day of April, A.D. 1941, before me, \_\_\_\_\_, a Notary Public in and for the County of San Diego, State of California, personally appeared R. H. VAN DEMAN, EMIL KLUICKA and E. W. HARPER, personally known to me to be the members of the Harbor Commission of The City of San Diego, and known to me to be the persons who executed the foregoing instrument for and on behalf of The City of San Diego, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal in the County of San Diego, State of California, the day and year first hereinabove written.

\_\_\_\_\_  
Notary Public in and for the County  
of San Diego, State of California.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73864

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, is about to enter into a lease of certain portions of the tidelands with The United States of America, for a period of three (3) months, commencing on the 1st day of April, 1941, and ending on the 30th day of June, 1941, with an option to renew said lease each year thereafter, for the period beginning with July 1, 1941, and ending with June 30, 1942, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission of The City of San Diego and The United States of America, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

LEASE BETWEEN THE CITY OF SAN DIEGO AND  
THE UNITED STATES OF AMERICA.

THIS LEASE, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the members of the Harbor Commission of said City, for its successors and assigns, hereinafter called the "Lessor," and THE UNITED STATES OF AMERICA, hereinafter called the "Government;"

WITNESSETH: The parties hereto, for the considerations hereinafter mentioned, covenant and agree as follows:

1. The Lessor hereby leases to the Government the following described premises, located in The City of San Diego, County of San Diego, State of California, viz:

Beginning at Station 300 on the U. S. Bulkhead Line, as said Bulkhead Line is now established for the Bay of San Diego, said Station also being the most westerly corner of the U. S. Destroyer Base; thence due east along the northerly boundary of the U. S. Destroyer Base a distance of 85.61 feet to a corner point; thence north 0° 32' 40" west along the westerly boundary line of the said U. S. Destroyer Base a distance of 430.50 feet to the northwest corner thereof, said corner being 25 feet easterly from the southerly prolongation of the easterly line of 28th Street; thence north 0° 32' 40" west on a line parallel to and distant 25 feet easterly from the southerly prolongation of the easterly line of 28th Street a distance of 170 feet to a point; thence at right angles north 89° 27' 20" east a distance of 5 feet to the true point or place of beginning; thence north 0° 32' 40" west on a line parallel to and distant 30 feet easterly from the southerly prolongation of the easterly line of 28th Street a distance of 409 feet to a point; thence at right angles north 89° 27' 20" east a distance of 126.90 feet to a point; thence north 37° 32' 20" east a distance of 9222 feet to a point; thence at right angles south 52° 27' 40" east a distance of 532 feet to a point; thence south 51° 54' 30" east a distance of 312 feet to the point of tangency of a curve concave to the northeast and having a radius of 1575 feet; thence southeasterly along the arc of said curve an arc distance of 247.66 feet, more or less, to a point on the northerly boundary line of the U. S. Destroyer Base; thence due west along the said boundary a distance of 295 feet to a point; thence leaving said boundary line north 50° 43' 40" west a distance of 597.25 feet to a point; thence south 37° 32' 30" west a distance of 85 feet to a point; thence at right angles north 52° 27' 30" west a distance of 165 feet to a point; thence south 0° 32' 40" east a distance of 240 feet to a point; thence at right angles

south 89° 27'20" west a distance of 115 feet to the true point or place of beginning, containing 213,160 square feet, or 4.893 acres, of tideland area.

The lands hereinabove described being shown as Parcel No. 1 on the map or plat marked "Exhibit A," attached hereto and made a part of this lease.

together with all improvements thereon and appurtenances thereto, to be used for the purpose of erecting, maintaining and operating upon the said premises temporary shelters and related appurtenances and facilities for the housing of workers, students, trainees, and officials engaged in, or preparing to become engaged in, National Defense activities.

2. TO HAVE AND TO HOLD the said premises with their improvements and appurtenances for the term beginning with April 1, 1941, and ending with June 30, 1941.

3. The Government shall pay to the Lessor, as rent for the said premises, the sum of one and one-half cents (1-1/2¢) per square foot per annum, payable as follows: The sum of two hundred sixty-six and 45/100 dollars (\$266.45) at the end of each month during said term.

4. The Government shall have the option to renew this lease, each year thereafter, for the period beginning with July 1, 1941, and ending with June 30, 1942, at a rental of one and one-half cents (1-1/2¢) per square foot per annum, payable as follows: The sum of two hundred sixty-six and 45/100 dollars (\$266.45) at the end of each month, and otherwise upon the terms and conditions herein specified, by giving to the Lessor notice in writing of intention to renew at least thirty (30) days before the beginning of each such renewal period, said notice to be computed from the date of mailing; provided, however, that no such renewal shall extend the period of occupancy of the said premises beyond the 30th day of June, 1946.

5. The Lessor shall furnish to the Government, during the occupancy of the said premises, as part of the consideration for the payment by the Government of the rental herein specified, the following: Nothing.

6. The Government shall have the right to let to tenants, occupants or other persons which it shall select the shelters and living quarters to be erected by it upon the leased premises.

7. The Government shall have the right to make alterations and attach fixtures to the said premises, and erect, install and maintain thereon additions and structures and any and all improvements, including utilities and roads, in connection with the operation of the said premises for the purposes specified in paragraph "1" hereof. All such alterations, fixtures, additions, structures, and improvements so placed in or upon or attached to the said premises shall be and remain the property of the Government and may be removed therefrom by the Government prior to or within a reasonable time following the expiration of this lease, and if they are so removed, the Government shall restore the said premises to the same condition as that existing at the time of entering thereon under this lease, reasonable and ordinary wear and tear and damages by the elements or by circumstances over which the Government has no control, excepted.

8. The Lessor covenants and agrees that it is the true and legal owner of the leased premises and that said premises are free and clear of all encumbrances, and upon payment of the rental and performance of all covenants by the Government to be paid and performed as herein contained, the Government shall peaceably and quietly hold and enjoy the leased premises during the full term of this lease, or any renewal thereof.

9. The Government may terminate this lease or any renewal thereof at any time by giving thirty (30) days' notice in writing of such termination to the Lessor, said notice to be computed from the date of mailing. In the event of such termination, the rent payable hereunder for the term during which the termination occurs shall be reduced by the proportion which the number of days remaining in said term after the effective date of such termination bears to the total number of days in said term.

10. No Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this lease or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this lease if made with a corporation for its general benefit.

IN WITNESS WHEREOF, the parties hereto have executed this lease as of the day and year first above written.

THE CITY OF SAN DIEGO

By

Members of the Harbor Commission of The City of San Diego

THE UNITED STATES OF AMERICA

By

Official Title

I hereby approve the form of the foregoing Lease, this \_\_\_\_\_ day of April, 1941.

City Attorney

By

Assistant City Attorney

STATE OF CALIFORNIA,

ss.

County of San Diego,

On this \_\_\_\_\_ day of April, A.D. 1941, before me, \_\_\_\_\_, a Notary Public in and for the County of San Diego, State of California, personally appeared R. H. VAN DEMAN, EMIL KLIČKA and E. W. HARPER, personally known to me to be the members of the Harbor Commission of The City of San Diego, and known to me to be the persons who executed the foregoing instrument for and on behalf of The City of San Diego, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal in the County of San Diego, State of California, the day and year first hereinabove written.

Notary Public in and for the County of San Diego, State of California.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy



## R E S O L U T I O N NO. 73865

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Manager of The City of San Diego be, and he is hereby authorized and empowered to execute, for and on behalf of The City of San Diego that certain lease between said City and The United States of America, wherein and whereby said City leases to the Government a portion of that certain building known as the Old City Jail, located on Second Avenue, between F and G Streets, in said City, and being designated as No. 726 Second Avenue; a copy of which said lease is hereto attached and made a part of this resolution.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

LEASE BETWEEN THE CITY OF SAN DIEGO  
AND THE UNITED STATES OF AMERICA

1. THIS LEASE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, in the year one thousand and nine hundred and forty-one, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the City Manager of said City, for its successors and assigns, hereinafter called the "Lessor," and THE UNITED STATES OF AMERICA, hereinafter called the Government:

WITNESSETH: The parties hereto, for the considerations hereinafter mentioned, covenant and agree as follows:

2. The Lessor hereby leases to the Government the following described premises, viz:

A portion of that certain building known as the Old City Jail, located on Second Avenue, between F and G Streets, in The City of San Diego, and being designated as No. 726 Second Avenue.

The portion of said building hereby leased is that portion shown outlined in red upon the blue print attached hereto and made a part of this lease. To be used exclusively for the following purposes:

As a central venereal prophylactic station for the Navy, including the Marine Corps, and also the Army personnel.

3. TO HAVE AND TO HOLD the said premises, with their appurtenances, for the term beginning on the \_\_\_\_\_ day of April, 1941, and ending with the 30th day of June, 1941.

4. The Government shall not assign this lease in any event, nor sublet the demised premises, and will not permit the use of said premises by anyone other than the Government, and the agents and servants of the Government.

5. This lease may, at the option of the Government, be renewed from year to year at a rental of One Dollar (\$1.00) and otherwise upon the terms and conditions herein specified, provided notice be given in writing to the Lessor at least thirty (30) days before this lease or any renewal thereof would otherwise expire; provided that no renewal thereof shall extend the period of occupancy of the premises beyond the 30th day of June, 1946.

6. The Lessor shall furnish to the Government, during the occupancy of said premises, under the terms of this lease, as part of the rental consideration, the following: Nothing.

7. The Government shall pay the Lessor for the premises rent at the following rate: One Dollar (\$1.00) per year. Payment shall be made at the end of each year.

8. The Government shall have the right, during the existence of this lease, to make alterations, attach fixtures, and erect additions, structures, or signs, in or about the premises hereby leased (provided such alterations, additions, structures, or signs shall not be detrimental to or inconsistent with the rights granted to other tenants on the property or in the building in which said premises are located); which fixtures, additions, or structures so placed in or upon or attached to the said premises shall be and remain the property of the Government and may be removed therefrom by the Government prior to the termination of this lease, and the Government, if required by the Lessor, shall, before the expiration of this lease or renewal thereof, restore the premises to the same condition as that existing at the time of entering upon the same under this lease, reasonable and ordinary wear and tear and damages by the elements or by circumstances over which the Government has no control, excepted; Provided, however, that if the Lessor requires such restoration, the Lessor shall give written notice thereof to the Government thirty (30) days before the termination of the lease.

9. The Lessor shall not be required to make any improvements or repairs of any character whatsoever upon the leased premises; it being understood and agreed that the Government takes the leased premises in their present condition, and that such repairs thereto or improvements thereon as may from time to time be necessary to keep the same in good repair and tenantable condition shall be done at the expense of the Government.

10. If the said premises be destroyed by fire or other casualty this lease shall immediately terminate. In case of partial destruction or damage, so as to render the premises untenable, either party may terminate the lease by giving written notice to the other within fifteen days thereafter, and if so terminated no rent shall accrue to the Lessor after such partial destruction or damage.

11. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this lease or to any benefit to arise therefrom. Nothing, however, herein contained shall be construed to extend to any incorporated company, if the lease be for the general benefit of such corporation or company.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names as of the date first above written.

THE CITY OF SAN DIEGO

By \_\_\_\_\_

City Manager

THE UNITED STATES OF AMERICA

By \_\_\_\_\_

(Official Title)

I hereby approve the form of the foregoing Lease, this \_\_\_\_\_ day of April, 1941.

City Attorney

By \_\_\_\_\_

Assistant City Attorney

STATE OF CALIFORNIA, )  
County of San Diego. ) ss.

On this \_\_\_\_\_ day of April, A.D. 1941, before me, \_\_\_\_\_, a Notary Public in and for the County of San Diego, State of California, personally appeared WALTER W. COOPER, personally known to me to be the City Manager of The City of San Diego, and known to me to be the person who executed the foregoing instrument for and on behalf of The City of San Diego, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal in the County of San Diego, State of California, the day and year first hereinabove written.

Notary Public in and for the County  
of San Diego, State of California.

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 73866

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, has entered into a lease of certain portions of the tidelands with Richfield Oil Corporation, a corporation, for a period of five (5) years commencing on the 1st day of May, 1941, and ending on the 30th day of April, 1946, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission of The City of San Diego and Richfield Oil Corporation, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the Harbor Commission of said City, as Lessor, hereinafter called the City, and RICHFIELD OIL CORPORATION, a corporation, as Lessee, WITNESSETH:

That the City, lessor as aforesaid, does by these presents demise and let unto the lessee, upon the terms and conditions and for the purposes and uses hereinafter recited, and the lessee hereby hires and accepts from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, all those lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California under the provisions of that certain Act of the Legislature, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situated in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the first day of May, 1911, and as subsequently amended, particularly described as follows, to-wit:

Beginning at a point on the U. S. Bulkhead Line, as said Bulkhead Line is now established for the Bay of San Diego, distant 67.12 feet northwesterly from U. S. Bulkhead Station No. 186; thence south 30° 19' 50" west a distance of 234.78 feet to the true point or place of beginning; thence south 11° 51' east a distance of 41.82 feet to a point; thence south 56° 29' west a distance of 129.0 feet to a point; thence north 56° 51' west a distance of 150 feet to a point; thence north 33° 09' east a distance of 40 feet to a point; thence south 56° 51' east a distance of 134.58 feet to a point; thence north 56° 29' east a distance of 84.43 feet to a point; thence north 30° 19' 50" east a distance of 30.30 feet to a point; thence south 59° 40' 10" east a distance of 5 feet to the true point or place of beginning, containing 9471 square feet of Bay area.

The lands hereinabove described being shown on the map or plat marked "Exhibit A," attached hereto and made a part of this lease.

TO HAVE AND TO HOLD the said premises and each and every part thereof unto the lessee for a term beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 1941, and ending on the \_\_\_\_\_ day of \_\_\_\_\_, 1946, unless sooner terminated as herein provided, at the following rentals:

One hundred dollars (\$100.00) per month, payable in advance on the first day of each and every month during the term of this lease.

Neither the whole, nor any part of this lease shall be assignable or transferable, nor shall the lessee have the right to sublet the leased premises, or any part thereof, without the consent of the Harbor Commission, evidenced by resolution duly and regularly passed and adopted.

The Council of said City and the Harbor Commission of said City, and the people of said City, hereby reserve the right and privilege to annul, change or modify this lease in such manner as may seem proper, save and except the right to increase the rental or other obligations of lessee, upon the payment to said lessee of reasonable compensation for damages occasioned by said annulment, change or modification. The reasonable compensation herein provided to be paid to the lessee shall be based upon and limited to compensation for the actual value of such buildings, structures and physical improvements placed upon the demised premises by the lessee as are required, authorized or permitted under the terms of this lease, and shall not be held to include compensation to said lessee for any damage to, interference with, or loss of business or franchise occasioned by any such annulment, change or modification.

In addition to the foregoing provisions, it is hereby agreed by the parties to this lease that the same is granted and accepted upon the further terms and conditions herein-after provided, to-wit:

(1) That the demised premises hereinabove described shall be used only and exclusively for the purpose of constructing, maintaining and operating thereon wharves or trestles, or both. That said lessee shall have the right to construct, maintain and operate upon such wharves or trestles, and remove therefrom, pipe lines for the transportation of gasoline, oil, water and other substances, and lines for telephone, telegraph, light and/or power purposes, and also such buildings, structures, appliances and appurtenances as may be necessary or convenient for the proper use and enjoyment of said wharves and trestles and for the loading and discharging of cargo upon or from vessels thereat. That said lessee shall also have the right to dock or cause to be docked vessels at such wharves or trestles for the purpose of loading or discharging cargo, subject to such regulations as are now in force or may be hereafter prescribed by the proper authority of The City of San Diego, covering the dockage of vessels at wharves in the Bay of San Diego.

(2) That all plans for buildings and improvements to be erected or placed upon said leased premises shall comply with all the ordinances of The City of San Diego, and shall be

subject to the approval of the Harbor Commission and Planning Commission of said City.

(3) That upon the expiration of the term of this lease, or upon the sooner termination thereof, as herein provided, said lessee shall promptly remove from said premises such wharves, trestles, pipelines, lines for telephone, telegraph, light and/or power purposes, and such buildings, structures, appliances and appurtenances as may have been constructed by said lessee on said premises.

(4) At no time during the life of this lease shall The City of San Diego be required to make any improvement on or for the benefit of the said leased lands hereinabove described; and it is expressly understood that The City of San Diego shall not bear any of the cost of any dredging whatever from the said leased premises to deep water channel which may be necessitated by reason of filling done by said The City of San Diego.

(5) That said City reserves the right to make such improvements for the development of the facilities of the Bay of San Diego for the purpose of navigation, commerce and the fisheries, and of the dockage of vessels, at such time and in such manner as may be provided in any general plan of harbor improvement adopted by the Council of said City, and that the lessee will remove any structures or buildings from said demised premises as shall interfere with carrying out the adopted harbor plan in any way whatsoever, at its own cost and expense, and without any claim or right to damages or compensation therefor; provided, only, that said lessee shall not be disturbed in the possession and use of said premises to any greater degree than is necessary in the carrying out and completion of said general plan of improvement.

(6) In the event the lessee shall fail to fulfill in any manner the uses and purposes for which the said premises are leased as above set forth, or shall fail or refuse to perform any of the obligations undertaken by it under this lease, or shall violate any of the terms or conditions herein expressed, including the prompt payment when the same shall be due of all rentals reserved herein, then and in that event this lease shall terminate, and said lessee shall have no further rights hereunder, and the said lessee shall remove from said demised premises and shall have no further right or claim thereto, and the said City shall immediately thereupon, without recourse to the courts, have the right to take possession of said premises, and said lessee shall forfeit all rights and claims thereto and hereunder; and said lessee, in accepting this lease, hereby acknowledges the right of said City to take possession of said premises immediately upon the neglect or refusal of said lessee to comply with the terms and conditions hereinbefore mentioned.

(7) Reference is hereby made to all laws as now existing, and as hereafter amended or enacted, applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed, or reservations made thereby, are made a part of this lease with like effect as though the same were expressly set forth herein.

It is mutually understood and agreed between the parties hereto that upon the execution of this lease and its ratification by the City Council, the lease heretofore entered into between The City of San Diego and the Richfield Oil Corporation on the 9th day of December, 1937, the original of which is on file in the office of the City Clerk of said City, bearing Document No. 305879, and recorded in Book 10, page 80, Records of said City Clerk, shall terminate and be of no further force or effect.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego have hereunto subscribed their names as and for the act of said City, and the said lessee has caused this instrument to be executed, and its corporate name and seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first hereinabove written.

THE CITY OF SAN DIEGO Lessor.

By

Members of the Harbor Commission of The City of San Diego.

RICHFIELD OIL CORPORATION Lessee

By

I hereby approve the form of the foregoing Lease, this \_\_\_\_\_ day of April, 1941.

City Attorney

By

Assistant City Attorney

#### "EXHIBIT A"

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION NO. 73867

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and requested to study bills pending in the State Legislature and bring in recommendation to the Council for the meeting of April 15 for action of Council in opposing passage of certain measures.

#### RESOLUTION NO. 73868

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Resolution No. 73586, adopted by the Council on March 11, 1941, denying setback suspension petition of Ewart W. Goodwin, 300 First National Bank Building, on Lots D-F Block 309 Horton's Addition, to permit the construction of a garage to the property line on 2nd Avenue, be, and it is hereby rescinded.

Communication from Ewart W. Goodwin, bearing Document No. 328088, requesting that petition for setback suspension on the above mentioned property be referred back to the City Planning Commission for reconsideration, be, and it is hereby so referred.



## R E S O L U T I O N NO. 73869

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That, pursuant to the provisions of Ordinance No. 1156 (New Series) of the ordinances of The City of San Diego, and the recommendation of the City Manager, there be, and there is hereby granted to the Federal Works Agency, Public Buildings Administration, Defense Housing, San Diego, California, permission to lay a 16" cast iron water main on an easement six (6) feet in width, on the westerly side of Sixth Street Extension, contiguous to the pavement and within the highway right of way where said available width exists within said right of way, from Camino del Rio northerly to the Linda Vista Road; said location being particularly shown upon that certain map bearing title "Proposed Water Main from City Connection to Elevated Tank, Drawing No. 3-M-1"; said map, together with communication of the Director of Public Works dated the 28th day of March, 1941, approved by the City Manager on the same date, recommending granting of this permit, being filed in the office of the City Clerk of said City under Document No. 328161.

This permit is granted upon the following terms and conditions, to-wit:

(1) That this permit and all provisions granted thereby shall be subject to revocation at any time by resolution of the City Council.

(2) Permittee agrees that where said water main crosses the San Diego River, the same will be carried under the river bed with bolted-joint cast iron pipe.

(3) Permittee further agrees that the master meters shall be located at a point immediately south of the pumping station as shown on said Drawing No. 3-M-1.

(4) The permittee shall install and construct said water main so as not to injure the said Sixth Street Extension right of way more than is absolutely necessary in order to complete said installation, and shall protect the public by the erection of barriers and warning lights whenever necessary during said construction.

(5) Permittee, in consideration of the granting of said permit, shall save and keep The City of San Diego, and all of its officers, harmless from any and all liability, costs, damages or expenses that the City or any of its officials may incur or be obliged to pay by reason of, or that may arise out of the granting of this permit by reason of installation, maintenance and/or removal of said tunnel and pipeline.

(6) In event this permit shall be revoked, the permittee at its own cost and expense shall remove said pipeline if so directed by the City Council and restore to its former condition any street which may be injured or damaged by such removal.

The exercise by the permittee of any of the privileges hereby granted shall operate as an acceptance of the terms and conditions herein stated, and shall obligate and bind the permittee to perform and fulfill the same.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to furnish a certified copy of this resolution to said Federal Works Agency, Public Buildings Administration, Defense Housing, Gordon S. Barber, Project Manager.

Presented By WALTER W. COOPER

Approved as to form by James J. Breckenridge

Passed and adopted by the said Council of the said City of San Diego, California, this 8th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73870

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the action of the Mayor of The City of San Diego in appointing the following members to the Home Registration Board, created by Resolution No. 73521 adopted February 25, 1941, be, and the same is hereby ratified, confirmed and approved.

Mr. Thomas Hamilton, Jr., President, San Diego Junior Chamber of Commerce

Mr. Mathewson, Manager, State Department of Employment.

## R E S O L U T I O N NO. 73871

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare and present the necessary papers to offer for sale at public auction Lots 1 to 4 inclusive in Block 213 Middletown, with the City of San Diego reserving the right to reject all bids.

The minimum sale price shall be \$2500.00 for the four lots.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73815 to 73871 of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 8th day of April, 1941.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Willig Deputy

## R E S O L U T I O N NO. 73872

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Jack and Rosalye Dembo, 3405 Mississippi, to erect a second residence on Lot 1 and the north 22-1/2 feet of Lot 2 Block 19 Pauly's Addition.

Variance to the restrictions of Ordinance No. 12889, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 73873

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to James O. Brodeur, 338 West Hawthorn Street, to erect an apartment over the existing garage on Lot 6 Block K Middletown, leaving three feet between the dwelling and the proposed open balcony of the apartment, with a side yard of four feet, a rear yard of ten feet and a lot coverage of sixty per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be and it is hereby granted in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 73874

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Bureau of Radio & Electrical Appliances of San Diego County, by W. C. Gill, 3853 - 6th Avenue, to install temporary wiring in the Federal Housing building in Balboa Park for the fifth annual Spring Fair of Modern Home Ideas to be held April 22 to April 27, 1941. The wiring is to be open type, installed under the supervision of the City Electrical Department, and removed when the Fair closes. Free electrical permit and inspection are hereby granted for said installation. The above-mentioned work shall be subject to subsequent checking and approval on the premises by the City departments.

#### R E S O L U T I O N NO. 73875

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Resolution No. 72468, adopted December 12, 1940, granting permission to Fourth Church of Christ, Scientist, to erect three directional signs, be, and it is hereby repealed. Permission is hereby granted to Fourth Church of Christ, Scientist, to erect directional signs at the following locations: northerly intersection of Exchange Place and Torrey Pines Road, southerly intersection of Exchange Place and Prospect Street, northerly intersection of Ivanhoe Street and Silverado Street, intersection of Prospect Street, Exchange Place, Cave Street and Coast Boulevard. The signs shall be installed at their own expense; the size to be subject to approval of the City Manager.

#### R E S O L U T I O N NO. 73876

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to P. J. Kilcullen, 3029 University Avenue, to conduct an auction sale at the address mentioned, on April 21, 22, 23, 1941, for the purpose of disposing of equipment and merchandise of his oil station and garage, in compliance with all regulations regarding auction sales. It is understood that the auctioneer will be A. G. Bruce, licensed auctioneer.

#### R E S O L U T I O N NO. 73877

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving the alley in block 158 University Heights, contained in Document No. 328246, be, and it is hereby granted. Type of pavement shall be six inches of cement concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

#### R E S O L U T I O N NO. 73878

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving the north and south alley in block 106 University Heights, contained in Document No. 327853, be, and it is hereby granted. Type of pavement shall be four inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

#### R E S O L U T I O N NO. 73879

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving the alley in Block J Altadena, contained in Document No. 327869, be, and it is hereby granted. Type of pavement shall be four inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

#### R E S O L U T I O N NO. 73880

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Engineer and the Acting Planning Engineer that the west 35 ft of Felton Street be closed between Hawthorn Street and a line 165 feet south, be, and it is hereby adopted.

BE IT FURTHER RESOLVED, that the City Engineer furnish a description of the district of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing.

#### R E S O L U T I O N NO. 73881

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of John S. Siebert, Granger Building, that the Department of Public Health be authorized to accept the venting system now installed in three cottages that have been moved to the following locations: two cottages at 30th and Grape Streets and one cottage at 2607 Congress Street, be, and it is hereby granted.

The City of San Diego shall not be held liable for any damage which may result from the granting of this permit.

#### R E S O L U T I O N NO. 73882

BE IT RESOLVED By the Council of the City of San Diego, as follows:

The communication from C. Leon deAryan regarding initiative petitions, bearing Document No. 328212, be, and it is hereby referred to the City Attorney for report and opinion.

BE IT FURTHER RESOLVED, that the City Attorney is hereby requested to prepare a resolution urging the State Senator and Assemblymen from this district to present and work for the adoption of legislation on this subject.

#### R E S O L U T I O N NO. 73883

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from San Diego Chamber of Commerce, bearing Document No. 328225, opposing the destruction of buildings in Balboa Park and urging the Council to provide money in the budget each year for the maintenance thereof, be, and it is hereby referred to the City Manager for budget consideration.

## R E S O L U T I O N NO. 73884

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

The State Highway Commission is about to commence the construction of the extension of Highway 395 through Balboa Park and across Mission Valley, tentatively known as Cabrillo Parkway, and said Parkway will carry a heavy load of traffic, and

WHEREAS, it is the opinion of this Council that said highway should be wider than presently proposed, it is hereby respectfully urged that the State Highway Commission provide for the improvement to a width of paving six lanes through Balboa Park and across Mission Valley, and that the tunnel to be constructed under University Avenue be constructed of sufficient width to accomodate eight lanes of traffic.

## R E S O L U T I O N NO. 73885

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Adeline M. Krail and J. F. Krail, 932 Silverado Street, La Jolla, by attorneys Luce, Forward, Lee & Kunzel, filed in the office of the City Auditor and Comptroller of said City on March 21, 1941, against The City of San Diego in the amount of \$1580.00, claimed to be due on account of personal injuries to Adeline M. Krail on March 14, 1941, be, and it is hereby denied.

## R E S O L U T I O N NO. 73886

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Beatrice L. Dewey, as guardian of Martin Hazlett, filed in the office of the City Auditor and Comptroller of said City by Y. A. Jacques, attorney, Security Bank Building, against The City of San Diego in the amount of \$1,750.00, claimed to be due on account of personal injuries received by Martin Hazlett when he rode his bicycle into a hole on Idaho Street, be, and it is hereby denied.

## R E S O L U T I O N NO. 73887

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claims of Henry Gabbe, Etta Smith Snyder, Mrs. O. P. Schnell, Mrs. Martha Barrett, and Mrs. J. C. McDaniel, filed in the office of the City Auditor and Comptroller of said City on April 5, 1941, against The City of San Diego in the amount of \$6,208.73, said aggregate amount claimed to be due on account of personal injuries caused by the driver of a City car, be, and it is hereby denied.

## R E S O L U T I O N NO. 73888

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Auditor & Comptroller that the claims of Modena Alldredge, Syble Etters and Audry Chronister, of Brawley, California, filed in the office of said Auditor & Comptroller on January 23, 1941, in the amounts of \$90.00, \$90.75 and \$92.75 respectively, for injuries sustained by them on or about October 25, 1940, when struck by a police car on El Cajon Boulevard, be compromised in the sums of \$40.00, \$40.75 and \$42.75, respectively, be, and it is hereby adopted.

BE IT FURTHER RESOLVED, that the City Auditor & Comptroller be, and he is hereby authorized to pay said claimants the sums of \$40.00, \$40.75 and \$42.75 in compromise settlement of said claims.

## R E S O L U T I O N NO. 73889

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Auditor & Comptroller that the claim of Marvin F. Hunstead, 134 W. Hawthorn Street, filed in the office of said Auditor & Comptroller on April 2, 1941, in the amount of \$25.69 for damages to his automobile caused by falling into a hole on Hawthorn Street, be compromised in the sum of \$12.85 be, and it is hereby adopted.

BE IT FURTHER RESOLVED, that the City Auditor & Comptroller be, and he is hereby authorized to pay said claimant the sum of \$12.85 in compromise settlement of said claim.

## R E S O L U T I O N NO. 73890

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the City Auditor & Comptroller that the claim of George A. Williams, 525 East First Street, National City, California, filed in the office of the said Auditor & Comptroller on March 12, 1941, in the amount of \$14.50 for damages to the windshield of his car by a driver of a City rubbish truck, be compromised in the sum of \$6.28 be, and it is hereby adopted.

BE IT FURTHER RESOLVED, that the City Auditor & Comptroller be, and he is hereby authorized to pay said claimant the sum of \$6.28 in compromise settlement of said claim.

## R E S O L U T I O N NO. 73891

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of San Diego Macaroni Mfg. Co. 2308 Kettner Boulevard, for the establishment of two loading zones, be, and it is hereby granted.

The City Manager is authorized and directed to cause a 34-foot loading zone to be painted on the north side of Juniper Street to extend between points 32 feet and 66 feet west of Kettner Boulevard; and a 10-foot loading zone to be painted on the north side of Juniper Street with its center at a point 108 feet west of Kettner Boulevard.

## R E S O L U T I O N NO. 73892

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized and directed to cause a 30-foot loading zone to be painted on the east side of Fourth Avenue to extend north from a point 28 feet north of the north line of Grape Street; and to cause the crosswalks across Fourth Avenue at Grape Street to be painted.

## R E S O L U T I O N NO. 73893

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The existing 40-foot passenger zone on the north side of C Street between Fifth and Sixth Avenues at Marston's Department Store be, and it is hereby abolished.

A 40-foot loading zone is hereby established on the north side of C Street to extend between points 76 feet and 116 feet east of Fifth Avenue.

The City Manager is hereby authorized and directed to cause the first mentioned passenger zone to be painted out, and the loading zone to be painted.



## R E S O L U T I O N NO. 73894

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby authorized and directed to cause a 45-foot loading zone to be painted on the south side of G Street to extend between points 16 feet and 61 feet west of Twelfth Street; and a 60-foot loading zone to be painted on the west side of Twelfth Avenue to extend between points 54 feet and 114 feet north of Market Street.

## R E S O L U T I O N NO. 73895

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Miss Florence Chambers for the establishment of a loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a 34-foot loading zone to be painted on the west side of Sixth Avenue to extend between points 50 feet and 84 feet north of F Street.

## R E S O L U T I O N NO. 73896

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Floyd Whitcomb, Manager of the Granger Building for the establishment of a loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a 26-foot loading zone to be painted on the west side of Fifth Avenue to extend between points 46 feet and 72 feet south of the south line of Broadway; and to cause the existing loading zone near the center of this block to be reduced in length to retain only the southerly 32 feet thereof.

## R E S O L U T I O N NO. 73897

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of the Bank of America, by Emil Klicka, for the establishment of a loading zone, be and it is hereby granted.

The City Manager is authorized and directed to cause a 27-foot loading zone to be painted on the east side of Sixth Avenue to extend between points 54 feet and 81 feet south of Broadway.

## R E S O L U T I O N NO. 73898

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of the C & R Transfer Co., 832 Second Avenue for the establishment of a loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a 40-foot loading zone to be painted on the west side of Second Avenue to extend between points 75 feet and 115 feet north of F Street.

## R E S O L U T I O N NO. 73899

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of E. J. Schabelitz of the Schabelitz Research Laboratory, 1668 Hancock Street, for the establishment of a loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a 30-foot loading zone to be painted on the northerly side of Hancock Street between Winder Street and Kettner Boulevard, to extend easterly from lamp post No. 6036, said zone to serve the entire block.

## R E S O L U T I O N NO. 73900

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of The Bishop's School, La Jolla, by Rowland C. Hayden, Secretary-Treasurer, for the establishment of a No Parking Zone in front of said school on Cuvier Street, be, and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 35-foot red "No Standing" zone to be painted on the east side of Cuvier Street to extend north from the Bishop's School north property line.

## R E S O L U T I O N NO. 73901

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the Richfield Oil Company to furnish The City of San Diego's requirements of gasoline for year commencing July 1, 1941 and ending June 30, 1942 for the following prices: \$0.0975 per gallon Ethyl; \$0.0865 per gallon on 2nd Structure, \$0.082 on deliveries of 5000 or more gallons; and \$0.0825 per gallon on 3rd Structure gasoline be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said Richfield Oil Company.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Richfield Oil Company, for furnishing of said gasoline pursuant to the plans and specifications therefor on file in the office of the City Clerk.

That City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.

Approved as to form HARRY S. CLARK

Apr. 12, 1941 Approved as to funds available in 1941-1942 J. S. BARBER City Auditor and Comptroller

## R E S O L U T I O N NO. 73902

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with three (3) truck chassis and cabs, and one (1) 1-1/2 ton dump truck, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 328276.

## R E S O L U T I O N NO. 73903

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of San Diego Gas & Electric Company, filed in the office of the City Auditor and Comptroller of said City on February 20, 1941, against The City of San Diego in the amount of \$17.89, claimed to be due on account of pole broken by the City's tree trimming crew, be, and it is hereby denied.

R E S O L U T I O N NO. 73904

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mission Bay Yacht Club, Pacific Beach, by R. Victor Venberg, 304 Bank of America Building, to erect three directional signs at their own expense at the following locations:

- Corner of Frontera Street and the Causeway
- 3300 Block of Frontera Street, directly above the Mission Bay Yacht Club premises
- Mission Boulevard at one of the crosswalks located between San Juan Place and Santa Clara Place.

The signs are to be enameled and of standard type, furnished by an accredited sign company. The size and design of the signs shall be subject to approval of the City Manager.

R E S O L U T I O N NO. 73905

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from F. A. Rhodes, Director of Public Works, bearing Document No. 328286, recommending that steps be taken to have Mr. D. M. Denton complete by May 15 the improvements provided for in Resolutions 71145 and 71144, adopted April 9, 1940, in connection with the subdivision to be known as Dorcas Knoll, be, and it is hereby referred to the City Manager and the City Attorney with power to act.

R E S O L U T I O N NO. 73906

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from the City Manager, bearing Document No. 328210, recommending that the City Attorney be authorized to prepare the proper papers for formal application to the Railroad Commission of the State of California for permission to install a grade crossing on the extension of First Avenue across the tracks of the Atchison, Topeka & Santa Fe Railway Co. to afford access to the Navy Recreational Field, be, and it is hereby referred to the City Attorney for the preparation of such papers.

R E S O L U T I O N NO. 73907

DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND PLACE OF HEARING THEREOF

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1724 made to cover the costs and expenses of the work done upon alley in Block A Altadena in said City, under Resolution of Intention No. 72534, adopted October 22, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

RESOLUTION ORDERING WORK NO. 73908

Alley in Block 150, University Heights.

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 73506, adopted by the Council on February 25, 1941, and on file in the office of the City Clerk of said City for the grading and paving of the ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 73447, adopted on the 18th day of February, 1941, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 15th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox and Flowers  
NAYS - Councilmen: None  
ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73909  
DIRECTING NOTICE INVITING SEALED PROPOSALS, KENSINGTON MANOR  
LIGHTING DISTRICT NO. 1

BE IT RESOLVED By the Council of the City of San Diego, California, as follows:  
That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

KENSINGTON DRIVE, between Jefferson Avenue and Hilldale Road;  
CANTERBURY DRIVE, for its entire length;  
SUSSEX DRIVE, for its entire length;  
WESTMINSTER TERRACE, for its entire length;  
NORFOLK TERRACE, between Kensington Drive and the easterly line of Kensington Manor Unit No. 1;  
Block 13, Block 13, Kensington Park and Canterbury Drive, and between Middlesex Drive and Bedford Drive;  
ROCHESTER ROAD, for its entire length;  
LYMER DRIVE, for its entire length;  
MARLBOROUGH DRIVE, between Jefferson Avenue and Palisades Road;  
EDGEWARE ROAD, between the westerly prolongation of the southerly line of Lot 10, and between Middlesex Drive and Bedford Drive;

HEMPSTEAD CIRCLE, for its entire length;  
HILLDALE ROAD, for its entire length;  
MIDDLESEX DRIVE, for its entire length;  
BEDFORD DRIVE, for its entire length;  
HASTINGS ROAD, for its entire length;  
BRISTOL ROAD, for its entire length;  
ROXBURY ROAD, for its entire length;  
BRAEBURN ROAD, for its entire length;  
PALISADES ROAD, for its entire length; and  
RIDGEWAY, between Marlborough Drive and Lane.

Such furnishing of electric current shall be for a period of one year, from and including May 1, 1941, to-wit, to and including April 30, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Kensington Manor Lighting District No. 1," filed February 21, 1941, in the office of the City Clerk of said City.

That The San Diego Union, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 15th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox and Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS  
Vice Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73910  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION OF  
THE CITY ENGINEER-ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS.

WHEREAS, the Council of The City of San Diego did, on the 25th day of February, 1941, pass its Resolution of Intention No. 73506 to order certain work to be done and improvement to be made in the ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 15th day of April 1941, pass its Resolution Ordering Work No. 73908, ordering said work to be done and said improvement to be made in said Alley in Block 150, University Heights, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 15th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox and Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

ATTEST:

(SEAL)

ATTEST: A. E. FLOWERS  
Vice Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



## R E S O L U T I O N NO. 73911

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER - ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS.

WHEREAS, the Council of The City of San Diego, did on the 25th day of February, 1941, pass Resolution of Intention No. 73506, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 73506, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 15th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox and Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS

Vice Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73912

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on Paving the Alley in Block 6, Hartley's North Park and Block "C", McFadden & Buxton's North Park, as particularly described in Resolution of Intention No. 73088 and to be assessed to pay the expenses thereof.

## R E S O L U T I O N NO. 73913

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on Paving the alley in Block 60, University Heights, as particularly described in Resolution of Intention No. 73089 and to be assessed to pay the expenses thereof.

## R E S O L U T I O N NO. 73914

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Ibsen Street in said City of San Diego, as described in Resolution of Intention No. 72796, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 12 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

## R E S O L U T I O N 73915

WHEREAS, information has been received that the Civil Conservation Corps Camp in Cuyamaca State Park is about to be abandoned and transferred to the National Park in the northern part of the State,

BE IT THEREFORE RESOLVED By the City Council of the City of San Diego: That because of the importance of the work being done by said Camp, it would be a mistake and ill-advised to abandon said Camp this year, and that it would be very detrimental to the best interests of the City and County of San Diego if the same were done; that it is important and essential that said Camp be retained:

(1) To complete the construction of the Boys Camp in said Park for the benefit of the Boy Scouts and others of San Diego and Imperial Counties, for which projects have been already approved and the work in progress.

(2) That said Camp is vital for fire protection, which hazard will be unusual this season.

(3) That because of National Defense and Government activities here, said Park and other recreational areas in San Diego County will be over-taxed, and there is no other means of providing for further recreational areas than through the work of said Camp.

(4) That said Camp is vital to National Defense in furnishing trained men for local air craft factories and in providing facilities for enrollees and others of military camps to have opportunities for recreation, and for many other reasons.

BE IT FURTHER RESOLVED: That a copy of this Resolution be sent to United States Senators, Congressman Edward Izac, to the Department of the Interior, to the Director of the Civil Conservation Corps at Washington, and to other government officials having charge and supervision of said Camp, requesting that steps be taken to insure the retention of said Camp in Cuyamaca State Park.

Passed and adopted by the said Council of the said City of San Diego, California, this 15th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox and Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: A. E. FLOWERS

Vice Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73916

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
Permission be, and it is hereby granted to American Legion Post #6 to continue operation of Crafts 20 Big Shows at the foot of Market Street for one week from April 14, 1941, on the same basis as heretofore granted the same organization at that location.

#### RESOLUTION NO. 73917

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the City Auditor of said City is hereby authorized and directed to transfer the sum of \$288.00 from Outlay (Memorial Park), Series FCA, Park Department Fund, to Salaries and Wages, Series FCA, said Park Department Fund, as provided by Section 26, of Ordinance No. 1880 (New Series) of the Ordinances of The City of San Diego.  
Apr. 12, 1941 approved as to funds available J. S. BARBER City Auditor and  
Comptroller

#### RESOLUTION NO. 73918

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the bill submitted by the San Diego Chamber of Commerce in the sum of \$1175.84, covering expense incurred for advertising the City of San Diego by entertaining Governmental Officials and officers of the Army, Navy and Marine Corps, as approved by the Advertising Control Committee under date of April 8th, 1941, be, and the said bill is hereby approved for payment; and  
BE IT FURTHER RESOLVED that a requisition be and it is hereby authorized to be drawn on the allocation setup for the purpose in the Advertising and Publicity Fund of the City of San Diego for the fiscal year 1940-41.

#### RESOLUTION NO. 73919

WHEREAS, the City Council by Resolution No. 73871, adopted on the 8th day of April, 1941, authorized and directed the City Attorney to prepare the necessary papers to offer for sale at public auction Lots 1 to 4, inclusive, in Block 213, Middletown; and  
WHEREAS, the above described property is not needed for any public purposes; and  
WHEREAS, the appraisal of F. Russel Aber, in a document dated March 17, 1941, sets a value of Three Thousand Five Hundred Dollars (\$3,500.00) on said described property; and

WHEREAS, the Council by said Resolution No. 73871 set the sum of Two Thousand Five Hundred Dollars (\$2,500.00) as the minimum amount they will consider for the sale of said lands hereinbefore described; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:  
That the Purchasing Agent of said City be, and he is hereby authorized to publish a notice in the official newspaper of said City of the intention of said Council to dispose of the above described property by a sale at public auction pursuant to the provisions of Section 9.03 of the Administrative Code of said City.

Approved as to form by James J. Breckenridge  
Passed and adopted by the said Council of the said City of San Diego, California, this 15th day of April, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox and Flowers  
NAYS - Councilmen: None  
ABSENT-Mayor Benbough

(SEAL) ATTEST: A. E. FLOWERS  
Vice Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73920

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the deed of T. T. Clemesha and Margaret G. Clemesha, executed in favor of The City of San Diego, bearing date April 10, 1941, conveying to said City an easement and right of way for water pipeline purposes through, along and across a portion of Lot B, and the west 30.00 feet of Alice Street (now 67th Street) as vacated and closed to public use November 28, 1917, by order of the Board of Supervisors of said County of San Diego, recorded in Book 39, page 188, records of said Supervisors, and the southeasterly half of Reservoir Drive, vacated and closed to public use October 18, 1920 by order of said Board of Supervisors, recorded in Book 751, page 133 of Deeds, records of said San Diego County, adjoining said Lot B, all in accordance with the Map thereof No. 346 of La Mesa Colony, filed for record in the office of the County Recorder of said County of San Diego, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 73921

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
That the deed of May Howell, executed in favor of The City of San Diego, bearing date April 8, 1941, conveying to said City Lot 24, in Block 7 of La Mesa Colony, according to the Map thereof No. 346 filed in the office of the County Recorder of San Diego County, California, March 8, 1887; also, the East 10 feet of Victoria Street, now 69th Street, lying West of and adjoining said Lot 24; also, the north 10 feet of Santiago Street, now Mohawk Street, lying south of and adjoining said Lot 24 and south of and adjoining said

east 10 feet of 69th Street, as closed April 30, 1923, by Resolution of Board of Supervisors of San Diego County, a certified copy of said Resolution being recorded in Book 751, page 309 of Deeds, be, and the same is hereby accepted on the conditions therein expressed;  
And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73922

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Clinton F. Cameron and Kathryn C. Cameron, executed in favor of The City of San Diego, bearing date March 27, 1941, conveying to said City a portion of the northeast quarter of the northeast quarter of Section 31, Township 14 south, Range 1 East, San Bernardino Meridian, according to United States Government Survey, approved January 21, 1939, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73923

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Roger Goodan and May Chandler Goodan, executed in favor of The City of San Diego, bearing date March 20, 1941, conveying to said City the south half of the southeast quarter of the southwest quarter of Section 24, Township 14 South, Range 1 West, San Bernardino Meridian, according to United States Government Survey approved February 24, 1876, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

R E S O L U T I O N NO. 73924

WHEREAS, a great number of bills are now pending in the State Legislature, many of which are detrimental to the interests of the municipalities of the State, and some of which are beneficial; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Council, for and on behalf of The City of San Diego, does hereby go on record as being definitely opposed to the following bills now pending in the Legislature of the State:

A.B. 62, 118, 124, 198, 267, 270, <sup>272</sup>/293, 371, 372, 421, 443, 533, 537, 819, 983, 1011, 1387,

(1626,  
1627, 1702, 1846, 1873, 1970, 2045, 2122, 2123,  
2103,

2134, 2197, 2233, 2258, 2467.

S.B. 371, 372, 394, 685, 863, 889, 1029, 1102, 1146, 1224.

BE IT FURTHER RESOLVED, that this Council, for and on behalf of The City of San Diego, does hereby go on record as approving the following bills, now pending in the State Legislature:

A.B. 102, 110, 116, 218, 219, 430, 506, 687 and 1058,

689, 701, 825, 930, 2156, 2185

S.B. 326, 425, 669, 670.

BE IT FURTHER RESOLVED that each member of our legislative delegation is hereby urgently requested to do everything legitimately possible to aid in defeating the foregoing bills to which the Council is opposed, and likewise to secure the passage of the foregoing bills which the Council approved.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to transmit a certified copy of this resolution to Senator Fletcher, Assemblywoman Daley, and Assemblymen Stream and Richie.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 15th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Housh

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73872 to 73923 inclusive, of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 15th day of April, 1941.

FRED W. SICK  
City Clerk of the City of San Diego, California

By Helen M. Willy Deputy



R E S O L U T I O N NO. 73925  
College Park Lighting District No. 1

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of COLLEGE AVENUE, MISSION VALLEY ROAD, CAMPANILE DRIVE and CRESITA DRIVE, within the limits and as particularly described in Resolution of Intention No. 73505, adopted by the Council of said City on February 25, 1941, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for College Park Lighting District No. 1," filed in the office of said City Clerk March 12, 1941, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

R E S O L U T I O N NO. 73926

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Central Liquidating Corp., by Victor Sears, c/o Starkey Investment Co., 1202 - 4th Avenue, to operate a parking lot on Lots 13-26 Block 127 University Heights in conjunction with a proposed business development fronting on El Cajon Boulevard, provided a suitable hedge is planted around the lot to screen it from the residential property across the adjoining streets.

Variance to the restrictions of Ordinance No. 12889, be, and it is hereby granted in so far as they relate to the property mentioned above.

R E S O L U T I O N NO. 73927

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Tyler J. Fenn, owner, and J. K. Matheson, 904 East 8th Street, National City, California, lessee, to construct a ten-unit auto court and a ninety-unit trailer camp on a portion of Pueblo Lot 242 on Midway Drive near West Point Loma Boulevard, provided the area is landscaped and fenced in accordance with plans presented to the City Planning Commission.

R E S O L U T I O N NO. 73928

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to F. A. Fares, 628 Crosby Street, to make alterations and additions to the living quarters adjoining an existing store building on Lots 23-24 (Nely 74') Block 227 Mannasse & Schiller's Sub., with a side yard of three feet, a rear yard of ten feet, and a lot coverage of 56.5 per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

R E S O L U T I O N NO. 73929

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Eugene B. Smith, 4277 Landis Street, to construct an apartment over a garage on W 70' Lots 45-48 Block 76 City Heights, with a side yard of ten feet, a rear yard of four feet and a lot coverage of thirty per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

R E S O L U T I O N NO. 73930

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Frank A. and Harriet W. Burton, 4374 Arcadia Drive, for variance to the restrictions of Ordinance No. 12990 to permit the altering of the existing residence on Lots 33 and 34 Avalon Heights into a duplex, be, and it is hereby denied.

R E S O L U T I O N NO. 73931

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Neyenesch Printers, Inc., by W. B. Neyenesch, president, 2580 K Street, bearing Document No. 328482, for variance to the restrictions of Ordinance No. 12942, to permit change in the use of the existing printing shop on S93-1/3 feet of Lot 45 and S46-2/3 feet of Lots 46-48 Block 20 L.W. Kimball's Subdivision to a furniture upholstery shop, be, and it is hereby referred back to the Planning Commission for further consideration and re-hearing.

R E S O L U T I O N NO. 73932

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the Board of Supervisors of the County of San Diego be, and they are hereby requested to enter into a co-operative agreement with The City of San Diego for the construction of a pile and timber bridge at Rigel and Dalbergia Streets, in The City of San Diego, California, in accordance with the plans and specifications therefor contained in Document No. 328420, on file in the office of the City Clerk of said City, the total cost of said bridge being estimated at the sum of \$2400.00; said work to be done on the following basis, to-wit:

(1) That The City of San Diego will furnish one-half of the labor and materials necessary for the construction of said bridge, provided, however, that the cost thereof shall not exceed the sum of twelve hundred dollars. (\$1200.00).

(2) That the County of San Diego will furnish one-half of the labor and materials necessary for the construction of said bridge, provided, however, that the cost thereof shall not exceed the sum of twelve hundred dollars (\$1200.00).

(3) That the City of San Diego will assume jurisdiction over the whole construction work.

BE IT FURTHER RESOLVED, that the City Manager of said City be, and he is hereby authorized to enter into said co-operative agreement with the Board of Supervisors of the County of San Diego.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to cause a certified copy of this resolution to be transmitted forthwith to said Board of Supervisors.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilmen: None

(SEAL) ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

#### RESOLUTION NO. 73933

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
 The City Clerk is hereby authorized and directed to mail notice of public hearing on ordinance establishing water rates to water users of record in the City Water Department who receive the irrigation rate; said hearing to be held in the Council Chamber of said City at the hour of 10:00 o'clock A.M., Tuesday, April 29, 1941.

#### RESOLUTION NO. 73934

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
 The petition of Ocean Beach Women's Club, bearing Document No. 328446, urging the City of San Diego to acquire Lots 1, 2, 3, 4, 5, 6, 7, 8 and west 50 feet of Lots 9 & 10 Block 72 Ocean Beach, and petition of Ocean Beach residents, bearing Document No. 328447, requesting the acquisition of Lots 5 to 11 inclusive Block 80 and Lots 1 to 8 inclusive Block 72 Ocean Beach, for recreational purposes, be, and they are hereby referred to Council Conference.

#### RESOLUTION NO. 73935

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
 The action of the Chief of Police in denying the application of George P. Eamer, Los Angeles, for a license to operate a card room at 1255 University Avenue, be, and it is hereby sustained.

#### RESOLUTION NO. 73936

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
 The petition of Anton Bachardo, 642 - 17th Street, for permission to install plumbing at 457-459 - 19th Street in a manner different than that required by the Plumbing Ordinance No. 11648, be, and it is hereby denied.

#### RESOLUTION NO. 73937

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
 The petition of property owners for the construction of storm drain in Park Boulevard between El Cajon Boulevard and Meade Avenue, be, and it is hereby referred to the Budget box.

#### RESOLUTION NO. 73938

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
 The petition of Dagny Ingebritsen, 5021 Litchfield Road, for the installation of an overhead street light at the intersection of Ocean Boulevard and Crystal Drive, be, and it is hereby denied.

#### RESOLUTION NO. 73939

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
 The petition for paving Contour Boulevard between 52nd Street and Dawson Avenue, contained in Document No. 326521, be, and it is hereby granted. Type of pavement to be four inches of asphalt concrete.  
 The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

#### RESOLUTION NO. 73940

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
 The petition for paving Carleton Street between Evergreen and Willow Streets, contained in Document No. 328382, be, and it is hereby granted. Type of pavement to be six inches of cement concrete.  
 The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

#### RESOLUTION NO. 73941

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
 Permission is hereby granted to George E. Campbell, 2204 Locust Street, to grade one block of Quimby Street between Willow and Plum Streets, by private contract at his own expense, according to the plan attached to petition bearing Document No. 328227.

#### RESOLUTION NO. 73942

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
 The City Attorney is hereby authorized and directed to prepare and present a resolution extending the time during which boarding and lodging houses may be operated in Zones R-1, R-1A and R-2 under the terms of Ordinance No. 1968 New Series, adopted October 22, 1940, which would be for a six months' period from the date of this resolution.

#### RESOLUTION NO. 73943

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
 The petition of B. B. Margolis, 5625 El Cajon Boulevard, requesting permission to

install a bench at the northerly prolongation of Rolando Boulevard with El Cajon Boulevard, and communication from City Attorney reporting on said petition, be, and they are hereby referred to the City Manager with direction to notify the San Diego Seat Advertising Company that application has been made for the placing of a bench at said location.

#### RESOLUTION NO. 73944

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The action of the Civic Center Administration Building Control Committee in denying the request of Purl Willis and the County Planning Commission for permission to permanently display a relief map of San Diego County on the second floor of the main lobby of the Administration Building, be, and it is hereby approved.

#### RESOLUTION NO. 73945

BE IT RESOLVED by the Council of the City of San Diego, as follows:

There is hereby referred to the City Manager the matter of operation of boarding and lodging houses in Zones R-1, R-1A and R-2 under the provisions of Ordinances numbered 1968 New Series and 2115 New Series, for checking with regard to the number, the registration of same as provided in said ordinances, and such other data as he may wish to check and report.

#### RESOLUTION NO. 73946

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The following be, and they are hereby appointed as members of the Veterans' Advisory Commission, as provided for in Ordinance No. 1532 New Series and Ordinance No. 1700 New Series, for a period of two years from the date of this resolution:

Henry W. Grebbien, representing The Disabled American Veterans  
George S. Peck, representing United Indian War Veterans of the United States  
Frank B. Geer, representing United Spanish Veterans  
George W. Fisher, representing the American Legion  
Paul A. Hendrickson, representing Fleet Reserve Association  
Herbert Collins, representing Veterans of Foreign Wars.  
Robert W. Blue, representing Regular Veterans

#### RESOLUTION NO. 73947

Landis Street

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of LANDIS STREET, in said City, between the easterly line of Alabama Street and the westerly line of Mississippi Street, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on March 22, 1941, under Document No. 327661, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

BE IT FURTHER RESOLVED, that that certain Plat No. 1838, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street hereinabove mentioned, be, and the same is hereby approved; and the City Clerk of said City is hereby directed to file said plat in the office of the City Engineer of said City.

#### RESOLUTION NO. 73948

DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND PLACE OF HEARING THEREOF

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1726 made to cover the costs and expenses of the work done upon Ibsen Street in said City, under Resolution of Intention No. 72796, adopted November 26, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

#### RESOLUTION NO. 73949

DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND PLACE OF HEARING THEREOF

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1725 made to cover the costs and expenses of the work done upon Santa Clara Place in said City, under Resolution of Intention No. 72794, adopted November 26, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

#### RESOLUTION OF AWARD NO. 73950

ALLEY IN BLOCK 12, SUBDIVISION OF LOTS 20 to 50, BLOCK N, TERALTA.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 15th day of April, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 72249, adopted by the Council on September 17, 1940, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of the ALLEY IN BLOCK 12, SUBDIVISION OF LOTS 20 to 50, BLOCK N, TERALTA, in the City of San Diego, California, within the limits



and as particularly described in said Resolution of Intention.  
For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To HARRY L. FOSTER at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |         |
|---|---------|
| Excavation, per cubic yard .....  | \$ 0.50 |
| Preparation of subgrade, per square foot .....  | \$ 0.01 |
| Pavement, per square foot .....   | \$ 0.16 |
| 6" cast iron water main, with connections, fittings and appurtenances, as shown on the plans, laid, per lineal foot ..... | \$ 1.65 |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Housh

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

RESOLUTION OF AWARD NO. 73951  
32nd Street and Date Street

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 15th day of April, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 73383, adopted by the Council on February 11, 1941, and on file in the office of the City Clerk of said City for the grading and paving of 32ND STREET and DATE STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To V. R. DENNIS, an individual doing business under the firm name and style of V. R. DENNIS CONSTRUCTION COMPANY, at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|  |          |
|--|----------|
| Excavation, per cubic yard .....               | \$ 0.67  |
| Embankment, per cubic yard .....               | \$ 0.50  |
| Preparation of subgrade, per square foot ..... | \$ 0.015 |
| Pavement, per square foot .....                | \$ 0.126 |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Housh

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

## RESOLUTION OF AWARD NO. 73952

## Talmadge Park Lighting District No. 3

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 1st day of April 1941, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

44TH STREET, between the southerly line of Talmadge Park Unit 3 and its termination in Highland Avenue;  
HIGHLAND AVENUE, between the southerly line of Talmadge Park Unit 3 and its termination in 44th Street;  
45TH STREET, between the northerly line of Monroe Avenue and the southerly line of Lot 464, Talmadge Park Unit 3;  
MAX DRIVE, for its entire length;  
MONROE AVENUE, between Fairmount Avenue and 47th Street;  
47TH STREET, between Monroe Avenue and the northerly line of Talmadge Park Unit 3;  
NORMA DRIVE, for its entire length;  
CONSTANCE DRIVE, for its entire length;  
NATALIE DRIVE, for its entire length;  
ADAMS AVENUE, between Natalie Drive and the easterly line of Talmadge Park Unit 3; produced southerly.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 3," filed January 11, 1941, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit:

To: SAN DIEGO GAS & ELECTRIC COMPANY, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: EIGHT HUNDRED THIRTY-SIX and 40/100 DOLLARS (\$836.40).

And said Council does hereby require and fix the sum of TWO HUNDRED TEN DOLLARS (\$210.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said SAN DIEGO GAS & ELECTRIC COMPANY, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said SAN DIEGO GAS & ELECTRIC COMPANY on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Housh

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## RESOLUTION OF AWARD NO. 73953

## Talmadge Park Lighting District No. 4

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 1st day of April 1941, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

JEAN DRIVE, for its entire length;  
ADAMS AVENUE, between the westerly and the easterly lines of Talmadge Park Estates;  
MADISON AVENUE, between the westerly and the easterly lines of Talmadge Park

Estates;

MONROE AVENUE, between the westerly and the easterly lines of Talmadge Park

Estates;

47TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;  
EUCLID AVENUE, between the south line of Talmadge Park Estates and Adams Avenue;  
48TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;  
ESTRELLA AVENUE, between the south line of Talmadge Park Estates and Adams

Avenue;

49TH STREET, between the south line of Talmadge Park Estates and Adams Avenue;  
MIRACLE DRIVE, for its entire length; and  
LORRAINE DRIVE, for its entire length.

Such furnishing of electric current shall be for a period of one year from and including April 1, 1941, to-wit, to and including March 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Talmadge Park Lighting District No. 4," filed January 11, 1941, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit:

To: SAN DIEGO GAS & ELECTRIC COMPANY, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: SEVEN HUNDRED THIRTY-NINE and 20/100 DOLLARS (\$739.20).

And said Council does hereby require and fix the sum of ONE HUNDRED EIGHTY-FIVE DOLLARS (\$185.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said SAN DIEGO GAS & ELECTRIC COMPANY, the bidder depositing the said lowest

responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said SAN DIEGO GAS & ELECTRIC COMPANY on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Housh

ATTEST: P. J. BENBOUGH

(SEAL) Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL) City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

# RESOLUTION OF INTENTION NO. 73954

## Landis Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of LANDIS STREET, in said City, between the easterly line of Alabama Street and the westerly line of Mississippi Street, be graded, and the subgrade prepared and paved with a one and one-half inch asphalt concrete wearing surface laid upon a two and one-half inch asphalt concrete base.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 327661, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

That the contemplated work and improvement hereinbefore mentioned is in the opinion of said Council of more than local and 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. 1838, indicating the exterior boundary lines of such district, 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, avenue and highways. Reference is hereby made to said plat for a particular description of such district.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 73841, adopted on the 8th day of April, 1941, that 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, is as follows:

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 HP        | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |



|   | Per 8 hour day | Per hour |
|---|----------------|----------|
| Plumber   | \$11.00        | \$ 1.375 |
| Powderman   | 8.00           | 1.00     |
| Pumpman   | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker   | 10.00          | 1.25     |
| Road grader operator  | 10.00          | 1.25     |
| Roller operator   | 10.00          | 1.25     |
| Shovel operator   | 12.00          | 1.50     |
| Shovel fireman and watchman   | 8.00           | 1.00     |
| Shovel oiler  | 7.40           | 0.925    |
| Teamster  | 5.00           | 0.625    |
| Tractor operator, with attachments  | 10.00          | 1.25     |
| Timekeeper  | 6.00           | 0.75     |
| Trenching machine operator  | 11.00          | 1.375    |
| Truck driver, 15,000# and under   | 5.60           | 0.70     |
| Truck driver, over 15,000#  | 6.40           | 0.80     |
| Watchman  | 5.00           | 0.625    |
| Welder  | 11.00          | 1.375    |
| Skilled laborer, not above listed   | 8.00           | 1.00     |
| Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half. |                |          |

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 27th day of May, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Housh

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION ORDERING IMPROVEMENT NO. 73955  
Mission Beach Lighting District No. 1

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City, and therefore the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the street lamps on bracket arms attached to the poles on MISSION BOULEVARD, between the southerly line of Ventura Place and the southerly line of Pacific Beach Drive, in the City of San Diego, California; together with the maintenance of said bracket arms, wires and lamps on said Mission Boulevard, within the limits above mentioned. Such furnishing of electric current and such maintenance of appliances shall be for a period of one year from and including May 15, 1941, to-wit, to and including May 14, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Mission Beach Lighting District No. 1," filed March 5, 1941, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 8th day of April, 1941, said Council did by Resolution No. 73815

confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement, heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for Mission Beach Lighting District No. 1," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego, the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough.  
NAYS - Councilmen: None  
ABSENT-Councilmen: Simpson and Housh.

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION ORDERING WORK, NO. 73956.

PORTIONS OF MENDOTA STREET, JARVIS STREET, CAPISTRANO STREET;  
ALLEY IN BLOCK 1, GLENARTNEY, AND ALLEY IN BLOCK 2, GLENARTNEY.

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require the work hereinafter described to be done, and the time prescribed during which objections to said work and improvement might be made having expired, and no objection thereto having been made, and said Council hereby finding that no assessment is necessary therefor:

NOW, THEREFORE, the said Council hereby orders the following work to be done in said city, to-wit: The closing of those portions of the streets and alleys described as follows:

- (1) MENDOTA STREET, between the southwesterly line of Narragansett Avenue and the northeasterly line of Lowell Street.
- (2) All that portion of JARVIS STREET in Glenartney, according to the map thereof No. 1458 on file in the office of the County Recorder of San Diego County, California, lying northeasterly of the northeasterly line of Lowell Street.
- (3) CAPISTRANO STREET, between the southwesterly line of Macaulay Street and the northeasterly line of Lowell Street.
- (4) All that portion of the ALLEY IN BLOCK 1, SAID GLENARTNEY, lying between the southwesterly line of Narragansett Avenue and the southeasterly prolongation of the southwesterly line of Lot 9, Block 1, in said Glenartney.
- (5) All that portion of the ALLEY IN BLOCK 1, SAID GLENARTNEY, lying between the southwesterly line of Macaulay Street and the northeasterly line of Narragansett Avenue.
- (6) The ALLEY IN BLOCK 2, SAID GLENARTNEY, between the southwesterly line of Narragansett Avenue and the northeasterly line of Lowell Street.

And the said portions of said streets and alleys are hereby closed.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: Simpson, and Housh

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION ORDERING WORK NO. 73957

Eta Street and 40th Street

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require the work hereinafter described to be done, and the time prescribed during which objections to said work and improvement might be made having expired, and no objection thereto having been made, and said Council hereby finding that no assessment is necessary therefor:

NOW, THEREFORE, the said Council hereby orders the following work to be done in said City, to-wit:

The closing of portions of ETA STREET and 40TH STREET, described as follows:  
Close all of ETA STREET and 40TH STREET lying westerly of the southerly prolongation of the easterly line of Block 450, shown on the map of R. K. Porter's Subdivision according to the map thereof filed in Deed Book No. 15 at page 36 in the Office of the County Recorder of San Diego County, California, and the easterly line of said Block 450, said line being also the easterly line of Block 2, S.W. Switzer Tract, according to the Map thereof No. 1775 on file in the office of said County Recorder; and northerly of the easterly prolongation of the southerly line of Lots 26 and 27 in said Block 2; EXCEPTING therefrom the parcel of street or land described as follows: Beginning at the point of intersection of the southerly prolongation of the easterly line of said Block 450, being also the easterly line of said Block 2 and the easterly prolongation of said Lots 26 and 27; thence northerly along the southerly prolongation of the easterly line of said Block 450 a distance of 10.25 feet to the point of tangency of a curve concaved northwesterly having a radius of 10.00 feet; thence southerly, southwesterly and westerly along the arc of said curve a distance of 15.95 feet

to a point of tangency on the easterly prolongation of the southerly line of said Lots 26 and 27; thence easterly along the easterly prolongation of the southerly line of said Lots 26 and 27 a distance of 10.25 feet to the point of beginning.

And the said portions of said streets are hereby closed.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Housh

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73958  
APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING  
CLERK TO GIVE NOTICE OF SAID HEARING - SAN DIEGO LIGHTING DISTRICT  
NO. 1

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 16th day of April 1941, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 73736, adopted by said Council on the 25th day of March 1941, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required by law, NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 20th day of May 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

INDIA STREET, between Ivy Street and Broadway;  
COLUMBIA STREET, between Beech Street and Broadway;  
STATE STREET, between Elm Street and Broadway;  
UNION STREET, between B Street and Broadway;  
FRONT STREET, between B Street and Broadway;  
FIRST AVENUE, between Beech Street and Broadway;  
SECOND AVENUE, between B Street and Broadway;  
THIRD AVENUE, between A Street and Market Street;  
FOURTH AVENUE, between Ivy Street and Market Street;  
FIFTH AVENUE, between Laurel Street and K Street;  
SIXTH AVENUE, between A Street and Island Avenue;  
SEVENTH AVENUE, between Beech Street and F Street;  
EIGHTH AVENUE, between Beech Street and Market Street;  
NINTH AVENUE, between B Street and Market Street;  
TENTH AVENUE, between B Street and Market Street;  
ELEVENTH AVENUE, between B Street and Market Street;  
TWELFTH AVENUE, between Russ Boulevard and Imperial Avenue;  
SIXTEENTH STREET, between C Street and the south line of Sherman's Addition;  
ASH STREET, between Seventh Avenue and Eighth Avenue;  
A STREET, between India Street and Eighth Avenue;  
B STREET, between Kettner Boulevard and Twelfth Avenue;  
C STREET, between Kettner Boulevard and Twelfth Avenue;  
BROADWAY, between Pacific Highway and Sixteenth Street;  
E STREET, between India Street and Sixteenth Street;  
F STREET, between Columbia Street and Sixteenth Street;  
MARKET STREET, between the east line of State Street produced south and Sixteenth Street;

and  
IMPERIAL AVENUE, between National Avenue and Thirteenth Street;  
NATIONAL AVENUE, between Twelfth Avenue and Sixteenth Street.

Such furnishing of electric current shall be for the period of one year from and including July 1, 1941, to-wit, to and including June 30, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Housh

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



RESOLUTION NO. 73959  
 APPROVING ENGINEER'S REPORT AND FIXING TIME AND PLACE FOR  
 HEARING THEREON - ALLEY IN BLOCK L, ALTADENA

WHEREAS, the City Engineer of The City of San Diego, California, having made and filed on the 9th day of April, 1941, with the Clerk of the Council of said City of San Diego, a report in writing, on the proposed improvement of the ALLEY IN BLOCK L, ALTADENA, between the north line of Redwood Street and a line parallel to and distant 5.00 feet northerly from the easterly prolongation of the north line of Lot 5, in said Block L, in the City of San Diego, California, in conformity with the provisions of the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931; and

WHEREAS, this Council has duly considered said report; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said report of the City Engineer be, and the same is hereby approved by this Council.

BE IT FURTHER RESOLVED, that Tuesday, the 27th day of May, 1941, at 10:00 o'clock in the forenoon of said day and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are appointed as the time and place for hearing on said report; that it be, and it is hereby ordered that such hearing shall be held before the Council of said City; and that the City Clerk of said City be, and he is hereby authorized and directed to mail notice, with postage thereon prepaid, to each person to whom land in the proposed assessment district is assessed on the last equalized assessment County assessment roll, at his address as shown on said roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within the proposed district, who has filed his name and address and a designation of the lands in which he is interested with said Clerk; said notice to be mailed at least thirty (30) days prior to the date of said hearing.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Housh

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

RESOLUTION NO. 73960  
 RESOLUTION DETERMINING THAT THE PROPOSED ASSESSMENT FOR THE IMPROVEMENT  
 OF A PORTION OF LAUREL STREET, IN THE CITY OF SAN DIEGO, WILL NOT EXCEED  
 THE LIMITATIONS OF THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION  
 AND MAJORITY PROTEST ACT OF 1931 AND AMENDMENTS THERETO.

WHEREAS, the City Engineer of the City of San Diego, California, did on the 24th day of February, 1941, file with the Clerk of the Council of said City a written report on the proposed improvement of a portion of LAUREL STREET, within the limits and as particularly described in Resolution No. 72995, adopted by the Council of said City December 24, 1940, in conformity with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and amendments thereto; and

WHEREAS, all investigations and reports provided for by said Act in connection with the said proposed improvement have been completed; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the proposed assessment for the improvement of LAUREL STREET, within the limits and as particularly described in said Resolution No. 72995, will not exceed the limitations of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and amendments thereto.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the construction of a sidewalk on the south side of LAUREL STREET, in said City, within the limits and as particularly described in said Resolution No. 72995.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Housh

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

RESOLUTION NO. 73961  
 RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN A PORTION  
 OF COLLIER AVENUE.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, paving and otherwise improving of COLLIER AVENUE, between the west line of Mansfield Street and a line parallel to and distant 25.0 feet west of the east line of Hawley Boulevard, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 327940. Reference is hereby

made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson, and Housh

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK

City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73962

PORTIONS OF FRANKLIN AVENUE, CUYAMACA AVENUE, JAMUL AVENUE,  
SAN MIGUEL AVENUE, LOS PINOS AVENUE AND OCEAN VIEW BOULEVARD.

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, subgrading, surfacing, construction of curb, gutters and drainage structures, and the removal of existing gutters and drainage structures in FRANKLIN AVENUE, between the easterly line of Boundary Street and its easterly termination in San Miguel Avenue; CUYAMACA AVENUE, between the north line of Ocean View Boulevard and the southwesterly line of Franklin Avenue; JAMUL AVENUE, between the easterly line of Cuyamaca Avenue and the southwesterly line of Franklin Avenue; SAN MIGUEL AVENUE, between the north line of Ocean View Boulevard and the northeasterly line of Franklin Avenue; LOS PINOS AVENUE, between the west line of San Pasqual Street and its westerly termination in San Miguel Avenue; OCEAN VIEW BOULEVARD, between a line parallel to and distant 15.00 feet easterly from the southerly prolongation of the easterly line of Cuyamaca Avenue and a line parallel to and distant 80.00 feet westerly from said parallel line, and between a line parallel to and distant 15.00 feet easterly from the southerly prolongation of the easterly line of San Miguel Avenue and a line parallel to and distant 80.00 feet westerly from the last described parallel line; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 HP        | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Materialman                           | \$ 6.00        | \$ 0.75  |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Housh

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 73963

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Alley in Block 190 San Diego Land and Town Company's Addition in said City of San Diego, as described in Resolution of Intention No. 72841, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 16, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### R E S O L U T I O N NO. 73964

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Alley in Block 83 City Heights in said City of San Diego, as described in Resolution of Intention No. 73025, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 16, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### R E S O L U T I O N NO. 73965

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Ivy Street in said City of San Diego, as described in Resolution of Intention No. 73798, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 16, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### R E S O L U T I O N NO. 73966

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on Alley in Block 173 University Heights and Lincoln Avenue in said City of San Diego, as described in Resolution of Intention No. 72940, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council and which said diagram is dated April 16, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.



## R E S O L U T I O N NO. 73967

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on 53rd Street, Meade Avenue, Trojan Avenue and Public Rights of Way in said City of San Diego, as described in Resolution of Intention No. 73026, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 18, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

## R E S O L U T I O N NO. 73968

THAT WHEREAS, the San Diego Gas & Electric Company of San Diego, California, is desirous of securing from The City of San Diego a preferential permit to lay and maintain a 12 KV electric power line over and across a strip of land ten feet (10') in width, the center line of which is described as paralleling the northeasterly line of Collier Park, between Clovis Street and Famosa Boulevard, and running southeasterly from Famosa Boulevard to the intersection of Curtis Street with the southeasterly line of Collier Park, as shown on the blueprint, traced in red ink, attached hereto, for further particulars; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager be, and he is hereby authorized to make and execute in favor of the San Diego Gas & Electric Company a preferential permit to lay and maintain a 12 KV electric power line over and across the above described lands for and during the pleasure of the City, all in accordance with the terms and conditions of the form of preferential permit commonly used by the City for such purpose.

Presented by WALTER W. COOPER

Approved as to form by D. L. AULT

Passed and adopted by the said Council of the said City of San Diego, California this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Housh

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73969

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the subordination agreement executed by the Corporation of America, bearing date April 14, 1941, whereby said Corporation of America subordinates all its right, title and interest under a certain deed of trust executed by James Andrew Morrow and Phyllis M. Morrow, dated March 6, 1941, recorded March 13, 1941, in Book 1148, at page 326 official records of the County Recorder of San Diego County, California, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego by said James Andrew Morrow and Phyllis M. Morrow through, along and across portions of the westerly half of Pueblo Lot 181 of the Pueblo Lands of San Diego, according to the map thereof made by James Pascoe in the year 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of said County Recorder, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said subordination agreement of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73970.

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of The Anglo California National Bank of San Francisco, executed in favor of The City of San Diego, bearing date April 11, 1941, conveying to said City an easement and right of way for street purposes through, along and across portions of the westerly half of Pueblo Lot 181 of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in the year 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the lands therein conveyed are hereby set aside and dedicated to the public use as and for public streets; and the land therein designated as "Parcel 1" is hereby named CHARLES STREET;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73971

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of James Andrew Morrow and Phyllis M. Morrow, executed in favor of The City of San Diego, bearing date April 10, 1941, conveying to said City an easement and right of way for street purposes through, along and across portions of the westerly half of Pueblo Lot 181, of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in the year 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the lands therein conveyed are hereby set aside and dedicated to the public use as and for public streets; and the land therein designated as "Parcel 2" is hereby named CHARLES STREET;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73972

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Antonia Sedlack, executed in favor of The City of San Diego, bearing date April 15, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the west 4 feet of Lot 2, Block 411, H. C. Skinner's Addition, according to official map thereof No. 140 on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73973

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Robert F. Gentles and Florence Gentles, executed in favor of The City of San Diego, bearing date April 18, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the westerly 4 feet of Lot 22, Block 228, Pacific Beach, according to Maps thereof Nos. 854 and 791 filed in the office of the County Recorder of San Diego County September 28, 1898 and December 29, 1894, respectively, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 73974

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the San Diego Consolidated Gas & Electric Company be, and said company is hereby authorized and directed to turn on the electric current for the lighting of the four (4) lamps on Standards numbered 4494, 4496, 4498 and 4500, on Midway Drive and West Point Loma Boulevard, in The City of San Diego.

Approved as to form by H. B. DANIEL

## R E S O L U T I O N NO. 73975

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Department of Public Works be and it is hereby authorized and directed to paint pavement lines on Midway Drive and West Point Loma Boulevard, in The City of San Diego, to outline safe driving channels, in accordance with the plat attached to the recommendation of the City Manager, contained in Document No. 328519, on file in the office of the City Clerk of said City.

Approved as to form by H. B. DANIEL

## R E S O L U T I O N NO. 73976

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That Resolution No. 73474, granting permission to A. Schreiber, 4220 St. James Place, to improve Union Street, between Thorn and Sassafras Streets, and Sassafras Street, between Union Street and a line 100 feet westerly from the westerly line of Union Street, by private contract, adopted on the 25th day of February, 1941, be, and the same is hereby repealed.

## R E S O L U T I O N NO. 73977

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That A. Schreiber, 4220 St. James Place, San Diego, California, be, and he is hereby granted permission to construct a temporary roadway on Union Street, from Thorn Street to Sassafras Street, and on Sassafras Street, from Union Street to a point 100 feet westerly from Union Street, and to provide the necessary drainage facilities to protect the work from storm drainage; said work to be done at private contract, at his own expense. All of said work to be done in accordance with specifications for said work furnished by the City Engineer of said City, and to be done to the satisfaction of said City Engineer.

Approved as to form by H. B. DANIEL

## R E S O L U T I O N NO. 73978

WHEREAS, The City of San Diego was the owner of that certain real property described as follows:

The southwesterly seventy-five (75) feet of Lot 4, Block 436 Old San Diego, which property was sold by the City to Edward F. Anholzer on September 6, 1940, pursuant to and in accordance with the provisions of Section 9.03 of the Administrative Code; and

WHEREAS, title to said property during all the times referred to herein was vested in The City of San Diego, in accordance with title policy of insurance issued by the Union Title and Insurance Company of San Diego No. 288721, dated the 12th day of February, 1938, in which it is shown that said title, as appears from the official records of San Diego County, was vested in said The City of San Diego; and

WHEREAS, during the time said property was vested in The City of San Diego as aforesaid, certain city taxes were erroneously levied and assessed against said property for the year 1926, which taxes are now delinquent and unpaid as per Certificate No. 101 on file in the office of the City Auditor and Comptroller; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said City tax for the year 1926, against the property hereinbefore described, now delinquent and unpaid as per Certificate No. 101 on file in the office of the City Auditor and Comptroller as aforesaid, be, and the same is hereby cancelled; and that the City Clerk and the City Auditor and Comptroller be, and they are hereby directed to take the necessary steps in accordance therewith.

I hereby approve the form of the foregoing Resolution and consent to the cancellation of said tax, this 19th day of April, 1941, JAMES J. BRECKENRIDGE

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Simpson

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73979

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor and Comptroller of The City of San Diego be, and he is hereby authorized and directed to make the following transfers of funds in the City Attorney's Office Fund of said City, as provided by Section 4 of Ordinance No. 1880 (New Series) of the ordinances of said City;

From Maintenance and Support:

Account AC 111, Stationery and office supplies, \$150.00

Account AC 395, Legal Expenses, 50.00

From Outlay: Account AC 556, Books and subscriptions, 125.00

to Outlay, Account AC 551, furniture and fixtures.

Presented by D. L. AULT

## R E S O L U T I O N NO. 73980

WHEREAS, The United States of America has filed in the District Court of the United States, in and for the Southern District of California, Southern Division, an action under the right of eminent domain, condemning the following described property:

A tract of land lying and being in the City of San Diego, County of San Diego, State of California, and described as follows:

PARCEL I: Being the Southeast one-half of the Southwest one-half of Pueblo Lot No. 278, containing approximately 2-1/2 acres, as shown by plat "Land proposed to be acquired through condemnation proceedings for the Defense Housing Project at San Diego, California (Downtown Site)," blueprint of which is attached to the complaint filed in said action, and by reference made a part thereof, together with the improvements thereon;

PARCEL II: Being the Northwest one-half of the Southwest one-half, and the Northeast one-half of Pueblo Lot No. 278, containing approximately 7-1/2 acres, as shown by plat "Land proposed to be acquired through condemnation proceedings for the Defense Housing Project at San Diego, California (Downtown Site)," blueprint of which is attached to the complaint filed in said action, and by reference made a part thereof, together with the improvements thereon;

PARCEL III: Being all of Pueblo Lot No. 279, except the northerly portion thereof which is being used by the United States Army for the purpose of maintaining a dike along the southerly side of the San Diego River, containing approximately 8-1/2 acres, as shown by plat "Land proposed to be acquired through condemnation proceedings for the Defense Housing Project at San Diego, California (Downtown Site)," blueprint of which is attached to the complaint filed in said action, and by reference made a part thereof, together with the improvements thereon;

PARCEL IV: Being all of Pueblo Lot No. 307, containing approximately 5 acres, as shown by plat "Land proposed to be acquired through condemnation proceedings for the Defense Housing Project at San Diego, California (Downtown Site)," blueprint of which is attached to the complaint filed in said action, and by reference made a part thereof, together with the improvements thereon.

AND WHEREAS, The City of San Diego has been named a party defendant in said suit, said suit being numbered 94 Civil; and

WHEREAS, it appears that The City of San Diego has no interest in the property hereinbefore described as Parcels I, III and IV; NOW, THEREFORE

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Attorney be, and he is hereby authorized to file a disclaimer in said action, whereby said The City of San Diego disclaims any interest in the property hereinabove described as parcels I, III and IV, sought to be condemned therein.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Simpson

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 73981

WHEREAS, the United States of America has filed in the District Court of the United States, in and for the Southern District of California, Southern Division, an action under the right of eminent domain, condemning the following described property:

Certain Lands in San Diego County, California, which said lands are shown on a photostatic copy of a drawing entitled, "Plat of Survey, Ocotillo Dry Lake Landing Field, being in Secs. 3, 4, 9 & 10 of T 12 S, R 8 E, S.B.B.M., San Diego, California," which is attached to the complaint as "Exhibit A," and made a part of said complaint. Said lands are more particularly described as follows:

The W 1/2 of the SW 1/4 of Sec. 3, Twp. 12 S. R. 8 E., S.B.B.M., consisting of 80 acres, more or less.

AND WHEREAS, The City of San Diego has been named a party defendant in said suit, said suit being numbered 88 Civil; and

WHEREAS, it appears that The City of San Diego has no interest in the property hereinbefore described; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Attorney be, and he is hereby authorized to file a disclaimer in said action, whereby said The City of San Diego disclaims any interest in the property sought to be condemned therein.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Simpson

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California



FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73982

WHEREAS, in accordance with the provisions of Section 203 of the Streets and Highway Code, the Department of Public Works of the State of California shall expend or cause to be expended within the cities of the State from the State Highway Fund, an amount equal to the net revenue derived from the quarter-cent per gallon of tax on motor vehicle fuel upon State highways as are agreed upon by the Department and the legislative bodies of the cities of this State; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized to execute and forward to the Division of Public Works of the State of California the Project Statement No. 14, dated April 10, 1941, for the expenditure of the Quarter Cent Fund on State Highways, within the limits of the City of San Diego, covering the improvement of said State Highways, within said City, as set forth in Document No. 328494, on file in the office of the City Clerk of said City.

BE IT FURTHER RESOLVED, that the City Clerk of said City be, and he is hereby authorized and directed to forward a certified copy of this resolution to the Secretary of the California Highway Commission of the State of California.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Simpson

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73983

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of The City of San Diego be, and he is hereby authorized and empowered to execute for and on behalf of The City of San Diego a lease or concession agreement wherein and whereby The City of San Diego leases to Lennie Murphy, a person, for a term beginning on the 16th day of April, 1941, and ending on the 1st day of June, 1941, the dressing rooms situated on the west or Pacific Ocean side of the Mission Beach Plunge and Bathhouse located in the City of San Diego, as a concession privilege in the rental of said dressing rooms, the concession for said privilege to be at the rate of thirty-per cent (30%) of the gross receipts from the operation and maintenance of said dressing rooms.

Approved as to form by WILLIAM H. MACOMBER

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Simpson

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73984

WHEREAS, pursuant to the due and proper publication of notice inviting bids for the construction of the Mission Valley Pipe Line, in The City of San Diego, California, two (2) sealed bids were filed in the office of the City Clerk prior to ten o'clock A.M., April 15, 1941, for the furnishing of cast iron pipe, special castings and fittings, under Schedule I, for the construction of said pipe line; four (4) sealed bids were filed in the office of the City Clerk prior to ten o'clock A.M., April 15, 1941, for the furnishing of gate valves, under Schedule II, for the construction of said pipe line; seven (7) sealed bids were filed in the office of the City Clerk prior to ten o'clock A.M., April 15, 1941, for the installation of cast iron pipe, gate valves and the furnishing of miscellaneous items, under Schedule I, for the construction of said pipe line; and one (1) sealed bid was filed in the office of the City Clerk prior to ten o'clock A.M., April 15, 1941, for the furnishing and installing of concrete protected steel cylinder pipe and miscellaneous items, and the installing of gate valves furnished by the City, under Schedule II, for the construction of said pipe line; all as required by said notice; and

WHEREAS, at the hour of ten o'clock A.M. on said day, the City Council of The City of San Diego, having convened in regular meeting, said bids were opened and publicly read, to-wit: the bids of United States Pipe & Foundry Company and American Cast Iron Pipe Company for the furnishing of cast iron pipe, special castings and fittings, under Schedule I; the bids of Mission Pipe & Supply Company, Industries Supply Company, Water Works Supply Company

and Crane Company, for the furnishing of gate valves, under Schedule II; the bids of V. R. Dennis Construction Company, R. A. Wattson & Gogo & Rados, J. L. Kruly, H. L. Foster, R. E. Hazard, Daley Corporation, and J. S. Barrett, for the installation of cast iron pipe, gate valves, and the furnishing of miscellaneous items, under Schedule I; and the bid of American Concrete & Steel Pipe Company, for the furnishing and installing of concrete protected steel cylinder pipe and miscellaneous items and the installing of gate valves furnished by the City, under Schedule II; and thereupon said bids were referred to the Hydraulic Engineer of said City for checking and report; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That all bids submitted for the furnishing of cast iron pipe, special castings and fittings, under Schedule I, for the construction of said Mission Valley Pipe Line, to-wit: the bids of the United States Pipe & Foundry Company and the American Cast Iron Pipe Company, be, and the same are hereby rejected.

That the bid submitted by Mission Pipe & Supply Company for the furnishing of gate valves under Schedule II, for the construction of said Mission Valley Pipe Line, filed with the City Clerk on April 15, 1941, and bearing Document No. 328300, be, and the same is hereby declared the lowest bid received, and that the said Mission Pipe & Supply Company is the lowest responsible and reliable bidder.

That all bids submitted for the installation of cast iron pipe, gate valves and the furnishing of miscellaneous items, under Schedule I, for the construction of said Mission Valley Pipe Line, to-wit: the bids of V. R. Dennis Construction Company, R. A. Wattson & Gogo & Rados, J. L. Kruly, H. L. Foster, R. E. Hazard, Daley Corporation and J. S. Barrett, be, and the same are hereby rejected.

That the bid submitted by American Concrete & Steel Pipe Company for the furnishing and installing of concrete protected steel cylinder pipe and miscellaneous items and the installing of gate valves furnished by the City, under Schedule II, for the construction of said Mission Valley Pipe Line, filed with the City Clerk of The City of San Diego on April 15, 1941, and bearing Document No. 328310, be, and the same is hereby declared the lowest bid received, and that the said American Concrete & Steel Pipe Company is the lowest, responsible bidder.

BE IT FURTHER RESOLVED, that this Council hereby rejects all bids received for furnishing said gate valves, under Schedule II, except the next herein mentioned, and hereby awards the contract for the furnishing of said gate valves to the lowest responsible and reliable bidder, to-wit: Mission Pipe & Supply Company, at the price named in its bid for the furnishing of said gate valves, which bid is on file in the office of the City Clerk of said City, and bears Document No. 328300; and which said price is the sum of \$4,758.32, including California State Sales Tax.

BE IT FURTHER RESOLVED, that this Council hereby awards the contract for the furnishing and installing of concrete protected steel cylinder pipe and miscellaneous items and the installing of gate valves furnished by the City, under Schedule II, to the lowest responsible and reliable bidder, to-wit: American Concrete & Steel Pipe Company, at the price named in its bid for the furnishing and installing of concrete protected steel cylinder pipe and miscellaneous items and the installing of gate valves furnished by the City, under Schedule II, which bid is on file in the office of the City Clerk of said City, and bears Document No. 328310, and which said price is the sum of \$235,390.44.

BE IT FURTHER RESOLVED, that a majority of the members of this Council be, and they are hereby authorized to execute for and on behalf of The City of San Diego the contract with Mission Pipe & Supply Company for the furnishing of said gate valves under Schedule II, upon the execution by the Mission Pipe & Supply Company of said contract, and upon the execution, delivery, filing and approval of the bonds required thereunder.

BE IT FURTHER RESOLVED, that a majority of the members of this Council be, and they are hereby authorized to execute for and on behalf of The City of San Diego the contract with American Concrete & Steel Pipe Company, for the furnishing and installing of concrete protected steel cylinder pipe and miscellaneous items and the installing of gate valves furnished by the City, under Schedule II, upon the execution by the American Concrete & Steel Pipe Company of said contract, and upon the execution, delivery, filing and approval of the bonds required thereunder.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73985

WHEREAS, pursuant to the due and proper publication of notice inviting bids for the construction of Harbor Drive and La Jolla Shores Pipe Lines, in The City of San Diego, California, two (2) sealed bids were filed in the office of the City Clerk prior to ten o'clock A.M., April 15, 1941, for the furnishing of cast iron pipe, special castings and fittings, under Schedule I, for the construction of said pipe lines, and four (4) sealed bids were filed in the office of said City Clerk prior to ten o'clock A.M., April 15, 1941, for the furnishing of gate valves, under Schedule II, for the construction of said pipe lines, all as required by said notice; and

WHEREAS, at the hour of ten o'clock A.M. on said day, the City Council of The City of San Diego, having convened in regular meeting, said bids were opened and publicly read, to-wit: the bids of United States Pipe & Foundry Company and American Cast Iron Pipe Company for the furnishing of cast iron pipe, special castings and fittings, under Schedule I; and the bids of Mission Pipe & Supply Co., Industries Supply Company, Water Works Supply Company and Crane Company, for the furnishing of gate valves, under Schedule II; and thereupon said bids were referred to the Hydraulic Engineer of said City for checking and report; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the bid submitted by United States Pipe & Foundry Company, for the furnishing of cast iron pipe, special castings and fittings, under Schedule I, for the construction of Harbor Drive and La Jolla Shores Pipe Line, in The City of San Diego, California, filed with the City Clerk on April 15, 1941, and bearing Document No. 328301, be, and the same is hereby

declared the lowest bid received, and that the said United States Pipe & Foundry Company is the lowest, responsible and reliable bidder.

BE IT FURTHER RESOLVED that this Council hereby rejects all bids received for furnishing said cast iron pipe, special castings and fittings, except that next herein mentioned, and hereby awards the contract for the furnishing of said cast iron pipe, special castings and fittings, under Schedule I, to the lowest responsible and reliable bidder, to-wit: United States Pipe & Foundry Company, at the unit prices named in its bid for the furnishing of said materials, plus California State Sales Tax, which bid is on file in the office of the City Clerk of said City, and bears Document No. 328301, and which said price is the sum of \$33,499.47, plus California State Sales Tax amounting to the sum of \$757.86, less an allowance of \$13.28 per ton for freight charges in event the City elects to take delivery f.o.b. cars at foundry.

BE IT FURTHER RESOLVED that the bid submitted by Mission Pipe & Supply Co., for the furnishing of gate valves under Schedule II, for the construction of Harbor Drive and La Jolla Shores Pipe Lines, in The City of San Diego, filed with the City Clerk on April 15, 1941, and bearing Document No. 328300, be, and the same is hereby declared the lowest bid received, and that the said Mission Pipe & Supply Co. is the lowest responsible and reliable bidder.

BE IT FURTHER RESOLVED, that this Council hereby rejects all bids received for furnishing said gate valves, except that next herein mentioned, and hereby awards the contract for the furnishing of said gate valves under Schedule II, to the lowest responsible and reliable bidder, to-wit: Mission Pipe & Supply Co., at the price named in its bid for the furnishing of said gate valves, which bid is on file in the office of the City Clerk of The City of San Diego, and bears Document No. 328300, and which said price is the sum of \$1,843.15, including California State Sales Tax.

BE IT FURTHER RESOLVED, that a majority of the members of this Council be, and they are hereby authorized to execute for and on behalf of The City of San Diego the contract with the United States Pipe & Foundry Company for the furnishing of said cast iron pipe, special castings and fittings under Schedule I, upon the execution by the said United States Pipe & Foundry Company of said contract, and upon the execution, delivery, filing and approval of the bonds required thereunder.

BE IT FURTHER RESOLVED, that a majority of the members of this Council be, and they are hereby authorized to execute for and on behalf of The City of San Diego the contract with Mission Pipe & Supply Co., for the furnishing of said gate valves under Schedule II, upon the execution by the Mission Pipe & Supply Co. of said contract, and upon the execution, delivery, filing and approval of the bonds required thereunder.

Passed and adopted by the said Council of the said City of San Diego, California, this 22nd day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 73986

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of San Diego Electric Railway Company for franchise to operate automobile buses, stages and/or other self-propelled vehicles for the transportation of passengers for hire from Fifth Avenue and F Street to El Cajon Boulevard and Euclid Avenue, be, and it is hereby referred to the City Manager, the City Attorney and Mr. S. E. Mason, Vice President and General Manager of the San Diego Electric Railway Company for the necessary resolution.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73925 to 73986, inclusive, of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 22nd day of April, 1941.

FRED W. SICK

City Clerk of the City of San Diego, California

By

*Helen M. Wilby*

Deputy

#### R E S O L U T I O N NO. 73987

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of San Diego Electric Railway Company for franchise to operate automobile buses, stages and/or other self-propelled vehicles for the transportation of passengers for hire from Fifth Avenue and F Street to El Cajon Boulevard and Euclid Avenue, be, and it is hereby referred to the City Attorney for preparation of the necessary documents preparatory to said franchise grant. This resolution supersedes Resolution No. 73986.

#### R E S O L U T I O N NO. 73988

RESOLUTION DETERMINING AND PROPOSING TO GRANT A FRANCHISE TO SAN DIEGO ELECTRIC RAILWAY COMPANY, A CORPORATION, FOR AUTHORITY TO OPERATE AUTOMOBILE BUSES, STAGES AND/OR OTHER SELF-PROPELLED VEHICLES FOR THE TRANSPORTATION OF PASSENGERS FOR HIRE ALONG AND UPON CERTAIN STREETS IN THE CITY OF SAN DIEGO NAMED IN THE APPLICATION FOR SUCH FRANCHISE HERETOFORE FILED AND DATED APRIL 23, 1941; THE TERM OF SAID FRANCHISE COMMENCING UPON THE EFFECTIVE DATE OF THE ORDINANCE OF FINAL GRANT AND ENDING ON THE 10TH DAY OF NOVEMBER, 1973; AND ORDERING NOTICE OF SAID APPLICATION AND OF THE DETERMINATION OF THE COUNCIL TO GRANT THE SAME TO BE HAD BY PUBLICATION IN THE OFFICIAL NEWSPAPER OF SAID CITY AND FIXING THE AMOUNT OF THE BOND.

WHEREAS, San Diego Electric Railway Company, a corporation, on April 23, 1941, filed a written application to the Council of the City of San Diego for the grant to it of the franchise and authority to operate automobile buses, stages and/or other self-propelled vehicles for the transportation of passengers for hire along and upon certain streets in the City of San Diego, the term of said franchise so applied for commencing upon the effective date of the ordinance of final grant and ending on the 10th day of November, 1973, which said application is on file with the City Clerk of the City of San Diego and is marked in



the files of said Clerk as Document No. 328556; and

WHEREAS, upon due consideration of said application said Council has determined that it is for the best interests of said City that such franchise and authority be granted, and that the said Council proposes to grant the same; NOW THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That it is now determined that such franchise and authority shall be granted for the period named and as applied for in said application.

That the City Clerk be, and he is hereby directed to advertise the fact of said application, together with a statement that it is proposed to grant the same as applied for and stating that bids will be received for such franchise and authority, and that it will be sold, struck off and awarded to the highest cash bidder therefor, by publication in the official newspaper of said City, to-wit: The San Diego Union, once a day for ten successive days; and said City Clerk is hereby further directed to sign said notice and advertisement, and to state in said notice the character of said franchise and authority proposed to be granted, the terms for which it is to be granted as to each route, and the route to be traversed; and that sealed bids therefor will be received up to the hour of 10:00 o'clock A.M. on Tuesday, the 27th day of May, 1941, when in open session said Council will open and publicly declare all bids; and that the successful bidder and assigns must during the life of said franchise pay to said City two percentum (2%) of the gross annual receipts of the person, partnership or corporation to whom the franchise is awarded arising from its use, operation or possession, such percentage to be payable annually, and to commence to accrue from the date of taking effect of the ordinance granting the franchise; and that the successful bidder will be required to file a bond running to the City of San Diego, with at least two good and sufficient sureties, to be approved by the City Council, in the penal sum of One Thousand Dollars (\$1,000.00), conditioned that such bidder shall well and truly observe, fulfill and perform each and every term and condition of such franchise, and that in case of any breach of condition of such bond, the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages and shall be recoverable from the principal and sureties upon said bond. Said advertisement shall also contain and set forth all other matters and things required by law.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 24th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: Simpson and Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 73989

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the Civil Service Commission that positions of Senior Airport Control Tower Operator and Junior Airport Control Tower Operator be created, and that the salary be set at \$175.00 to \$250.00 per month for the Senior Airport Control Tower Operator, and \$125.00 to \$175.00 per month for the Junior Airport Control Tower Operator, be, and it is hereby adopted.

#### RESOLUTION NO. 73990

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Councilman Fred W. Simpson and Director of Public Works F. A. Rhodes, be, and they are hereby authorized to attend the California State Highway Commission meeting in Stockton on April 25 for the purpose of representing the City of San Diego in the matter of construction of a road in the vicinity of San Vicente dam. They are hereby authorized to incur the necessary expense for said trip.

#### RESOLUTION NO. 73991

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the City Council does hereby declare its opposition to the passage of Assembly Bill No. 952, either in its original form or as amended March 31, 1941, for the reason that it would, if enacted, deprive the State Board of Harbor Commissioners for San Diego of a considerable portion of the board's present jurisdiction, and to that extent be injurious to the interests of The City of San Diego and the County of San Diego.

BE IT FURTHER RESOLVED that our legislative delegation be, and they are hereby urged to aid in defeating said bill.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to cause a certified copy of this resolution to be transmitted to Senator Fletcher, Assemblywoman Daley and Assemblymen Stream and Richie.

Approved as to form by H. B. DANIEL

#### RESOLUTION NO. 73992

BE IT RESOLVED by the Council of the City of San Diego, as follows:

There is hereby referred to the City Manager the matter of "In Lieu Tax", with the request that he take up the subject with Supervisor Dave Bird, and report back to the Council.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73987 to 73992 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 24th day of April, 1941.

FRED W. SICK  
City Clerk of the City of San Diego, California

By Helen M. Willig Deputy

RESOLUTION NO. 73993  
DECLARING THE RESULT OF THE REGULAR MUNICIPAL ELECTION HELD IN  
THE CITY OF SAN DIEGO, CALIFORNIA, ON TUESDAY, THE 22ND DAY OF  
APRIL, A. D. 1941.

WHEREAS, a Regular Municipal Election was held in The City of San Diego, California, on Tuesday, the 22nd day of April, A.D. 1941, in pursuance of the provisions of Section 10, Article II, of the Charter of The City of San Diego, California, and of the provisions of Ordinance No. 2061 (New Series) of the ordinances of said City, entitled, "An Ordinance proclaiming a regular municipal election in The City of San Diego, California," passed and adopted by the Council of said City February 18, 1941; and

WHEREAS, said election was held for the purpose of electing the following municipal officers, to-wit:

- FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 1: One to be elected;
- FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 3: One to be elected;
- FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 4: One to be elected;
- FOR CITY ATTORNEY: One to be elected;
- FOR JUDGE OF THE MUNICIPAL COURT, DEPARTMENT NO. 2: One to be elected;
- FOR MEMBERS OF THE BOARD OF EDUCATION: Three to be elected.

AND WHEREAS, at said Regular Municipal Election there was submitted to the qualified voters of said city, in pursuance of the provisions of Resolution No. 73571, entitled, "A Resolution directing the submission to the electors of The City of San Diego at the Regular Municipal Election called for Tuesday, April 22nd, 1941, of a proposition to recede and transfer to the State of California for use by said State as a site for the construction of a State Office Building and other buildings, certain tidelands in the Bay of San Diego," passed and adopted March 4, 1941, the following proposition, to-wit:

"PROPOSITION.

Shall The City of San Diego, through its Council, be empowered and authorized to recede and transfer to the State of California the hereinafter described area of tidelands and submerged lands situated within the boundaries of said The City of San Diego, being a portion of the lands conveyed to said City under and pursuant to the terms of that certain Act of the Legislature of the State of California, entitled, 'An Act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof,' approved May 1, 1911, and amendments thereto, and which said tidelands are more particularly described as follows:

All that portion of Block 11, Municipal Tidelands, Subdivision Tract No. 1, bounded on the north by the prolongation of the south line of Ash Street; on the east by Pacific Highway; on the south by A Street; and on the west by Belt Street;

for the purpose only and exclusively of constructing thereon by the State of California a state office building costing not less than \$500,000.00, and other state buildings; the construction of said state office building to be commenced within five years from the date of such receding, and carried on continuously to completion?"

AND WHEREAS, all the various election boards appointed in said Ordinance No. 2061 (New Series) have made returns of said Regular Municipal Election to the City Clerk and to the Council, all as required by law; and

WHEREAS, said Council did on the second day next succeeding the date of said election then and there proceed to canvass the said returns, and said canvass having been postponed from day to day until all absent voter ballots have been received and canvassed, and the result thereof determined; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the result of said Regular Municipal Election be, and it is hereby declared to be, as follows:

That The whole number of votes cast in said City at said Regular Municipal Election is Thirty-Seven Thousand Three Hundred Fourteen (37,009).

The total vote received by each candidate at said Regular Municipal Election is as follows:

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 1:

|                   |                       |
|-------------------|-----------------------|
| EDWARD A. KICKHAM | Received 11,491 votes |
| FRED W. SIMPSON   | Received 20,559 votes |
| SCATTERING        | Received 3 votes      |

Said Council does hereby declare FRED W. SIMPSON elected to the office of Member of the Council of The City of San Diego from District No. 1.

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 3:

|                  |                       |
|------------------|-----------------------|
| PAUL J. HARTLEY  | received 23,853 votes |
| JOSEPH W. HINCHY | received 7,196 votes  |
| SCATTERING       | received 2 votes      |

Said Council does hereby declare PAUL J. HARTLEY elected to the office of Member of the Council of The City of San Diego from District No. 3.

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 4:

|                |                       |
|----------------|-----------------------|
| ERNEST J. BOUD | received 18,303 votes |
| ANDREW K. WEIR | received 12,913 votes |
| SCATTERING     | received 2 votes      |

Said Council does hereby declare ERNEST J. BOUD elected to the office of Member of the Council of The City of San Diego from District No. 4.

CITY ATTORNEY:

|                 |                       |
|-----------------|-----------------------|
| DAYTON L. AULT  | received 25,172 votes |
| JEAN F. DU PAUL | received 8,185 votes  |
| SCATTERING      | received 3 votes      |

Said Council does hereby declare DAYTON L. AULT elected to the office of City Attorney of The City of San Diego.

FOR JUDGE OF THE MUNICIPAL COURT, DEPARTMENT NO. 2:

|                   |                       |
|-------------------|-----------------------|
| EUGENE DANEY, JR. | Received 29,563 votes |
| SCATTERING        | Received 12 votes     |

Said Council does hereby declare EUGENE DANEY, JR. elected to the office of Judge of the Municipal Court, Department No. 2.

FOR MEMBERS OF THE BOARD OF EDUCATION:

|                  |                       |
|------------------|-----------------------|
| JOHN D. AXTELL   | received 12,464 votes |
| MILDRED L. HALE  | received 24,114 votes |
| EDWARD L. HARDY  | received 25,906 votes |
| EUNICE B. PARKER | received 9,996 votes  |
| JACOB WEINBERGER | received 22,089 votes |
| SCATTERING       | received 7 votes      |

Said Council does hereby declare MILDRED L. HALE, EDWARD L. HARDY and JACOB WEINBERGER each elected to the office of Member of the Board of Education of The City of San Diego.

That the whole number of votes cast in said City at said Regular Municipal Election on the proposition authorizing The City of San Diego to recede and transfer to the State of California certain tidelands in the Bay of San Diego, hereinbefore set out in full, and

which appeared on the ballot as follows:

"PROPOSITION XXIII. Shall The City of San Diego, through its Council, be empowered and authorized to recede and transfer to the State of California the following described tidelands situated in The City of San Diego, to-wit: All that portion of Block 11, Municipal Tidelands, Subdivision Tract No. 1 bounded on the north by the prolongation of the south line of Ash Street, on the east by Pacific Highway, on the south by A Street, and on the west by Belt Street; which said tidelands are to be used by the State of California for the purpose only and exclusively of constructing thereon a state office building costing not less than \$500,000.00, and other state buildings; the construction of said state office building to be commenced within five years from the date of such receding, and carried on continuously to completion?

is Thirty-Seven Thousand Three Hundred Fourteen (37,314) as follows, to-wit:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 21,415 votes |
| Against said proposition, | 6,051 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

The City Clerk of said City is hereby directed to cause this resolution to be published at least once in the official newspaper of said City.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 73994

DECLARING THE RESULT OF THE REGULAR MUNICIPAL ELECTION HELD IN THAT PORTION OF THE SAN DIEGO UNIFIED SCHOOL DISTRICT LYING OUTSIDE THE CORPORATE LIMITS OF THE CITY OF SAN DIEGO ON THE 22ND DAY OF APRIL, 1941, FOR THE PURPOSE OF VOTING ON THE ELECTION OF MEMBERS OF THE BOARD OF EDUCATION.

WHEREAS, a Regular Municipal Election was held in that portion of the San Diego Unified School District lying outside the corporate limits of The City of San Diego, California, on Tuesday, the 22nd day of April, 1941, in pursuance of the provisions of Section 10, Article II, and Section 66, Article VI, of the Charter of The City of San Diego, and of the provisions of Ordinance No. 2062 (New Series) of the ordinances of said City, entitled, "An Ordinance proclaiming a Regular Municipal Election in that portion of the San Diego Unified School District lying outside the corporate limits of The City of San Diego, for the purpose of voting on the election of members of the Board of Education to be elected at the Regular Municipal Election to be held in The City of San Diego on the 22nd day of April, 1941," passed and adopted by the Council of said City February 18, 1941; and

WHEREAS, said election was held for the purpose of voting on the election of the following municipal officers, to-wit:

FOR MEMBERS OF THE BOARD OF EDUCATION:

Three to be elected; and

WHEREAS, all the various election boards appointed in said Ordinance No. 2062 (New Series) have made returns of the said election to the City Clerk and to the Council, all as required by law; and

WHEREAS, said Council did on the second day next succeeding the date of said election then and there proceed to canvass the said returns, and said canvass having been postponed from day to day until all absent voter ballots have been received and canvassed, and the result thereof determined; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the result of said Regular Municipal Election in said portion of the San Diego Unified School District lying outside of the corporate limits of The City of San Diego, be, and it is hereby declared to be, as follows:

The whole number of votes cast in said portion of the San Diego Unified School District lying outside of the corporate limits of The City of San Diego is Ninety-Seven(97).

The total vote received by each candidate for Member of the Board of Education at said Regular Municipal Election in said portion of the San Diego Unified School District lying outside of the corporate limits of The City of San Diego is as follows:

FOR MEMBERS OF THE BOARD OF EDUCATION:

|                  |                   |
|------------------|-------------------|
| JOHN D. AXTELL   | Received 34 votes |
| MILDRED L. HALE  | received 81 votes |
| EDWARD L. HARDY  | received 75 votes |
| EUNICE B. PARKER | received 27 votes |
| JACOB WEINBERGER | received 67 votes |

Said Council does hereby declare Mildred L. Hale, Edward L. Hardy and Jacob Weinberger each elected to the office of Member of the Board of Education of The City of San Diego.

The City Clerk of said City is hereby directed to cause this resolution to be published at least once in the official newspaper of said City.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy



I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N N O . 73995

A RESOLUTION DECLARING THE RESULT OF THE ELECTION HELD IN THE CITY OF SAN DIEGO, CALIFORNIA, ON TUESDAY, APRIL 22ND, 1941, UPON CERTAIN PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF SAN DIEGO.

WHEREAS, a Regular Municipal Election was held in The City of San Diego, California, on Tuesday, the 22nd day of April, A.D. 1941, in pursuance of the provisions of Section 10, Article II, of the Charter of The City of San Diego, and of the provisions of Ordinance No. 2061 (New Series) of the ordinances of said City, entitled, "An Ordinance proclaiming a Regular Municipal Election in The City of San Diego, California," passed and adopted by the Council of said City February 18, 1941; and

WHEREAS, at said Regular Municipal Election there were submitted to the qualified voters of said City, in pursuance of the provisions of Resolution No. 73569 of the Resolutions of the Council of said City, entitled, "A Resolution proposing and submitting to the electors of The City of San Diego, at the Regular Municipal Election called for Tuesday, the 22nd day of April, 1941, certain propositions to amend the Charter of The City of San Diego, passed and adopted March 4, 1941, the following propositions to amend the present Charter of said City of San Diego, to-wit:

#### PROPOSITION I.

Amend Sections 8, 9 and 10, Article II, of the Charter of The City of San Diego, so as to read as follows:

"Section 8. ELECTION CODE. Within ninety (90) days after this amendment has been ratified by the State Legislature the Council shall adopt an election code ordinance, providing an adequate and complete procedure to govern municipal elections, including the nomination of candidates for all elective offices. All elections provided for by this charter, whether for choice of officers or submission of questions to the voters, shall be conducted in the manner prescribed by said election code ordinance."

"Section 9. NOMINATIONS. Nominations of candidates for all elective offices shall be made in the manner prescribed by the election code ordinance provided for in Section 8 of this article."

"Section 10. ELECTIONS. The regular municipal primary election shall be held on the second Tuesday in March in each odd-numbered year, and the general municipal election shall be held on the third Tuesday in April of the same year, or, if either of these days fall on a legal holiday, then the election shall be held on the next succeeding day which is not a legal holiday. All other municipal elections which may be held under this charter shall be known as special municipal elections.

At the municipal primary election there shall be chosen by the electors of each Council District two candidates for the office of any councilman from a district whose term expires the succeeding May.

There shall be chosen by all of the electors of the City not more than twice the number of candidates necessary to fill any office of any other officer whose term expires the succeeding May.

In the event that any candidate, other than council candidates, for nomination to any office for which only one person is to be elected, shall receive a majority of the votes cast for all the candidates for nomination to such office at such primary election, the candidate so receiving such majority of votes shall be deemed to be, and declared by the Council to be, elected to such office; provided, that in the case of candidates for the office of Member of the Board of Education elected at large, the candidates therefor equal to or less than the number of such offices, for which nominations are made, who receive the votes of more than one-half of the qualified electors voting at such election, shall be deemed to be, and declared by the Council to be, elected to such office.

At the general municipal election the electors of the whole City shall select from among the candidates chosen at the primary election in each district one candidate for the office of the Councilman whose term expires the succeeding May, and there shall be chosen by all of the electors of the whole City from among the candidates chosen at the primary one candidate to succeed any other elective officer whose term expires in May succeeding the election.

The Council shall meet at its usual place of meeting at an hour previously determined, upon the second day next succeeding the date of each and every municipal election. The Council shall then and there by resolution duly adopted and entered on its minutes order the canvass made immediately by the City Clerk. The Council need not be in session during the time the canvass is being made by the City Clerk. The Council may appoint several sets of clerks to perform the clerical work of the canvass and to assist the City Clerk in canvassing the returns. The several sets of clerks so appointed may, under the order and direction of the City Clerk, perform their duties in the canvassing of the returns simultaneously. The canvass shall be made in public, and by opening the returns and determining the vote of the City for each person voted for and for and against each measure voted upon at the election, and declaring the result thereof. The canvass shall be continued daily, Sundays and holidays excepted, for not less than six hours each and every day until completed.

The City Clerk shall certify the results of the canvass to the Council, and the Council shall cause to be entered on its record a statement showing:

- (a) The whole number of votes cast in the City;
- (b) The names of the persons voted for;
- (c) The measures voted upon;
- (d) What office each person was voted for;
- (e) The number of votes given in the City to each person and for and against each measure;

(f) A statement that the number of votes given in each precinct to each person, and for and against each measure, are recorded in the election returns book, which book is hereby authorized and shall be considered as a part of the record of the Council.

The results of the canvass shall be immediately made public.

After the result of an election for any office is declared, or when an appointment is made, the City Clerk, under his hand and official seal, shall issue a certificate therefor, and shall deliver the same immediately to the person elected or appointed, and such person must within ten days after receiving such certificate file his official bond, if one be required for his office, and take and subscribe to the oath of office required of him by this Charter, which oath must be filed with the City Clerk."

#### PROPOSITION II.

Amend Section 12, Article III, of the Charter of The City of San Diego, so as to read as follows:

"Section 12. THE COUNCIL. The Council shall be composed of seven (7) Councilmen, including the Mayor, and shall be the legislative body of the City, each of the members of

which, including the Mayor, shall have the right to vote upon all questions before it.

Councilmen, including the Mayor, shall be elected at a general municipal election held in the odd numbered years, and, except as hereinafter provided, shall hold office for the term of four years from and after the first Monday after the first day of May next succeeding their election and until their successors are elected and qualified.

At the first election held after this Charter takes effect there shall be elected a Mayor, whose term of office shall expire May 6, 1935, and one Councilman from each of the six (6) Districts as provided in Article II of this Charter. At the first meeting of the Council held for organization under this Charter, the Councilmen elected from the six Districts shall draw lots to determine which three (3) Councilmen shall retire on May 6, 1935, and which three Councilmen shall retire on May 8, 1933. Thereafter there shall be elected at each general municipal election according as their respective terms of office expire either four Councilmen, including the Mayor, or three Councilmen.

Any vacancy occurring in the Council shall be filled from the District in which the vacancy occurs by appointment by the remaining Councilmen; but in the event that said remaining Councilmen fail to fill such vacancy by appointment within thirty (30) days after the vacancy occurs, they must immediately cause an election to be held to fill such vacancy; provided, however, that any person appointed to fill such vacancy shall hold office only until the next regular municipal election, at which date a person shall be elected to serve for the remainder of such unexpired term.

In case a member of the Council is absent from the City for a period of forty (40) days, unless by permission of the Council, his office shall be declared vacant by the Council and the same filled as in the case of other vacancies.

Each Councilman shall receive as compensation the sum of twelve hundred dollars (\$1200.00) per year, payable in semi-monthly installments. The compensation or salary of each Councilman may be changed at any time by a majority vote of the qualified electors of the City at either a special or general municipal election. The compensation herein provided for shall be payable to each Councilman in office at the time of the ratification of this amendment by the State Legislature until the expiration of the term for which he was elected.

No Councilman shall be eligible during the term for which he was appointed or elected to hold any other office or employment with the City, except as Mayor and a member of any Board, Commission or Committee thereof, of which he is constituted such a member by general law or by this Charter."

#### PROPOSITION III.

Amend Section 17, Article III, of the Charter of The City of San Diego, so as to read as follows:

"Section 17. WHEN ORDINANCES AND RESOLUTIONS TAKE EFFECT. - EMERGENCY MEASURES. Ordinances making the annual tax levy, the annual appropriation ordinances, ordinances calling or relating to elections, and emergency measures, shall take effect at the time indicated therein. All other ordinances passed by the Council shall take effect at the time indicated therein, but not less than thirty days from the date of their passage. Ordinances adopted by vote of the electors shall take effect at the time indicated therein, or, if no time be specified, then thirty days after their adoption. An emergency measure is an ordinance to provide for the immediate preservation of the public peace, property, health or safety, in which the emergency claimed is set forth and defined in the preamble thereto. The affirmative vote of at least five members of the Council shall be required to pass any ordinance as an emergency measure. No measure making or amending a grant, renewal or extension of a franchise or other special privilege shall ever be passed as an emergency measure. No situation shall be declared an emergency by the Council except as defined in this section, and it is the intention of this Charter that compliance with such definition shall be strictly construed by the courts.

Resolutions shall become effective immediately upon their passage, unless otherwise stated therein."

#### PROPOSITION IV.

Amend Section 23, Article III, of the Charter of The City of San Diego, so as to read as follows:

"Section 23. INITIATIVE, REFERENDUM AND RECALL. The right to recall municipal officers and the powers of the initiative and referendum are hereby reserved to the people of the City. Ordinances may be initiated; and referendum may be exercised on any ordinance passed by the Council, except an ordinance which by the provisions of this charter takes effect immediately upon its passage; and any elective officer may be recalled from office. The Council shall include in the election code ordinance required to be adopted by Section 8, Article II, of this charter, an expeditious and complete procedure for the exercise by the people of the initiative, referendum and recall, including forms of petitions; provided that the number of signatures necessary on petitions for the initiation of an ordinance for the consideration of the Council shall be three per cent of the registered voters of the City at the last general City election; that for the direct submission of a measure to the people it shall require a petition signed by ten per cent of the registered voters of the City at the last general City election; that for a referendum upon an ordinance passed by the Council it shall require a petition signed by five per cent of the registered voters of the City at the last general City election; and that for the recall of an elected officer it shall require a petition signed by fifteen per cent of the registered voters of the City at the last general City election."

#### PROPOSITION V.

Amend Section 53, Article V, of the Charter of The City of San Diego, so as to read as follows:

"Section 53. WATER DEPARTMENT. There shall be included in the administrative organization of the City a separate department to be known as the Water Department. The Department shall consist of three divisions or bureaus, viz.; the Division of Development and Conservation, the Division of Distribution, and the Division of Accounts.

(a) The Manager shall appoint a competent hydraulic engineer, who shall have charge of the Division of Development and Conservation and of such subordinate officers and employees in said Division as shall be authorized by ordinance. This Division shall have charge of all matters and things connected with, incidental or necessary to the development and conservation of water, and also of the conveyance and delivery of water to the distributing system of the City and to such consumers as are authorized to receive water from the City along the line of its supply.

(b) The Manager shall appoint a Superintendent of Distribution in the Water Department and such subordinate officers and employees as may be authorized by ordinance. This Division shall have charge of the distributing system of the City both within and without the territorial boundaries of the City, and of the actual distribution of water to the consumer, including the construction and maintenance of water mains, services and meters used in the distribution of water to the consumer. The Council shall from time to time establish a schedule of charges for water delivered by the City to the consumer, classified according to the purpose for which and the quantity of water used. Each such schedule shall be general in its application, and shall apply to all consumers. All Departments of the City using water from the distributing system shall pay for the same at the same rates as other consumers.

(c) The City Manager shall appoint a qualified accountant who shall have charge of the Division of Accounts and of such subordinate officers and employees in said Division as



shall be authorized by ordinance. This Division shall have charge of all accounts and records required to be kept and maintained by Section 109 of this Charter with respect to said Water Department.

(d) The Council must provide an adequate sum in the annual appropriation ordinance for the proper maintenance of the Department. In addition thereto, the Council shall levy annually a tax sufficient to provide for the redemption of municipal bonds heretofore or hereafter issued for water purposes, together with a sum sufficient to pay the interest thereon. The amount of money necessary to be raised each year for the redemption of water bonds and the payment of interest thereon and for the retirement of any other funded or contractual indebtedness incurred by purchase or otherwise for the development, conservation or distribution of water shall be charged annually against the Water Department on the accounts of the City. All revenues, except such as have been heretofore appropriated by contract to some specific purpose, in excess of the amount necessary for the maintenance and operation of such Water Department shall be transferred monthly to the General Fund of the City and shall be available thereafter for use for any legal City purposes, and all such surplus funds so transferred shall be credited on the accounts of the City as a reimbursement credit for the monies paid by the City each year for the redemption of water bonds and the payment of interest thereon. Such accounts shall be kept by the City Auditor and Comptroller until such water bonds have been actually redeemed.

(e) The Manager shall appoint an Advisory Commission of three citizens who have knowledge of water development problems, to advise with the City Manager and the Council on plans for future water development.

(f) The Council shall have power to employ special counsel for the purpose of advising and representing the City in all matters, proceedings and things relating to or concerning the development, impounding and distribution of water."

#### PROPOSITION VI.

Amend Section 54, Article V, of the Charter of The City of San Diego, so as to read as follows:

#### "Section 54. HARBOR DEPARTMENT.

(a) The Mayor, with the approval of the Council, shall appoint three electors of the City as members of the Harbor Commission, one to serve for two years, one for three years, and one for four years. Thereafter, members of the Harbor Commission shall be appointed to serve for four years and until their successors have been appointed and qualified. The members of the Harbor Commission in office at the time this Charter becomes effective shall remain in office until their successors are appointed and qualified. The Council may at any time by a vote of at least five (5) of their members remove from office any or all of said Harbor Commissioners. The members of the Harbor Commission shall serve without pay.

(b) The Harbor Commission is vested with jurisdiction and authority to exercise in the name of The City of San Diego such powers as are prescribed by general laws now in force and hereafter enacted, together with such additional powers and duties as may be prescribed by ordinance, this Charter, or the laws of the United States. The Commission shall have jurisdiction, supervision, management and control of the Bay of San Diego fronting upon The City of San Diego and within the jurisdiction of said City, including all tide and submerged lands, whether filled or unfilled, situated below the line of mean high tide within the limits of said City, except, however, such tide and submerged lands which have heretofore or which hereafter may be transferred to the exclusive control of the United States and excepting further such other land as may by vote of the people or act of the State Legislature be transferred to a purpose and use inconsistent with commerce, navigation and fisheries.

(c) The Harbor Commission shall have power to adopt, with the approval of the Council by ordinance, such rules and regulations as may be necessary to exercise and carry out the powers and duties prescribed by this Charter for said Harbor Commission.

(d) The Harbor Commission, subject to the Civil Service provisions of this Charter, shall appoint a Port Director, together with such other officers, employees and subordinates as may be necessary in the judgment of said Harbor Commission to carry out the duties prescribed by this Charter for said Harbor Commission and for the promotion of commerce, navigation and fisheries. All such offices and employments shall be created by ordinance upon the direct recommendation of the Harbor Commission. The Harbor Commission shall also have authority and power to employ legal counsel whenever in the judgment of said Commission such employment is necessary.

(e) The Port Director shall be the chief administrative officer of the Harbor Commission, and he shall exercise such powers and perform such duties as may be prescribed by the Harbor Commission. In addition to any duties imposed by the Harbor Commission and this Charter the Port Director shall also perform such duties as may be imposed upon harbor masters, port directors and administrative heads of harbors and ports by State or Federal law.

(f) The Council shall appropriate each fiscal year until the fiscal year 1948-1949, the sum of \$150,000.00 in the Annual Appropriation Ordinance for the use of the Harbor Commission on harbor improvements. This sum so appropriated annually, together with such portions of the revenues and receipts of the department as may not be needed for operating expenses, shall be placed in a trust fund in the City Treasury, and expended by the Harbor Commission for capital purposes only in the development of the harbor of San Diego and of tidelands heretofore or hereafter granted to The City of San Diego by the State of California. When the harbor has been fully developed all such funds which are not necessary for the maintenance and operation of said department shall be placed in the general fund of the City and thereafter used for any lawful purpose.

(g) The Harbor Commission shall have authority to lease tidelands for such terms and upon such conditions as may be authorized by law; provided, however, that no lease of any tidelands within the jurisdiction of the City for a term longer than one year shall be valid unless said lease shall have been confirmed by the Council.

(h) Any municipal air ports now established or which may hereafter be established on the tidelands shall be under the control and supervision of the Harbor Commission until such time as the Council by ordinance shall create a Department of Aviation under the Manager, at which time the Council may provide in such ordinance for the control, regulation and supervision of municipal air ports by the Department of Aviation.

(i) And all matters concerning the development of the Harbor of San Diego in which the Planning Commission of The City of San Diego shall have an interest, and which relate to the planning and zoning of The City of San Diego, shall be referred by the Harbor Commission to the Planning Commission for recommendation before final action is taken thereon. In the event of a disagreement between the Harbor Commission and the Planning Commission concerning such proposed development, the matter shall be referred to the Council, whose decision on such development shall be final."

#### PROPOSITION VII.

Amend Section 55, Article V, of the Charter of The City of San Diego, so as to read as follows:

"Section 55. PARK DEPARTMENT. The Park Department shall consist of the Park Division, the Cemetery Division and the Street Trees Division.

The Manager shall appoint a Park Commission of three members whose powers shall be as prescribed in Section 43.

The Manager shall appoint a Park Director, who, in turn, shall appoint a Superintendent of Cemeteries, and a Superintendent of Street Trees.



The Park Director shall, subject to the advice of the Manager, supervise the administration of the affairs of the Cemetery and Street Trees Divisions and shall, in addition, be the executive officer and director of activities of the Park Division.

(a) The Park Department shall have the control and management of the parks, parkways, plazas, cemeteries and street trees of the City. The Council shall by ordinance adopt regulations for the proper use and protection of park property, and provide penalties for violations thereof.

The Manager is charged with the enforcement of such regulations.

All real property heretofore or hereafter designated or set aside for park, recreation or cemetery purposes shall not be used for any but park, recreation or cemetery purposes without such changed use or purpose having been first authorized or permitted in such manner as is prescribed by the laws of the State of California in such cases and until such changed use or purpose is first authorized or ratified by a vote of two-thirds of the qualified electors of the City voting at an election for that purpose. Provided, however, that whenever the Council deems it to be for the best interests of the City, the Council may authorize the City Manager to enter into leases or contracts or let concessions, upon such terms and conditions as the Council shall prescribe, for the use and operation of the City Stadium in Balboa Park and for the use and operation of City-owned equipment and facilities of an amusement character located in the parks of the City, together with buildings and space therein necessary and convenient for the operation of the same.

The Park Director shall have the power, with the approval or on the recommendation of the Manager, and when not inconsistent with the proper park development or use, to permit the use by the Playgrounds and Recreation Department of suitable and convenient areas in any of the parks in the City for playgrounds, recreation centers or recreation camps.

The Park Director shall have all other powers conferred upon Boards of Park Commissioners by general laws, but the people may by a two-thirds vote modify such laws so as to designate boulevards, streets and highways in the parks and parkways as part of the public street and road system of the City and give to the Manager supervision over the construction, repair and maintenance thereof.

(b) THE CEMETERY DIVISION shall, subject to the advice of the Park Director, be charged with the management, control, preservation, regulation, improvement and embellishment of all public burial grounds and cemeteries belonging to the City, and the sale of lots therein.

The net proceeds from the sale of such lots shall be deposited with the City Treasurer to be placed in the Cemetery Perpetuity Fund.

The Cemetery Perpetuity Fund shall be administered by the Funds Commission and shall be vested in such income producing securities as the Funds Commission may decide; the principal of the Perpetuity Fund (subject to such accretion or diminution as may result from investing the same), shall not be available for meeting expenses of maintenance or upkeep of any nature whatsoever, but the income derived from such investment shall be transferred to the control of the Cemetery Division to be expended in the maintenance and upkeep of the Cemeteries.

The Cemetery Division shall have the power to construct, maintain and operate crematories, chapels and such other adjuncts as properly pertain to cemeteries, in so far as available funds will permit.

(c) THE STREET TREES DIVISION shall, subject to the advice of the Park Director, have charge of the planting, maintaining, and removal of trees along the streets and boulevards of the City."

#### PROPOSITION VIII.

Amend Section 77, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 77. SPECIAL TAX LEVY. In addition to the taxes herein or by general law authorized to be levied and collected in an amount sufficient to pay the bonded indebtedness of the City, and subject to the limitation of Section 76 of this Article, the Council shall have the power to levy and collect a tax at a rate of not more than five cents on each one hundred dollars of the assessed valuation during any one fiscal year, for the acquisition and construction of permanent improvements, real property, public buildings and structures and public offices, including equipping and furnishing the same. Provided, however, that said amount of five cents may be increased by a vote of two-thirds of the electors voting on the proposition, but not to exceed the amount limited by said Section 76."

#### PROPOSITION IX.

Amend Section 77a, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 77a. The Council shall levy annually, in addition to all other taxes provided for in this Charter, not less than two cents (\$0.02) on each one hundred dollars (\$100.00) of the assessed valuation of the real and personal property within the City, to be used exclusively for the maintenance in Balboa Park of zoological exhibits.

Whenever the Council deems it to be for the best interests of the City, the Council may enter into a contract, upon such terms and conditions as the Council may prescribe, for the maintenance in Balboa Park of zoological exhibits, with any organization formed primarily for the purposes of maintaining zoological gardens and zoological exhibits and conducting general zoological work; and may make available to such organization the proceeds of the special tax levy provided for in this section."

#### PROPOSITION X.

Amend Section 86, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 86. DISPOSITION OF PUBLIC MONEYS. All City officials and employees empowered to collect money for fees, permits, licenses, inspections, services, taxes or other municipal charges, shall collect the same promptly at the time they become due, turn them in the City Treasury daily, obtain a receipt therefor, and report the same to the City Auditor and Comptroller weekly; provided, however, that in the case of employees located in distant parts of the city or county who in the course of their duties collect money belonging to the City, which collections can be deposited in the City Treasury daily only with difficulty and undue cost to the City, such collections may be deposited in the City Treasury within one week after their receipt by the employee collecting the same. All such moneys and all fines or pecuniary penalties or forfeitures which may accrue to the City, and all funds which may remain in the possession of the City unclaimed after a period of one year from the date when due and payable, shall be credited to the general fund of the City, and shall be applicable to any purpose to which the Council may appropriate them and the Council shall appropriate from this fund whatever sum may be necessary to pay valid claims of more than one year's standing."

#### PROPOSITION XI.

Amend Section 95, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 95. PREFERENCE IN ACCEPTING BIDS. Any board, officer, commission or department empowered by this Charter to award contracts for goods, wares, merchandise, stores, supplies, drugs, subsistence, materials, equipment, tools, or other products of industry or manufacture, the cost or expense of which is to be paid by the City or any board, office, commission or department thereof, may award a contract for the purchase, sale and furnishing

thereof to a regular bidder other than the lowest responsible bidder therefor, when, in the judgment of such awarding board, officer, commission or department, the best interests of the City and the public policy relating to the general welfare will be subserved thereby, and when the bidder specifies in his bid the following terms and conditions to be observed in the execution of the contract and he furnishes additional security for the fulfillment thereof, to-wit:

That the articles, products or materials are to be in whole or in part manufactured, made or produced in industries established in The City of San Diego or in the County of San Diego, specifying the name and location thereof; or that the articles, products or materials are regularly stocked, handled and sold by business establishments located in The City of San Diego or in the County of San Diego, specifying the name and location of such establishments.

Provided, however, that the bid of such higher bidder does not in amount or price exceed by five per cent that of the lowest responsible bidder for such contract."

PROPOSITION XII.

Amend Section 99, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 99. CONTINUING CONTRACTS. No contract or obligation involving the payment of money out of the appropriations of more than one year, except bonded indebtedness provided for in Section 90 of this Article, shall be entered into unless there shall first have been notice published in the official newspaper of the City at least two weeks before final action of the Council thereon. Such a contract shall require the approval of not less than five members of the Council. If the contract is to be for a period of more than five years it must also first be submitted to the electors of the City at a regular or special election and be approved by a two-thirds majority of those voting thereon. Any contract entered into in violation of the requirements of this section shall be invalid, and no rights, indebtedness, liabilities or obligations shall arise thereunder or be created thereby."

PROPOSITION XIII.

Amend Sections 103, 104 and 105, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 103. FRANCHISES. The Council shall have power to grant franchises to any person, firm or corporation, franchises, and all renewals, extensions and amendments thereof, for the use of any public property under the jurisdiction of the City. Such grants shall be made by ordinance adopted by vote of five of the members of the Council and only after recommendations thereon have been made by the Manager and an opportunity for free and open competition and for public hearings have been given. No ordinance granting a franchise or a renewal, extension or amendment of an existing franchise shall be effective until thirty days after its passage, during which time it shall be subject to the referendum provisions of this Charter. No franchises shall be transferable except with the approval of the Council expressed by ordinance."

"Section 104. TERM AND PLAN OF PURCHASE. Within six months after this Charter takes effect, copies of all franchises existing at the time shall be deposited with the Manager. The Council shall certify to the existence of such franchises and shall recognize them for periods not longer than the date of expiration on each. The Manager shall keep a public record of all franchises, leases or permits granted for the use of the public property of the City. The terms of all new franchises shall not extend beyond a period of fifty years, provided that any franchise may be terminated by ordinance whenever the City shall determine to acquire by condemnation or otherwise the property of any utility necessary for the welfare of the City, such termination to be effective upon and not before payment of the purchase price for the property to be acquired. The method of determining the price to be paid for the property so acquired shall be that provided by law affecting the purchase of public utility properties in effect at the time of the purchase or condemnation of such public utility property."

Section 105. RIGHT OF REGULATION. All grants, renewals, extensions or amendments of franchise, whether it be so provided in the ordinance or not shall be subject to the right of the City to repeal the same by ordinance at any time for misuse or non-use or for failure to begin construction within the time prescribed, or otherwise to comply with the terms prescribed; also to initiate proceedings before the proper tribunal to require proper and adequate extensions of plant and service, the maintenance of the plant and fixtures at the highest practicable standard of efficiency, the establishing of reasonable standards of service and quality of products, and the preventing of unjust discrimination in service or rates; and also at any time to examine and audit the accounts and other records of any franchise holder, and to require annual and other reports from each franchise holder; provided that the Council may prescribe more detailed forms for the franchise holders within its jurisdiction in addition to the forms and reports required by the General Laws of the State of California and the regulations of the State Railroad Commission; and to impose such other regulations as may be necessary for the health, safety and welfare of the public.

The City may provide that the percentage of gross annual receipts derived from the franchise privilege shall be paid to the Treasurer in such amounts and at such times as shall be determined in the ordinance granting the franchise.

The owner of a street or interurban railway franchise or privilege shall at all times keep that portion of the street occupied by his or its tracks in good condition, constantly in repair, flush with the street and with good crossings, and in the event that the street on which said franchise or privilege is granted shall be paved either by the City or under proceedings authorized by the General Laws of the State, the said owner of said franchise or privilege shall be required to pay for only that portion of any construction in excess of that covered by the specifications for the improvement of the rest of the street and which shall be necessary to provide a safe and suitable foundation for the operation of car lines over a paved street. It is the intent and purpose of this section to relieve the owner of a franchise or privilege to operate street cars on the streets of The City of San Diego of the cost of new surface pavement between the tracks of said owner and for two feet on either side thereof on streets to be hereafter paved, and to require the owner of said franchise or privilege to lay a suitable foundation for the operation of car lines over a paved street.

Nothing herein contained, however, shall relieve the said owner of said franchise or privilege of his or its obligation to keep those portions of the streets occupied by the said owner constantly in repair flush with the street, and with good crossings, and to keep that portion of the pavement now existing or which may hereafter be placed between the rails, and for two feet on each side thereof, and between the tracks if there be more than one, in good condition.

In the event that a street on which a franchise under this section shall have been granted shall be paved or improved under any of the General Laws in force at the time said improvement is started, the property owners shall be required to bear the entire cost of the improvement of the street including the cost of improving that portion of the street occupied by the owner of said franchise, save and except that portion required to be borne by the owner of the franchise, as hereinbefore provided."

PROPOSITION XIV.

Amend Section 109, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 109. ACCOUNTS OF MUNICIPALLY OWNED UTILITIES. Accounts shall be kept



for each public utility owned or operated by the City distinct from other City accounts and in accordance with the uniform classification of accounts, prescribed by the Railroad Commission of the State of California for such class of public utility, in so far as the same may be applicable to the accounts of municipally owned utilities. They shall show as nearly as possible the cost of any service furnished to or rendered by any such public utility by or to any other department of the City. They shall also show an estimate of the amount of ad valorem taxes, whether paid or not, that would be chargeable against the property if privately owned. There shall also be shown in such accounts the sinking fund or redemption requirements for all bonds hitherto or hereafter issued to obtain funds for the construction of the property of such public utility. The accounts shall show a proper allowance for depreciation on all property used in rendering utility service, and such depreciation shall be taken account of in fixing the charges made for service rendered by such utility. The purpose of such accounts shall be to show as nearly as may be the cost of rendering the service provided by such municipally owned utility. The Council may cause to be made and reproduced for public distribution reports showing the financial results of such City ownership and operation, or such other information as the Council shall deem expedient."

#### PROPOSITION XV.

Amend Section 112, Article VII, of the Charter of The City of San Diego, so as to read as follows:

"Section 112. APPRAISAL OF CITY ASSETS. The Auditor and Comptroller shall show in his records the cost or value of all real estate, buildings, structures, furniture and fixtures, supplies, materials, equipment and property of any kind owned by the City, and may require every officer or Commission to assist him in procuring the data required therefor. Proper depreciation shall be made of all property of any kind which is used by the City for utility purposes. A proper balance sheet under classified heads shall be presented to the Manager for inclusion in the annual budget and shall be published in the annual report of the Auditor and Comptroller. This balance sheet shall show all convertible and other assets and all liabilities of the City."

#### PROPOSITION XVI.

Amend Section 118, Article VIII, of the Charter of The City of San Diego, so as to read as follows:

"Section 118. RULES. The Civil Service Commission shall adopt and may amend rules for the government, supervision and control of the classified service. Such rules after adoption shall have the force and effect of law. No rule or amendment thereto, however, shall become effective unless it shall have been adopted after a public hearing thereon, with reasonable notice of such hearing first given, and only after such proposed rule or amendment thereto has been published once in the official newspaper of the City and posted in three public places, and has also been approved by the Council. The rules among other things shall provide:

(a) For the standardization and classification of all positions and employments in the classified service of the City. Such classification into groups and subdivisions shall be based upon and graded according to duties and responsibilities and so arranged as to promote the filling of the higher grades, so far as practicable, through promotions.

(b) For the rejection of any and all applicants who are not citizens of the United States. In making its selections, the Commission shall show preference (1) to citizens of the City of San Diego; (2) to citizens of the County of San Diego; (3) to citizens of California; (4) to other citizens of the United States.

(c) For competitive tests to ascertain the relative fitness of all applicants for appointment in the competitive class.

(d) For public notice of the time and place of all competitive tests, at least twenty days in advance thereof, by publication in the official paper of the City and by posting a notice in a conspicuous place in the City Hall.

(e) For the creation of eligible lists upon which shall be entered the names of the successful applicants in the order of their standing in the competitive tests and without reference to the time of the test.

(f) For the rejection of applicants or eligibles who do not satisfy reasonable requirements as to age, sex, physical condition and moral character or who have attempted deception or fraud in connection with any test or their application therefor.

(g) For the certification to the appointing authority, from the appropriate eligible list, for filling a vacancy in the competitive class, of the three names standing highest on such list.

(h) For temporary employment without test, in the absence of an eligible list; but no such temporary employment shall continue after the establishment of a suitable eligible list, nor for more than sixty days.

(i) For temporary employment for transitory work without test, but such employment shall require the consent of the Personnel Director in each case, and shall not continue for more than sixty days. No successive temporary appointments shall be allowed. Nor shall the acceptance or refusal to accept such temporary appointment on the part of a person on the eligible list be a bar to appointment to a permanent position from said eligible list.

(j) For transfer from one position to a similar position in the same class and grade, and for immediate reinstatement within one year of persons who, without fault or delinquency on their part, are separated from the service or reduced in rank.

(k) For non-competitive tests for appointments to positions designated by the City Manager or other City Officers in charge of a Department and approved by the Civil Service Commission and requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character.

(l) For promotion based on competitive tests and upon records of efficiency, character, conduct and seniority. Lists shall be created and promotions made therefrom in the same manner as prescribed for original appointments except as otherwise provided for in this Charter.

(m) For suspension for the purpose of discipline, for not longer than ninety days.

(n) For leave of absence, with or without pay.

(o) For the appointment of unskilled laborers in the order of priority of applications, and with such test of physical and mental fitness as the Personnel Director may prescribe.

(p) For discharge or reduction in rank or compensation after the person to be discharged or reduced has, if he so request, be presented by the person responsible for his appointment with the reasons therefor specifically stated in writing and has been given an opportunity to be publicly heard in his own defense by the Civil Service Commission or as otherwise provided for in this Charter. The written reasons for such discharge or reduction and any reply in writing thereto by any such officer or employee shall be filed forthwith with the Civil Service Commission.

(q) For investigating and keeping a record of the efficiency of officers and employees in the classified service, and for requiring markings and reports relative thereto from appointing authorities.

(r) An appointment or promotion shall not be deemed complete until a period of probation not to exceed six months has elapsed, and a probationer may be discharged or reduced at any time within the said period of six months without a hearing upon the recommendation of the head of the Department in which said probationer is employed, or by the City Manager, with the approval of the majority of the Commission.



(s) That the appointing authority, which appointing authority, within the meaning of this section, is hereby defined to be the person having the power in the first instance to select the employee from the eligible list provided for that purpose, shall have the power to lay off or suspend an employee or employees because of lack of funds, lack of work, or where there has been an insufficient appropriation to meet the salary requirements necessary to maintain existing personnel in any office, department, division or bureau of the City. Provided, however, that any such lay-off or suspension shall be made in conformity with the rules and regulations of the Civil Service Commission governing the order in which employees shall be laid off or suspended in cases where a reduction of personnel is required."

PROPOSITION XVII.

Amend Section 130, Article VIII, of the Charter of The City of San Diego, so as to read as follows:

"Section 130. COMPENSATION ESTABLISHED. The Council shall by ordinance, prior to the beginning of each fiscal year, establish a schedule of compensation for officers and employees in the Classified Service, which shall provide uniform compensation for like service. It shall be the duty of the Civil Service Commission to prepare and furnish to the Council, prior to the adoption of said ordinance, for the information and guidance of the Council, a schedule of compensation recommending a minimum and maximum for any grade. The Council may adopt such schedule as presented, or make such changes therein as it may deem necessary and proper. An increase in compensation, within the limits provided for any grade, may be granted at any time by the City Manager or other appointing authority upon the basis of efficiency and seniority record, after having first received the approval of the Civil Service Commission therefor."

PROPOSITION XVIII.

Repeal Section 161, Article X, of the Charter of The City of San Diego.

Amend Section 162, Article X, of the Charter of The City of San Diego, so as to read as follows:

"Section 162. RETIREMENT FOR SERVICE.

(a) Whenever any person who shall heretofore have qualified as hereinafter provided, shall have been duly appointed, selected and sworn, and have served for twenty (20) years or more, in the aggregate, as a member or employee in any rank or capacity, in the Police Department of The City of San Diego, the Board of Trustees shall, upon the written request of such or any member or without such request if it deem it for the good of the service, retire such member from further service in the Police Department and from the date of such order of retirement the service of such person shall cease and he shall thereafter, during his lifetime, be paid from the Police Relief and Pension Fund a yearly pension equal to one-half (1/2) the amount of the average yearly salary of said person for the five (5) years immediately preceding the date of his retirement, payable to him in monthly installments; provided, however, that members of the Police Department of The City of San Diego who enter the service of the Department subsequent to the date of ratification of this amendment by the State Legislature shall not be so retired before they reach the age of fifty (50) years, and before twenty-five (25) years of service in the aggregate.

In computing the time of service required for retirement, the amount of time served in the United States Army, Navy, Marine Corps or any division thereof in time of war by any member of the City Police Force, who shall have left said force for the purpose of and entered such service of the United States Army, Navy, Marine Corps or any division thereof immediately thereafter, and who shall have returned to said Police Department within three months after having been honorably discharged from said military service, shall have such time counted as part of the aggregate service required for retirement pension.

(b) Upon the death of said pensioner, one-third (1/3) of the amount of his annual salary shall be paid to his widow, until she remarries, but in no case shall such pension exceed seventy-five dollars (\$75.00) per month; and if there be no widow, each child under eighteen (18) years of age, if unmarried, shall receive twenty dollars (\$20.00) per month, but in no case shall such pension exceed the sum of seventy-five dollars (\$75.00) per month for one family; and if no widow or children, one-third (1/3) of his annual salary, not to exceed fifty dollars (\$50.00) per month, shall be paid to his mother or father, if either of them were dependent upon him during his lifetime; and if no mother or father, then to any sister or brother under the age of eighteen (18) years and unmarried who was dependent upon him during his lifetime, so long as said sister or brother are under the age of eighteen (18) years and dependent.

Provided, however, if such pensioner was pensioned for service for twenty years or more the widow shall not be entitled to any pension unless she was married to said pensioner at least three years previous to the time of his retirement. If the widow of a pensioner, entitled to a pension, shall refuse to provide for a dependent child or children or other dependent provided for in this Section, the Board of Trustees, upon satisfactory proof thereof, shall have the power to provide for said dependent child or children or other dependent, and to deduct such amount from the pension of said pensioner as may in the judgment of the Board be proper and necessary."

PROPOSITION XIX.

Repeal Section 183, Article XI, of the Charter of The City of San Diego.

Amend Section 184, Article XI, of the Charter of The City of San Diego, so as to read as follows:

"Section 184. RETIREMENT FOR SERVICE.

(a) Whenever any person who shall heretofore have qualified as hereinafter provided, shall have been duly appointed, selected and sworn, and have served for twenty (20) years or more, in the aggregate, as a member or employee in any rank or capacity, in the Fire Department of The City of San Diego, the Board of Trustees shall, upon the written request of such or any member or without such request if it deem it for the good of the service, retire such member from further service in the Fire Department and from the date of such order of retirement the service of such person shall cease and he shall thereafter, during his lifetime, be paid from the Firemen's Relief and Pension Fund a yearly pension equal to one-half (1/2) the amount of the average yearly salary of said person for the five (5) years immediately preceding the date of his retirement, payable to him in monthly installments; provided, however, that members of the San Diego Fire Department who enter the service of the Department subsequent to January 1, 1936, shall not be so retired before they reach the age of fifty (50) years, and before twenty-five (25) years of service in the aggregate.

In computing the time of service required for retirement, the amount of time served in the United States Army, Navy, Marine Corps or any division thereof in time of war by any member of the Fire Department who shall have left said Department for the purpose of and entered such service of the United States Army, Navy, Marine Corps or any division thereof, immediately thereafter, and who shall have returned to said Fire Department within three months, after having been honorably discharged from said military service, or any member having served as substitute in the San Diego Fire Department, shall have such time counted as part of the aggregate service required for a retirement pension.

(b) Upon the death of said pensioner, one-third of the amount of his annual salary shall be paid to his widow until she remarries and in no case shall such pension exceed seventy-five dollars (\$75.00) per month, and if no widow, each child under eighteen years of age, if they are not married, shall receive twenty dollars (\$20.00) per month, but in no

case shall pensions exceed the sum of seventy-five dollars (\$75.00) per month for one family; and if no children, one-third of his annual salary, not to exceed fifty dollars (\$50.00) per month, shall be paid to a dependent mother or father; and any dependent orphaned sister or brother under eighteen years of age, and unmarried, shall receive twenty dollars (\$20.00) per month but in no case to exceed fifty dollars (\$50.00) per month for the family; provided, however, if such pensioner was pensioned under subdivision (a) of this Section or Section 186 of this Article, the widow shall not be entitled to any pension unless she was married to said pensioner three years previous to the time of such retirement. In the event of the widow receiving a pension, and refusing to provide for dependent child or children, or other dependents provided for in this Section, the Board of Trustees, upon satisfactory proof, shall have the power to divide the pension as it may deem proper. In the event that a member of the San Diego Fire Department who has been pensioned for disability shall marry after being placed on the pension list, upon the death of such member his widow shall not be entitled to any pension under the terms of this Article."

PROPOSITION XX.

Repeal Sections 202 to 210, inclusive, comprising all of Article XIII, of the Charter of The City of San Diego.

PROPOSITION XXI.

Amend Section 213, Article XIV, of the Charter of The City of San Diego, so as to read as follows:

"Section 213. CONTINUING IN FORCE ORDINANCES AND CONTRACTS. All ordinances not inconsistent with any of the provisions of this Charter shall continue in force until amended or repealed, and all contracts of The City of San Diego in force at the time of the adoption of this Charter, and not inconsistent with any of the provisions thereof, shall continue in force until completed, amended or rescinded."

AND WHEREAS, at said Regular Municipal Election there was submitted to the qualified voters of said City, in pursuance of the provisions of Resolution No. 73570 of the Resolutions of the Council of said City, entitled, "A Resolution submitting to the electors of The City of San Diego, at the Regular Municipal Election called for Tuesday, the 22nd day of April, 1941, a proposition to amend the Charter of The City of San Diego," passed and adopted March 4, 1941, the following proposition, proposed by initiative petition, to amend the present Charter of said City of San Diego, to-wit:

PROPOSITION XXII.

Amend Article V of the Charter of The City of San Diego, by adding two new sections thereto, to be numbered Sections 58a and 58b (proposed by initiative petition), which said sections read as follows:

"Section 58a. Anything in this Charter to the contrary notwithstanding, the members of the San Diego Fire Department of either A or B Platoons shall not be required to work more than seven of their respective platoon shifts without receiving their next working shifts off duty, and shall not receive less than Twenty-five of their respective working shifts off duty per calendar year, and they shall not receive less than Fifty-Two of their respective working shifts off duty in two calendar years. Each member of A and B platoons shall receive as his annual vacation seven of his consecutive working shifts and such annual vacation shall be exclusive of his regular work shifts off duty, as hereinabove provided. Nothing herein contained, however, shall be construed as preventing the Chief of the Fire Department, in cases of riot, serious conflagration, or other great public emergency, from having power to assign all of the members of the Department to continuous duty or to continue any member on duty if necessary."

"Section 58b. Anything in this Charter to the contrary notwithstanding, the members of the San Diego Fire Department shall receive monthly salaries of not less than the amounts hereinafter set forth, to be paid to each member in semi-monthly payments, to-wit:

|                             |          |
|-----------------------------|----------|
| Fireman, Fourth Class:..... | \$170.00 |
| Fireman, Third Class:.....  | 180.00   |
| Fireman, Second Class:..... | 190.00   |
| Fireman, First Class:.....  | 200.00   |
| Engineer:.....              | 215.00   |
| Lieutenant:.....            | 222.00   |
| Captain:.....               | 235.00   |
| Battalion Chief:.....       | 275.00   |
| Assistant Chief:.....       | 340.00   |
| Chief:.....                 | 450.00"  |

AND WHEREAS, all the various election boards appointed in said Ordinance No. 2061 (New Series) have made returns of the said election to the City Clerk and to the Council, all as required by law; and

WHEREAS, said Council did on the second day next succeeding the date of said election then and there proceed to publicly open and canvass the said returns, and said canvass having been postponed from day to day until all absent voter ballots have been received and canvassed, as required by law, and the result thereof determined; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the result of said election on the propositions of amending the Charter of The City of San Diego, be, and it is hereby declared to be, as follows:

That the whole number of ballots cast in said City at said election on the propositions of amending the Charter of The City of San Diego is Thirty-seven thousand nine (37,009).

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION I. Amend Sections 8, 9 and 10, Article II, of the Charter of The City of San Diego.

(a) Section 8. This amendment requires the City Council within 90 days after the ratification of this amendment by the State Legislature to adopt an election code ordinance providing an adequate and complete procedure to govern municipal elections, including the nomination of candidates for all elective offices, and requires all elections provided for by the Charter to be conducted in the manner prescribed by said election code ordinance.

(b) Section 9. This amendment requires nominations of candidates for all elective offices to be made in the manner prescribed by the election code ordinance provided for in the amendment to Section 8 of the Charter.

(c) Section 10. This amendment provides that the regular municipal Primary Election shall be held on the second Tuesday in March in each odd-numbered year and the general Municipal Election on the third Tuesday in April of the same year; provides that there shall be chosen by the electors of each Council District two candidates for the office of any councilman from a district whose term expires the succeeding May; provides for the election at the Primary Election of the candidate to any office for which only one person is elected who shall receive a majority of the votes cast for all candidates for nomination to such office; also provides that in case of candidates for the office of Member of the Board of Education the candidates therefor equal to or less than the number of such offices for which nominations are made, who receive the votes of more than one-half of the qualified voters voting at said election shall be deemed elected; provides that at the general municipal election the electors of the whole city shall select from among the candidates chosen at the Primary Election in each district one candidate for the office of the Councilman whose term expires the succeeding May; and provides the manner in which the canvass of election returns

shall be made, and empowers the City Council to delegate the duty of canvassing such returns to the City Clerk."

the vote was:

|                          |              |
|--------------------------|--------------|
| For said proposition,    | 13,100 votes |
| Against said proposition | 12,006 votes |
| Void ballots,            | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION II. Amend Section 12, Article III, of the Charter of The City of San Diego. This amendment fixes the compensation of each Councilman at the sum of \$1200.00 per year, payable in semi-monthly installments, instead of the present compensation of \$10.00 per meeting fixed by People's Ordinance No. 379 (New Series), effective December 26, 1933."

the vote was:

|                          |              |
|--------------------------|--------------|
| For said proposition,    | 12,974 votes |
| Against said proposition | 14,068 votes |
| Void ballots             | 47           |

and said proposition has not received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION III. Amend Section 17, Article III, of the Charter of The City of San Diego. This amendment permits ordinances calling or relating to elections to take effect at the time indicated therein."

the vote was:

|                          |              |
|--------------------------|--------------|
| For said proposition,    | 14,600 votes |
| Against said proposition | 7,143 votes  |
| Void ballots             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION IV. Amend Section 23, Article III, of the Charter of The City of San Diego. This amendment preserves to the people of the City the right to initiate ordinances, exercise the referendum upon ordinances passed by the Council, and to recall elective municipal officers; requires that there shall be included in the election code ordinance a complete procedure for the exercise of said rights, including forms of petitions; fixes the number of signatures necessary on petitions for the initiation of an ordinance, the referendum on an ordinance, and the recall of an elective officer at the following percentages of the registered voters of the City at the last general city election: Initiation of an ordinance for the consideration of the Council, 3%; for the direct submission of an ordinance to the people, 10%; for the referendum of an ordinance passed by the Council, 5%; and for the recall of an elected officer, 15%."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 12,873 votes |
| Against said proposition, | 11,327 votes |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION V. Amend Section 53, Article V, of the Charter of The City of San Diego. This amendment creates the Division of Accounts in the Water Department, empowers the City Manager to appoint a qualified accountant to have charge of the Division of Accounts and of such subordinate officers and employees in said Division as shall be authorized by Ordinance. This Division shall have charge of all accounts and records required to be kept and maintained by Section 109 of the Charter with respect to the Water Department; requires the Council to provide an adequate sum in the Annual Appropriation Ordinance for the proper maintenance of the Department, and to levy annually a tax sufficient to provide for the redemption of municipal bonds heretofore or hereafter issued for water purposes, together with the interest thereon, and that the amount of money so raised each year shall be charged annually against the Water Department on the accounts of the City; provides that all revenues from the Water Department, except such as have been heretofore appropriated by contract to some specific purpose, in excess of the amount necessary for the maintenance and operation of such Water Department, shall be transferred monthly to the general fund of the City and made available thereafter for use for any legal city purposes, and that said surplus fund so transferred shall be credited on the accounts of the City as a reimbursement credit for the moneys paid by the City each year for the redemption of water bonds and payment of interest thereon; and empowers the Manager to appoint an Advisory Commission of three citizens to advise the City Manager and Council on plans for future water development."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition      | 16,703 votes |
| Against said proposition, | 8,298 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION VI. Amend Section 54, Article V, of the Charter of the City of San Diego. This amendment amends subdivision (f) of Section 54 by extending the annual appropriation of \$150,000.00 for the development of the harbor until the fiscal year 1948-1949."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 16,572 votes |
| Against said proposition, | 7,169 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION VII. Amend Section 55, Article V, of the Charter of The City of San Diego. This amendment adds to Subdivision (a) of Section 55 a provision empowering the City Council, when deemed to be for the best interests of the City, to authorize the City Manager to enter into leases or contracts or let concessions upon terms prescribed by the Council, for the use and operation of the City Stadium in Balboa Park, and for the use and operation of city-owned equipment and facilities of an amusement character located in the city parks, together with buildings and space therein necessary and convenient for the operation of the same."



the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 17,529 votes |
| Against said proposition, | 7,567 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION VIII. Amend Section 77, Article VII, of the Charter of The City of San Diego. This amendment clarifies the meaning of the section which relates to a special tax levy of not more than five cents on each one hundred dollars of the assessed valuation during any fiscal year for the acquisition and construction of permanent improvements, real property, public buildings and public offices, by changing the present ambiguous working of the section."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 15,243 votes |
| Against said proposition, | 8,516 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION IX. Amend Section 77a, Article VII, of the Charter of The City of San Diego. This amendment adds a new paragraph to the present section, and empowers the Council to enter into a contract, upon such terms and conditions as the Council may prescribe, for the maintenance in Balboa Park of zoological exhibits, with any organization formed primarily for the purpose of maintaining zoological gardens and zoological exhibits and conducting general zoological work."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 17,321 votes |
| Against said proposition, | 7,184 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION X. Amend Section 86, Article VII, of the Charter of The City of San Diego. This amendment adds to Section 86, requiring all city officials and employees who collect money belonging to the City to deposit the same daily with the City Treasurer, a proviso that in case of employees located in distant parts of the city or county collecting money, which collections cannot be deposited daily without difficulty and undue cost, such collections may be deposited in the City Treasury within one week after their receipt."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 18,914 votes |
| Against said proposition, | 5,234 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION XI. Amend Section 95, Article VII, of the Charter of The City of San Diego. This amendment provides that in competitive bidding for the supplying of materials and equipment or furnishing services to the City, the authority authorized to award the contract may award it to other than the lowest responsible bidder when such higher bidder specifies in his bid that the articles, products or materials are to be wholly or in part manufactured, made or produced in industries established in The City of San Diego or in the County of San Diego, or that the same are regularly stocked, handled and sold by business establishments located in The City of San Diego or in the County of San Diego, provided that the bid of such higher bidder does not in amount or price exceed by five per cent (5%) that of the lowest responsible bidder for the contract."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 12,837 votes |
| Against said proposition, | 10,054 votes |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION XII. Amend Section 99, Article VII, of the Charter of The City of San Diego. This amendment provides that a contract or obligation involving the payment of moneys out of the appropriations of more than one year, except bonded indebtedness, shall first be published in the official newspaper of the City at least two weeks before final action of the Council thereon, and requires the approval of not less than five members of the Council; and that if the contract is to be for more than five years it must also first be submitted to the electors of the City at a regular or special election and be approved by a two-thirds majority of those voting thereon."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 15,474 votes |
| Against said proposition, | 6,534 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION XIII. Amend Sections 103, 104 and 105, Article VII, of the Charter of The City of San Diego.

(a) Section 103. This amendment empowers the Council to grant franchises and all renewals, extensions and amendments thereof for the use of public property under the jurisdiction of the City, upon such terms and conditions as are set forth in the ordinance of grant, which ordinance may only be adopted by a vote of five members of the Council and after recommendations thereon by the City Manager, and an opportunity for free and open competition and public hearings have been given; prohibits an ordinance granting a franchise, or a renewal, extension or amendment of an existing franchise from taking effect until thirty days after its passage, during which time it shall be subject to the referendum provisions of the Charter; prohibits transfer of a franchise without the approval of the Council expressed by ordinance.

(b) Section 104. This amendment empowers the City by ordinance to terminate any franchise whenever the City shall determine to acquire by condemnation or otherwise the property of any utility necessary for the welfare of the City, in lieu of the provisions in

the existing section which limits the exercise of this right to specified intervals of not more than ten years after the beginning of operation.

(c) Section 105. The existing section relates to the rights and powers of the City to regulate franchises granted by it. The amendment gives the City the additional right to provide that the percentage of gross annual receipts derived from the franchise privilege shall be paid to the Treasurer in such amounts and at such times as shall be determined in the ordinance granting the franchise.

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 13,131 votes |
| Against said proposition, | 8,920 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION XIV. Amend Section 109, Article VII, of the Charter of The City of San Diego. This amendment provides the manner of keeping the accounts of municipally owned utilities, which is in accordance with the uniform classification of accounts prescribed by the Railroad Commission of the State of California for such class of privately owned public utilities in so far as the same may be applicable to the accounts of municipally owned utilities. It requires that the accounts show, as nearly as possible, the cost of any service furnished or rendered by any such utility by or to any other department of the City; an estimate of the amount of ad valorem taxes, whether paid or not, that would be chargeable against the property if privately owned; the sinking fund or redemption requirements for all bonds hitherto or hereafter issued; the proper allowance for depreciation of all property used in rendering public utility service, and that such depreciation shall be taken account of in fixing the charges made for the service; authorizes the Council to cause to be made for public distribution reports showing the financial results of such City ownership and operation, or such other information as the Council shall deem expedient."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 16,578 votes |
| Against said proposition, | 6,251 votes  |
| Void ballots              | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION XV. Amend Section 112, Article VII, of the Charter of The City of San Diego. This amendment requires the Auditor and Comptroller to show in his records the cost or value of all city-owned property of any kind, and to show proper depreciation of all property of any kind which is used by the City for utility purposes, and to furnish a proper balance sheet under classified heads to the Manager for inclusion in the annual budget and for publication in the annual report of the City Auditor and Comptroller."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 18,676 votes |
| Against said proposition, | 4,799 votes  |
| Void ballots              | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION XVI. Amend Section 118, Article VIII, of the Charter of The City of San Diego. The existing section relates to the purposes for which the Civil Service Commission is required to adopt rules and regulations in the government of the Classified Service of the City. The amendment consists in adding to the section a new subdivision(s) empowering the appointing authority to lay off or suspend an employee or employees because of lack of funds, lack of work, or where there has been an insufficient appropriation to meet the salary requirements necessary to maintain existing personnel in any office, department, division or bureau of the City; and provides that any such lay-off or suspension shall be made in conformity with the rules and regulations of the Civil Service Commission governing the order in which employees shall be laid off or suspended."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 14,664 votes |
| Against said proposition, | 8,215 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION XVII. Amend Section 130, Article VIII, of the Charter of The City of San Diego. This amendment requires the Council by ordinance, prior to the beginning of each fiscal year, to establish a schedule of compensation for officers and employees in the Classified Service, which shall provide uniform compensation for like service; imposes upon the Civil Service Commission the duty of preparing and furnishing to the Council prior to the adoption of such ordinance a schedule of compensation recommending a minimum and maximum for any grade; and provides that the Council may adopt such schedule as presented or make such changes therein as it may deem necessary and proper."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 12,915 votes |
| Against said proposition, | 8,511 votes  |
| Void ballots              | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION XVIII. Repeal Section 161, Article X, of the Charter of The City of San Diego.

Amend Section 162, Article X, of the Charter of The City of San Diego.

(a) Section 161. This section, as it now exists, provides that all pensioners in the San Diego Police Department shall have their pensions increased or decreased to meet the prevailing scale of salaries in the Police Department from time to time.

(b) Section 162. This section relates to retirement for service in the Police Department. The amendment consists in providing that the amount of the pension shall be fixed at the time of retirement, which amount shall be equal to one-half the amount of the average yearly salary of the retiring person for the five years immediately preceding the date of his retirement, payable to him in monthly installments. It also adds a new proviso that members of the Police Department who enter the service of the department subsequent to the date of the ratification of this amendment by the State Legislature shall not be so retired before they reach the age of fifty years and before twenty-five years of service in the aggregate.



the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 12,614 votes |
| Against said proposition, | 11,528 votes |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election:

That on the proposition hereinabove set out in full, and which appeared on the ballot as follows:

"PROPOSITION XIX. Repeal Section 183, Article XI, of the Charter of The City of San Diego.

Amend Section 184, Article XI, of the Charter of The City of San Diego.

(a) Section 183. This section, as it now stands, provides that all pensioners in the Fire Department of The City of San Diego shall have their pensions increased or decreased to meet the prevailing scale of salaries in the Fire Department from time to time.

(b) Section 184. This section relates to retirement for service in the Fire Department. The amendment consists in providing that the amount of the pension shall be fixed at the time of retirement, which amount shall be equal to one-half the amount of the average yearly salary of the retiring person for the five years immediately preceding the date of his retirement, payable to him in monthly installments."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 11,581 votes |
| Against said proposition, | 14,365 votes |
| Void ballots,             | 47           |

and said proposition has not received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full and which appeared on the ballot as follows:

"PROPOSITION XX. Repeal Sections 202 to 210, inclusive, comprising all of Article XIII, of the Charter of The City of San Diego.

Sections 202 to 210, inclusive, relate to the creation, maintenance and jurisdiction of a City Police Court. Upon the establishment in The City of San Diego of a Municipal Court system, which abolished such Police Court, these sections became inoperative and completely obsolete."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 15,850 votes |
| Against said proposition, | 7,186 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION XXI. Amend Section 213, Article XIV, of the Charter of The City of San Diego. This amendment continues in force all ordinances adopted prior to the taking effect of the present City Charter which are not inconsistent with any of the provisions of said Charter; and provides that all contracts of the City in force at the time of the adoption of said Charter and not inconsistent with any of its provisions shall continue in force until completed, amended or rescinded."

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 12,662 votes |
| Against said proposition, | 7,689 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of a majority of the qualified voters voting thereon at said election.

That on the proposition hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION XXII. Amend Article V of the Charter of The City of San Diego, by adding two new sections thereto, to be numbered Sections 58a and 58b (proposed by initiative petition), which said sections read as follows:

"Section 58a. Anything in this Charter to the contrary notwithstanding, the members of the San Diego Fire Department of either A or B Platoons shall not be required to work more than seven of their respective platoon shifts without receiving their next working shifts off duty, and shall not receive less than Twenty-Five of their respective working shifts off duty per calendar year, and they shall not receive less than Fifty-Two of their respective working shifts off duty in two calendar years. Each member of A and B platoons shall receive as his annual vacation seven of his consecutive working shifts and such annual vacation shall be exclusive of his regular work shifts off duty, as hereinabove provided. Nothing herein contained, however, shall be construed as preventing the Chief of the Fire Department, in cases of riot, serious conflagration, or other great public emergency, from having power to assign all of the members of the Department to continuous duty or to continue any member on duty if necessary."

"Section 58b. Anything in this Charter to the contrary notwithstanding, the members of the San Diego Fire Department shall receive monthly salaries of not less than the amounts hereafter set forth, to be paid to each member in semi-monthly payments, to-wit:

|                             |          |
|-----------------------------|----------|
| Fireman, Fourth Class:..... | \$170.00 |
| Fireman, Third Class:.....  | 180.00   |
| Fireman, Second Class:..... | 190.00   |
| Fireman, First Class:.....  | 200.00   |
| Engineer:.....              | 215.00   |
| Lieutenant:.....            | 222.00   |
| Captain:.....               | 235.00   |
| Battalion Chief:.....       | 275.00   |
| Assistant Chief:.....       | 340.00   |
| Chief:.....                 | 450.00"  |

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 13,375 votes |
| Against said proposition, | 18,926 votes |
| Void ballots,             | 47           |

and said proposition has not received the vote of a majority of the qualified voters voting thereon at said election.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy



I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73996  
DECLARING THE RESULT OF THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF SAN DIEGO, CALIFORNIA, ON TUESDAY, APRIL 22ND, 1941, UPON THE PROPOSITION OF THE DISCONTINUANCE OF THE USE AS A PUBLIC PARK OF A CERTAIN PORTION OF BALBOA PARK LOCATED IN PUEBLO LOTS 1136 and 1143 OF THE PUEBLO LANDS OF THE CITY OF SAN DIEGO, AND UPON THE DISCONTINUANCE OF THE USE OF SAID REAL PROPERTY AS A PUBLIC PARK TO CONVEY THE SAME TO THE UNITED STATES GOVERNMENT FOR ANOTHER PUBLIC PURPOSE, TO-WIT: USE BY THE UNITED STATES GOVERNMENT IN CONNECTION WITH AND AS A PART OF THE NAVAL HOSPITAL NOW BEING OPERATED AND MAINTAINED BY SAID UNITED STATES GOVERNMENT.

WHEREAS, a Special Municipal Election was held in The City of San Diego, California, on Tuesday, the 22nd day of April, A.D. 1941, in pursuance of the provisions of Ordinance No. 2078 (New Series) of the ordinances of the said City, entitled, "An Ordinance calling a Special Municipal Election in The City of San Diego, California, and submitting to the voters thereof the proposition of the discontinuance of the use as a public park of a certain portion of Balboa Park located in Pueblo Lots 1136 and 1143 of the Pueblo Lands of The City of San Diego, and upon the discontinuance of the use of said real property as a public park to convey the same to the United States Government for another public purpose, to-wit: use by the United States Government in connection with and as a part of the Naval Hospital now being operated and maintained by said United States Government; and consolidating said Special Municipal Election with the Regular Municipal Election to be held in said City on April 22, 1941," passed and adopted on the 11th day of March, 1941; and

WHEREAS, at said Special Municipal Election there was submitted to the qualified voters of said City, in pursuance of the provisions of said Ordinance No. 2078 (New Series), the following proposition, to-wit:

AND WHEREAS, all the various election boards designated in said Ordinance No. 2078 (New Series) have made returns of the said Special Municipal Election to the City Clerk and to the Council, all as required by law; and

WHEREAS, said Council did on the second day next succeeding the date of said election then and there proceed to canvass the said returns, and said canvass having been postponed from day to day until all absent voter ballots have been received and canvassed, and the result thereof determined; NOW, THEREFORE

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the result of said Special Municipal Election is, and it is hereby declared to be, as follows:

That the whole number of ballots cast in said City at said Special Municipal Election on the proposition of discontinuing in use as a public park a portion of Balboa Park, hereinbefore set out in full, and which appeared on the ballot as follows:

"PROPOSITION XXIV. Shall the use as a public park of 21.32 acres, more or less, of the lands owned by The City of San Diego, known as Balboa Park, adjoining the northerly and easterly boundaries of the Naval Hospital, be discontinued, and upon the discontinuance of the use of said real property as a public park shall the same be conveyed to the United States Government for another public purpose, to-wit: For use by the United States Government in connection with and as a part of the Naval Hospital now being operated by said United States Government; said lands to be abandoned and discontinued in use as a public park being more particularly described in Ordinance No. 2078 (New Series) of the ordinances of said City?"

is Thirty-seven thousand nine (37,009), as follows, to-wit:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 24,278 votes |
| Against said proposition, | 5,854 votes  |
| Void ballots,             | 47           |

and said proposition has received the vote of two-thirds of all the voters voting thereon at said election.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 73997  
A RESOLUTION DECLARING THE RESULT OF THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF SAN DIEGO, CALIFORNIA, ON TUESDAY APRIL 22nd, 1941, UPON A PROPOSITION FOR THE INCURRING OF A BONDED INDEBTEDNESS.

WHEREAS, a Special Municipal Election was held in The City of San Diego, California, on the 22nd day of April, 1941, in pursuance of the provisions of Ordinance No. 2063 (New Series) of the ordinances of said City, entitled, "An Ordinance calling a Special Election in The City of San Diego, California, and submitting to the voters thereof a proposition for the incurring of a bonded indebtedness," passed and adopted February 18, 1941; and

WHEREAS, at said special municipal election there was submitted to the qualified voters of said City, in pursuance of the provisions of said Ordinance No. 2063 (New Series) the following proposition, namely:

"PROPOSITION.

Shall The City of San Diego incur a bonded indebtedness of \$1,983,000.00 for the acquisition, construction and completion of improvements, extensions and additions to the sanitary sewer system of The City of San Diego, as follows:

- (1) The purchase and installation of
- (a) Trunk sewers from La Jolla Shores to Pacific Beach;

(Insert)

PROPOSITION

Shall the use as a public park of a portion of the lands owned by The City of San Diego, known as Balboa Park, be discontinued, and upon the discontinuance of the use of said real property as a public park, shall the same be conveyed to the United States Government for another public purpose, to-wit: For use by the United States Government in connection with and as a part of the Naval Hospital now being operated and maintained by said United States Government; said lands to be abandoned and discontinued in use as a public park being more particularly described as follows:

All that portion of Balboa Park, in The City of San Diego, County of San Diego, State of California, located in Pueblo Lots 1136 and 1143 of the Pueblo Lands of The City of San Diego, adjoining the northerly and easterly boundaries of the Naval Hospital, and particularly bounded and described as follows, to-wit:

Beginning at a point which is the corner common to Pueblo Lots 1143, 1144, 1147 and 1148 of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in 1870, a certified copy of which is on file as Miscellaneous Map No. 36, in the office of the County Recorder of San Diego County, California; thence north  $22^{\circ} 46' 40''$  east 3189.45 feet to the most northerly property corner of the U. S. Naval Hospital; thence south  $70^{\circ} 26' 20''$  east along the northerly boundary of the U. S. Naval Hospital, a distance of 152.91 feet to the true point of commencement, said point also being the northeasterly property corner of the U. S. Naval Hospital; thence south  $70^{\circ} 26' 20''$  east 1002.99 feet to a point; thence south  $0^{\circ} 01' 40''$  west 1230.33 feet to a point; thence south  $29^{\circ} 17' 40''$  west 55.0 feet to a point, said point being a point on a tangent curve concaved westerly and having a radius of 180.0 feet and also being a point on the easterly boundary of the U. S. Naval Hospital; thence following the boundary line of the U. S. Naval Hospital northerly along the arc of said curve a distance of 101.00 feet to the point of a compound curve concaved southwesterly and having a radius of 244.72 feet; thence northwesterly along the arc of said curve a distance of 259.84 feet to a point; thence tangent to said curve north  $63^{\circ} 41' 33''$  west 897.87 feet to a point; thence north  $0^{\circ} 01' 40''$  east 911.96 feet to the true point of commencement, containing 21.32 acres, more or less.





- (b) Trunk sewers from Pacific Beach, through Moreno, to Old Town;
- (c) Trunk sewers in Mission Valley from the State College District to Old Town, including trunk sewers in the district between Mission Valley and El Cajon Boulevard, and between La Mesa Colony and the easterly line of the Pueblo Lands of San Diego;
- (d) A trunk sewer between Azure Vista, Mission Beach and Old Town;
- (e) A trunk sewer in the 11th Street Canyon District, from University Avenue to J Street;
- (f) A trunk sewer in the Switzer Canyon, from Upas Street to Powder House Canyon;
- (g) A trunk sewer in the Powder House Canyon District, from University Avenue to Logan Avenue;
- (h) A trunk sewer from Logan Avenue and Sigsbee Street to Colton Avenue and Beardsley Street;
- (i) A trunk sewer from Encanto to the proposed treatment plant in the vicinity of Una Street and Kingwood Street, in said City;
- (j) A trunk sewer from Valencia Park to the Encanto trunk sewer;
- (k) A trunk sewer south of Valencia Park, from 65th Street to the Valencia Park trunk sewer;
- (l) Trunk sewers in the district east of Wabash Avenue and south of El Cajon Avenue;
- (m) Trunk sewers in Curlew Street and Reynard Way Canyons, from University Avenue to the Pacific Highway interceptor sewer.

(2) In addition to the foregoing, the acquisition, construction and completion of pumping plants and appurtenances, and other necessary improvements, extensions and additions to the City's sanitary sewer system."

AND WHEREAS, all the various election boards appointed in said Ordinance No. 2063 (New Series), have made returns of the said election to the City Clerk and to the Council, all as required by law; and

WHEREAS, said Council did on the second day next succeeding the date of said election then and there proceed to publicly open and canvass the said returns, and said canvass having been postponed from day to day until all absent voter ballots have been received and canvassed, and the result thereof determined; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the result of said special municipal election be, and it is hereby declared to be as follows:

That the whole number of ballots cast in said City at said special municipal election is Thirty-six thousand nine hundred sixty eight (36,968).

That on the proposition, hereinbefore set out in full, and which appeared on the ballot as follows:

"Shall The City of San Diego incur a bonded indebtedness of \$1,983,000.00 for the acquisition, construction and completion of improvements, extensions and additions to the sanitary sewer system of The City of San Diego, as follows:

- (1) The purchase and installation of:
  - (a) Trunk sewers from La Jolla Shores to Pacific Beach;
  - (b) Trunk sewers from Pacific Beach, through Moreno, to Old Town;
  - (c) Trunk sewers in Mission Valley from the State College District to Old Town, including trunk sewers in the district between Mission Valley and El Cajon Boulevard, and between La Mesa Colony and the easterly line of the Pueblo Lands of San Diego;
  - (d) A trunk sewer between Azure Vista, Mission Beach and Old Town;
  - (e) A trunk sewer in the 11th Street Canyon District, from University Avenue to J Street;
  - (f) A trunk sewer in the Switzer Canyon, from Upas Street to Powder House Canyon;
  - (g) A trunk sewer in the Powder House Canyon District, from University Avenue to Logan Avenue;
  - (h) A trunk sewer from Logan Avenue and Sigsbee Street to Colton Avenue and Beardsley Street;
  - (i) A trunk sewer from Encanto to the proposed treatment plant in the vicinity of Una Street and Kingwood Street, in said City;
  - (j) A trunk sewer from Valencia Park to the Encanto trunk sewer;
  - (k) A trunk sewer south of Valencia Park, from 65th Street to the Valencia Park trunk sewer;
  - (l) Trunk sewers in the district east of Wabash Avenue and south of El Cajon Avenue;
  - (m) Trunk sewers in Curlew Street and Reynard Way Canyons, from University Avenue to the Pacific Highway interceptor sewer.

(2) In addition to the foregoing, the acquisition, construction and completion of pumping plants and appurtenances, and other necessary improvements, extensions and additions to the City's sanitary sewer system?"

the vote was:

|                           |              |
|---------------------------|--------------|
| For said proposition,     | 30,802 votes |
| Against said proposition, | 5,393 votes  |
| Void ballots              | 774          |

That the total number of votes given in said City in favor of said proposition is Thirty thousand eight hundred two (30,802); and the total number of votes given against said proposition is Five thousand three hundred ninety-three (5,393), and the total number of void ballots is Seven Hundred Seventy-four (774); and said proposition has received the vote of two-thirds of all the voters voting thereon at said election.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 73998

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare and present a resolution declaring that the paving of the Alley in Block 47 University Heights is feasible, and that the property proposed to be assessed therefor is able to bear such assessment in the case of each of six parcels on which the proposed assessment plus existing liens will exceed one half the true value.

R E S O L U T I O N NO. 73999

WHEREAS, Frontier Enterprises, Inc., is willing to grant to The City of San Diego an easement or right of way over and across certain portions of its property for the construction, maintenance and operation of a water pipeline, which said proposed grant is in words and figures as follows:

"FRONTIER ENTERPRISES, INC., a corporation organized and existing under and by virtue of the laws of Delaware, and authorized to do, and doing business in the State of California, hereinafter called the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other consideration, does hereby grant unto the CITY OF SAN DIEGO, a municipal corporation of the State of California, hereinafter called the City, an easement and right-of-way for the following purposes, namely: for the construction, repairing, replacing, maintenance and operation of a water pipe line, and appurtenances, together with the right of ingress thereto and egress therefrom, to and along said line, over and across the Grantor's land situated in the County of San Diego, State of California, more particularly described as follows:

Commencing at a point on the northerly line of the West Atlantic Street Addition, distant 19.45 feet easterly from the northwesterly corner of Lot 12 of said West Atlantic Street Addition; thence South 37° 21' East to an intersection with the northerly line of Witherby Street, said intersection being the true point of beginning of a right of way six (6) feet in width, three (3) feet on each side of the following described center line: From the true point of beginning, the center line of the right of way bears N 37° 21' W across Lot 12 of West Atlantic Street Addition to a point on the northerly line of said Addition distant 19.45 feet easterly from the northwesterly corner of said Lot 12 of West Atlantic Street Addition; thence N 37° 21' W across Pueblo Lot 326 a distance of 12.18 feet to an intersection with a line which is parallel to and distant nine feet northerly from the northerly line of said West Atlantic Street Addition; thence N 85° 00' W across Pueblo Lots 326 and 327 to an intersection with a line parallel to and distant five feet westerly from the easterly set back line of Pacific Highway as established by Ordinance No. 401, New Series of the City of San Diego; thence in a northerly direction across Pueblo Lots 327, 328 and 329 parallel to and westerly five feet from the aforesaid set back line on the easterly side of Pacific Highway to an intersection with the northeasterly prolongation of a line which is parallel to and distant 20.00 feet at right angles northerly from the southerly line of Pueblo Lot 319; thence southwesterly along a line, which is parallel to and distant 20.00 feet at right angles northerly from the said southerly line of Pueblo Lot 319, to an intersection with the easterly line of Pacific Highway as now established.

Also, commencing at a point on the southwesterly boundary of Pueblo Lot 329, said point being the intersection of the southeasterly boundary of Pueblo Lot 319 with the aforementioned southwesterly boundary of Pueblo Lot 329; thence, North 53° 59' 50" West along the southwesterly boundary of Pueblo Lot 329 a distance of 20.00 feet to a point; thence northeasterly, parallel to and 20.00 feet at right angles northwesterly from the southeasterly boundary of Pueblo Lot 319 produced northeasterly, N 35° 56' 40" E to an intersection with the southwesterly boundary of Pacific Highway as now established, said intersection being the true point of beginning of an easement six feet in width, three feet on each side of the following described center line: From the true point of beginning, the said center line of the said easement bears parallel with and 20.00 feet at right angles northwesterly from the southeasterly boundary of Pueblo Lot 319 produced northeasterly; South 35° 56' 40" W across Pueblo Lot 329 and Pueblo Lot 319 to an intersection with the southwesterly boundary of said Pueblo Lot 319, said southwesterly boundary of Pueblo Lot 319 being common to the northeasterly line of Midway Drive as now established.

Said West Atlantic Street Addition being according to Map thereof No. 2070 filed in the office of the County Recorder of San Diego County, November 3, 1927.

Said Pueblo Lots being according to Map of the Pueblo Lands of San Diego made by James Pascoe, copy of which map is filed in the office of the County Recorder of San Diego County.

Said easement and right-of-way shall be six (6) feet in width, three (3) feet on each side of the center lines hereinabove described and the City shall not obtain by this instrument any right to any other property or to any other route across any portion of the property of the Grantor.

To hold said easement over the above described premises unto the City solely for the purposes above named so long as said premises shall be so used.

This easement and right-of-way is made upon the express conditions following, to each of which the City by the acceptance hereof agrees, to-wit:

(1) That the City will construct, reconstruct, maintain, operate and repair said pipeline in a firstclass workmanlike manner and so as to prevent damage to the property of the Grantor, its successors, assigns, licensees and third persons.

(2) That in the event the City shall cease to use the pipeline for a period of six (6) months, then the easement and right-of-way hereby granted shall immediately cease and terminate and whatever right, title or interest therein is conveyed to the City by this instrument shall immediately revert to and revest in the Grantor the same as though this instrument had not been executed.

IN WITNESS WHEREOF, the Grantor has duly executed this instrument this \_\_\_\_ day of April, 1941.

ATTEST:

FRONTIER ENTERPRISES, INC.,  
By \_\_\_\_\_

STATE OF CALIFORNIA, } ss.  
COUNTY OF SAN DIEGO.

On this \_\_\_\_ day of April, 1941, before me \_\_\_\_\_, a Notary Public in and for said County, residing therein, duly commissioned and sworn, personally appeared \_\_\_\_\_, known to me to be the \_\_\_\_\_, and \_\_\_\_\_, known to me to be the \_\_\_\_\_ of the Corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the Corporation therein named; and acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my Official Seal, in the County of San Diego, State of California, the day and year in this certificate first above written.

Notary Public in and for the County  
of San Diego, State of California."

and



WHEREAS, in consideration for the granting of the foregoing right of way said Frontier Enterprises, Inc., desires to acquire from The City of San Diego whatever right, title and interest it may have in and to the following described premises, to-wit:

That portion of Lot 4, in Block 541 of Old San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which map is filed in the office of the County Recorder of said San Diego County, described as follows:

Beginning at the intersection of the southwesterly line of the right of way of the Atchison, Topeka and Santa Fe Railway Company with the southeasterly line of said Lot 4; running thence South 36° 02' West along said southeasterly line, 91 feet to the most southerly corner of said lot; thence North 53° 58' West along the southwesterly line of said lot, 118.85 feet; thence North 73° 50' East 120.5 feet to the southwesterly line of said right of way; thence southeasterly along said southwesterly right of way line on the arc of a curve concave northeasterly, having a radius of 2914.83 feet, a distance of 45 feet, more or less, to the point of beginning, together with all that portion of Kurtz Street and that portion of the northwesterly half of Hortensia Street, adjoining the above described property, as vacated and closed to public use by the Common Council of the City of San Diego.

That portion of Block 542 of Old San Diego, in the City of San Diego, County of San Diego, State of California, according to map thereof made by James Pascoe in 1870, described as follows:

Beginning at southerly corner of Block 542, Old Town, said corner being the intersection of northwesterly side of Hortensia Street with northeasterly side of Kurtz Street, according to map of Pueblo Lands by Pascoe in 1870; thence from said point of beginning 25.62 feet northeasterly along northwesterly side of Witherby Street to a point; thence at an angle of 93° 11' 40" to left of the last described course, a distance of 300.47 feet to a point in northwesterly side of Block 542, Old Town; thence at an angle of 86° 49' 20" to the left of the last described course, a distance of 9.23 feet along northwesterly line of Block 542 to westerly corner of said block; thence at an angle of 90° 03' to left of the last described course, a distance of 300 feet southeasterly along the southwesterly line of Block 542, Old Town, to the point of beginning; together with the vacated portions of Kurtz Street and Hortensia Street adjoining.

That portion of Pueblo Lot 326 of Pueblo Lands of San Diego in the City of San Diego, County of San Diego, State of California, according to map by Pascoe on file in the office of the County Recorder of San Diego County and known as Miscellaneous Map No. 36 lying within the following described boundaries:

Beginning at easterly corner of Pueblo Lot 326, said corner being the intersection of northwesterly line of Witherby Street with southwesterly line of Kurtz Street, according to map of Pueblo Lands by James Pascoe in 1870; thence at an angle of 3° 7' 40" to left of the southwesterly line of Kurtz Street, a distance of 425.15 feet northwesterly to southerly line of Tide Street; thence at an angle of 130° 58' 40" to the right of the above described course, a distance of 29.38 feet northeasterly along southerly line of Tide Street to southwesterly line of Kurtz Street; thence at an angle of 52° 09' to the right of the last described course, a distance of 406.49 feet, southeasterly along southwesterly line of Kurtz Street to point of beginning.

and

WHEREAS, such an exchange in the judgment of this Council is desirable and for the best interests of The City of San Diego; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the Mayor and City Clerk of said City be, and they are hereby authorized to execute a quitclaim deed to Frontier Enterprises, Inc., of all the right, title and interest of the City in and to the premises last hereinabove described, and to deliver the same to said corporation upon the execution and delivery to the City by it of the grant of a right of way in the words and figures hereinabove first set forth.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION NO. 74000

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Frontier Enterprises, Inc., executed in favor of The City of San Diego, bearing date April 29, 1941, conveying to said City an easement and right of way for the construction, repairing, replacing, maintenance and operation of a water pipe line and appurtenances, together with right of ingress thereto and egress therefrom across the Grantor's land, through, along and across portions of Lot 12, West Atlantic Addition, according to Map thereof No. 2070 filed in the office of the County Recorder of San Diego County, November 3, 1927, and Pueblo Lots 319, 326, 328 and 329, according to Map of the Pueblo Lands of San Diego made by James Pascoe, copy of which map is filed in the office of said County Recorder, be, and the said deed is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 74001

WHEREAS, by deeds from the Atchison, Topeka & Santa Fe Railway Company and the Santa Fe Land Improvement Company, dated August 24, 1926, recorded December 28, 1926 in the office of the County Recorder of San Diego County in Book 1276, page 268, et seq., of Deeds, The City of San Diego acquired an easement or right of way for the construction, maintenance and operation of a water pipeline over and across certain premises of the grantors, described as follows:

A portion of Taylor Street and Congress Street adjoining Blocks 406 and 407, Old San Diego, and a portion of Barnett Avenue and Kurtz Street, adjoining Pueblo Lots 326 and 327, said streets having been heretofore closed by action of the Common Council of said City;



said easement and right of way being 6 feet in width, 3 feet on each side of the following described center lines, respectively:

Beginning on the southwesterly line of Congress Street at a point distant 37.00 feet northwesterly from the northerly corner of Block 406, Old San Diego; thence north-easterly on a line parallel with and distant 37.00 feet northwesterly from the southwest-erly prolongation of the northwesterly line of Block 407, Old San Diego, and the northwest-erly line of said Block 407, to the northeasterly line of the right of way of The Atchison, Topeka and Santa Fe Railway Company; also

Beginning on a line drawn parallel with and distant 37 feet northwesterly from the northwesterly line of said Block 407, produced southwesterly, at a point distant 15 feet southwesterly from the northwesterly prolongation of the southwesterly line of said Block 407; thence southeasterly on a line parallel with and distant 15 feet southwesterly from the northwesterly prolongation of the southwesterly line of said Block 407, and the southwest-erly line of said Block 407, to an intersection with the northeasterly line of the right of way of The Atchison, Topeka and Santa Fe Railway Company; also

Beginning at a point on the northwesterly line of Witherby Street, distant 16 feet northeasterly from the southwesterly line of Kurtz Street; thence northwesterly on a line parallel with and distant 16 feet northeasterly from the southwesterly line of Kurtz Street to an intersection with a line drawn at right angles to said southwesterly line of Kurtz Street at a point thereon distant 24.99 feet southeasterly from the intersection of said southwesterly line of Kurtz Street with the southerly line of Barnett Avenue; thence north-westerly and westerly on a curve to the left, tangent to the last described course, said curve having a radius of 78 feet, a distance of 66.79 feet to a point in Barnett Avenue distant 18.50 feet northerly at right angles from the southerly line of Barnett Avenue; thence westerly on a line parallel with and distant 18.50 feet northerly from the southerly line of Barnett Avenue, a distance of 443.96 feet to a point; excepting therefrom the por-tion of said right of way lying within the right of way of the San Diego Electric Railway Company.

Said Old San Diego being according to Map thereof made by James Pascoe, a copy of which map is filed in the office of the County Recorder of said San Diego County.

Said Pueblo Lots being according to Map of the Pueblo Lands of San Diego, made by James Pascoe, a copy of which map is filed in the office of the County Recorder of said San Diego County.

and  
WHEREAS, said easement or right of way is no longer useful or useable for the purposes for which the same was granted by reason of the fact that the City has acquired a right of way for the water pipeline in a different and more desirable location, and the City therefore desires to surrender and abandon the use of said pipeline right of way; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the right of way for a water pipeline first hereinabove described be, and the same is hereby abandoned and the City's interest therein is hereby surrendered to the successors in interest of the original grantors thereof.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk of said City be, and they are hereby authorized and directed to execute and deliver to Frontier Enterprises, Inc., a quitclaim deed conveying all of the right, title and interest of The City of San Diego in and to the premises described in said right of way.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 74002

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Frontier Enterprises, Inc., executed in favor of The City of San Diego, bearing date April 29, 1941, conveying to said City an easement for the construction, repairing, replacing, maintenance and operation of a sewage sump and pumping plant, together with such intake and discharge lines, appurtenances and equipment as may be necessary for the operation of said plant, together with the right of ingress thereto and egress therefrom, in certain portions of Lots 13, 14 and 15 of West Atlantic Street Addition, according to Map thereof No. 2070 on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### R E S O L U T I O N NO. 74003

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Frontier Enterprises, Inc., executed in favor of The City of San Diego, bearing date April 29, 1941, conveying to said City an easement and right of way for the construction, repairing, replacing, maintenance and operation of a 24" sewer pipe-line and appurtenances, together with the right of ingress thereto and egress therefrom, to and along said line, over and across portions of Lots 13 and 14 of the West Atlantic Street Addition, according to Map thereof No. 2070 filed in the office of the County Recorder of San Diego County, November 3, 1927, and over and across a portion of Pueblo Lot 326 of the Pueblo Lands of the City of San Diego, according to Map of the Pueblo Lands of San Diego made by James Pascoe, copy of which map is filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74004

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Frontier Enterprises, Inc., executed in favor of The City of San Diego, bearing date April 29, 1941, conveying to said City an easement and right of way for the construction, repairing, replacing, maintenance and operation of a main sewer pipeline and appurtenances, together with the right of ingress thereto and egress therefrom, to and along said line, over and across portions of Pueblo Lots 327, 328 and 329 of the Pueblo Lands of the City of San Diego, according to Map thereof made by James Pascoe, a copy of which map is filed in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74005

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The matter of water rates, as established by Ordinance No. 2103 New Series, adopted April 8, 1941, be, and it is hereby referred to Council conference.

## R E S O L U T I O N NO. 74006

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The provisions of Sections 3-J-6, 3-E-5, and 3-I-2 of Ordinance No. 1025 New Series, be, and they are hereby suspended insofar as they affect the proposed subdivision of the south thirty acres of Lot 17, Ex Mission Lands of San Diego, which subdivision is to be known as Federal Boulevard Subdivision.

## R E S O L U T I O N NO. 74007

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The tentative map of the proposed subdivision of the south thirty acres of Lot 17 of Ex Mission Lands of San Diego, to be known as Federal Boulevard Subdivision, is hereby approved with the following provisions:

1. All streets shall be graded to approved grades
2. 6" water mains and fire hydrants shall be installed
3. Each piece of property shall be supplied with properly constructed septic tank and cesspool

## R E S O L U T I O N NO. 74008

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Foster V. Davis, by W. C. Davis, 6135 El Cajon Boulevard, to conduct an auto court consisting of twenty-five units on a portion of Lot 6 La Mesa Colony, adjacent to 6135 El Cajon Boulevard, with a 10-foot rear yard.

## R E S O L U T I O N NO. 74009

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Walter G. Albrecht, 4344 Beta Street, to divide Lot 2 Block 150 La Playa and a portion of Owen Street closed into two parcels, the north 100 feet and the south 75 feet, for the construction of a single-family residence on each of said parcels.

Variance to the restrictions of Ordinance No. 32 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74010

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Henry J. Deardorff, 4640 Ohio Street, to construct a residence on a portion of Lot 4 Block 3 F.T.Scripps' Addition (being a plot 68 feet by 73 feet).

Variance to the restrictions of Ordinance No. 13294, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74011

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to John Erving Scott, Jr., to erect a single-family dwelling on Lot 60 Southern Title Co.'s Subdivision, not closer to the property line on Frontera Street than seven and one half feet.

The provisions of Setback Ordinance No. 119 New Series, be, and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74012

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of G. M. Bennethum, by E. H. Dismukes, for suspension of the provisions of Setback Ordinance No. 1186 New Series, to permit the erection of a store building on Lot D Block 95 Mission Beach to the property line on Ocean Front, be, and it is hereby denied.

## R E S O L U T I O N NO. 74013

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to J. U. Rice, 3780 Alabama Street, to construct a single-family dwelling on Lot 11 Block B Plumosa Park, at the corner of Azalea and Wisteria Drives, with a thirteen-foot rear yard.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted insofar as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74014

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Helen M. Dixon, 4009 Park Boulevard, to construct a residence and garage on the easterly fifty feet of the southerly seventy-five feet of Alabama Street closed, easterly of Lots 13 and 14 Block 260 University Heights, at the intersection of Upas and Alabama Streets, with a rear yard of five feet.

Variance to the restrictions of Section 8a of Ordinance No. 8924 as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74015

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Mission Beach Roller Coaster Company, bearing Document No. 327841, for permission to sublease property in Mission Beach to Wayne W. Dailard, be, and it is hereby referred to the City Manager and City Attorney for the necessary papers to authorize such sublease.

## R E S O L U T I O N NO. 74016

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The District Engineer of the Division of Highways of the State of California is hereby requested and urged to use every possible means to avoid destruction of the historic Murray Adobe at the head of Murray Canyon, in connection with construction of the proposed road on the north side of Mission Valley.

## R E S O L U T I O N NO. 74017

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving San Juan Place for its entire length, contained in Document No. 328393, be, and it is hereby granted. Type of pavement to be six inches of cement concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

## R E S O L U T I O N NO. 74018

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving the Alley in Block 183 Mission Beach, contained in Document No. 328571, be, and it is hereby granted. Type of pavement to be six inches of cement concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

## R E S O L U T I O N NO. 74019

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of John Davidson and Mrs. Lolita Bunyard for the closing of the southwesterly ten feet of Pringle Street lying northeasterly of Lots 16-21 Block 88 Middletown Addition, contained in Document No. 327553, be, and it is hereby granted.

The City Engineer is directed to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing.

## R E S O L U T I O N NO. 74020

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of James H. and Ada E. Blake, 2384 La Jolla Avenue, for the closing of a portion of San Diego Avenue adjoining portion of Lot 2 Block 509 Old San Diego, contained in Document No. 328242, be, and it is hereby granted.

The City Engineer is directed to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing.

## R E S O L U T I O N NO. 74021

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Thomas C. Ryan, P.O. Box 423 Pacific Beach, be, and he is hereby appointed as a member of the Veterans' Advisory Commission, vice Herbert Collins, representing Veterans of Foreign Wars.

## R E S O L U T I O N NO. 74022

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from C. Leon deAryan, bearing Document No. 328618, regarding hours and rate of pay for City firemen, be, and it is hereby referred to Council conference.

## R E S O L U T I O N NO. 74023

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of E. J. Hornung, 605 G Street, filed under Document No. 327630, for permits to operate two additional taxicabs under the name of Lo-Fare Cab Co., be and it is hereby denied.

## R E S O L U T I O N NO. 74024

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Bill Kasis, 641 - 5th Avenue, for a lease on space in the front entrance of the old City Hall building at the southwest corner of Fifth Avenue and G Street, be, and it is hereby granted. The City Manager is hereby authorized to enter into agreement with said Bill Kasis for the occupancy of said location for the operation of a bootblack stand for a period of six weeks, at the rate of \$30.00 per month.

## R E S O L U T I O N NO. 74025

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the V. R. Dennis Construction Company for the construction of a storm drain on Reed Avenue, for The City of San Diego, for the sum of \$3539.90 be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said V. R. Dennis Construction Company.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said V. R. Dennis Construction Company for the construction of said storm drain, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

Approved as to form HARRY S. CLARK

## R E S O L U T I O N NO. 74026

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the International Harvester Company to furnish The City of San Diego with three (3) truck chassis and cabs, for the sum of \$4247.21 be, and the same is



herely accepted; and the contract for furnishing same is hereby awarded to said International Harvester Company.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said International Harvester Company for furnishing of said truck chassis and cabs, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

That the City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.

Approved as to form by HARRY S. CLARK

#### RESOLUTION NO. 74027

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of Andy Woods to furnish The City of San Diego with one (1) 1-1/2 ton dump truck for the sum of \$1245.27 be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said Andy Woods.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Andy Woods for furnishing of said dump truck, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

That the City Clerk return all bid checks submitted herewith, with the exception of checks submitted by the low and the second low bidder.

Approved as to form HARRY S. CLARK

#### RESOLUTION NO. 74028

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to institute proceedings in Eminent Domain to acquire necessary rights of way for improvement of Euclid Avenue between Dwight Street and Isla Vista Drive, as set forth in detail in communication from the City Engineer, bearing Document No. 328570.

#### RESOLUTION NO. 74029

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Harry L. Foster, 2260 Main Street, to construct a six-inch vitrified sewer on Dawson Street, between El Cajon Boulevard and Trojan Avenue by private contract and at his own expense, in accordance with plans and specifications to be approved by the City Engineer.

#### RESOLUTION ORDERING WORK NO. 74030

San Jose Place and Bayside Walk

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 73611, adopted by the Council on March 11, 1941, and on file in the office of the City Clerk of said City for the grading and paving of SAN JOSE PLACE and BAYSIDE WALK, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five(5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 73333, adopted on the 4th day of February, 1941, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION ORDERING IMPROVEMENT NO. 74031

College Park Lighting District No. 1

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City, and therefore the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

COLLEGE AVENUE, between the southwesterly prolongation of the northwesterly line

of Mesita Drive and the easterly prolongation of the northerly line of Lot 1, Block 1, College Park Unit No. 1;  
MISSION VALLEY ROAD, between College Avenue and the southerly prolongation of the westerly line of Lot 21, Partition of Rancho Mission of San Diego;  
CAMPANILE DRIVE, between the north line of Mission Valley Road and a line parallel to and distant 120 feet northerly therefrom; and  
CRESITA DRIVE, for its entire length.

Such furnishing of electric current shall be for a period of one year from and including June 1, 1941, to-wit, to and including May 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for College Park Lighting District No. 1," filed March 12, 1941, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 22nd day of April, 1941, said Council did by Resolution No. 73925 confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement, heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for College Park Lighting District No. 1," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district, more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

RESOLUTION ORDERING WORK NO. 74032  
Friars Road

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require the work hereinafter described to be done, and the time prescribed during which objections to said work and improvement might be made having expired, and no objection thereto having been made, and said Council hereby finding that no assessment is necessary therefor:

NOW, THEREFORE, the said Council hereby orders the following work to be done in said City, to-wit:

The closing of that portion of FRIARS ROAD, in Pueblo Lot 1173 of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in the year 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, conveyed to the City of San Diego by deed from Minnie G. Stockton, dated March 29, 1916, recorded April 19, 1916, in Book 708 of Deeds, at page 182, in the office of said County Recorder, lying southeasterly and southerly from a line drawn parallel with and distant 40 feet southeasterly and southerly of the following described line:

Commencing at a point on the southerly line of Pueblo Lot 1183, according to said Pascoe map, distant 990.90 feet westerly therealong from the westerly line of Pueblo Lot 1109, according to said Pascoe Map, said point of commencement being also a point on the northerly line of said Pueblo Lot 1173; thence southwesterly on a direct line making an angle of 43° 42' to the left from the southerly line of said Pueblo Lot 1183, a distance of 148.07 feet to the point of a tangent curve concave to the northwest, having a radius of 1150.00 feet; thence southwesterly along the arc of said curve 549.62 feet to a point;

And the said portion of said street is hereby closed.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

RESOLUTION NO. 74033

RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED BY  
THE CITY ENGINEER - SAN JOSE PLACE AND BAYSIDE WALK

WHEREAS, the Council of The City of San Diego, did on the 11th day of March, 1941, pass Resolution of Intention No. 73611, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 73611, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### R E S O L U T I O N NO. 74034

RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE DIRECTION OF THE CITY ENGINEER-SAN JOSE PLACE AND BAYSIDE WALK.

WHEREAS, the Council of The City of San Diego did, on the 11th day of March, 1941, pass its Resolution of Intention No. 73611 to order certain work to be done and improvement to be made in portions of SAN JOSE PLACE and BAYSIDE WALK, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 29th day of April, 1941, duly pass its Resolution Ordering Work No. 74030, ordering said work to be done and said improvement to be made in said San Jose Place and Bayside Walk, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

#### R E S O L U T I O N NO. 74035

RELATING TO DEMAND OF PROPERTY OWNERS FOR REPORT UNDER THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931 - ALLEYS IN BLOCK 121, UNIVERSITY HEIGHTS.

It appearing to the Council that more than thirty (30) days have elapsed since the postcard notices have been served on the property owners in the proposed district to be assessed to pay the costs and expenses of grading, paving and otherwise improving the EAST AND WEST ALLEY IN BLOCK 121, UNIVERSITY HEIGHTS, between the east line of Idaho Street and the west line of Utah Street; and the NORTH AND SOUTH ALLEY IN BLOCK 121, UNIVERSITY HEIGHTS, between the north line of Howard Avenue and the south line of said east and west alley, in the City of San Diego, California; and that the return postcards of such property owners demanding an investigation and report under said Act have been by this Council fully considered and computed; NOW, THEREFORE,

BE IT RESOLVED, and it is hereby ordered and determined that the owners of 15% of the area of the proposed district have not demanded such investigation and report.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading, paving and otherwise improving of the EAST AND WEST ALLEY IN BLOCK 121, UNIVERSITY HEIGHTS; and the NORTH AND SOUTH ALLEY IN BLOCK 121, UNIVERSITY HEIGHTS, within the above described limits.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy



R E S O L U T I O N   N O .   7 4 0 3 6  
RELATING TO PROPOSED ASSESSMENTS FOR IMPROVEMENTS IN A PORTION  
OF INGELow STREET.

BE IT RESOLVED, BY the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, paving and otherwise improving of INGELow STREET, between the northwesterly line of Rosecrans Street and the southeasterly line of Willow Street, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 328578. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

(SEAL)

R E S O L U T I O N   N O .   7 4 0 3 7

UNIVERSITY AVENUE LIGHTING DISTRICT NUMBER THREE

RESOLVED that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938", to order the following work to be done and improvement to be made in said City to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

UNIVERSITY AVENUE between Boundary Street and Euclid Avenue;

34th STREET between the westerly prolongation of the north line of University Avenue and the westerly prolongation of the south line of Lot 4, Block 192, Amended map of City Heights; and

43rd STREET between the south line of University Avenue and a line parallel to and distant 150 feet south of the south line of University Avenue.

Such furnishing of electric current shall be for a period of one year from and including August 7, 1941, to-wit, to and including August 6, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by, and of the materials provided for, in the plans and specifications therefor to be hereafter prepared by the City Engineer of said City, and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at a point on the northeasterly line of Boundary Street distant 31.4 feet southeasterly from the southeasterly line of University Avenue; thence northwesterly along the northeasterly line of Boundary Street to a point distant 25 feet northwesterly from the northwesterly line of University Avenue; thence northeasterly along a line parallel to and distant 25 feet northwesterly from the northwesterly line of University Avenue, and its northeasterly prolongation to the southwesterly line of Wabash Avenue; thence northerly in a direct line to the northwesterly corner of the unnamed park lying between Wabash Avenue, 34th Street, Lincoln Avenue and University Avenue; thence northeasterly in a direct line to a point on the east line of 34th Street distant 25 feet north of the north line of University Avenue; thence east along a line parallel to and distant 25 feet north of the north line of University Avenue to the west line of Euclid Avenue; thence south along the west line of Euclid Avenue to a point distant 25 feet south of the south line of University Avenue; thence west along a line parallel to and distant 25 feet south of the south line of University Avenue to a point distant 125 feet east of the east line of 43rd Street; thence south along a line parallel to and distant 125 feet east of the east line of 43rd Street a distance of 125 feet to a point; thence west along a line parallel to and distant 150 feet south of the south line of University Avenue to a point distant 140 feet west of the west line of 43rd Street; thence north along a line parallel to and distant 140 feet west of the west line of 43rd Street a distance of 125 feet to a point; thence west along a line parallel to and distant 25 feet south of the south line of University Avenue to the northeast corner of Lot 2, Block 192, Amended Map of City Heights; thence south along the east lines of Lots 2, 3 and 4, in said Block 192, to the southeast corner of said Lot 4; thence west along the south line of said Lot 4 to the southwest corner thereof; thence southwesterly in a direct line to a point on the southwesterly line of Wabash Avenue distant 31.4 feet southeasterly from the southeasterly line of University Avenue; thence southwesterly along a line parallel

to and distant 31.4 feet southeasterly from the southeasterly line of University Avenue to the point or place of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;

2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as University Avenue Lighting District Number Three.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION OF INTENTION NO. 74038

#### FIVE POINTS LIGHTING DISTRICT NUMBER ONE.

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938" to order the following work to be done and improvement to be made in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

INDIA STREET between Andrews Street and Chalmers Street;

KETTNER BOULEVARD between Winder Street and Chalmers Street;

CALIFORNIA STREET between the southwesterly prolongation of the northwesterly line of Pringle Street and the southwesterly prolongation of the northwesterly line of Winder Street;

MOORE STREET between Noell Street and California Street;

HANCOCK STREET between Harasthy Street and Chalmers Street;

HARASTHY STREET between Pacific Highway and California Street;

ANDREWS STREET between California Street and India Street; and

WINDER STREET between Hancock Street and Kettner Boulevard.

Such furnishing of electric current shall be for a period of one year from and including August 5, 1941, to and including August 4, 1942.

Said work of improvements shall be done in all respects according to, at the places shown by, and of the materials provided for in the plans and specifications therefor to be hereafter prepared by the City Engineer of said City, and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at the intersection of the northeasterly line of India Street with the southeasterly line of Andrews Street; thence northeasterly along the southeasterly line of Andrews Street a distance of 100 feet to a point; thence southeasterly along a line parallel to and distant 100 feet northeasterly from the northeasterly line of India Street to the northwesterly line of Chalmers Street; thence southwesterly along the northwesterly line of Chalmers Street to a point distant 100 feet southwesterly from the southwesterly line of India Street; thence northwesterly along a line parallel to and distant 100 feet southwesterly from the southwesterly line of India Street to the most easterly corner of Lot 1, Block 175, Middletown; thence southwesterly along a line parallel to and distant 50 feet southeasterly from the southeasterly line of Andrews Street to the most easterly corner of Lot 1, Block 174, Middletown; thence southeasterly along a line parallel to and distant 100 feet northeasterly from the northeasterly line of California Street to the most easterly corner of Lot 6, Block 174, Middletown; thence northeasterly along a line parallel to and distant 50 feet northwesterly from the northwesterly line of Winder Street to the northeasterly line of Kettner Boulevard; thence southeasterly along the northeasterly line of Kettner Boulevard to the northwesterly line of Chalmers Street; thence southwesterly along the northwesterly

line of Chalmers Street to a point distant 58.54 feet southwesterly from the southwesterly line of Hancock Street; thence northwesterly in a direct line to a point on the southwesterly line of Lot 7, Block 168, Middletown, distant 26.41 feet southeasterly from the most westerly corner of said Lot 7; thence northwesterly along the southwesterly lines of Lots 7 and 8, Block 168, Middletown, to the most westerly corner of said Lot 8; thence southwesterly along the southeasterly line of Lot 4, Block 168, Middletown a distance of 46.52 feet to a point; thence northwesterly along a line parallel to and distant 50 feet southwesterly from the southwesterly line of Hancock Street to the northeasterly line of California Street; thence northwesterly along the northeasterly line of California Street to the southwesterly line of Hancock Street; thence westerly in a direct line to the most easterly corner of Lot 7, Block 172, Middletown; thence southwesterly along the southeasterly line of said Lot 7 to the most southerly corner thereof; thence northwesterly along a line parallel to and distant 100 feet southwesterly from the southwesterly line of Hancock Street to the most easterly corner of Lot 1, Block 172, Middletown; thence southwesterly along a line parallel to and distant 50 feet southeasterly from the southeasterly line of Harasthy Street to the northeasterly line of Pacific Highway; thence northwesterly along the northeasterly line of Pacific Highway to a point distant 50 feet northwesterly from the northwesterly line of Harasthy Street; thence northeasterly along a line parallel to and distant 50 feet northwesterly from the northwesterly line of Harasthy Street to the most northerly corner of Lot 6, Block 181, Middletown; thence northwesterly along a line parallel to and distant 100 feet southwesterly from the southwesterly line of Moore Street to the southeasterly line of Noell Street; thence northeasterly along the southeasterly line of Noell Street to the most northerly corner of Lot 1, Block 194, Middletown; thence southeasterly along a line parallel to and distant 100 feet northeasterly from the northeasterly line of Moore Street to the most westerly corner of Lot 7, Block 187, Middletown; thence northeasterly along the northwesterly line of said Lot 7 to the most northerly corner thereof; thence northeasterly in a direct line to the most northerly corner of Lot 1, Block 188, Middletown; thence southeasterly along a line parallel to and distant 100 feet northeasterly from the northeasterly line of California Street to the most easterly corner of Lot 5, Block 179, Middletown; thence northeasterly along a line parallel to and distant 50 feet northwesterly from the northwesterly line of Andrews Street to the southwesterly line of India Street; thence southeasterly in a direct line to the point or place of beginning: excepting therefrom all public streets, avenues, alleys, highways and roads.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;

2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as Five Points Lighting District Number One.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION OF INTENTION NO. 74039

University Avenue Lighting District Number One

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938" to order the following work to be done and improvement to be made in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

UNIVERSITY AVENUE between the northerly prolongation of the east line of Texas Street and the southerly prolongation of the east line of the alley in Block 209, University Heights; and

30TH STREET between Lincoln Avenue and Wightman Street.

Such furnishing of electric current shall be for a period of one year from and including August 7, 1941, to-wit, to and including August 6, 1942.



Said work of improvement shall be done in all respects according to, at the places shown by, and of the materials provided for, in the plans and specifications therefor, to be hereafter prepared by the City Engineer of said City, and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at the point of intersection of the south line of University Avenue with the east line of Texas Street; thence northeasterly in a direct line to a point on the east line of Texas Street distant 25 feet north of the north line of University Avenue; thence east along a line parallel to and distant 25 feet north of the north line of University Avenue to a point distant 140 feet west of the west line of 30th Street; thence north along a line parallel to and distant 140 feet west of the west line of 30th Street to the south line of Lincoln Avenue; thence east along the south line of Lincoln Avenue to a point distant 140 feet east of the east line of 30th Street; thence south along a line parallel to and distant 140 feet east of the east line of 30th Street to a point distant 25 feet north of the north line of University Avenue; thence east along a line parallel to and distant 25 feet north of the north line of University Avenue to the northeast corner of Lot 24, Block 209, University Heights; thence southeasterly in a direct line to the northeast corner of Lot 9, Block 3, Hartley's North Park; thence south along the east line of said Lot 9, to the southeast corner thereof; thence westerly along the southerly line of Lots 9 and 10, Block 3, Hartley's North Park to the southwest corner of said Lot 10; thence westerly in a direct line to a point on the west line of 31st Street distant 100 feet south of the south line of University Avenue; thence west along a line parallel to and distant 100 feet south of the south line of University Avenue to the east line of Ray Street; thence northwesterly in a direct line to the southeast corner of Lot 1, Block 1, West End; thence west along the south line of said Lot 1, to the southwest corner thereof; thence south along a line parallel to and distant 100 feet east of the east line of 30th Street to the north line of Wightman Street; thence west along the north line of Wightman Street to a point distant 100 feet west of the west line of 30th Street; thence north along a line parallel to and distant 100 feet west of the west line of 30th Street to a point distant 50 feet south of the south line of University Avenue; thence west along a line parallel to and distant 50 feet south of the south line of University Avenue to the east line of 28th Street; thence northwesterly in a direct line to a point on the west line of 28th Street distant 25 feet south of the south line of University Avenue; thence west along a line parallel to and distant 25 feet south of the south line of University Avenue to the east line of Texas Street; thence north along the east line of Texas Street to the point or place of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;

2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as UNIVERSITY AVENUE LIGHTING DISTRICT NUMBER ONE.

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION NO. 74040

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving the North and South Alley in Block 107, University Heights, as particularly described in Resolution of Intention No. 73139 and to be assessed to pay the expenses thereof.

RESOLUTION NO. 74041

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on the Alleys in Block 6 Hartley's North Park and Block C McFadden & Buxton's North Park in said City of San Diego, as described in Resolution of Intention No. 73088, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 25, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

RESOLUTION NO. 74042

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

The following claims, attached to Transmittal No. 64 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number |                                     | Net Amount of Claim | Claim Number |
|------------|--------------|-------------------------------------|---------------------|--------------|
| 4/23/41    | 0892-        |                                     |                     |              |
| "          | 0958         | R. C. Lindsay, City Treasurer       | 214.22              | 0745         |
| "          | 0895         | Squires Belt Material Co.           | 24.11               | 0746         |
| "          | 0900-        |                                     |                     |              |
| "          | 0950         | Whitney & Company                   | 271.54              | 0747         |
| "          | 0921         | General Electric Supply Corporation | 10.89               | 0748         |
| "          | 0924         | Ribley & Ribley                     | 1.55                | 0749         |
| "          | 0925         | Electric Supplies Distributing Co.  | 1.25                | 0750         |
| "          | 0927         | Auto Gear & Supply Co.              | 3.93                | 0751         |
| "          | 0928         | Frazee's                            | 7.32                | 0752         |
| "          | 0930         | Hazard Gould & Co.                  | 1.33                | 0753         |
| "          | 0931         | Crane Company                       | 12.40               | 0754         |
| "          | 0935         | Benton Roof & Paint Co.             | 18.57               | 0755         |
| "          | 0936         | San Diego Hardware Company          | 1.01                | 0756         |
| "          | 0942         | Flexrock Company                    | 18.92               | 0757         |
| "          | 0945         | San Diego Ice & Cold Storage Co.    | 2.06                | 0758         |
| "          | 0948         | Buel Town Company                   | 12.92               | 0759         |
| "          | 0956         | Kelley Laundry Co.                  | 3.81                | 0760         |
| "          | 0961         | Austin Safe & Desk Co.              | 10.00               | 0761         |
| "          | 0962         | Wilson F. Clark Co.                 | 22.67               | 0762         |
| "          | 0965         | Robbins Marine Engine Works         | 10.00               | 0763         |

RESOLUTION NO. 74043

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

The following claims, attached to Transmittal No. 65 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number |                                     | Net Amount of Claim | Claim Number |
|------------|--------------|-------------------------------------|---------------------|--------------|
| 4/23/41    | 0929         | General Electric Supply Corporation | 12.23               | 0764         |
| "          | 0963         | Austin Safe & Desk Company          | 2.58                | 0765         |
| "          | 0966         | Asbestos Products Corp.             | 4.24                | 0766         |
| "          | 0967         | Hazard Gould & Co.                  | 1.40                | 0767         |
| "          | 0968-        |                                     |                     |              |
| "          | 0972         | Fred C. Silverthorn & Sons Inc.     | 98.53               | 0768         |
| "          | 0969-        |                                     |                     |              |
| "          | 0985         | Electric Supplies Distributing Co.  | 11.08               | 0769         |
| "          | 0970-0973    |                                     |                     |              |
| "          | 0980-0983    | W. P. Fuller & Co.                  | 75.64               | 0770         |
| "          | 0975         | Crane Company                       | 4.67                | 0771         |
| "          | 0976         | Blake Moffitt & Towne               | 98.42               | 0772         |
| "          | 0978         | City of San Diego - Fire Department | 11.00               | 0773         |
| "          | 0979         | Acme Pipe Company                   | 46.81               | 0774         |
| "          | 0982         | Balboa Venetian Blind Co.           | 14.42               | 0775         |
| "          | 0986-0926    | City of San Diego Purchasing Dept.  | 3.03                | 0776         |
| "          | 0987         | Pacific Lawn Mower Works            | 6.50                | 0777         |
| "          | 0988-0991    | Don Shira - Kelite Products         | 147.03              | 0778         |
| "          | 0992         | Frazee's                            | 17.14               | 0779         |
| "          | 0995         | Pacific Chemical Company            | 4.79                | 0780         |
| "          | 01003        | City Water Department               | 106.06              | 0781         |
| "          | 01004        | San Diego Gas & Electric Company    | 757.78              | 0782         |

RESOLUTION NO. 74044

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

The following claims, attached to Transmittal No. 66 of the Administration Building and Grounds Department, are hereby approved and allowed:

| Claim Date | Order Number |  | Net Amount of Claim | Claim Number |
|------------|--------------|--|---------------------|--------------|
| 4/24/41    | 0974         | Electric Supplies Distributing Co.       | 15.81               | 0783         |
| "          | 0977         | Blake Moffitt & Towne                    | 196.83              | 0784         |
| "          | 0990         | Acme Pipe Company                        | 33.97               | 0785         |
| "          | 0984         | Hazard Gould & Co.                       | 2.35                | 0786         |
| "          | 0996         | W. P. Fuller & Co.                       | 5.04                | 0787         |
| "          | 0998         | " " " "                                  | 4.10                | 0788         |
| "          | 01005        | Otis Elevator Company                    | 115.50              | 0789         |
| "          | 01006        | W. E. Roberts                            | 25.00               | 0790         |
| "          | 01007        | The Hercules Oil Company                 | 128.70              | 0791         |
| "          | 01008        | Kelley Laundry Co.                       | 7.25                | 0792         |
| "          | 01009        | County Stores Division                   | 9.68                | 0793         |
| "          | 01011        | San Diego County Garage                  | 8.95                | 0794         |
| "          | 01012        | County of San Diego Telephone Department | 3.65                | 0795         |

RESOLUTION NO. 74045

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Maurice C. Madsen, executed in favor of The City of San Diego, bearing date April 17, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the north 12 feet of the west 56.67 feet of Lot 17, Block 40, Normal Heights, according to official map thereof on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions

therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 74046

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Angus W. Boyd and Ada Boyd, executed in favor of The City of San Diego, bearing date April 17, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the north 12 feet of the west 50 feet of the east 100.24 feet of Lot 17, Block 40, Normal Heights, according to official map thereof on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 74047

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Bernice Stallboris and Harold Stallboris, executed in favor of The City of San Diego, bearing date April 22, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the northerly 3 feet of Lot 5, Block 51 of Middletown Addition, according to Partition Map thereof on file in the office of the County Clerk of San Diego County in Action No. 5014, Superior Court, entitled, "William Roark, et al. vs. J. F. Forward, et al." be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 74048

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Herbert C. Kelly and Helen G. Kelly, executed in favor of The City of San Diego, bearing date December 19, 1940, conveying to said City an easement and right of way for street purposes through, along and across a portion of Pueblo Lot 1177 of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in the year 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, being also a portion of Union Street and a portion of Goshen Street, formerly 5th Street, closed to public use by Resolutions numbered 554 and 563, respectively, of the Common Council of the City of San Diego, lying contiguous to and adjoining Lot 5, Block 20; Lot 25, Block 19, and Lot 11, Block 32, Silver Terrace, according to the map thereof No. 434, filed in the office of said County Recorder, be, and the same is hereby accepted on the conditions therein expressed; and the lands therein conveyed are hereby set aside and dedicated to the public use as and for a public street, and the same are hereby named GOSHEN STREET; And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 74049

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Mercy Hospital, San Diego, a corporation, executed in favor of The City of San Diego, bearing date March 14, 1941, conveying to said City an easement and right of way for street purposes through, along and across a portion of Pueblo Lot 1177 of the Pueblo Lands of San Diego, according to the Map thereof made by James Pascoe in the year 1870, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, being also a portion of Union Street and a portion of Goshen Street, formerly 5th Street, closed to public use by Resolutions Numbered 554 and 563, respectively, of the Common Council of the City of San Diego, lying contiguous to and adjoining Lot 5, Block 20; Lot 25, Block 19, and Lot 11, Block 32, Silver Terrace, according to the Map thereof No. 434, filed in the office of said County Recorder, be, and the same is hereby accepted on the conditions therein expressed; and the lands therein conveyed are hereby set aside and dedicated to the public use as and for a public street, and the same are hereby named GOSHEN STREET; And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 74050

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor of said City be, and he is hereby authorized and directed to transfer the sum of \$1000.00 from Maintenance and Support, (Item 244, Investigation), City Manager's Fund, to Salaries and Wages, said City Manager's Fund, as provided by Section 6 of Ordinance No. 1880 (New Series) of the ordinances of said City.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

#### RESOLUTION NO. 74051

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor of said City be, and he is hereby authorized and directed to transfer the sum of \$500.00 from Outlay, Division of Sewers, Department of Public Works Fund, to Salaries and Wages, Division of Sewers, said Department of Public Works Fund, as provided by Section 31 of Ordinance No. 1880 (New Series) of the ordinances of said City.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

#### RESOLUTION NO. 74052

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to T. J. Lords to construct a residence on Lot 30 Block 7 Point Loma Heights not closer to the property line of Poe Street than five feet.

The provisions of Setback Ordinance No. 12321, be, and they are hereby suspended, in so far as they relate to the property mentioned above.



## R E S O L U T I O N NO. 74053

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with one or more motor propelled triple combination 1250 g.p.m. pumping engines, water tank and hose car, in accordance with Notice to Bidders, Specifications, Bidding Instructions and requirements, on file in the office of the City Clerk bearing Document No. 328726.

Approved as to form D. L. AULT

## R E S O L U T I O N NO. 74054

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare the necessary papers granting to the Atchison, Topeka & Santa Fe Railway Company permission to construct spur tracks in portions of F Street and California Street, as petitioned for in Document No. 328230, and as recommended by the City Manager under Document No. 328685, at a rental of one hundred dollars per year.

## R E S O L U T I O N NO. 74055

WHEREAS, Mamie Sacksteder, a single woman, did, on the 27th day of January, 1941, grant the City an easement for drain or conduit purposes, including slope rights, which deed of easement was recorded in Book 1141 at page 221, official records of the County Recorder's Office, reference to which is hereby made for further particulars, affecting Lot 43, Block 4, of Bungalow Park, as shown on Drawing No. 2440-B on file in the office of the City Engineer; and

WHEREAS, thereafter the location of said drain pipe or conduit line was changed by the City, as shown on Drawing No. 2470-B, on file in the office of the City Engineer; and

WHEREAS, said Mamie Sackstader granted the City a new deed of easement dated the 4th day of April, 1941, affecting a portion of said Lot 43, Block 4, of Bungalow Park, to comply with the change of line as shown on said Drawing No. 2470-B; and

WHEREAS, said second easement was given on condition that the City quitclaim to said grantor all its right, title and interest in and to the property conveyed in the first deed of easement aforesaid, and pay the costs of recording the same; and

WHEREAS, the City Engineer, in a communication to the City Attorney, dated the 4th day of April, 1941, approved by the City Manager on the same date, recommends the acceptance of said second easement under the terms herein set forth; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the Mayor and City Clerk of The City of San Diego be, and they are hereby authorized and directed to execute for and on behalf of The City of San Diego a quitclaim to said Mamie Sacksteder, conveying to said grantee all its right, title and interest in and to that portion of Lot 43, Block 4, Bungalow Park, as shown on said Drawing No. 2440-B and more particularly described as follows:

A portion of Lot 43, in Block 4 of Bungalow Park according to the Map thereof No. 1175, filed for record in the office of the County Recorder of said County of San Diego, said easement hereby conveyed being ten feet in width, five feet on each side of the following described center line:

Beginning at a point on the west line of said Lot 43 distant therealong five feet north from the southwest corner of said Lot 43; thence southeasterly on a direct line to a point on the east line of Lot 41 in said Bungalow Park, distant therealong 12 feet north from the southeast corner of said Lot 41.

BE IT FURTHER RESOLVED that said second deed of Mamie Sacksteder executed in favor of The City of San Diego bearing date the 4th day of April, 1941, conveying to said City an easement and right of way for drain pipe purposes through, along and across a portion of Lot 43 in Block 4 of Bungalow Park, according to the map thereof No. 1175, of the official records of the County Recorder of San Diego County, California, and which deed is given in exchange and as a substitute for that grant of easement dated January 27, 1941, and recorded in Book 1141 at page 221 of official records of said County of San Diego, as aforesaid, be, and the same is hereby accepted on the conditions therein expressed; and the City Clerk of said City is hereby authorized and directed to file both the quitclaim hereinbefore referred to and said deed dated the 4th day of April, 1941, in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution, and to pay all expenses incident to recording the same.

Approved as to form by James J. Breckenridge

Passed and adopted by the said Council of the said City of San Diego, California, this 29th day of April, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Housh, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 74058

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The Council hereby goes on record approving appointment of a suggested Fair Rent Committee for San Diego by the Local Defense Housing Committee, which committee would serve without compensation, and work with the Defense Housing Committee.

## R E S O L U T I O N NO. 74056

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby requested to send a telegram to Assemblyman James E. Thorp, committee chairman, opposing the passage of Assembly Bill 272, regarding the feeding of garbage to hogs.

## R E S O L U T I O N NO. 74057

BE IT RESOLVED by the Council of the City of San Diego, as follows:

This Council hereby goes on record thanking Addison E. Housh upon completion of his four-year term as a member of the City Council from district number three, for the services he has rendered the City and the district he represents.

In surrendering his office, for which he did not seek re-election, the Council and the City as a whole loses a valued official whose judgment and activities have always been motivated by high ideals.

## R E S O L U T I O N NO. 74059

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Mayor P. J. Benbough and Councilman Fred W. Simpson are hereby authorized to negotiate for the purchase of property in Ocean Beach for recreational purposes.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 73993 to 74059 inclusive of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 29th day of April, 1941.

FRED W. SICK

City Clerk of the City of San Diego, California

By Helen M. Willey Deputy

## R E S O L U T I O N NO. 74060

Loma Portal Lighting District No. 1

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of LOCUST STREET, EVERGREEN STREET, WILLOW STREET, PLUM STREET, CLOVE STREET, DUMAS STREET, ELLIOTT STREET, FREEMAN STREET, GOLDSMITH STREET, CHATSWORTH BOULEVARD, LYTTON STREET, ROSECRANS STREET, POINSETTIA DRIVE, JONQUIL DRIVE, NARCISSUS DRIVE, HYACINTH DRIVE, AZALEA DRIVE, WISTERIA DRIVE, LOTUS DRIVE, PLUMOSA DRIVE and AMARYLLIS DRIVE, within the limits and as particularly described in Resolution of Intention No. 73664, adopted by the Council of said City on March 18, 1941, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for Loma Portal Lighting District No. 1," filed in the office of said City Clerk April 1, 1941, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

## R E S O L U T I O N NO. 74061

CONFIRMING THE CITY ENGINEER'S ASSESSMENT NO. 1724 FOR WORK UPON ALLEY IN BLOCK A ALTADENA IN THE CITY OF SAN DIEGO, CALIFORNIA, UNDER RESOLUTION OF INTENTION NO. 72534

Notice of the time and place fixed for the hearing of appeals in the matter of Assessment No. 1724 made by the City Engineer of said City to cover the cost and expenses of the work done upon Alley in Block A Altadena in said City, under Resolution of Intention No. 72534, adopted by the Council on the 22nd day of October, 1940, having been duly given and made in the manner required by law, and the legal time for filing such appeals and the time fixed for hearing thereon having passed and elapsed, and no appeals in the matter of said assessment having been filed, and the Council being satisfied with the correctness of said assessment; NOW THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego, that the said Assessment No. 1724 of the said City Engineer made to cover the cost and expenses of the work done upon Alley in Block A Altadena within the limits as described in said Resolution of Intention No. 72534, be, and the same is hereby approved and confirmed, and the City Engineer is hereby authorized to attach his warrant thereto and record the same in the manner and form required by law. Said warrant shall bear date of this order.

## R E S O L U T I O N NO. 74062

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Edgar A. Goebel, 2038 Cypress Avenue, to construct a residence on the east 60 feet of Lots 28-32 Block 258 University Heights.

Variance to the restrictions of Ordinance No. 12889, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74063

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to J. M. Taylor, 3274 El Cajon Boulevard, to re-plat Lots 42-46 Block 2 Bungalow Park, to face on Dwight Street instead of Menlo Avenue, for the purpose of erecting three single-family residences.

Variance to the restrictions of Ordinance No. 13057, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74064

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to James B. and Hazel Marie Cope, 3632 Midway Drive, to operate a killing room in connection with a retail poultry market on a portion of Pueblo Lot 242, at the address mentioned above.

Variance to the restrictions of Ordinance No. 32 New Series, be, and it is hereby granted in so far as they relate to the property mentioned above, for a period of two years from the date of this resolution.

## R E S O L U T I O N NO. 74065

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Jennie Burnett, 4224 Altamirano, to erect a 3-story furniture storage warehouse on Lots 10 & 11 Tract 1375, Resub. of Lots 9 to 18 Block 6 Crittenden's Addition, provided all loading entrances to the building are from the alley and loading is conducted within the building.

Variance to the restrictions of Ordinance No. 12988, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74066

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Jennie Burnett, 4224 Altamirano, to erect a furniture storage warehouse on Lots 10 & 11 Tract 1375, Resub. of Lots 9 to 18 Block 6 Crittenden's Addition, with a 0-foot side yard on the north, a 4-foot side yard on the south, a rear yard of 10 feet from the center line of the alley, a lot coverage of 92%, and to the property line on Seventh Avenue.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74067

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Harry L. Halbritter, 2004 Logan Avenue, to construct and conduct a seven-unit auto trailer camp on Lots 1-4 Block 176 San Diego Land & Town Company's Subdivision, provided the camp is constructed and landscaped in conformance with the plans submitted to the City Planning Commission.

## R E S O L U T I O N NO. 74068

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to F. F. Grant, 1017 First Avenue, to continue operation of a sand and gravel plant on Lot 3 of Pueblo Lot 1173 and the south 3/4 of the south 1/2 of Pueblo Lot 1183, as originally granted by Resolution 65335, adopted December 29, 1936, for a period of five years from December 29, 1941.

Variance to the restrictions of Ordinance No. 148 New Series, be, and it is hereby granted for a period of five years from December 29, 1941, insofar as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74069

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Percy Bilton, Inc., San Gabriel, California, and Howard M. Merritt, for the closing of the following streets in Montemar Ridge Unit 1 and Bayside Country Club Estates Unit No. 1, be, and it is hereby granted, as petitioned for and described in Document No. 328858:

Portion of Evergreen Street, portion of Malaga Street, portion of Madrid Street, Meadow Grove Drive for its entire length in Bayside Country Club Estates Unit No. 1, Blythe Street for its entire length in Bayside Country Club Estates Unit No. 1, Michelmas Terrace for its entire length in Bayside Country Club Estates Unit No. 1, Penelope Place for its entire length in Bayside Country Club Estates Unit No. 1

The City Engineer is directed to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing.

## R E S O L U T I O N NO. 74070

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Carol M. Raborn, Nora Bell Raborn, John Kester, by Thomas Whelan, attorney, 902-904 San Diego Trust & Savings Building, San Diego, requesting the City Council to disregard the petition filed with the City Clerk on January 13, 1941, under Document No. 325784 for the annexation to the City of San Diego of a portion of Lot 23 Ex Mission, be, and it is hereby granted. The new petition, filed as Document No. 328834, be, and it is hereby referred to the City Attorney.

## R E S O L U T I O N NO. 74071

WHEREAS, the City Manager has submitted to the Council a recommendation that the installation of a sixteen-inch water pipe line in Harbor Drive, from Kettner Boulevard across the tidelands to the Coast Guard Base area, be done by city forces rather than by contract, and has submitted with said recommendation estimates indicating that said work can be done by the City more economically than if let by contract; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Manager be, and he is hereby authorized to proceed with the installation of a sixteen-inch water pipe line in Harbor Drive, from Kettner Boulevard across the tidelands to the Coast Guard Base area, with the appropriate city forces.

BE IT FURTHER RESOLVED that the cost of doing said work shall be charged against and payable out of the Water Distribution Bond Fund, said work being one of the purposes for which the City's Water Distribution Bonds were issued.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 74072

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of J. E. Dodd, 737 - 18th Street, filed in the office of the City Auditor and Comptroller of said City on April 11, 1941, against the City of San Diego in the amount of \$46.63, claimed to be due on account of damage to his "pick-up" truck on October 25, 1940, by a City police car, be, and the same is hereby allowed.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be, and he is hereby authorized and directed to make payment from the Small Claims Payment Fund of the sum of \$46.63, in full settlement of said claim upon the delivery to said City Auditor and Comptroller of a duly executed release, the form of which shall be approved by the City Attorney.



## R E S O L U T I O N NO. 74073

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Thomas J. Enright, 4628 Wightman Street, filed in the office of the City Auditor and Comptroller of said City on April 24, 1941, against The City of San Diego in the amount of \$5.50, claimed to be due on account of damage to his automobile done by a motorcycle ridden by a police officer on April 15, 1941, be, and the same is hereby allowed.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be, and he is hereby authorized and directed to make payment from the Small Claims Payment Fund of the sum of \$5.50, in full settlement of said claim, upon the delivery to said City Auditor and Comptroller of a duly executed release, the form of which shall be approved by the City Attorney.

## R E S O L U T I O N NO. 74074

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Dr. D. F. Burke, Box 230, Modesto, California, filed in the office of the City Auditor and Comptroller of said City on April 28, 1941, against The City of San Diego in the amount of \$11.50, claimed to be due on account of damages to his automobile in a collision with a City truck on or about April 9, 1941, be, and it is hereby denied.

## R E S O L U T I O N NO. 74075

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of L. B. Henderson, 3712 Grim Avenue, filed in the office of the City Auditor and Comptroller of said City on March 18, 1941, against The City of San Diego in the amount of \$25.50, claimed to be due on account of damage done to his automobile by a City rubbish truck, be, and it is hereby allowed in the sum of \$15.00, which sum claimant has agreed to accept in full settlement of said claim.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be, and he is hereby authorized and directed to make payment from the Small Claims Payment Fund of the sum of \$15.00, in full settlement of said claim, upon the delivery to said City Auditor and comptroller of a duly executed release, the form of which shall be approved by the City Attorney.

## R E S O L U T I O N NO. 74076

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Hortense V. Casper, 4644 Alabama Street, filed in the office of the City Auditor & Comptroller of said City on April 15, 1941, against The City of San Diego in the amount of \$10,269.24, claimed to be due for personal injuries, be, and it is hereby denied.

## R E S O L U T I O N NO. 74077

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of C. P. Winn, 2144 El Cajon Boulevard, filed in the office of the City Auditor and Comptroller of said City on April 26, 1941, against The City of San Diego in the amount of \$8.00, claimed to be due on account of damage to his automobile when it collided with a City truck on or about March 1, 1941, be, and it is hereby denied.

## R E S O L U T I O N NO. 74078

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Hubert Augustus Gandy and Myrtle E. Gandy, 2414 G Street, filed in the office of the City Auditor and Comptroller of said City on March 21, 1941, against The City of San Diego in the amount of \$423.50, claimed to be due on account of personal injuries sustained by them on or about March 15, 1941, while driving on Moore Street, be, and it is hereby denied.

## R E S O L U T I O N NO. 74079

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to First Baptist Church, by Charles G. Wilson, trustee, P.O. Box 568, La Jolla, California, to erect two directional signs at their own expense, at the following locations: Southeast corner of Draper and Pearl Streets; Southeast corner of Genter Street and La Jolla Boulevard. The size and design of the signs shall be subject to approval of the City Manager.

## R E S O L U T I O N NO. 74080

WHEREAS, at a special municipal election held April 22, 1941, for the purpose of securing the authorization for the incurring of a bonded indebtedness of \$1,983,000 for the purpose of the acquisition, construction and completion of improvements, extensions and additions to the sanitary sewer system of the City of San Diego, and the required two-thirds vote in favor of incurring said indebtedness was obtained; and

WHEREAS, it is desirable and necessary to retain special bond counsel for the purpose of advising and approving the numerous technical procedural steps leading up to the issuance and sale of the bonds so authorized and rendering the final validating opinion required by purchasers of municipal bonds; and

WHEREAS, the approval and validating opinion of the law firm of O'Melveny & Myers, of Los Angeles, California, is unhesitatingly accepted by purchasers of municipal bonds; and

WHEREAS, the City has heretofore availed itself of the services of said firm in connection with prior bond issues; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the law firm of O'Melveny & Myers, Los Angeles, California, be, and it is hereby retained by The City of San Diego for the purpose recited in the preamble of this resolution, at a fee of \$1450.00, plus incidental disbursements and expenses necessarily incurred in connection with the rendition of such services.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 74081

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Attorney be, and he is hereby authorized and directed to take the necessary steps for appealing the case of Virginia Perry v. The City of San Diego to the United States Circuit Court of Appeals.

#### RESOLUTION NO. 74082

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the Electrical Facilities, Inc. to furnish The City of San Diego with three rectifiers as follows: 1 - 8 volt, 50 ampere, Selenium type at \$312.00, including tax; 1 - 8 volt, 100 ampere, Selenium type at \$504.00, including tax; and 1 - 16 volt, 50 ampere, Selenium type at \$464.00, including tax, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said Electrical Facilities, Inc.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Electrical Facilities, Inc., for furnishing of said rectifiers pursuant to the plans and specifications therefor on file in the office of the City Clerk.

Approved as to form H. B. DANIEL

#### CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby further certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated May 6, 1941. LIMIT \$1,280.00

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California  
To be paid out of Water Development FAA-5531.

#### RESOLUTION NO. 74083

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the Electric Supplies Distributing Company to furnish The City of San Diego with one 16 volt, 75 ampere, Westinghouse rectifier for the sum of \$424.36, including tax, be, and the same is hereby accepted; and the contract for furnishing same is hereby awarded to said Electric Supplies Distributing Company.

BE IT FURTHER RESOLVED that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with said Electric Supplies Distributing Company, for furnishing of said rectifier, pursuant to the plans and specifications therefor on file in the office of the City Clerk.

Approved as to form. CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

H. B. DANIEL I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of The City of San Diego; and I do hereby certify, in conformity with the requirements of Section 80 of the Charter of The City of San Diego, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Dated May 6, 1941. LIMITED TO \$424.36.

J. S. BARBER

Auditor and Comptroller of the City of San Diego, California  
To be paid out of Water Development FAA-5531.

#### RESOLUTION OF AWARD NO. 74084

Maple Street and 32nd Street

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 29th day of April, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 73439, adopted by the Council on February 18, 1941, and on file in the office of the City Clerk of said City for the grading, paving, curbing and sidewalking of MAPLE STREET and 32ND STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To R. E. HAZARD & SONS, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|   |         |
|---|---------|
| Excavation, per cubic yard.....               | \$0.50  |
| Embankment, per cubic yard.....               | \$0.50  |
| Preparation of subgrade, per square foot..... | \$0.015 |
| Pavement, per square foot.....                | \$0.129 |
| Sidewalk, per square foot.....                | \$0.155 |
| Special curb, per lineal foot.....            | \$0.60  |
| Standard curb, per lineal foot.....           | \$0.70  |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF AWARD NO. 74085

Front Street

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 29th day of April, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 73440, adopted by the Council on February 18, 1941, and on file in the office of the City Clerk of said City for the grading, curbing, sidewalking and otherwise improving of FRONT STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To V. R. DENNIS, an individual doing business under the firm name and style of V. R. DENNIS CONSTRUCTION COMPANY, at the prices named in his bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

|  |         |
|--|---------|
| Excavation, per cubic yard .....   | \$ 0.65 |
| Embankment, per cubic yard .....   | \$ 0.65 |
| Sidewalk, per square foot .....  | \$ 0.16 |
| Curb, per lineal foot .....  | \$ 0.55 |
| Curb inlet, as shown on the plans, complete for the<br>sum of.....   | \$80.00 |
| Corrugated iron pipe culvert, with connections and<br>appurtenances, as shown on the plans, laid,<br>per lineal foot ..... | \$ 2.25 |
| Wire link guard fence, as shown on the plans, per<br>lineal foot .....   | \$ 2.50 |

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 74086

DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE  
TIME AND PLACE OF HEARING THEREOF.

RESOLVED, By the Council of The City of San Diego, California:  
That the City Clerk of said City be, and he is hereby authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1727 made to cover the costs and expenses of the work done upon the Alley in Block 173 University Heights and Lincoln Avenue in said City, under Resolution of Intention No. 72940, adopted December 17, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their



appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

R E S O L U T I O N NO. 74087  
DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME  
AND PLACE OF HEARING THEREOF.

RESOLVED, By the Council of The City of San Diego, California:  
That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1728 made to cover the costs and expenses of the work done upon Ivy Street in said City, under Resolution of Intention No. 72991, adopted December 24, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

R E S O L U T I O N NO. 74088  
DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME  
AND PLACE OF HEARING THEREOF

RESOLVED, By the Council of The City of San Diego, California:  
That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1729 made to cover the costs and expenses of the work done upon Boston Avenue in said City, under Resolution of Intention No. 72635, adopted November 6, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

R E S O L U T I O N NO. 74089  
DIRECTING NOTICE INVITING SEALED PROPOALS, COLLEGE PARK  
LIGHTING DISTRICT NO. 1

BE IT RESOLVED By the Council of the City of San Diego, California, as follows:  
That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

COLLEGE AVENUE, between the southwesterly prolongation of the northwesterly line of Mesita Drive and the easterly prolongation of the northerly line of Lot 1, Block 1, College Park Unit No. 1;

MISSION VALLEY ROAD, between College Avenue and the southerly prolongation of the westerly line of Lot 21, Partition of Rancho Mission of San Diego;

CAMPANILE DRIVE, between the north line of Mission Valley Road and a line parallel to and distant 120 feet northerly therefrom; and

CRESITA DRIVE, for its entire length.

Such furnishing of electric current shall be for a period of one year from and including June 1, 1941, to-wit, to and including May 31, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for College Park Lighting District No. 1," filed March 12, 1941, in the office of the City Clerk of said City.

That The San Diego Union, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 74090  
DIRECTING NOTICE INVITING SEALED PROPOALS, MISSION BEACH  
LIGHTING DISTRICT NO. 1

BE IT RESOLVED By the Council of the City of San Diego, California, as follows:  
That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the street lamps on bracket arms attached to the poles on MISSION BOULEVARD, between the southerly line of

Ventura Place and the southerly line of Pacific Beach Drive, in the City of San Diego, California; together with the maintenance of said bracket arms, wires and lamps on said Mission Boulevard, within the limits above mentioned. Such furnishing of electric current and such maintenance of appliances shall be for a period of one year from and including May 15, 1941, to-wit, to and including May 14, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Mission Beach Lighting District No. 1," filed March 5, 1941, in the office of the City Clerk of said City.

That The San Diego Union, a daily newspaper published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF INTENTION NO. 74091

Felton Street

BE IT RESOLVED, By the Council of The City of San Diego, that the public interest and convenience of said City require the closing up of a portion of the street hereinafter mentioned; and

BE IT FURTHER RESOLVED, that it is the intention of said Council to order the closing of the westerly 35.00 feet of FELTON STREET, measured at right angles to the west line of said Felton Street, between the easterly prolongation of the south line of Hawthorn Street, as it now exists, and the easterly prolongation of the south line of Lot 9, Block 36, Eastern Addition, according to the map thereof No. 295, on file in the office of the County Recorder of San Diego County, California, including any portion of Hawthorn Street lying within the above described limits.

That it is not deemed necessary that any land be taken therefor.

That the exterior boundaries of the district of lands in said City to be affected by said work and improvement, and to be assessed to pay the damages, costs and expenses thereof, are described as follows:

Beginning at a point on the south line of Lot 9, Block 36, Eastern Addition, according to the map thereof No. 295, on file in the office of the County Recorder of San Diego County, California, distant thereon 50.00 feet westerly from the east line of said Block 36; thence northerly parallel to the east line of said Block 36, to the south line of Hawthorn Street as it now exists; thence easterly along the south line of said Hawthorn Street and its easterly prolongation to the center line of Felton Street; thence southerly along the center line of said Felton Street to the easterly prolongation of the south line of said Lot 9; thence westerly along the easterly prolongation of the south line of said Lot 9 and the south line of said Lot 9, to the point of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

That THE SAN DIEGO UNION, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper in which the Director of Public Works of said City shall cause to be published, in the manner and form required by law, notice of the passage of this Resolution of Intention, and the said Director of Public Works is hereby directed to cause notices of the passage of this resolution to be posted in the manner and form required by law, and to cause a notice similar in substance to be published in said newspaper for a period of ten days in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF INTENTION NO. 74092

MISSION BEACH LIGHTING DISTRICT NUMBER TWO

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938" to order the following work to be done and improvement to be made, in said City, to-wit:

The furnishing of electric current for the lighting of the street lamps on mast arms attached to the poles located in MISSION BOULEVARD between the southerly extremity of said Mission Boulevard and the southerly line of San Fernando Place, in Mission Beach, in the City of San Diego, California, together with the maintenance of said mast arms, wires and lamps on said Mission Boulevard, between the limits above mentioned. Such furnishing of electric current and such maintenance of appliances shall be for a period of one year from and including August 17, 1941, to-wit, to and including August 16, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by, and of the materials provided for, in the plans and specifications therefor to be

hereafter prepared by the City Engineer of said City, and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at the most southerly corner of Lot D, Block 7, Mission Beach; thence northwesterly and northerly along the northeasterly and easterly lines of Ocean Front Walk and its northerly prolongation to the northerly line of San Fernando Place; thence easterly along the northerly line of San Fernando Place and its easterly prolongation to the westerly line of Bayside Walk; thence in a general southerly direction along the westerly line of Bayside Walk to a point distant 14.51 feet northeasterly from the most southerly corner of Lot D, Block 1, Mission Beach; thence southwesterly in a direct line to the intersection of the southeasterly line of San Diego Place with the northeasterly line of Mission Boulevard; thence southeasterly along the northeasterly line of Mission Boulevard to the southerly extremity of said Mission Boulevard; thence south 78 degrees 59 minutes and 41 seconds west to a point distant 10 feet southwesterly from the southwesterly line of Mission Boulevard; thence northwesterly on a line parallel to and distant 10 feet southwesterly from the southwesterly line of Mission Boulevard to an intersection with a line parallel to and distant 10 feet southwesterly from the southwesterly line of Ocean Front Walk; thence northwesterly along a line parallel to and distant 10 feet southwesterly from the southwesterly line of Ocean Front Walk to an intersection with the southwesterly prolongation of the southeasterly line of Lot D, Block 7, Mission Beach; thence northeasterly in a direct line to the point of place of beginning; excepting therefrom all public streets, avenues, alleys, highways or roads.

Said Council does hereby order that four-fifths of the costs and expenses of said Improvement shall be assessed upon the district above described, and one fifth of the costs and expenses of said improvement shall be paid out of the Treasury of said City, from the Street Light Fund of said City.

That the proposed improvement is hereby referred to the City Engineer of said City, and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;

2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;

3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as Mission Beach Lighting District Number Two.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION OF INTENTION NO. 74093

#### OCEAN BEACH LIGHTING DISTRICT NUMBER ONE.

RESOLVED, that it is the intention of the Council of the City of San Diego, California, pursuant to the provisions of the "Lighting District Ordinance of 1938" to order the following work to be done and improvement to be made in said City, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

ABBOTT STREET between Newport Avenue and West Point Loma Boulevard;

NEWPORT AVENUE between Abbott Street and Sunset Cliffs Boulevard;

SANTA MONICA AVENUE between Abbott Street and Bacon Street;

BACON STREET between Newport Avenue and Santa Monica Avenue; and

VOLTAIRE STREET between Abbott Street and Froude Street.

Such furnishing of electric current shall be for the period of one year, from and including August 14, 1941, to-wit, to and including August 13, 1942.

Said work of improvement shall be done in all respects according to, at the places shown by and of the materials provided for, in the plans and specifications therefor to be hereafter prepared by the City Engineer and furnished to this Council, as hereinafter set forth.

That the exterior boundaries of the district in said City of San Diego to be benefited by said improvement, and to be assessed to pay the costs and expenses thereof, and to



be known as the assessment district, are hereby specified as follows, to-wit:

Beginning at the intersection of the northeasterly line of Santa Monica Avenue with the northwesterly line of Bacon Street; thence southeasterly in a direct line to a point on the southwesterly line of Santa Monica Avenue distant 25 feet southeasterly from the southeasterly line of Bacon Street; thence southwesterly along a line parallel to and distant 25 feet southeasterly from the southeasterly line of Bacon Street to a point distant 140 feet northeasterly from the northeasterly line of Newport Avenue; thence southeasterly along a line parallel to and distant 140 feet northeasterly from the northeasterly line of Newport Avenue to the northwesterly line of Sunset Cliffs Boulevard; thence southwesterly along the northwesterly line of Sunset Cliffs Boulevard to a point distant 140 feet southwesterly from the southwesterly line of Newport Avenue; thence northwesterly along a line parallel to and distant 140 feet southwesterly from the southwesterly line of Newport Avenue to the most westerly corner of Lot 46, Block 72, Ocean Beach; thence northeasterly in a direct line to the most southerly corner of Lot 1, Block 72, Ocean Beach; thence northwesterly along the southwesterly line of said Lot 1, and its northwesterly prolongation, to an intersection with the southwesterly prolongation of the northwesterly line of Abbott Street; thence northeasterly in a direct line to the most southerly corner of Block 80, Ocean Beach; thence northeasterly along the southwesterly line of said Block 80 to the northwesterly corner thereof; thence easterly in a direct line to the most westerly corner of Lot 14, Block 79, Ocean Beach; thence northeasterly along a line parallel to and distant 25 feet northwesterly from the northwesterly line of Abbott Street to the southwesterly line of Brighton Avenue; thence northeasterly in a direct line to the most westerly corner of Lot 17, Block 85, Ocean Beach Extension; thence northeasterly along a line parallel to and distant 40 feet northwesterly from the northwesterly line of Abbott Street to the southwesterly line of Ocean Bay Beach; thence northwesterly along the southwesterly line of Ocean Bay Beach to the most westerly corner of Lot 19, Block 91, Ocean Bay Beach; thence northeasterly along a line parallel to and distant 100 feet northwesterly from the northwesterly line of Abbott Street to the southwesterly line of the alley in Block 96, Ocean Bay Beach; thence southeasterly in a direct line to the most westerly corner of Lot 18, Block 96, Ocean Bay Beach; thence northeasterly along a line parallel to and distant 25 feet northwesterly from the northwesterly line of Abbott Street to the southwesterly line of Lot 14, Block 105, Wonderland Beach; thence northwesterly along the southwesterly line of said Lot 14, to the most westerly corner thereof; thence northeasterly along a line parallel to and distant 75 feet northwesterly from the northwesterly line of Abbott Street to the southerly line of West Point Loma Boulevard; thence easterly along the southerly line of West Point Loma Boulevard to an intersection with the northwesterly prolongation of the northeasterly line of Lot 5, Block 102, Ocean Bay Beach; thence southeasterly in a direct line to the northeasterly corner of said Lot 5; thence southerly along the easterly line of said Lot 5 to the most southerly corner thereof; thence southwesterly along a line parallel to and distant 100 feet southeasterly from the southeasterly line of Abbott Street to the most easterly corner of Lot 4, Block 98, Ocean Bay Beach; thence southeasterly along a line parallel to and distant 100 feet northwesterly from the northeasterly line of Voltaire Street to the northwesterly line of Froude Street; thence southwesterly along the northwesterly line of Froude Street to the northeasterly line of the Alley in Block 14, Ocean Beach Park; thence northwesterly along the northeasterly line of said alley and its northwesterly prolongation to the northwesterly line of Ocean Beach Park; thence northeasterly along the northwesterly line of Ocean Beach Park to the most southerly corner of Lot 8, Block 94, Ocean Bay Beach; thence northwesterly along the southwesterly line of said Lot 8, to the most westerly corner thereof; thence southwesterly in a direct line to the most southerly corner of Lot 25, Block 95, Ocean Bay Beach; thence northwesterly along a line parallel to and distant 100 feet southwesterly from the southwesterly line of Voltaire Street to a point distant 100 feet southeasterly from the southeasterly line of Abbott Street; thence southwesterly along a line parallel to and distant 100 feet southeasterly from the southeasterly line of Abbott Street to the southwesterly line of Ocean Bay Beach; thence northwesterly along the southwesterly line of Ocean Bay Beach to the most easterly corner of Lot 1, Block 87, Ocean Beach Extension No. 2; thence southwesterly along a line parallel to and distant 40 feet southeasterly from the southeasterly line of Abbott Street to the northeasterly line of Brighton Avenue; thence southwesterly in a direct line to the most easterly corner of Lot 48, Block 76, Ocean Beach; thence southwesterly along a line parallel to and distant 25 feet southeasterly from the southeasterly line of Abbott Street to the most easterly corner of Lot 1, Block 74, Ocean Beach; thence southeasterly along a line parallel to and distant 140 feet northeasterly from the northeasterly line of Santa Monica Avenue to the northwesterly line of Bacon Street; thence southwesterly along the northwesterly line of Bacon Street to the northeasterly line of Santa Monica Avenue, which is the place of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

Said Council does hereby order that the entire amount of the costs and expenses of said improvement shall be assessed upon the district above described.

That the proposed improvement is hereby referred to the City Engineer of said City and said City Engineer is hereby directed to make and file, with the Clerk of said Council, a report, in writing, presenting the following:

1. Plans and specifications for the work required in order to make said improvements;
2. An estimate of the cost of said improvement and of the incidental expenses in connection therewith;
3. A diagram showing the district referred to, and also the boundaries and dimensions of the respective subdivisions of the land within said district, each of which subdivisions shall be given a separate number in red ink upon said diagram.
4. A proposed assessment of the total amount of the costs and expenses of the proposed improvement upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said improvement. Said assessment shall refer to such subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any parcel of land shall affect the validity of the assessment thereon.

5. BE IT FURTHER RESOLVED, that this Council by virtue of authority vested in it by provisions of "Lighting District Ordinance of 1938" does hereby determine to exercise the right, to the exclusion of all other bidders, to acquire in the name of the City of San Diego, California, at the sale for any delinquency arising from the non-payment of any assessment which shall be made and levied in these proceedings, any lien which shall accrue, or any property which is required to be sold, under the provisions of said ordinance appertaining to said proceedings, for the non-payment of any such assessment or any delinquency incurred by the non-payment thereof.

6. That the Auditor and Comptroller of the City of San Diego, California, be, and he is hereby designated for the purpose and is hereby directed to attend at any sale of property to be made for any delinquency of any assessment to be made and levied in this proceeding and at such sale he is hereby empowered to bid in and acquire, in the name of the City of San Diego, California, to the exclusion of other bidders, all liens and delinquent property at such delinquent sales.

This proceeding shall be designated as Ocean Beach Lighting District Number One.  
Passed and adopted by the said Council of the said City of San Diego, California,

this 6th day of May, 1941, by the following vote, to-wit:  
 YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

#### RESOLUTION NO. 74094

#### SPECIAL ASSESSMENT PROCEEDINGS FOR THE IMPROVEMENT OF THE EAST AND WEST ALLEY IN BLOCK 21, NORMAL HEIGHTS.

WHEREAS, this Council did by its Resolution No. 73741, do and determine all the things required by Sections 2 and 13 of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and

WHEREAS, the owners of more than fifteen per cent of the area of the proposed assessment district, as described in said Resolution No. 73741, did by their return post cards demand the investigation provided for by said Act; NOW, THEREFORE,

BE IT RESOLVED by this Council that it be, and it is hereby determined that the owners of more than fifteen per cent of the area of said assessment district by their return post cards did demand the making of the investigation as provided by said Act.

BE IT FURTHER RESOLVED, that the City Engineer of said City be, and he is hereby authorized and directed to prepare a written report upon the proposed improvement of the EAST AND WEST ALLEY IN BLOCK 21, NORMAL HEIGHTS, between the east line of Cherokee Avenue and the southwesterly line of East Mountain View Drive, in the City of San Diego, California, which report shall contain, in addition to the matters mentioned in Section 2 of said Act, the following information, to-wit:

- A. Map, plat or diagram showing:
  1. The nature, location and extent of the improvement.
  2. Each separate lot or parcel of land to be assessed.
- B. The total estimated improvement cost:
  1. Incidental expenses to be separately shown.
  2. Cost of each class of construction must be separately shown.
- C. Assessed value as per latest equalized County Assessment Roll.
  1. Of each parcel to be assessed.
  2. The total assessed value of lands to be assessed.
- D. The total assessed value of improvements within the district.
- E. Total true value of all lands to be assessed, determined as per Section 2 of said Act.
- F. The true value of each parcel of the lands to be assessed.
- G. The per parcel, and the total outstanding special assessments (exclusive of interest and penalties); showing:
  1. Direct special assessments (as under 1911 Street Act).
  2. Unpaid, levied advalorem special assessments.
- H. Unlevied advalorem special assessments which will be levied upon each parcel of land to be assessed to pay principal of bonds theretofore issued.
  1. Estimated on each parcel of land to be assessed.
  2. Total estimated amount of such special assessments upon all the lands to be assessed. Said estimates to be proportioned according to the assessed value on said last equalized assessment roll, and also proportioned according to zones (if any), and the percentages of such zones.
- I. Estimated direct and advalorem special assessments in all proceedings in which a resolution ordering work has been adopted, but assessment unlevied, showing:
  1. Such estimates against each parcel of land to be assessed.
  2. Total upon all the parcels of land to be assessed. The advalorem assessments to be computed in the manner provided in paragraph (1) of Section 3 of said Limitation Act.
- J. Estimated assessments to be levied in this proceeding as follows:
  1. Estimated assessments upon each parcel of land to be assessed.
  2. Total assessment to be levied upon all the lands to be assessed.
- K. Serial bonds to be issued to represent assessments of \$25.00 or over.
  1. Number of years to run.
  2. Actual rate of interest.

The full report to be made in conformity with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," and particularly with Section 3 thereof, and delivered to the Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough  
 NAYS - Councilmen: None  
 ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

## R E S O L U T I O N NO. 74095

WHEREAS, the City Engineer of The City of San Diego, California, in accordance with the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" and amendments thereto, and as directed by Resolution No. 73558 of the Council of said City, has prepared and filed in the office of the City Clerk of said City, under Document No. 327436, a report upon the proposed improvement of the ALLEY IN BLOCK 47, UNIVERSITY HEIGHTS, between the south line of Madison Avenue and the north line of Monroe Avenue, in said City; and

WHEREAS, said report of the City Engineer shows that the estimated total cost of the improvements is less than one-half of the true value of all lands to be assessed, but that in the case of six parcels the proposed assessment will exceed one-half of the true value of that parcel; and

WHEREAS, this Council has considered the said report of the City Engineer; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the proposed improvement of the ALLEY IN BLOCK 47, UNIVERSITY HEIGHTS, between the south line of Madison Avenue and the north line of Monroe Avenue, in said City, is hereby determined to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading and paving of the ALLEY IN BLOCK 47, UNIVERSITY HEIGHTS, between the south line of Madison Avenue and the north line of Monroe Avenue, in said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 74096

RELATING TO DEMAND OF PROPERTY OWNERS FOR REPORT UNDER THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931 - FLORENCE STREET.

It appearing to the Council that more than thirty (30) days have elapsed since the postcard notices have been served on the property owners in the proposed district to be assessed to pay the costs and expenses of grading, paving and otherwise improving FLORENCE STREET, between the east line of 37th Street and the west line of 38th Street, in the City of San Diego, California; and that the return postcards of such property owners demanding an investigation and report under said Act have been by this Council fully considered and computed; NOW, THEREFORE,

BE IT RESOLVED, and it is hereby ordered and determined that the owners of 15% of the area of the proposed district have not demanded such investigation and report.

BE IT FURTHER RESOLVED, that the City Engineer is hereby authorized and directed to prepare the necessary plans and specifications for the grading, paving and otherwise improving of FLORENCE STREET, within the above described limits.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 74097

Laurel Street

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the construction of a sidewalk on the south side of LAUREL STREET, between the southwesterly line of Kettner Boulevard and the Mean High Tide Line of the Bay of San Diego, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:



|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 H.P.      | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 74098

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on the North and South Alley in Block 46 W.P. Herbert's Subdivision in said City of San Diego, as described in Resolution of Intention No. 72881, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 30, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

#### R E S O L U T I O N NO. 74099

BE IT RESOLVED By the Council of the City of San Diego, as follows:

That the Diagram of the property affected or benefited by the work of improvement to be done on 44th Street in said City of San Diego, as described in Resolution of Intention No. 72837, and to be assessed to pay the expenses thereof, which said diagram has been made by the City Engineer of The City of San Diego, California, pursuant to directions from this Council, and which said diagram is dated April 29, 1941, be, and the same is hereby approved.

And the Clerk of said City is directed at the same time of this approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the City Engineer of said City.

## R E S O L U T I O N NO. 74100

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That, pursuant to the provisions of Ordinance No. 1156 (New Series) of the ordinances of The City of San Diego, and the recommendation of the City Manager, there be, and there is hereby granted to the Federal Works Agency, Public Buildings Administration, Defense Housing, permission to install, operate and maintain a sanitary sewer outfall system along, under and within the rights of way of certain public streets within the City of San Diego, described as follows:

PACIFIC HIGHWAY, in the southwesterly 300.00 feet of the northeasterly one-half of Pueblo Lot 256;

MORENA BOULEVARD, between the southwesterly prolongation of the northwesterly line of Paul Street and the southwesterly prolongation of the southeasterly line of Nashville Street;

NASHVILLE STREET, between the northeasterly line of Morena Boulevard and the southwesterly line of Tonopah Street;

TONOPAH STREET, between the northeasterly prolongation of the northwesterly line of Nashville Street and the southeasterly termination of said Tonopah Street in Galveston Street;

GALVESTON STREET, between the northwesterly line of Pueblo Lot 264 and a line parallel to and distant 75.00 feet northwesterly therefrom;

KNOXVILLE STREET, between the southeasterly prolongation of the southwesterly line of Empire Street and the southerly line of Gardena Avenue;

GARDENA AVENUE, between the northeasterly prolongation of the northwesterly line of Knoxville Street and the northwesterly line of Pueblo Lot 267;

DECEMBER STREET, between the southerly prolongation of the westerly line of June Street and a line parallel to and distant 350.00 feet westerly therefrom;

MARCH STREET, between November Street and June Street; and

JUNE STREET, between the northeasterly prolongation of the southeasterly line of November Street and a line parallel to and distant 200.00 feet southeasterly from the southeasterly line of said November Street;

all as shown on sheets numbered one and two on the maps showing proposed right of way for sanitary sewer outfall for the Kearney Mesa U. S. Defense Housing Project, filed in the office of the City Clerk of the City of San Diego, under Document No. 328639 on April 26, 1941.

This permit is granted upon the following terms and conditions, to-wit:

(1) That this permit and all rights thereby granted shall be subject to revocation at any time by resolution of the City Council.

(2) That said sanitary sewer outfall system shall be constructed in accordance with the City's specifications governing such installation and shall be subject to inspection and meet the approval of said City.

(3) That the City expressly reserves the right to connect its present existing or any future sewer mains constructed by it to said sanitary sewer outfall system to be constructed pursuant to the authority granted by this permit.

(4) The permittee shall install and construct said sewer system so as not to interfere with traffic upon any of said public streets any more than is absolutely necessary in order to complete said installation, and shall protect the public by the erection of barriers and warning lights whenever and wherever necessary during such installation and construction, and that the permittee will restore the surface of all portions of said streets or rights of way to the same condition they were prior to such installation and construction.

(5) Permittee, in consideration of the granting of this permit, shall save and keep The City of San Diego, and all of its officers, harmless from any and all liability, costs, damages or expenses that the City or any of its officials may incur or be obliged to pay by reason of, or that may arise out of the granting of this permit by reason of or that may arise out of the granting of this permit, connected with the installation, maintenance and/or removal of said sewer system.

(6) In event this permit shall be revoked, the permittee at its own cost and expense shall remove said sewer system, if so directed by the City Council, and restore to its former condition any and all streets which may be injured or damaged by such removal.

The exercise by the permittee of any of the privileges hereby granted shall operate as an acceptance of the terms and conditions herein stated, and shall obligate and bind the permittee to perform and fulfill the same.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to furnish a certified copy of this resolution to said Federal Works Agency, Public Buildings Administration, Defense Housing.

Presented by F. A. RHODES

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California,

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 74101

A RESOLUTION DETERMINING AND DECLARING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY OF THE CITY OF SAN DIEGO REQUIRE THE CONSTRUCTION AND MAINTENANCE OF EARTH MATERIAL EMBANKMENT SLOPES AND DRAIN PIPES THROUGH, OVER AND ACROSS THAT CERTAIN PUBLIC STREET KNOWN AS EUCLID AVENUE, SITUATED WITHIN THE CITY OF SAN DIEGO, BETWEEN DWIGHT STREET AND ISLA VISTA DRIVE; AND THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY DEMAND THE ACQUISITION OF THE LAND TO BE USED BY SAID CITY FOR THE CONSTRUCTION AND MAINTENANCE OF SAID EARTH MATERIAL EMBANKMENT SLOPES AND DRAINAGE PIPES WITHIN THE AREA AFORESAID; AND DECLARING THE INTENTION OF THE CITY OF SAN DIEGO TO ACQUIRE SAID LANDS AND RIGHTS UNDER EMINENT DOMAIN PROCEEDINGS; AND DIRECTING THE CITY ATTORNEY OF THE CITY OF SAN DIEGO TO COMMENCE AN ACTION IN THE SUPERIOR COURT OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FOR THE PURPOSE OF CONDEMNING AND ACQUIRING SAID LAND.

BE IT RESOLVED By the Council of The City of San Diego, as follows:

Section 1. That the public interest, convenience and necessity of The City of San Diego, State of California, and the inhabitants thereof, require the construction and main-

tenance of earth material embankment slopes and drainage pipes through, over, along, across and adjacent to that certain street known as Euclid Avenue, within The City of San Diego, between Dwight Street and Isla Vista Drive, in the County of San Diego, State of California.

Section 2. That the public interest, convenience and necessity of said City of San Diego, and of the inhabitants thereof, demand the acquisition and taking of the said lands for the construction and maintenance of earth material embankment slopes and drainage pipes through, over, along, across and adjacent to that certain street known as Euclid Avenue, situated within The City of San Diego, between the limits thereof as hereinbefore described.

Section 3. That the property to be taken by said City hereinabove referred to is described as follows, to-wit:

PARCEL 1:

That portion of Lot 36, Block 4, Bungalow Park Addition, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 1175, filed in the Office of the County Recorder of said County of San Diego, particularly described as follows:

Commencing at the southeasterly corner of Lot 36, said Block 4; thence northerly along the easterly line of said Lot 36, a distance of 25.00 feet to the northeasterly corner of said Lot 36; thence westerly along the northerly line of said Lot 36, a distance of 8.57 feet to a point; thence southeasterly along a direct line a distance of 26.43 feet to the point of commencement; containing 107 square feet;

PARCEL 2:

That portion of Lot 37, Block 4, Bungalow Park Addition, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 1175, filed in the office of the County Recorder of said County of San Diego, particularly described as follows:

Commencing at the southeasterly corner of Lot 37, said Block 4; thence northerly along the easterly line of said Lot 37, a distance of 25.00 feet to the northeasterly corner of said Lot 37; thence westerly along the northerly line of said Lot 37, a distance of 17.14 feet to a point; thence southeasterly along a direct line a distance of 26.43 feet to a point on the southerly line of said Lot 37 distant therealong 8.57 feet westerly from the point of commencement; thence easterly along the southerly line of said Lot 37, a distance of 8.57 feet to the point of commencement; containing 321 square feet;

PARCEL 3:

That portion of Lot 38, Block 4, Bungalow Park Addition, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 1175, filed in the office of the County Recorder of said County of San Diego, particularly described as follows:

Commencing at the southeasterly corner of Lot 38, said Block 4; thence northerly along the easterly line of said Lot 38, a distance of 25.00 feet to the northeasterly corner of said Lot 38; thence westerly along the northerly line of said Lot 38, a distance of 25.73 feet to a point; thence southeasterly along a direct line a distance of 26.43 feet to a point on the southerly line of said Lot 38 distant therealong 17.14 feet westerly from the point of commencement; thence easterly along the southerly line of said Lot 38, a distance of 17.14 feet to the point of commencement; containing 536 square feet;

PARCEL 4:

That portion of Lot 39, Block 4, Bungalow Park Addition, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 1175, filed in the office of the County Recorder of said County of San Diego, particularly described as follows:

Commencing at the southeasterly corner of Lot 39, said Block 4; thence northerly along the easterly line of said Lot 39, a distance of 25.00 feet to the northeasterly corner of said Lot 39; thence westerly along the northerly line of said Lot 39, a distance of 34.30 feet to a point; thence southeasterly along a direct line a distance of 26.43 feet to a point on the southerly line of said Lot 39 distant therealong 25.73 feet westerly from the point of commencement; thence easterly along the southerly line of said Lot 39, a distance of 25.73 feet to the point of commencement; containing 750 square feet;

PARCEL 5:

That portion of Lot 40, Block 4, Bungalow Park Addition, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 1175, filed in the office of the County Recorder of said County of San Diego, particularly described as follows:

Commencing at the southeasterly corner of Lot 40, said Block 4; thence northerly along the easterly line of said Lot 40, a distance of 25.00 feet to the northeasterly corner of said Lot 40; thence westerly along the northerly line of said Lot 40, a distance of 42.87 feet to a point; thence southeasterly along a direct line a distance of 26.43 feet to a point on the southerly line of said Lot 40 distant therealong 34.30 feet westerly from the point of commencement; thence easterly along the southerly line of said Lot 40 a distance of 34.30 feet to the point of commencement; containing 965 square feet;

PARCEL 6:

That portion of Lot 41, Block 4, Bungalow Park Addition, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 1175, filed in the office of the County Recorder of said County of San Diego, particularly described as follows:

Commencing at the southeasterly corner of Lot 41, said Block 4; thence northerly along the easterly line of said Lot 41, a distance of 25.00 feet to the northeasterly corner of said Lot 41; thence westerly along the northerly line of said Lot 41, a distance of 51.44 feet to a point; thence southeasterly along a direct line a distance of 26.43 feet to a point on the southerly line of said Lot 41 distant therealong 42.87 feet westerly from the point of commencement; thence easterly along the southerly line of said Lot 41, a distance of 42.87 feet to the point of commencement; containing 1179 square feet;

PARCEL 7:

That portion of Lot 42, Block 4, Bungalow Park Addition, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 1175, filed in the office of the County Recorder of said County of San Diego, particularly described as follows:

Commencing at the southeasterly corner of Lot 42, said Block 4; thence northerly along the easterly line of said Lot 42, a distance of 25.00 feet to the northeasterly corner of said Lot 42; thence westerly along the northerly line of said Lot 42, a distance of 60.00 feet to a point; thence southeasterly along a direct line a distance of 26.43 feet to a point on the southerly line of said Lot 42 distant therealong 51.44 feet westerly from the point of commencement; thence easterly along the southerly line of said Lot 42, a distance of 51.44 feet to the point of commencement; containing 1393 square feet;

PARCEL 6(a):

That portion of Lot 41, Block 4, Bungalow Park Addition, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 1175, filed in the office of the County Recorder of said County of San Diego, particularly described as follows:

Commencing at a point on the easterly line of said Lot 41, Block 4, distant therealong 5.00 feet northerly from the southeasterly corner of said Lot 41; thence northerly



along the easterly line of said Lot 41, a distance of 12.00 feet to a point; thence north-westerly along a direct line a distance of 14.00 feet to a point on the northerly line of said Lot 41 distant therealong 12.00 feet westerly from the northeasterly corner of said Lot 41; thence westerly along the northerly line of said Lot 41, a distance of 18.00 feet to a point; thence southeasterly along a direct line, a distance of 38.00 feet to the point of commencement; containing 520 square feet;

PARCEL 7(a):

That portion of Lot 42, Block 4, Bungalow Park Addition, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 1175, filed in the office of the County Recorder of said County of San Diego, particularly described as follows:

Commencing at a point on the southerly line of Lot 42, said Block 4, distant therealong 12.00 feet westerly from the southeasterly corner of said Lot 42; thence northwesterly along a direct line a distance of 43.00 feet to a point on the northerly line of said Lot 42 distant therealong 47.00 feet westerly from the northeasterly corner of said Lot 42; thence westerly along the northerly line of said Lot 42 a distance of 13.00 feet to a point; thence southeasterly along a direct line making an angle of 71° 04' 30" to the right from the northerly line of said Lot 42 a distance of 8.00 feet to a point; thence southeasterly along a direct line a distance of 30.00 feet to a point on the southerly line of said Lot 42 distant therealong 18.00 feet westerly from the point of commencement; thence easterly along the southerly line of said Lot 42 a distance of 18.00 feet to the point of commencement; containing 780 square feet.

Section 4. That the taking and acquiring by said City of San Diego of the lands and property hereinbefore described is deemed necessary for the construction and maintenance of said earth material embankment slopes and drainage pipes by The City of San Diego and the inhabitants thereof for municipal purposes; that such use is a public use, and that for such public use it is necessary that said The City of San Diego condemn and acquire the said lands and properties hereinbefore described.

Section 5. That the City Attorney of said The City of San Diego be, and he is hereby authorized and directed to commence an action in the Superior Court of the County of San Diego, State of California, in the name and on behalf of said The City of San Diego against all owners and claimants of the above described lands, for the purpose of condemning and acquiring said lands and properties, for the use of said City.

Section 6. That the public necessity and convenience require, and it is hereby ordered that the plaintiff in said condemnation action, to-wit: The City of San Diego, take immediate possession and use of all, or any portion of the property sought to be condemned therein, upon complying with the requirements of the law applicable thereto.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
(SEAL) City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 74102

WHEREAS, the State Highway Commission and The City of San Diego have entered into a Fifth Supplemental Memorandum of Agreement, a copy of which is filed in the office of the City Clerk of said City under Document No. 327905, filed March 30, 1941, covering work to be done on State Highways within the City limits, in accordance with the provisions of Chapter 767, Statutes of 1933; and

WHEREAS, Project 33 of the above mentioned agreement provides for the acquiring of additional right of way on Pacific Highway, from Bean Street to the San Diego River, in the City of San Diego; and

WHEREAS, the City Manager has recommended the purchase of the following described real property for the following price, to-wit:

Lot 18 of West Atlantic Street Addition, in the City of San Diego, County of San Diego, State of California, according to the Map thereof No. 2070, Records of San Diego County, EXCEPT that portion thereof described as follows: Beginning at the northeast corner of said Lot 18; thence along the northeasterly line of said Lot 18, N 85° 01' 50" W., 50 feet to the northwest corner of said Lot 18; thence along the northwesterly line of said Lot 18, S 4° 58' 10" W., 113.56 feet; thence from a tangent which bears S 75° 03' 40" E., along a curve to the left with a radius of 250 feet, through an angle of 11° 30' 30" a distance of 50.22 feet to the southeasterly line of said Lot 18; thence along said southeasterly line, N 4° 58' 10" E., 117.24 feet to the point of beginning,  
for the sum of.....\$1,000.00;

NOW, THEREFORE,  
BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That the City Manager be, and he is hereby authorized to purchase the real property hereinabove described, at and for the price hereinabove set forth, as an additional right of way on Pacific Highway, from Bean Street to the San Diego River, in accordance with the provisions of Project 33 of the agreement hereinabove mentioned; and said City Manager is hereby authorized to draw requisitions on the Rights of Way Trust and Revolving Fund, in the amount hereinabove set forth.

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized to expend the sum of Thirty Dollars (\$30.00), or any portion thereof, necessary for the payment of any escrow charges or incidental expenses in connection with the acquisition of the real property hereinabove described, said funds to be withdrawn by requisition of the Manager from said Rights of Way Trust and Revolving Fund.

Presented by WALTER W. COOPER  
Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
 Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

## R E S O L U T I O N NO. 74103

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the quitclaim deed of George W. Marston, executed in favor of The City of San Diego, bearing date May 1, 1941, quitclaiming and releasing unto The City of San Diego a portion of that part of Balboa Park formerly known as Lot 21 of Marston Hills, according to Map No. 1790, Records of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74104

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Robert J. Gardner and Elizabeth Gardner, executed in favor of The City of San Diego, bearing date March 20, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the south half of Lots 39 and 40, Block 8, Roseville Heights, according to official map thereof on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74105

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Mrs. L. Virinda Hulse, executed in favor of The City of San Diego, bearing date May 1, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across Lots 26 and 27, Block 40, Mount Gilead, according to official map thereof No. 445 on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74106

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Henry V. Tibbetts, executed in favor of The City of San Diego, bearing date May 1, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across the Lots 23 and 24, Block 52, Ocean Beach, according to map thereof No. 279 on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74107

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That Harry Haelsig, Acting Planning Engineer, be, and he is hereby authorized to attend the hearings before the legislative committee of the State Legislature in connection with shore line planning and legislation, which hearings are to be held in Sacramento, California, May 6th, 1941, and to incur the expenses necessary in connection with said trip; said Acting Planning Engineer to secure information on shore line planning for The City of San Diego.

## R E S O L U T I O N NO. 74108

WHEREAS, there is pending in the District Court of the United States, in and for the Southern District of California, Southern Division, a suit, entitled, United States of America vs. Certain Parcels of Land in The City of San Diego, City of San Diego, a municipal corporation, et al., No. 94 Civil, in which the United States of America seeks to condemn certain property owned by The City of San Diego, to-wit:

A tract of land lying and being in the City of San Diego, County of San Diego, State of California, and described as follows:

PARCEL II: Being the Northwest one-half of the Southwest one-half, and the Northeast one-half of Pueblo Lot No. 278, containing approximately 7-1/2 acres, as shown by plat "Land proposed to be acquired through condemnation proceedings for the Defense Housing Project at San Diego, California (Downtown Site)," blueprint of which is attached to the complaint filed in said action, and by reference made a part thereof, together with the improvements thereon."

and

WHEREAS, the United States of America has offered the sum of \$6,000.00 in full payment for said land; and

WHEREAS, this Council is of the opinion that said sum represents the fair value of said land, and that said offer should be accepted; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the offer of the United States of America of the sum of \$6,000.00 in full payment for the land hereinabove described, be, and the same is hereby accepted; and the City Attorney of said City be, and he is hereby authorized to stipulate to a judgment of condemnation in favor of the United States of America upon payment of said sum.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 6th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilman: Knox

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 74109

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of war veterans' organizations of San Diego city and County for permission to hold a Memorial Day parade on May 30, 1941, starting from Broadway and India Street at 9:30 A.M., east on Broadway to 11th Avenue, north on 11th to C Street, west on C to point of disbanding, be, and it is hereby referred to the City Manager with power to act.

#### RESOLUTION NO. 74110

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Thomas C. Ryan, chairman County Council FVW Poppy Drive Committee, for permission to hold the annual poppy drive for two days, Friday, May 23 and Saturday, May 24, 1941, by the San Diego County Council Veterans of Foreign Wars and the American Legion, in accordance with application made to the Social Welfare Department, be, and it is hereby approved.

#### RESOLUTION NO. 74111

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to write to the legislative delegation in Sacramento urging defeat of Assembly Bill 1626 regarding vehicle license exemptions from local tax, showing that such exemption would mean to the City of San Diego. He is also authorized to write to the League of California Cities, stating that if the bill appears to be about to pass, the City of San Diego favors a compromise establishing a maximum schedule of fees based on population, rather than adoption in its present form.

#### RESOLUTION NO. 74112

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to write to the legislative representatives in Sacramento, stating that the City of San Diego approves the passage of Assembly Bill 2573 as amended, regarding the disposition of traffic fines.

#### RESOLUTION NO. 74113

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Councilman Harley E. Knox is hereby elected to serve as Vice Mayor, succeeding Councilman Albert E. Flowers.

#### RESOLUTION NO. 74114

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City of San Diego hereby agrees to purchase property in Ocean Beach, immediately north of Newport Avenue, for recreational purposes, by July 15, 1941, at a price of \$10,500, as recommended by Councilman Fred W. Simpson under date of May 5, 1941.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 74060 to 74114, inclusive, of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 6th day of May, 1941.

FRED W. SICK  
City Clerk of the City of San Diego, California

By Helen M. Willis Deputy

#### RESOLUTION NO. 74115

RESOLUTION STRIKING OFF, SELLING, AWARDING AND GRANTING TO SAN DIEGO ELECTRIC RAILWAY COMPANY, A CORPORATION, AS THE HIGHEST CASH BIDDER THEREFOR, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE AND AUTHORITY TO OPERATE, FOR A PERIOD COMMENCING ON THE EFFECTIVE DATE OF THE ORDINANCE OF FINAL GRANT AND ENDING ON THE 10TH DAY OF NOVEMBER, 1973, AUTOMOBILE BUSES, STAGES AND/OR OTHER SELF-PROPELLED VEHICLES FOR THE TRANSPORTATION OF PASSENGERS FOR HIRE ALONG AND UPON CERTAIN STREETS IN THE CITY OF SAN DIEGO.

WHEREAS, San Diego Electric Railway Company, a corporation organized and existing under the laws of the State of California, on the 24th day of March, 1941, filed with the Council of the City of San Diego a certain written application for a franchise and authority to operate, for a period commencing on the effective date of the ordinance of final grant and ending on the 10th day of November, 1973, automobile busses, stages and/or other self-propelled vehicles for the transportation of passengers for hire along and upon certain streets in the City of San Diego, upon certain terms and conditions fully set forth in said application, reference to which said application so on file is hereby expressly made; and

WHEREAS, the City Council of said City of San Diego, by its certain Resolution No. 73827, which was duly and regularly passed and adopted by said Council on the 8th day of April, 1941, resolved, determined and proposed to grant such franchise upon said proposed terms and conditions, and resolved that the fact of said application, together with a statement that it was proposed to grant the same, be advertised in the form and manner prescribed by law, and that the City Clerk of said City of San Diego so advertise said facts; and

WHEREAS, said notice has been so published and advertised in the form and manner and in full compliance with the terms and provisions prescribed in said Resolution, and



otherwise prescribed by law, and particularly in accordance with the terms and provisions of the Charter of said City of San Diego and of that certain Act of the Legislature of the State of California entitled "An Act Providing for the Sale of Street Railroad and Other Franchises in Counties and Municipalities, and Providing Conditions for the Granting of Such Franchises by Legislative or Other Governing Bodies, and Repealing Conflicting Acts," approved March 22, 1905, as amended, and the full publication of said notice was completed not less than twenty (20) nor more than thirty (30) days before any further action was taken thereon; and

WHEREAS, on Tuesday, the 13th day of May, 1941, at the hour of ten o'clock A.M., of that day (being the hour and day named in said notice up to which sealed bids for said franchise and authority would be received), all sealed bids were publicly opened by said City Council; and the only sealed bid received was the bid of San Diego Electric Railway Company, a corporation, applicant as aforesaid, said bid being in all respects in the form and manner required by law, and being accompanied by the certified check of said bidder for the full amount of its said bid, to wit, One Hundred Thirty-five and No/100 Dollars, and said bid not having been raised by any person, and there being no other sealed bid or any oral bid and said applicant being the highest, best and only cash bidder for said franchise and authority and being responsible, and all provisions and requirements of law with respect to the granting of such franchise to said applicant having been fully complied with and all acts and things essential to the due, proper and legal authorization of said final grant of franchise and authority having been done by said City of San Diego and the Council of said City, and by said applicant, grantee, and in due and proper time, form and manner, and the Manager of said City of San Diego having recommended the granting of said franchise;

NOW, THEREFORE, in consideration of the premises,

BE IT RESOLVED: That said applicant, San Diego Electric Railway Company, a corporation, is the highest, best and only bidder for said franchise; and

BE IT FURTHER RESOLVED: That said franchise be, and it hereby is, struck off, sold and awarded to said San Diego Electric Railway Company; and

BE IT FURTHER RESOLVED: That said franchise be awarded by proper ordinance of final grant to said applicant, San Diego Electric Railway Company, upon the filing by said applicant of a bond in the sum of One Thousand Dollars (\$1,000.00), as set forth in said notice and advertisement, and upon the approval of such bond by the City Council of the City of San Diego.

Approved as to form: H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 74116

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mrs. Willie B. Sweetman, 4259 Witherby Street, to erect a single family residence on Lot 30 Presidio Ridge with a rear yard of ten feet.

Variance to the restrictions of Section 8a of Ordinance 8924, as amended, be and it is hereby granted in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 74117

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Joseph J. Franken, 3252 Highview Drive to construct an addition to the existing residence on Lot 2 except the north 10 feet, Bancroft Terrace, with a rear yard of five feet.

Variance to the restrictions of Section 8a of Ordinance 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 74118

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to J. Ward Watson to erect a doctor's office with apartment above on Lot 18 Block 2 Brookes Addition, not closer to 4th Avenue than twelve feet for the first floor and not closer than twenty feet for the second floor.

The provisions of Setback Ordinance No. 12321 be, and they are hereby suspended in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 74119

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mrs. Edna Kraft to erect an eight-unit apartment and garage on Lot 1 Block 71 Middletown to the property line on Union Street.

The provisions of Setback Ordinance No. 12321, be, and they are hereby suspended in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 74120

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Gerald T. Conroe for suspension of the provisions of Setback Ordinance No. 12321 to permit the erection of a four-unit apartment on portion of State Street closed adjacent to Lots 7-9 Block 128 Middletown to the property line on West Spruce Street, be, and it is hereby denied.

#### R E S O L U T I O N NO. 74121

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Standard Oil Company of California, by W. J. Beaton, 532 West B Street, to replace the existing service station with a new building on Lots 1

and 2 Block 9 North Florence Heights, with a setback of ten feet on Randolph Street.

Variance to the restrictions of Ordinance No. 12990, be, and it is hereby granted in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 74122

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to S. D. Archer, 2944 El Cajon Boulevard, to operate a lumber storage yard on Lots 7-8 Block 119 University Heights for a period of six months from the date of this resolution, provided a suitable fence is constructed across the front of the lot.

Variance to the restrictions of Ordinance No. 12889 be, and it is hereby granted in so far as they relate to the property mentioned above, for a period of six months from the date of this resolution.

#### R E S O L U T I O N NO. 74123

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Neyenesch Printers, Inc., by W. B. Neyenesch, president, 2580 K Street, to operate a wholesale furniture upholstery shop on the south 93-1/3 feet of Lot 45 and the south 46-2/3 feet of Lots 46-48 Block 20 L.W. Kimball's Sub-division, at 2580 K Street.

Variance to the restrictions of Ordinance No. 12942 be, and it is hereby granted in so far as they relate to the property mentioned above.

#### R E S O L U T I O N NO. 74124

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of S. L. Kelly, North San Diego Post Office, to conduct an auto trailer camp consisting of fifty-seven units on Lots 1 to 7 and 14-21 Valley Gardens, at Anna, Stewart, Pacific Highway, be, and it is hereby denied.

#### R E S O L U T I O N NO. 74125

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Jacob Schlamp, 4360 Iowa Street, to conduct an auto court consisting of ten units on Lot 52 Acacia Park.

#### R E S O L U T I O N NO. 74126

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Union Title Insurance and Trust Company, filed in the office of the City Clerk as Document No. 329111, for the rezoning of Lots 226 to 237 and 239 to 241 inclusive, Crown Point from Zone R-1 to Zone R-C, be, and it is hereby granted.

BE IT FURTHER RESOLVED, that the City Attorney be, and he is hereby authorized and directed to prepare the necessary ordinance to effect this zone change.

#### R E S O L U T I O N NO. 74127

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Fred B. Mitchell Co., 521 B Street, Agents for Mrs. Mary Carl, for approval of the tentative map of Marik Square, being a proposed subdivision of Lot 9 North Lemon Villa, be, and it is hereby denied, and said tentative map is hereby disapproved. The tentative map hereby referred to is on file in the office of the City Clerk, as Document No. 329110.

#### R E S O L U T I O N NO. 74128

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition, filed in the office of the City Clerk as Document No. 327970, for renaming portions of Lowell, Plum, Macaulay Streets, Chatsworth Boulevard and Narragansett Street "Los Medanos Avenue", be, and it is hereby denied.

#### R E S O L U T I O N NO. 74129

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Carl Heston, 3528 Front Street, to connect soil line of a new building facing the alley to the existing soil line serving the building facing the street at 819 Diamond Street. The existing soil line passes under the new building.

The City of San Diego shall not be held liable for any damage that may result from the granting of this permit.

#### R E S O L U T I O N NO. 74130

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Claude E. Nance, 4646 Bermuda Street, to connect sewerage drain from remodeled garage house in rear of residence at the address mentioned above, on Lots 11, 12 and 13 Block 16 Ocean Beach, with sewerage drain from the front residence. The City of San Diego shall not be held liable for any damage that may occur from the granting and use of this permit.

#### R E S O L U T I O N NO. 74131

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to First Church of The Nazarene, 936 - 14th Street, to erect a directional sign at 14th and C Streets, at their own expense, instead of at 14th Street and Broadway as granted by Resolution No. 71923 adopted July 30, 1940.

The size and design of the sign shall be subject to approval of the City Manager.

#### R E S O L U T I O N NO. 74132

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Pat F. Colonnelli, 801 - 4th Avenue, to conduct a floor show with paid entertainment at Patricks Cafe, at 801 - 4th Avenue, where liquor is sold.

## R E S O L U T I O N NO. 74133

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Berthe C. Langer and Fred W. Moser, 1035 - 2nd Avenue, to conduct a floor show with paid entertainment at The Show Boat Cafe, 1035 - 2nd Avenue, where liquor is sold.

## R E S O L U T I O N NO. 74134

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Lillian M. Myers and Harry M. Pike to conduct a floor show with paid entertainment at the Arizona Cafe, 321 F Street, where liquor is sold.

## R E S O L U T I O N NO. 74135

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Chris M. Angiüs and Nich V. Gregovich to conduct a floor show with paid entertainment at the Panama Cafe, 827 - 4th Avenue, where liquor is sold.

## R E S O L U T I O N NO. 74136

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition bearing Document No. 329100 requesting that funds be placed in the 1941-42 Budget for development and maintenance of McKinley Playgrounds, and petition protesting against night playgrounds at the same location, bearing Document No. 329149, be, and they are hereby referred to the Budget Box.

## R E S O L U T I O N NO. 74137

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for paving the north and south and the east and west alleys in Block 32 Normal Heights, contained in Document No. 328965, be, and it is hereby granted. Type of pavement to be four inches of asphalt concrete.

The City Engineer is hereby authorized and directed to prepare and submit a plat of the district to be assessed for the proposed improvement.

## R E S O L U T I O N NO. 74138

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from Elizabeth Vogt, The Dalles, Oregon, bearing Document No. 329083, regarding the Catholic Cemetery in Mission Hills, be, and it is hereby referred to Councilman Louis F. Weggenman for report.

## R E S O L U T I O N NO. 74139

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from San Diego City and County Convention Bureau, bearing Document No. 329031, requesting allocation of a minimum of nine thousand dollars in the 1941-1942 budget, be, and it is hereby referred to the Budget Box.

## R E S O L U T I O N NO. 74140

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Ross Johnson, West Washington at Hawk Street, San Diego, California, filed in the office of the City Auditor and Comptroller of said City on April 10, 1941, against The City of San Diego in the amount of \$5.50, claimed to be due on account of damage to his automobile caused by a barrel dropped or thrown from a rubbish truck while claimant's car was parked on Fifth Avenue between E and F Streets during the month of March 1941, be, and the same is hereby allowed.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be, and he is hereby authorized and directed to make payment from the Small Claims Payment Fund of the sum of \$5.50, in full settlement of said claim, upon the delivery to said City Auditor and Comptroller of a duly executed release, the form of which shall be approved by the City Attorney.

## R E S O L U T I O N NO. 74141

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from the City Auditor transmitting claim of the County of San Diego in the amount of \$393.22, for the construction of the Civic Center Administration Building, bearing Document No. 329116, be, and it is hereby referred to the City Manager and City Attorney for approval and action in the matter of payment thereof.

## R E S O L U T I O N NO. 74142

BE IT RESOLVED by the Council of the City of San Diego, as follows:

There is hereby referred to the City Manager for consideration the matter of securing material from Mission Boulevard, now under course of construction, for use in surfacing area in Mission Beach for the parking of automobiles.

## R E S O L U T I O N NO. 74143

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of R. W. Harding, 1422 Cypress Street, bearing Document No. 328167, requesting that "Slow" sign be painted at the intersection of Park Boulevard and Robinson Avenue, be, and it is hereby denied.

## R E S O L U T I O N NO. 74144

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Associated General Contractors of America, San Diego Chapter, 450 Spreckels Building, by M. A. Mathias, Manager, for changing the boulevard stop signs at the intersection of Mission Valley Road and Taylor Street so as to stop traffic on Taylor Street instead of Mission Valley Road (now Camino del Rio), be, and it is hereby denied.

## R E S O L U T I O N NO. 74145

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of W. P. Upshur, Major General, U. S. Marine Corps, requesting that parking be prohibited within one hundred feet east and west of Gates Number 1 and 2 of the



Marine Corps Base, be, and it is hereby granted.

The City Attorney is hereby authorized and directed to prepare the necessary papers to prohibit the parking on Barnett Avenue within one hundred feet east and west of Gates Number 1 and 2 of the Marine Corps Base.

#### R E S O L U T I O N NO. 74146

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Crane Co. 1138 India Street, for the enlargement of their present loading zone be, and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 12-foot addition to be painted to connect with the south end of the Crane Co. loading zone at 1138 India Street; and that a 4-foot length of curb be painted red on each side of their B Street and India Street driveways.

#### R E S O L U T I O N NO. 74147

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Cherry-Burrell Corporation and the National Lead Company, 432 and 436 Eleventh Street respectively, for the enlargement of their existing loading zone be, and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 50-foot loading zone to be painted at 432-436 Eleventh Street to occupy the entire frontage of the two establishments.

#### R E S O L U T I O N NO. 74148

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of National Youth Administration for California, by Jack R. Garland, 2328 W. 7th Street, Los Angeles, for the establishment of a loading zone, be and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 40-foot loading zone to be painted on the northwesterly side of West Point Loma Boulevard at the entrance to Ocean Village Hotel.

#### R E S O L U T I O N NO. 74149

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of E. Kelly, 1495 West Spruce Street, for the establishment of a loading zone, be and it is hereby granted.

The City Manager is hereby authorized and directed to cause a 20-foot loading zone to be painted on the south side of West Spruce Street, centered at 1495 West Spruce Street.

#### R E S O L U T I O N NO. 74150

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The white passenger zone in front of the Echo Apartments, 1315 - 13th Street, operated by Engelhorn-Hunter, 1152 Seventh Avenue, San Diego, be, and it is hereby abolished.

#### R E S O L U T I O N NO. 74151

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommendation of the Traffic Commission, that the existing loading zone on the east side of 13th Street, serving the Echo Apartments, 1315 - 13th Street, operated by Engelhorn-Hunter, 1152 Seventh Avenue, be extended, and that a "No Standing" zone be installed between said loading zone and A Street; be, and it is hereby disapproved.

#### R E S O L U T I O N NO. 74152

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of the San Diego City Schools, by R. C. Dailard, Business Manager, for the establishment of a loading zone be, and it is hereby granted.

The City Manager is authorized and directed to cause a 34-foot loading zone to be painted on the north side of F Street to extend between points 58 feet and 92 feet east of Union Street.

#### R E S O L U T I O N NO. 74153

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The recommended schedule of compensation for the classified service, Fiscal Year 1941-1942, be, and it is hereby referred to Council conference.

#### R E S O L U T I O N NO. 74154

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas & Electric Company is hereby authorized and directed to install 600 c.p. street lights at the following intersections: Idaho Street and Howard Avenue; Illinois Street and Howard Avenue.

#### R E S O L U T I O N NO. 74155

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized and directed to install overhead 400 c.p. lamp at the following location: 48th Street and Orange Avenue.

#### R E S O L U T I O N NO. 74156

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish this Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the construction of a sewer in the Alley in Block 39, Fairmount Addition, and the South 60 feet of the Alley in Block 42, Resubdivision of Blocks 41 to 48 inclusive, Fairmount Addition.

#### R E S O L U T I O N NO. 74157

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to prepare the necessary papers

authorizing the City Manager to enter into lease with H. O. Parks, 4248 Arden Way, for the purpose of securing sand, in a portion of Lot 35 Partition of Rancho Mission, for a term of one year at a cost of \$25.00 per month paid in advance, as recommended by the Director of Public Works under Document No. 329074.

R E S O L U T I O N NO. 74158

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The City Attorney is hereby authorized and directed to prepare the necessary papers to grant a revocable permit to San Diego Products Company, 2501 Commercial Street, for the laying of a twelve inch soil pipe under Commercial Street approximately 26 feet east of 31st Street, as recommended by the City Manager under Document No. 329154. The revocable permit shall be in accordance with Ordinance No. 1156 New Series, with the pipe below the grade of the future main. It is hereby determined that no bond shall be required.

R E S O L U T I O N NO. 74159

WHEREAS, a certain portion of the south wall of the Old City Hall is located on the adjoining lot, which adjoining lot is privately owned; and  
WHEREAS, it is now necessary that the City determine its full legal rights in and to said south wall; NOW, THEREFORE,  
BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That the City Attorney be, and he is hereby authorized and directed to take whatever legal steps he may deem necessary to protect the City's rights in and to the south wall of said Old City Hall building, and to incur all necessary expenses in connection therewith.  
Approved as to form by James J. Breckenridge  
Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:  
YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL) ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy  
I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.  
FRED W. SICK  
(SEAL) City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM, Deputy

R E S O L U T I O N NO. 74160

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The communication from the City Manager reporting on bids and installation of parking meters within the central traffic district, be, and it is hereby referred to Council conference.

R E S O L U T I O N NO. 74161

RESOLUTION OF INTENTION TO HOLD A SPECIAL ELECTION FOR THE ANNEXATION OF CERTAIN TERRITORY TO BE DESIGNATED AS "TALMADGE PARK UNIT NO. 5", AND FIXING TIME AND PLACE OF HEARING, AND GIVING NOTICE THEREOF.

WHEREAS, on the 1st day of May, 1941, a petition was filed with the City Council of The City of San Diego as Document No. 328834, asking that said The City of San Diego annex to said City certain territory described in said petition, and herein designated as "Talmadge Park Unit No. 5", the boundaries of which are hereinafter more specifically described; and  
WHEREAS, said petition contained the names of one-fourth (1/4) in number of the qualified electors residing within the territory described in said petition as shown by the registration of voters of the County of San Diego, in which said territory is situate, as required by Section 2 of the Annexation Act of 1913, as amended; NOW, THEREFORE,  
BE IT RESOLVED, By the Council of The City of San Diego, as follows:  
That pursuant to the terms and provisions of said Annexation Act of 1913, as amended, it is the intention of the City Council of The City of San Diego, California, to call a special election to be held not less than fifty (50) days from the 15th day of May, 1941, submitting to the electors residing in the territory proposed by said petition to be annexed to said City of San Diego the question whether such territory shall be annexed to, incorporated in, and made a part of The City of San Diego, and the property therein be, after such annexation, subject to taxation, equally with the property within said City, to pay any specified portion of such bonded indebtedness of such municipal corporation outstanding at the date of the filing of such petition or theretofore authorized. The boundaries of said territory designated as Talmadge Park Unit No. 5 are more specifically described as follows:  
All that certain real property situated in the County of San Diego, State of California, lying within boundaries described as follows:  
Beginning at the intersection of the Easterly line of Fairmount Avenue with the South line of Lot 23, Partition of Rancho Mission of San Diego, according to Map thereof No. 330 on file in the office of the County Recorder of the County of San Diego, State of California, said point of beginning being N 89° 29' 00" E, 588.83 feet along said South line from the Southwest corner of said Lot 23, all as shown on Map of Talmadge Park Unit Three, according to Map thereof No. 1900 on file in the office of said County Recorder, said point of beginning being also on the boundary line of the City of San Diego as said boundary line exists on this date, viz., October 29, 1940; thence along the said boundary line of the City of San Diego the following courses and distances: following the Southeast-erly line of Fairmount Avenue above mentioned, N 33° 20' 30" E, 282.15 feet; thence N 35° 40' 30" E, 510.23 feet; thence N 41° 10' 25" E, 621.81 feet; thence along a curve having a radius of 974.96 feet and concave to the Southeast, 136.08 feet to a point of compound with a curve having a radius of 478.07 feet and concave to the Southeast; thence Northeast-erly along the last mentioned curve, 114.04 feet; thence along a tangent line, N 62° 50' 20" E, 70.71 feet; thence Easterly along a tangent curve having a radius of 155.04 feet and concave to the Northwest, 46.73 feet to a point on a curve having a radius of 36.29 feet and concave to the East, the radial line from which point bears S 44° 25' 50" E; thence, leaving the Southeasterly line of Fairmount Avenue above mentioned, Southerly along the last mentioned curve, 42.50 feet to a point of compound with a curve concave to the

Northeast and having a radius of 375.00 feet; thence Southeasterly along the last mentioned curve 126.23 feet; thence along a tangent line S 40° 48' 40" E, 395.28 feet; thence Southeasterly along a tangent curve having a radius of 325.00 feet and concave to the Southwest, 29.12 feet; thence S 35° 40' 40" E along a tangent line 186.69 feet; thence Southeasterly along a tangent curve having a radius of 275.00 feet and concave to the Northeast, 46.46 feet; thence along a tangent line S 45° 21' 30" E, 170.21 feet; thence N 63° 20' 40" E, 105.57 feet; thence N 45° 21' 30" W, 218.88 feet; thence N 35° 40' 40" W, 220.56 feet; thence N 40° 48' 40" W, 294.31 feet; thence N 49° 11' 20" E, 88.50 feet; thence N 0° 31' 00" W, 740.00 feet; thence N 9° 16' 25" W, 436.55 feet; thence N 29° 59' 00" E, 450.27 feet; thence S 49° 24' 00" E, 791.45 feet; thence S 76° 30' 00" E, 264.56 feet to the Northeasterly corner of Lot 657, said Talmadge Park Unit Three; thence S 0° 31' 00" E along the East line of said Talmadge Park Unit Three, 243.92 feet to a point; thence continuing along said boundary line of the City of San Diego, S 73° 20' 15" E, 831.74 feet; thence N 89° 29' 00" E, 580 feet to a point on the East line of said Lot 23, Partition of Rancho Mission of San Diego; said point being also the Northeast corner of Talmadge Park Estates; according to Map thereof No. 2104, on file in the office of said County Recorder; thence Northerly along the Easterly line of said Lot 23, Partition of Rancho Mission of San Diego, being also along said boundary line of the City of San Diego, to an intersection with a line which is parallel to and distant 200 feet Southerly from the Southerly line of that certain Road (commonly known as Mission Valley Road), as shown on the Map of Road Survey No. 702, on file in the office of the County Surveyor of said County of San Diego, and as described in the deed from George Burnham et al., to the County of San Diego, February 24, 1937, said deed being recorded April 8, 1937 in Book 640 of official records, page 108, in the office of said County Recorder; thence leaving the said boundary line of the City of San Diego and running in a general Westerly and Northwesterly direction along a line which is parallel to and distant 200 feet Southerly from the Southerly line of the said Mission Valley Road, with the following courses and distances; S 88° 27' 20" W a distance of 253.21 feet to the point of beginning of a curve, concave to the Northeast, the center of which bears N 4° 43' 50" W, 1760 feet from said point of curve; thence Northwesterly along the arc of the last described curve through a central angle of 43° 00' a distance of 1320.87 feet to a point; thence N 51° 43' 50" W, tangent to the last described curve a distance of 262.08 feet to a point; thence Northwesterly along the arc of a tangent curve, concave to the Southwest, the radius of which is 1240 feet, through a central angle of 23° 24' a distance of 506.42 feet to a point; thence N 75° 07' 50" W, tangent to the last described curve, to an intersection with the West line of Fairmount Avenue as shown on the Map of Relocation of Road Survey No. 323, on file in the office of the County Surveyor of said County of San Diego; said road being described in the deed from the Union Trust Company of San Diego and Southern California Realty Corporation, to said County of San Diego dated October 18, 1930, and recorded February 5, 1931 in Deed Book 1862 at Page 130, in the office of said County Recorder; thence in a general Southerly direction along the Westerly line of said Fairmount Avenue to an intersection with a line which bears S 84° 53' E from the most Southerly corner of Lot 293, Talmadge Park Unit Two, according to Map thereof No. 1878, on file in the office of said County Recorder; thence N 84° 53' W along said last described line to the most Southerly corner of Lot 293 of said Talmadge Park Unit Two, said point being also on the said boundary line of the City of San Diego; thence along the said boundary line of the City of San Diego as follows: Southwesterly and Southerly along the Southeasterly and Easterly boundary line of said Talmadge Park Unit Two to a point on the Northerly boundary line of Talmadge Park, according to Map thereof No. 1869, on file in the office of said County Recorder, distant thereon 73.96 feet Northeasterly from the Northwesterly corner of Lot 47, said Talmadge Park; thence in a general Easterly and Southeasterly direction along the Northerly and Northeasterly boundary line of Talmadge Park to the most Easterly corner of Lot 56, Talmadge Park; thence southwesterly and Westerly along the Southeasterly and Southerly boundary line of Talmadge Park to the Southeasterly corner of Lot 65, Talmadge Park; thence Southerly and Southwesterly along the Easterly and Southeasterly boundary line of Talmadge Park to the Southeasterly corner of Lot 139, Talmadge Park, said point being also on the South line of said Lot 23, Partition of Rancho Mission of San Diego; thence N 89° 29' 00" E along the South line of said Lot 23, Partition of Rancho Mission of San Diego, a distance of 207.83 feet to the point of beginning.

NOTICE IS HEREBY GIVEN that on the 10th day of June, 1941, at 10:00 o'clock A.M., in the Council Chamber of the Administration Building of said The City of San Diego, at a regular meeting of the City Council of said City, any person owning real property within such territory so proposed to be annexed and having any objections to the proposed annexation, may appear before said City Council and show cause why such territory should not be so annexed.

At any time not later than the hour set for hearing objections to the proposed election, any owner of property within the territory proposed to be annexed may make written protest against the proposed election. Such protest must be in writing and shall state the name or names of the owner or owners of the property affected thereby and the location and area of such property in general terms.

That the City Clerk of The City of San Diego be, and he is hereby directed to cause this Resolution of Intention to be published at least once a week for two successive weeks prior to said 10th day of June, 1941, in The San Diego Union, a daily newspaper of general circulation, published and circulated in said City, and also circulated in said territory proposed to be annexed, and hereby designated for that purpose by the City Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox and Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: HARLEY E. KNOX  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 74162

BE IT RESOLVED by the Council of the City of San Diego, as follows:  
The communication from Pacific Beach Coordinating Council, bearing Document No. 328981, and communication from City Manager, bearing Document No. 329136, regarding appropriation in the budget for the fiscal year 1941-42 for the erection and operation of a recreation center in Pacific Beach be, and they are hereby referred to the Budget Box.



## R E S O L U T I O N NO. 74163

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from San Diego Humane Society, bearing Document No. 328680, and communication from City Manager, regarding the Humane Society's estimated budget for pound operation in the fiscal year 1941-42, be, and they are hereby referred to the Budget Box.

## R E S O L U T I O N NO. 74164 Laurel Street

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the plans, drawings, typical cross-sections, profiles and specifications for the grading and sidewalking of LAUREL STREET, in said City, between the southwesterly line of Kettner Boulevard and the Mean High Tide Line of the Bay of San Diego, as prepared by the City Engineer of The City of San Diego and filed in the office of the City Clerk of said City on April 28, 1941, be, and the same are hereby approved and adopted as the official plans, drawings, typical cross-sections, profiles and specifications for said work and improvement.

## RESOLUTION ORDERING IMPROVEMENT NO. 74165

## Loma Portal Lighting District No. 1

RESOLVED, by the Council of the City of San Diego, California, that the public interest and convenience of said City require that the following improvement be made within said City, and therefore the said Council hereby orders the said following improvement to be made, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

At the intersection of LOCUST STREET with Curtis Street, Dumas Street, Elliott Street, Freeman Street, Goldsmith Street, Homer Street, Ibsen Street, James Street and Kingsley Street;

At the intersection of EVERGREEN STREET with Curtis Street, Dumas Street, Elliott Street, Freeman Street, Goldsmith Street, Homer Street, Ibsen Street, James Street and Kingsley Street;

At the Intersection of WILLOW STREET with Curtis Street, Dumas Street, Elliott Street and Freeman Street;

At the intersection of PLUM STREET with Curtis Street;

At the intersection of CLOVE STREET with Curtis Street, Dumas Street and Elliott Street;

On DUMAS STREET, between Clove Street and Willow Street;

On ELLIOTT STREET, between Willow Street and the northwesterly line of Plumosa Park;

On FREEMAN STREET, between Chatsworth Boulevard and Willow Street;

On GOLDSMITH STREET, between Chatsworth Boulevard and Evergreen Street;

On CHATSWORTH BOULEVARD, between the southwesterly line of Curtis Street produced northwesterly and its termination in Lytton Street;

On LYTTON STREET, between its termination in Chatsworth Boulevard and Rosecrans Street (excepting the northeasterly side of said Lytton Street between Evergreen Street and Rosecrans Street);

On the northwesterly side of ROSECRANS STREET, between the northeasterly line of Curtis Street produced southeasterly and Lytton Street;

On POINSETTIA DRIVE, between Elliott Street and Amaryllis Drive;

On JONQUIL DRIVE, between Elliott Street and Lotus Drive;

On NARCISSUS DRIVE, between Elliott Street and Lotus Drive;

On HYACINTH DRIVE, between the northerly line of Wing Street produced westerly and the northeasterly line of Plumosa Park;

On AZALEA DRIVE, between Hyacinth Drive and the northeasterly line of Plumosa Park;

On WISTERIA DRIVE, between Azalea Drive and the northeasterly line of Plumosa Park;

On LOTUS DRIVE, between Poinsettia Drive and Hyacinth Drive;

On PLUMOSA DRIVE, between Hyacinth Drive and Chatsworth Boulevard; and

On AMARYLLIS DRIVE, between Poinsettia Drive and Lotus Drive.

Such furnishing of electric current shall be for a period of one year from and including June 28, 1941, to-wit, to and including June 27, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Loma Portal Lighting District No. 1," filed April 1, 1941, in the office of the City Clerk of said City.

AND BE IT FURTHER RESOLVED that said Council declares, and said Council does hereby declare, that on the 6th day of May, 1941, said Council did by Resolution No. 74060 confirm the proposed assessment of the total amount of the costs and expenses of said proposed improvement, heretofore made and filed with the Clerk of said Council by the City Engineer of said City, and which said proposed assessment is contained in document entitled, "Engineer's Report and Assessment for Loma Portal Lighting District No. 1," on file in the office of said City Clerk; and adopted as a whole the report of said City Engineer, as contained in said document.

AND BE IT FURTHER RESOLVED that the said assessment is hereby levied upon the respective subdivisions of land in the assessment district, more particularly described in said assessment and report, and the diagram attached thereto, and made a part thereof.

That the Clerk of said City of San Diego is hereby directed to transmit to the Treasurer of the said City of San Diego, the diagram and assessment contained in said report of said City Engineer.

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox and Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: HARLEY E. KNOX

Vice Mayor of The City of San Diego, California  
FRED W. SICK

City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

FRED W. SICK

(SEAL)

City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,

Deputy

## RESOLUTION OF INTENTION NO. 74166

## Laurel Street

RESOLVED, that it is the intention of the Council of The City of San Diego, California, to order the following work to be done and improvement to be made in said City, to-wit:

That a portion of LAUREL STREET, in said City, between the southwesterly line of Kettner Boulevard and the Mean High Tide Line of the Bay of San Diego, be graded, and the subgrade prepared, and that Portland cement concrete sidewalk be constructed therein.

That the said work hereinabove described on the southeasterly side of LAUREL STREET, between the southwesterly line of Kettner Boulevard and a point distant 20.00 feet southwesterly from the southwesterly line of California Street, shall be done to the modified grade shown and indicated upon the plans and profiles on file in the office of the City Clerk of said City, and hereinafter referred to; and reference is hereby made to said plans and profiles for the description of the grade at which the work is to be done.

All of the said work hereinbefore generally described shall be constructed in the manner, at the locations, within the limits, of the materials, and of the dimensions as shown upon and in accordance with the plans, profiles, drawings, typical cross-sections and specifications therefor contained in Document No. 328688, 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.

The said Council hereby determines and declares that serial bonds shall be issued to represent each assessment of twenty-five 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 fifteenth day of the next October following their date, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after the fifteenth day of the next October following their date 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 of the Improvement Act of 1911, and amendments thereto.

The Council in accordance with the provisions of Art. XII of the Charter of said City, have ascertained and declared by the adoption of Resolution No. 74097, adopted on the 6th day of May, 1941, that 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, is as follows:

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 H.P.      | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

NOTICE IS HEREBY GIVEN, that on Tuesday, the 17th day of June, 1941, at 10:00 o'clock A.M., in the Council Chamber of the City Hall of said The City of San Diego, any and all persons having any objections to the proposed work or improvement, to the grade 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 before said Council and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

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

That the Clerk of said City be, and 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, 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, 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 City Engineer 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 three hundred feet in distance apart, but not less than three in all, notices of the passage of this Resolution of Intention, 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, and when the work 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 three hundred feet in distance apart on each street so posted; all in the time, form and manner required by law; and thereupon said City Engineer 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," approved April 7, 1911, and amendments thereto.

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox and Flowers  
NAYS - Councilmen: None  
ABSENT-Mayor Benbough

(SEAL)

ATTEST: HARLEY E. KNOX  
Vice-Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF INTENTION NO. 74167  
Pringle Street

BE IT RESOLVED, By the Council of The City of San Diego, that the public interest and convenience of said City require the closing up of a portion of the street hereinafter mentioned; and

BE IT FURTHER RESOLVED, that it is the intention of said Council to order the closing of that portion of PRINGLE STREET bounded and described as follows:

Beginning at a point on the southwesterly line of said Pringle Street distant therealong 62.22 feet, N 54° 12' W from the northwesterly line of Andrews Street, said point of beginning being also the point of a tangent curve concaved northeasterly having a radius of 25.00 feet; thence northwesterly and northerly along the arc of said curve through a central angle of 53° 07' 48" a distance of 23.18 feet to a point on a line parallel to and distant 10.00 feet northeasterly from the southwesterly line of said Pringle Street; thence N 54° 12' W along said parallel line a distance of 117.26 feet to an intersection with the easterly prolongation of the south line of said Pringle Street, said south line being parallel to and distant 40.00 feet southerly from the north line of Middletown Addition, according to the Map of Pueblo Lot 1121 in Superior Court Case No. 5014, on file in the office of the County Clerk of San Diego County, California; thence N 89° 32' W along the easterly prolongation of said south line of Pringle Street a distance of 17.29 feet to the southwesterly line of said Pringle Street; thence S 54° 12' E along the southwesterly line of said Pringle Street a distance of 151.37 feet to the point of beginning.

That it is not deemed necessary that any land be taken therefor.  
That the exterior boundaries of the district of lands in said City to be affected by said work and improvement, and to be assessed to pay the damages, costs and expenses thereof, are described as follows:

Beginning at the easterly corner of Lot 22, Block 88, Middletown Addition, according to the map of Pueblo Lot 1121, in Superior Court Case No. 5014, on file in the office of the County Clerk of San Diego County, California; thence southwesterly along the southeasterly line of said lot a distance of 50.00 feet to a point; thence northwesterly parallel to the southwesterly line of Pringle Street to an intersection with the northwesterly line of Lot 16 in said Block 88; thence northeasterly along the northwesterly line of said Lot 16 to an intersection with the south line of said Pringle Street, said south line being parallel to and distant 40.00 feet south from the north line of said Middletown Addition; thence easterly along said south line of Pringle Street and along the easterly prolongation of said south line to an intersection with the center line of said Pringle Street; thence southeasterly along the center line of said Pringle Street to an intersection with the northeasterly prolongation of the southeasterly line of said Lot 22; thence southwesterly along the northeasterly prolongation of the southeasterly line of said Lot 22 to the point of beginning; excepting therefrom all public streets, roads, alleys, avenues and highways.

That the San Diego Union, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper in which the Director of Public Works of said City shall cause to be published, in the manner and form required by law, notice of the passage of this Resolution of Intention, and the said Director of Public Works is hereby directed to cause notices of the passage of this resolution to be posted in the manner and form required by law, and to cause a notice similar in substance to be published in said newspaper for a period of ten days in the manner required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:



YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox and Flowers  
 NAYS - Councilmen: None  
 ABSENT-Mayor Benbough

(SEAL)

ATTEST: HARLEY E. KNOX  
 Vice Mayor of the City of San Diego, California  
 FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of the City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

R E S O L U T I O N NO. 74168  
 APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING  
 CLERK TO GIVE NOTICE OF SAID HEARING, FIVE POINTS LIGHTING DISTRICT  
 NO. 1

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 10th day of May 1941, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 74038, adopted by said Council on the 29th day of April 1941, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required by law, NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 10th day of June 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

INDIA STREET, between Andrews Street and Chalmers Street;

KETTNER BOULEVARD, between Winder Street and Chalmers Street;

CALIFORNIA STREET, between the southwesterly prolongation of the northwesterly line of Pringle Street and the southwesterly prolongation of the northwesterly line of Winder Street;

MOORE STREET, between Noell Street and California Street;

HANCOCK STREET, between Harasthy Street and Chalmers Street;

HARASTHY STREET, between Pacific Highway and California Street;

ANDREWS STREET, between California Street and India Street; and

WINDER STREET, between Hancock Street and Kettner Boulevard.

Such furnishing of electric current shall be for a period of one year from and including August 5, 1941, to and including August 4, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox and Flowers  
 NAYS - Councilmen: None  
 ABSENT- Mayor Benbough

(SEAL)

ATTEST: HARLEY E. KNOX  
 Vice Mayor of The City of San Diego, California  
 FRED W. SICK  
 City Clerk of The City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
 City Clerk of The City of San Diego, California  
 By AUGUST M. WADSTROM,  
 Deputy

R E S O L U T I O N NO. 74169  
 APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING CLERK  
 TO GIVE NOTICE OF SAID HEARING, UNIVERSITY AVENUE LIGHTING DISTRICT  
 NO. 1

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 10th day of May 1941, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 74039, adopted by said Council on the 29th day of April 1941, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration, and said report appearing in all particulars to be in the form and substance required by law, NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 10th day of June 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

UNIVERSITY AVENUE, between the northerly prolongation of the east line of Texas Street and the southerly prolongation of the east line of the Alley in Block 209, University Heights; and

30TH STREET, between Lincoln Avenue and Wightman Street.

Such furnishing of electric current shall be for a period of one year from and

August 7, 1941 to-wit: to and including

including August 6, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox and Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: HARLEY E. KNOX  
Vice Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 74170

APPOINTING TIME AND PLACE FOR HEARING PROTESTS, AND DIRECTING  
CLERK TO GIVE NOTICE OF SAID HEARING, UNIVERSITY AVENUE LIGHTING  
DISTRICT NO. 3

WHEREAS, the City Engineer of the City of San Diego, California, having made and filed on the 10th day of May 1941, with the Clerk of the Council of said City of San Diego, a report, in writing, as required by Resolution of Intention No. 74037, adopted by said Council on the 29th day of April 1941, and on file in the office of the City Clerk of said City, and said Clerk having presented the said report to said Council for consideration; and said report appearing in all particulars to be in the form and substance required by law, NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That Tuesday, the 10th day of June 1941, at 10:00 o'clock in the forenoon of said day, and the Council Chamber on the third floor of the City Hall, in said City of San Diego, be, and the same hereby are, appointed as the time and place for hearing protests in relation to the following proposed improvement, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

UNIVERSITY AVENUE, between Boundary Street and Euclid Avenue;

34TH STREET, between the westerly prolongation of the north line of University Avenue and the westerly prolongation of the south line of Lot 4, Block 192, Amended Map of City Heights; and

43RD STREET, between the south line of University Avenue and a line parallel to and distant 150 feet south of the south line of University Avenue.

Such furnishing of electric current shall be for a period of one year from and including August 7, 1941, to-wit, to and including August 6, 1942.

And said Clerk of said Council is hereby directed to cause to be conspicuously posted along all streets and parts of streets and other public places and rights of way owned or held by said City where any work or improvement described in said Resolution of Intention is to be done or made, notices of the passage of said Resolution of Intention and of the filing of said report, in the manner and in the form required by law, and shall also cause a notice similar in substance to be published by two consecutive insertions in The San Diego Union, a daily newspaper published and circulated in the City of San Diego, said newspaper being hereby designated by said Council for that purpose.

And said Clerk is hereby further directed to post and publish the said notice, as above provided, at least ten days before the date set for the hearing of said protests.

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox and Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: HARLEY E. KNOX  
Vice Mayor of The City of San Diego, California  
FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of The City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 74171

RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN THE EAST AND  
WEST ALLEY IN BLOCK 37, NORMAL HEIGHTS.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading and paving of the east and west ALLEY IN BLOCK 37, NORMAL HEIGHTS, between the west line of Bancroft Street and the east line of 32nd Street, in the City of San Diego, California.

2. That the Boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 328950. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and

made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox and Flowers

NAYS - Councilmen: None

ABSENT-Mayor Benbough

(SEAL)

ATTEST: HARLEY E. KNOX  
Vice Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 74172 Alleys in Block 121, University Heights.

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, paving and otherwise improving of the EAST AND WEST ALLEY IN BLOCK 121 UNIVERSITY HEIGHTS, between the east line of Idaho Street and the west line of Utah Street; and the NORTH AND SOUTH ALLEY IN BLOCK 121, UNIVERSITY HEIGHTS, between the north line of Howard Avenue and the south line of said east and west alley, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 H.P.      | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |



|                                    | Per 8 hour day | Per hour |
|------------------------------------|----------------|----------|
| Tractor operator, with attachments | \$10.00        | \$ 1.25  |
| Timekeeper                         | 6.00           | 0.75     |
| Trenching machine operator         | 11.00          | 1.375    |
| Truck driver, 15,000# and under    | 5.60           | 0.70     |
| Truck driver, over 15,000#         | 6.40           | 0.80     |
| Watchman                           | 5.00           | 0.625    |
| Welder                             | 11.00          | 1.375    |
| Skilled laborer, not above listed  | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one-half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 74173

WHEREAS, in accordance with the provisions of Section 203 of the Streets and Highway Code, the Department of Public Works of the State of California shall expend or cause to be expended within the cities of the State from the State Highway Fund, an amount equal to the net revenue derived from the quarter cent per gallon of tax on motor vehicle fuel upon state highways as are agreed upon by the Department and the legislative bodies of the cities of this State; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the City Manager of said City be, and he is hereby authorized to execute and forward to the Division of Public Works of the State of California the Sixth Supplemental Memorandum of Agreement for Expenditure of 1/4 Cent Gas Tax for State Highways, covering the expenditure of funds for the improvement of State highways within the limits of The City of San Diego, as set forth in Document No. 329051, on file in the office of the City Clerk of said City.

BE IT FURTHER RESOLVED, that the City Clerk of said City be, and he is hereby authorized and directed to forward a certified copy of this resolution to the Secretary of the California Highway Commission of the State of California.

Approved as to form by MOREY S. LEVENSON

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY That the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### R E S O L U T I O N NO. 74174

WHEREAS, Article XI, Section 8, Subdivision (h) of the Constitution of California, provides that the Charter of any city or city and county may be amended by proposals submitted on petition of the electors, but does not provide the form of such petition, nor does any state statute prescribe the form of petition to be used; and

WHEREAS, in the absence of a prescribed form of petition doubt and uncertainty frequently arises as to the sufficiency of petitions initiating charter amendments; and

WHEREAS, recently a petition was circulated and filed seeking the submission of an amendment to the Charter of The City of San Diego and the sufficiency of the form of such petition was challenged, and litigation was instituted to determine whether or not such petition was sufficient; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That Senator Fletcher be, and he is hereby requested to introduce or cause to be introduced in the Legislature a proposed constitutional amendment amending subdivision (h) of Section 8 of Article XI of the State Constitution, to make the same read as follows:

"(h) The charter of any city or city and county may be amended by proposals therefor submitted by the legislative body thereof on its own motion and on petition signed by fifteen per cent of the registered electors, or both. Such proposals shall be submitted to the electors at either a special election called for that purpose or at any general or special election. Petitions for the submission of any amendment shall be filed with the legislative body of the city or city and county not less than sixty days prior to the general election next preceding a regular session of the Legislature. It shall be the duty of the legislative body of such city or city and county by ordinance to prescribe the form of such petitions, and when so prescribed no other form of petition shall be used. The signatures on such petition shall be verified by the authority having charge of the registration

records of such city or city and county, and the expenses of such verification shall be provided by the legislative body thereof. If such petitions have a sufficient number of signatures the legislative body of the city or city and county shall so submit the amendment or amendments so proposed to the electors. Amendments proposed by the legislative body and amendments proposed by petition of the electors may be submitted at the same election. The amendments so submitted shall be advertised in the same manner as herein provided for the advertisement of a proposed charter, and the election thereon, held at a date to be fixed by the legislative body of such city or city and County, not less than forty, and not more than sixty, days after the completion of the advertising in the official paper."

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed to transmit a certified copy of this resolution to Senator Fletcher forthwith.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 74175

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized and instructed to make and execute for and on behalf of The City of San Diego the form of agreement between The City of San Diego and the Mission Beach Roller Coaster Company, to sublease to Wayne W. Dailard Parcel 2 of the lands held by said Mission Beach Roller Coaster Company in the Mission Beach Amusement Center.

Approved as to form by D. L. AULT

#### RESOLUTION NO. 74176

THAT WHEREAS, the cause entitled, "The People of the State of California vs. The City of San Diego, et al.," No. 84864 of the Superior Court of the County of San Diego, to determine the mean high tide line of the south shore of Mission Bay has been concluded and the Findings of Fact and Conclusions of Law, together with a Judgment based on such Findings and Conclusions, have been and are hereby submitted for our approval by the City Attorney of this City; and

WHEREAS, it appears that on or about March 28, 1940, said court by its decision determined upon a meander line, irregular, jagged and uncertain to a degree that it would be impossible to dredge the bay below and adjacent to said line and likewise impossible to improve or fill the uplands immediately adjacent to said line and that said line so found by the court was unsatisfactory to all parties to said suit; and

WHEREAS, a proposed running mean high tide line was surveyed by J. W. Williams and C. S. Moore, both civil engineers of the City of San Diego, which line is approved by the trial court and all other parties to said cause as the more practical and suitable line for future uses and needs in the event there is a desire to dredge the bay or fill the uplands immediately adjacent to said line; and

WHEREAS, in order to permanently fix and ascertain a definite immovable boundary line to remain unaffected by floods, or action of the tides, or otherwise, and in order to permanently eliminate all uncertainties as to the location of said boundary line between the uplands and lowlands adjacent thereto and to avoid further accretion or reliction the Court and other parties to said suit have agreed upon the dedication of a strip of land 150 feet in width in some places and 80 feet in width in other places, as more particularly appears on a plat or map as prepared by said Messrs. Williams and Moore, which plat or map is filed in said suit as Exhibit No. 100, a copy of which map is now before us for consideration; and

WHEREAS, the said strips of land in said map above referred to has by the Judgment of the trial court and by the respective parties to said cause been granted to the City of San Diego, a municipal corporation, the County of San Diego and the State of California and dedicated as and for roadways, highways and parkways for the use and benefit of the parties defendant as upland owners therealong and for the use and benefit of the public in general to be forever so held; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the Findings of Fact and Conclusions of Law and Judgment of the Court, signed on or about May 8, 1941, together with the map filed in said cause as Exhibit No. 100 be, and each of them are hereby ratified and approved.

BE IT FURTHER RESOLVED, that the City Attorney of The City of San Diego be, and he is hereby authorized and instructed, for and on behalf of said City, to stipulate to said Findings of Fact and Conclusions of Law and said Judgment and to said map or plat above described and to the filing and recordation thereof.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby authorized and instructed to file the said Findings of Fact and Conclusions of Law, Judgment and copy of map filed in said Cause as Exhibit No. 100, for record in the office of the County Recorder of San Diego County, California.

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 74177

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor and Comptroller be, and he is hereby authorized and directed to transfer the sum of \$58.38 from "Maintenance and Support," to "Salaries and Wages," Series KA, City Employees' Retirement Fund, as provided by Section 37 of Ordinance No. 1880 (New Series) of the ordinances of The City of San Diego, as follows, to-wit:

|  |          |
|--|----------|
| From Account KA-211 to Salaries and Wages, | \$ 25.30 |
| From Account KA-399 to Salaries and Wages, | 33.08    |

Approved as to form by H. B. DANIEL

May 12, 1941 Approved as to funds available J. S. BARBER City Auditor and Comptroller

## R E S O L U T I O N NO. 74178

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Mabel S. Eckhardt, executed in favor of The City of San Diego, bearing date February 10, 1941, conveying to said City an easement and right of way for street purposes through, along and across portions of Pueblo Lot 1173 of the Pueblo Lands of San Diego, according to the Map thereof by James Pascoe, a copy of which map is filed as Miscellaneous Map No. 36 in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public street and the same is hereby named FRIARS ROAD;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74179

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Roy Hensley King and Helen Jane King, executed in favor of The City of San Diego, bearing date April 17, 1941, conveying to said City a portion of Lot 18 of West Atlantic Street Addition, according to Map No. 2070, Records of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed; and the land therein conveyed is hereby set aside and dedicated to the public use as and for a public street, and the same is hereby named PACIFIC HIGHWAY;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74180

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Carolyn M. Psenner and Herman E. Psenner, executed in favor of The City of San Diego, bearing date April 21, 1941, conveying to said City the northeast quarter of the northwest quarter of Section 29, Township 24 South, Range 1 East, San Bernardino Meridian, according to official United States Government Survey, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74181

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Ray R. Jones and Ruth E. Jones, executed in favor of The City of San Diego, bearing date May 2, 1941, conveying to said City an easement and right of way for drainage purposes through, along and across a portion of Lot 24 of Tract 1353, a subdivision of Villa Lots 53, 54, 56, 57, 58, 59, 60 and 61, Normal Heights, according to the Map thereof No. 1353 on file in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74182

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Nicholas Molitor, executed in favor of The City of San Diego, bearing date April 22, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 2, in Block 35 of the Beach Lots of San Diego, according to map thereof made by Cave J. Coutts in 1849 (said Block 35 being also shown as Block 120 of La Playa, according to Map of Pueblo Lands of the City of San Diego, made by Chas. H. Poole in 1856), as recorded on Miscellaneous Map No. 35, Book #1, in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74183

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of Eleanor Longfellow, executed in favor of The City of San Diego, bearing date April 22, 1941, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 2, Block 120 of La Playa, as recorded on Miscellaneous Map No. 35, Book #1, in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

## R E S O L U T I O N NO. 74184

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby requested to study and report to the Council the possibility of paving F Street and G Street, between Kettner Boulevard and Pacific Highway.



## R E S O L U T I O N NO. 74185

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That The City of San Diego does hereby accept that certain revocable permit granted by the United States of America to use and occupy a certain portion of the United States Naval Training Station in San Diego in connection with its contemplated project for the improvement of Lytton Street, in said City.

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized to execute, on behalf of The City of San Diego the form of acceptance of the terms and conditions of said permit attached thereto.

Presented by WALTER W. COOPER

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 13th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 74186

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Manager is hereby requested to write to Rear Admiral C. A. Blakeley to determine the attitude of the U. S. Navy Department on the opening of Lytton Street through government property to the tidelands.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 74115 to 74186, inclusive, of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 13th day of May, 1941.

FRED W. SICK

City Clerk of the City of San Diego, California

By

*Helen M. Willig*

Deputy

## R E S O L U T I O N NO. 74187

San Diego Lighting District, No. 1

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

That the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of India Street, Columbia Street, State Street, Union Street, Front Street, First Avenue, Second Avenue, Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, Seventh Avenue, Eighth Avenue, Ninth Avenue, Tenth Avenue, Eleventh Avenue, Twelfth Avenue, Sixteenth Street, Ash Street, A Street, B Street, C Street, Broadway, E Street, F Street, Market Street, Imperial Avenue and National Avenue, within the limits and as particularly described in Resolution of Intention No. 73736, adopted by the Council of said City on March 25, 1941, made and filed with the Clerk of said Council by the City Engineer of said City of San Diego, and which said proposed assessment is contained in the document entitled, "Engineer's Report and Assessment for San Diego Lighting District No. 1," filed in the office of said City Clerk April 16, 1941, be, and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that the report of said City Engineer, heretofore made and filed with the Clerk of said Council, being contained in said document hereinabove referred to, be, and the same is hereby adopted as a whole.

## R E S O L U T I O N NO. 74188

CONFIRMING THE CITY ENGINEER'S ASSESSMENT NO. 1726 FOR WORK UPON  
IBSEN STREET IN THE CITY OF SAN DIEGO, CALIFORNIA, UNDER RESOLUTION  
OF INTENTION NO. 72796

Notice of the time and place fixed for the hearing of appeals in the matter of Assessment No. 1726, made by the City Engineer of said City to cover the cost and expenses of the work done upon Ibsen Street in said City, under Resolution of Intention No. 72796, adopted by the Council on the 26th day of November, 1940, having been duly given and made in the manner required by law, and the legal time for filing such appeals and the time fixed for hearing thereon having passed and elapsed, and no appeals in the matter of said assessment having been filed, and the Council being satisfied with the correctness of said assessment; NOW THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego, that the said Assessment No. 1726 of the said City Engineer made to cover the cost and expenses of the work done upon Ibsen Street within the limits as described in said Resolution of Intention No. 72796, be, and the same is hereby approved and confirmed, and the City Engineer is hereby authorized to attach his warrant thereto and record the same in the manner and form required by law. Said warrant shall bear date of this order.

## R E S O L U T I O N NO. 74189

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The appeal of Pearl P. Mumm, filed in the office of the City Clerk May 9, 1941, under Document No. 329050, from the City Engineer's Assessment No. 1725, made to cover the costs and expenses of the work done upon Santa Clara Place, in said City, under Resolution of Intention No. 72794, adopted by the Council November 25, 1940, be, and the said appeal, and all other appeals, is hereby overruled and denied.

BE IT FURTHER RESOLVED, that the City Engineer's said Assessment No. 1725 is hereby confirmed and approved, and the City Engineer of said City is hereby authorized and directed to attach his warrant thereto and record and issue the same in the manner and form provided by law. Said warrant shall bear date of this order.

## R E S O L U T I O N NO. 74190

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to K. L. Mark, 1126 Bank of America Building, and Griffith Company, by W. R. Mirams, secretary, to replat Lots 22 & 21 (Exc. SE 60 feet) and right of way, Block 82 Point Loma Heights, to permit the erection of two single-family residences: one lot to be 70 feet x 90 feet, and one lot to be 70 feet x 115 feet (average depth), provided a setback of 15 feet is maintained on both Coronado and Guizot Streets.

Variance to the restrictions of Ordinance No. 12793, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74191

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Thomas F. Cullen, 4380 Jefferson Street, by Charles H. Wilkinson, to erect a private garage on Lot 1102 Talmadge Park Estates, with a side yard of 2 feet, a rear yard of 25 feet and a lot coverage of 40 per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74192

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Southern California Telephone Company, 914 C Street, by A. W. Bentley, District Supervisor, to erect an addition to the existing telephone exchange on Lots 33-36 Block 36 City Heights, at 4042 - 37th Street, with a side yard of 0 feet, a rear yard of 10 feet and a lot coverage of 66 per cent.

Variance to the restrictions of Section 8a of Ordinance No. 8924, as amended, be, and it is hereby granted in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74193

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to J. H. Peterson, by Paul Dege, 4105 Pacific Highway, to erect a store building on Lot 9 Block 228 Middletown, at the northeast corner of Coutts Street and Pacific Highway, not closer to the property line on Pacific Highway than 2 feet 10 inches.

The provisions of Setback Ordinance No. 401 New Series, be, and they are hereby suspended in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74194

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to J. H. Peterson, 4105 Pacific Highway, to erect an addition to the existing building on Lot 1 Block 233 Middletown, at the southeast corner of Coutts Street and Pacific Highway, not closer to the property line on Pacific Highway than 13 feet.

The provisions of Setback Ordinance No. 401 New Series, be, and they are hereby suspended, in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74195

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to The Dennstedt Co., by M. S. Dennstedt, to erect three single-family residences on Lots 16-21 Block 4 Fairmount, not closer to the property line on Wightman Street than 7-1/2 feet.

The provisions of Setback Ordinance No. 12321 be, and they are hereby suspended, in so far as they relate to the property mentioned above.

## R E S O L U T I O N NO. 74196

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The application of Estate of F. W. Kellogg, d/b/a "The Marine Room" of the La Jolla Beach & Tennis Club, 1900 to 2000 Spindrift Drive, La Jolla, for a Class B license to conduct public dance at the above-mentioned club, on premises where intoxicating liquor is sold, is hereby granted, subject to compliance with existing regulations.

## R E S O L U T I O N NO. 74197

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Melvin W. Johnson, 418 Douglas Street, to conduct a cabaret with paid entertainment at the "Top Hat Cafe", 916-5th Avenue, where liquor is sold but no dancing conducted. This permission is subject to the regular license fee, and to compliance with existing regulations.

## R E S O L U T I O N NO. 74198

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Mrs. E. A. Matheson, 825 Highland Avenue, National City, to conduct a cabaret with paid entertainment at "The Log Hut Cafe", 1058-3rd Avenue, where liquor is sold but no dancing conducted. This permission is subject to the regular license fee, and to compliance with existing regulations.

## R E S O L U T I O N NO. 74199

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to J. Gounaris and G. Dahl to conduct a cabaret with paid entertainment at Savoy Cafe, 1065 4th Avenue, where liquor is sold but no dancing conducted. This permission is subject to the regular license fee, and to compliance with existing regulations.

## R E S O L U T I O N NO. 74200

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Kyle S. Glazier, 4221 Albatross Street, to conduct a cabaret with paid entertainment at "Kyle's Cafe", 3906-4th Avenue, where liquor is sold but no dancing conducted. This permission is subject to the regular license fee, and to compliance with existing regulations.

## R E S O L U T I O N NO. 74201

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Ray O'Brien, 5135 - 35th Street, to conduct a cabaret with paid entertainment at "Obies Cafe", 115 West C Street, where liquor is sold but no dancing conducted. This permission is subject to the regular license fee, and to compliance with existing regulations.

## R E S O L U T I O N NO. 74202

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to the Reverend John Power, 621 - Sicard Avenue, to erect three directional signs for St. Anne's Catholic Church at its own expense, at the following locations: Northeast corner of Vesta and Main Streets; Northeast corner of 28th and Main Streets; Southeast corner of 28th and Irving Streets.

The size and design of the signs shall be subject to approval of the City Manager.

## R E S O L U T I O N NO. 74203

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Wm. A. Woodworth, 1675 Bacon Street, Ocean Beach, to erect a directional sign for the Baptist Church at its own expense at the northeast corner of Cable Street and Santa Monica Avenue.

The size and design of the signs shall be subject to approval of the City Manager.

## R E S O L U T I O N NO. 72704

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Engineer is hereby authorized and directed to submit elevations for establishing the grade of the following streets:

Guy Street, from Witherby Street to Miller Street

Bandini Street south of Inspiration Heights to Guy Street.

## R E S O L U T I O N NO. 74205

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to Laura Philipsen, 2345 India Street, to install water and sewer mains in streets and alleys to serve Fanuel Square, as petitioned for under Document No. 329129, by private contract at her own expense. The work shall be done under City inspection after approved improvement plans are submitted and filed with the City Engineer.

## R E S O L U T I O N NO. 74206

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition for closing Horton Avenue from Maple Street one hundred feet south, bearing Document No. 328928, be, and it is hereby denied, as recommended by the City Engineer and City Planning Commission.

## R E S O L U T I O N NO. 74207

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of James McMahon and Marie McMahon for the closing of a portion of Mission Avenue at Madison Avenue, bearing Document No. 328218, be, and it is hereby denied.

## R E S O L U T I O N NO. 74208

WHEREAS, The County of San Diego has filed a claim against The City of San Diego in the amount of \$393.22, which amount is claimed to be due the County in order to equalize the contributions of the County and the City to the expense of constructing the Civic Center building; and

WHEREAS, the City Auditor and Comptroller and the County Auditor and Controller have submitted a joint audit of the construction fund from which it appears that said amount is justly due to the County from the City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the claim of The County of San Diego against The City of San Diego, in the amount of \$393.22, for the purpose of equalizing the joint contributions to the construction costs of the Civic Center building, be, and the same is hereby approved and allowed; and the City Auditor and Comptroller is directed to draw his warrant in said amount and deliver the same to the County of San Diego.

Approved as to form by H. B. DANIEL

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 74209

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The petition of Purtuchese Fishermens & E.D.S. Society of Point Loma, by Patrick Lizza, for permission to conduct a public fire works display on May 31, 1941, from 8 p.m. to 11 p.m. on Point Loma Bay Front, filed under Document No. 329380, is hereby granted; subject to Sections 12500-12513 of the Health and Safety Code, the Rules and Regulations adopted by the State Fire Marshal and Ordinance No. 1313 New Series of the City of San Diego, and upon the filing with the City Clerk of the necessary bond.



## R E S O L U T I O N NO. 74210

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Ida Burke, 1247 Pennsylvania Avenue, filed in the office of the City Auditor and Comptroller of said City on April 24, 1941, against The City of San Diego in the amount of \$8.08, claimed to be due on account of damages to her automobile, be, and the same is hereby allowed.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be, and he is hereby authorized and directed to make payment from the Small Claims Payment Fund of the sum of \$8.08 in full settlement of said claim, upon the delivery to said City Auditor and Comptroller of a duly executed release, the form of which shall be approved by the City Attorney.

## R E S O L U T I O N NO. 74211

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Mrs. Florence Stephenson, 4018 Swift Street, filed in the office of the City Auditor and Comptroller of said City on April 9, 1941, against The City of San Diego in the amount of \$250.00 claimed to be due for damages to her property by reason of flood waters from Juan Street about February 22, 1941, be, and it is hereby denied.

## R E S O L U T I O N NO. 74212

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of Herbert C. Karl, P.O. Box 134, Del Mar, California, filed in the office of the City Auditor and Comptroller of said City on May 5, 1941, against The City of San Diego in the amount of \$28.29, claimed to be due on account of damages to his automobile on April 19, 1941, be, and it is hereby denied.

## R E S O L U T I O N NO. 74213

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The claim of A. Sager, 830 - 25th Street, filed in the office of the City Auditor and Comptroller of said City on May 5, 1941, against The City of San Diego in the amount of \$5.50, claimed to be due on account of damages to his automobile, be, and the same is hereby denied.

## R E S O L U T I O N NO. 74214

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The San Diego Gas and Electric Company is hereby authorized and directed to install overhead street lights at the following locations: Copley Avenue and Hawley Blvd. - 600 c.p.; Madison Avenue and Utah Street - 600 c.p.; Dalbergia and Rigel Streets - 400 c.p.; 40th Street and Franklin Avenue - 400 c.p.

## R E S O L U T I O N NO. 74215

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of the Duncan Meter Corporation to furnish and install 500 Miller Multiple-Coin Parking Meters, plus 50 free meters, designed to operate with a penny for each twelve minutes up to and including sixty minutes, and to operate with the U. S. Nickel five cent piece for sixty minutes, for the price of \$61.00 each, installed complete ready to operate at locations on the streets of the City of San Diego designated by the City Manager be, and the same is hereby accepted; and contract for furnishing and installing same is hereby awarded to said Duncan Meter Corporation.

BE IT FURTHER RESOLVED, that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego, a contract with the Duncan Meter Corporation for furnishing of said Parking Meters.

Approved as to form H. B. DANIEL

## R E S O L U T I O N NO. 74216

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the bid of The Karpark Corporation to furnish and install 500 Model H-P-PN Karpark Meters plus 25 free meters, designed to operate with a penny for each twelve minutes up to and including sixty minutes, and/or to operate with the U. S. nickel five cent piece for sixty minutes, for the price of \$51.43 each, installed complete ready to operate at locations on the streets of the City of San Diego designated by the City Manager be, and the same is hereby accepted, and contract for furnishing and installing same is hereby awarded to said Karpark Corporation.

BE IT FURTHER RESOLVED, that the City Manager of The City of San Diego is hereby authorized and instructed to enter into and execute on behalf of The City of San Diego a contract with The Karpark Corporation for furnishing of said Parking Meters.

Approved as to form H. B. DANIEL.

## R E S O L U T I O N NO. 74217

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The appointment by City Manager Walter W. Cooper of Mr. Samuel M. Roberts as Budget Officer of the City of San Diego, effective as of June 1, 1941, be, and it is hereby confirmed.

## R E S O L U T I O N NO. 74218

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The communication from City Manager Walter W. Cooper, bearing Document No. 329295, transmitting report of George B. Buck, Consulting Actuary, on the financial condition of Police Relief and Pension Fund and Firemen's Relief and Pension Fund, be, and it is hereby referred to Council conference.

## R E S O L U T I O N NO. 74219

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Pursuant to the authority conferred by, and in accordance with the provisions of, Ordinance No. 2116 (New Series), (Traffic Ordinance), adopted April 22, 1941, the loading zones, passenger loading zones, bus loading zones and/or such other no-standing or no-parking zones, be, and the same are hereby continued in force and effect as already established.

Approved as to form by HARRY S. CLARK

## R E S O L U T I O N NO. 74220

BE IT RESOLVED By the Council of The City of San Diego, as follows:

Pursuant to the authority conferred by, and in accordance with the provisions of, Ordinance No. 2116 (New Series), (Traffic Ordinance), adopted April 22, 1941, the following through highways be, and they are hereby created and established, and the installation of the necessary signs and markings be, and the same is hereby authorized and directed to be made:

- (1) ADAMS AVENUE, from the east line of Park Boulevard to the Southerly production of the easterly line of 39th Street;
- (2) BARNETT AVENUE, from Pacific Highway to Lytton Street;
- (3) BROADWAY, from the east line of Sixtieth Street to the southeasterly line of Madera Street (except the north line of Broadway where it intersects Madera Street);
- (4) BROADWAY, from the west line of 26th Street to the east line of 29th Street;
- (5) C STREET, from the east line of Tenth Avenue to the west line of Eighteenth Street;
- (6) CALIFORNIA STREET, from the southwesterly line of Hancock Street to the southeasterly prolongation of the northeasterly line of La Jolla Avenue;
- (7) CAMINO DEL RIO, between easterly and westerly lines of Sixth Street Extension;
- (8) CAMINO DEL RIO, between the easterly and westerly lines of Sandrock Grade;
- (9) CANON STREET, between the northwesterly and southeasterly lines of Talbot Street;
- (10) CASS STREET, from the southerly line of Garnet Street to the northerly line of Turquoise Street (except the easterly line of Cass Street where it intersects Garnet Street; and also excepting the westerly line of Cass Street where it intersects Turquoise Street);
- (11) CEDAR STREET, between the east and west lines of Thirty-first Street;
- (12) CHATSWORTH BOULEVARD, from Lytton Street to Voltaire Street;
- (13) DIAMOND STREET, between the east and west lines of Ingraham Street;
- (14) EIGHTEENTH STREET, from the south line of C Street to the north line of A Street (except the west line of Eighteenth Street at C Street);
- (15) EL CAJON BOULEVARD, from the east line of Park Boulevard to the easterly boundary line of The City of San Diego;
- (16) F STREET, from the east line of 30th Street to Sunrise Street;
- (17) FEDERAL BOULEVARD, from Sunrise Street to the easterly boundary line of The City of San Diego;
- (18) FERN STREET, from the south line of A Street to the South line of Juniper Street;
- (19) FIRST AVENUE, from the south line of Walnut Street to the south line of University Avenue;
- (20) FLORIDA STREET EXTENSION, commonly known as "Powder House Canyon Road" in Balboa Park, between the north and south lines of that certain road south of Upas Street from Park Boulevard to Alabama Street and Upas Street, commonly known as "Upas Street Cut-off" in Balboa Park;
- (21) FORTY-FIFTH STREET, between the north and south lines of Ocean View Boulevard;
- (22) FORTY-SEVENTH STREET, between the north and south lines of Logan Avenue;
- (23) FORTY-SEVENTH STREET, between the north and south lines of Ocean View Boulevard;
- (24) FOURTH AVENUE, from the north line of A Street to the south line of University Avenue;
- (25) GARNET STREET, from Grand Avenue to the westerly line of Cass Street (except the northerly line of Garnet Street where it intersects Cass Street);
- (26) GIRARD STREET, from the south line of Pearl Street to the southwesterly production of the northwesterly line of Torrey Pines Road (except the west line of Girard Street where it intersects Pearl Street); (also excepting the east line of Girard Street where it intersects Torrey Pines Road);
- (27) GOLDFINCH STREET, from the south line of Pennsylvania Avenue to the south line of Washington Street;
- (28) GRAND AVENUE, from Pacific Highway to Garnet Street;
- (29) HANCOCK STREET, between the southwesterly prolongation of the northwesterly and southeasterly line of Winder Street, affecting southwesterly bound traffic only entering Hancock Street;
- (30) HARASTHY STREET, between the northeasterly and southwesterly lines of Hancock Street, affecting southeasterly bound traffic only entering Harasthy Street;
- (31) IMPERIAL AVENUE, between the east and west lines of 25th Street;
- (32) IMPERIAL AVENUE, between the east and west lines of 30th Street;
- (33) IMPERIAL AVENUE, between the east and west lines of 32nd Street;
- (34) IMPERIAL AVENUE, between the east and west lines of 45th Street;
- (35) IMPERIAL AVENUE, between the east and west lines of 47th Street;
- (36) IMPERIAL AVENUE, between the east and west lines of Euclid Avenue;
- (37) INDIANA STREET, between the north and south lines of Robinson Avenue, affecting westbound traffic only entering Indiana Street;
- (38) INGRAHAM STREET, from its southerly termination in Midway Drive to a straight line drawn from a point on the easterly line of lot 428, Block 21, Crown Point, distant thereon 67.83 feet southerly from the northeasterly corner of said lot to a point on the westerly line of lot 447, Block 22, Crown Point, distant thereon 75.00 feet southerly from the northwesterly corner of said lot 447;
- (39) IONA DRIVE, from the easterly production of the south line of Market Street to the south line of Kenwood Street;
- (40) KENWOOD STREET, from the northerly production of the west line of Iona Drive to the west line of 60th Street (except the south line of Kenwood Street where it intersects Iona Drive); (also excepting the north line of Kenwood Street where it intersects 60th Street);
- (41) KETTNER BOULEVARD, from the north line of Broadway to the northwesterly line of Chalmers Street; and from the north line of Market Street to the south line of Broadway;
- (42) KETTNER BOULEVARD, between the northeasterly and southwesterly lines of Hancock Street, affecting southeast bound traffic only entering Kettner Boulevard;
- (43) LA JOLLA AVENUE, from California Street to San Diego Avenue;
- (44) LA JOLLA BOULEVARD, from Turquoise Street to the northwesterly line of Prospect Street;
- (45) LAUREL STREET EXTENSION, between the east and west lines of Florida Street Extension, commonly known as "Powder House Canyon Road" in Balboa Park;
- (46) LYTTON STREET, from the southeasterly line of Locust Street to Chatsworth Boulevard;
- (47) LYTTON STREET, between the northwesterly and southeasterly lines of Rosecrans Street, affecting southeast-bound traffic only entering Rosecrans Street;
- (48) MADERA STREET, from the north line of Broadway to the easterly boundary of The City of San Diego;
- (49) MAIN STREET, from the westerly line of 30th Street to the southeasterly boundary line of The City of San Diego;



(50) MARKET STREET, from the west line of 13th Street to the west line of 16th Street; and from the east line of 16th Street to the west line of 30th Street; and from the east line of 30th Street to the west line of Iona Drive;

(51) MIDWAY DRIVE, from the northerly line of Barnett Avenue to the northerly termination of Midway Drive in Ingraham Street (except the southwesterly line of Midway Drive where it intersects West Point Loma Boulevard);

(52) MISSION BOULEVARD, from the north line of Mission Bay Bridge to the north line of Pacific Avenue;

(53) MISSION BOULEVARD, between the north and south lines of Garnet Street;

(54) MORENA BOULEVARD, from the Old Town Bridge to Naples Street; and from the southeasterly line of Dorcas Street to the northwesterly line of Balboa Avenue produced northeasterly;

(55) NAPLES STREET, from Morena Boulevard to the northwesterly line of Dorcas Street;

(56) NATIONAL AVENUE, from Twelfth Avenue to the west line of 39th Street;

(57) NATIONAL AVENUE, between the east and west lines of 31st Street;

(58) NORMAL STREET, from University Avenue to Park Boulevard;

(59) OCEAN VIEW BOULEVARD, between the east and west lines of 31st Street;

(60) OCEAN VIEW BOULEVARD, between the east and west lines of 36th Street;

(61) OCEAN VIEW BOULEVARD, between the east and west lines of 37th Street, and east and west lines of 38th Street;

(62) PACIFIC HIGHWAY, from the north line of Broadway to the northerly boundary line of the City of San Diego (except the intersection of Pacific Highway with Subway Street); (also excepting the intersections of Pacific Highway with Barnett Avenue);

(63) PARK BOULEVARD, between the north and south lines of that certain road south of Upas Street from Park Boulevard to Alabama Street and Upas Street, commonly known as "Upas Street Cut-off" in Balboa Park;

(64) PEARL STREET, from the east line of Girard Street to the east line of La Jolla Boulevard; (except the north line of Pearl Street where it intersects Girard Street);

(65) PERSHING DRIVE, from 18th Street to the south line of the intersection of 28th and Upas Streets;

(66) PROSPECT STREET, from the southwesterly line of La Jolla Boulevard to the northwesterly line of Torrey Pines Road; (except the southeasterly line of Prospect Street where it intersects La Jolla Boulevard);

(67) RAY STREET, between the easterly prolongation of the north line of Dwight Street and the westerly prolongation of the south line of Dwight Street;

(68) REDWOOD STREET, from the west line of 28th Street to the west line of 30th Street;

(69) REYNARD WAY, from State Street to the south line of Pennsylvania Avenue;

(70) RICHMOND STREET, from the south line of University Avenue to the north line of Balboa Park;

(71) RICHMOND STREET EXTENSION, from the north line of Balboa Park to its termination in Eleventh Avenue Extension;

(72) ROBINSON AVENUE, between the east and west lines of Front Street affecting south bound traffic only entering Robinson Avenue;

(73) ROSECRANS STREET, from the northeasterly line of Lytton Street to the southwesterly line of Kellogg Street (except the southeasterly line of Rosecrans Street where it intersects Lytton Street);

(74) SAN DIEGO AVENUE, from La Jolla Avenue to the northwesterly line of Wallace Street;

(75) SIGSBEE STREET, between the northeasterly and southwesterly lines of Newton Avenue;

(76) SIXTEENTH STREET, from the south line of C Street to the south line of Commercial Street;

(77) SIXTH AVENUE, between the north and south lines of Hawthorn Street;

(78) SIXTH AVENUE, between the north and south lines of Laurel Street;

(79) SIXTH AVENUE, between the north and south lines of Upas Street;

(80) SIXTH AVENUE, between the north and south lines of Robinson Avenue;

(81) SIXTIETH STREET, from the easterly production of the south line of Kenwood Street to the westerly production of the northerly line of Broadway (except the west line of Sixtieth Street where it intersects Kenwood Street); (also excepting the east line of Sixtieth Street where it intersects Broadway);

(82) STATE STREET, from the south line of C Street to Reynard Way;

(83) SUBWAY STREET, for its entire length;

(84) SUNSET CLIFFS BOULEVARD, from the southwesterly line of Voltaire Street to the northeasterly line of Point Loma Avenue;

(85) TAYLOR STREET, from the northeasterly line of San Diego Avenue to the Old Town Bridge;

(86) TEXAS STREET, between the northwesterly and southeasterly lines of Mission Avenue;

(87) THIRTIETH STREET, from the North line of Main Street to the south line of National Avenue; and from the north line of National Avenue to the south line of Imperial Avenue; and from the north line of Imperial Avenue to the south line of University Avenue (except between A Street and Juniper Street); and from the north line of University Avenue to the south line of El Cajon Boulevard; and from the north line of El Cajon Avenue to the south line of Adams Avenue;

(88) THIRTIETH STREET, between the north and south lines of Upas Street;

(89) THIRTY-SECOND STREET, between the north and south lines of Redwood Street;

(90) THIRTY-SECOND STREET, between the north and south lines of Thorn Street;

(91) All that portion of THIRTY-SECOND STREET and all that portion of UPAS STREET lying within the common intersection of said through highways;

It is the intention of this subsection to establish intersection stops in all four directions at the common intersection of said through highways.

(92) THIRTY-NINTH STREET, between the north and south lines of National Avenue, affecting eastbound traffic only entering Thirty-ninth Street;

(93) TORREY PINES ROAD, from the east line of Girard Street to Pacific Highway;

(94) TURQUOISE STREET, from the easterly line of Cass Street to La Jolla Boulevard (except the south line of Turquoise Street where it intersects Cass Street);

(95) TWELFTH AVENUE, from the north line of Island Avenue to National Avenue;

(96) TWENTY-FIFTH STREET, between the north and south lines of Broadway, affecting westbound traffic only entering 25th Street;

(97) TWENTY-FIRST STREET, between the north and south lines of B Street, affecting westbound traffic only entering 21st Street;

(98) UNIVERSITY AVENUE, from the east line of Front Street to the easterly boundary line of The City of San Diego (excepting the intersection of University Avenue and Cleveland Avenue); (also excepting the intersection of University Avenue and Normal Street);

(99) UNNAMED STREET in Block 224, Middletown Addition, between Moore Street and Witherby Street;

(100) UPAS STREET, from the west line of 28th Street to the east line of Dale



Street, produced northerly; and from the east line of 30th Street to the west line of Boundary Street;

(101) VOLTAIRE STREET, from the westerly line of Chatsworth Boulevard to the westerly line of Bacon Street;

(102) WARD ROAD, from the east line of Cherokee Avenue to the east line of 38th Street;

(103) WASHINGTON STREET, between the east and west lines of First Avenue;

(104) WASHINGTON STREET, between the east and west lines of Fourth Avenue;

(105) WASHINGTON STREET, between the east and west lines of Goldfinch Street;

(106) WASHINGTON STREET, between the east and west lines of Hawk Street, affecting northbound traffic only entering Washington Street;

(107) WASHINGTON STREET, between the east and west lines of Hillcrest Drive, affecting southeast-bound traffic only entering Washington Street;

(108) WITHERBY STREET, from the northeasterly line of Moore Street to the south-westerly line of Pacific Highway.

Approved as to form by HARRY S. CLARK.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

(SEAL)

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION NO. 74221

#### DIRECTING NOTICE OF FILING OF ASSESSMENT AND OF THE TIME AND PLACE OF HEARING THEREOF.

RESOLVED, By the Council of The City of San Diego, California:

That the City Clerk of said City be, and he is hereby, authorized and directed to give notice of the filing by the City Engineer of said City of his assessment No. 1730 made to cover the costs and expenses of the work done upon Elizabeth Street and Ocean View Boulevard in said City, under Resolution of Intention No. 72175, adopted September 3, 1940, by said Council and also of the time and the place, to be therein fixed by said Clerk, when all persons interested in said work or assessment will be heard by said Council, by posting, mailing and publishing such notice in manner and form required by law, requiring all persons interested therein and feeling aggrieved thereby, to file in writing their appeals therefrom, prior to the day fixed for said hearing. Such notice shall be published twice in the San Diego Union, a newspaper published and circulated daily in said City and hereby designated for that purpose. The first publication of such notice shall be not less than fifteen (15) days before the time fixed for such hearing.

#### RESOLUTION OF AWARD NO. 74222

Kensington Manor Lighting District No. 1

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 6th day of May 1941, opened, examined and publicly declared all sealed proposals or bids offered for doing the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on:

KENSINGTON DRIVE, between Jefferson Avenue and Hilldale Road;

CANTERBURY DRIVE, for its entire length;

SUSSEX DRIVE, for its entire length;

WESTMINSTER TERRACE, for its entire length;

NORFOLK TERRACE, between Kensington Drive and the easterly line of Kensington

Manor Unit No. 1;

ROCHESTER ROAD, for its entire length;

LYMER DRIVE, for its entire length;

MARLBOROUGH DRIVE, between Jefferson Avenue and Palisades Road;

EDGEWARE ROAD, between the westerly prolongation of the southerly line of Lot 10, Block 13, Kensington Park and Canterbury Drive, and between Middlesex Drive and Bedford Drive;

HEMPSTEAD CIRCLE, for its entire length;

HILLDALE ROAD, for its entire length;

MIDDLESEX DRIVE, for its entire length;

BEDFORD DRIVE, for its entire length;

HASTINGS ROAD, for its entire length;

BRISTOL ROAD, for its entire length;

ROXBURY ROAD, for its entire length;

BRAEBURN ROAD, for its entire length;

PALISADES ROAD, for its entire length; and

RIDGEWAY, between Marlborough Drive and Lane.

Such furnishing of electric current shall be for a period of one year, from and including May 1, 1941, to-wit, to and including April 30, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Kensington Manor Lighting District No. 1," filed February 21, 1941, in the office of the City Clerk of said City.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work to the lowest responsible bidder, to-wit: To: SAN DIEGO GAS & ELECTRIC COMPANY, at the prices specified in its bid for said work, on file in the office of the Clerk of said City of San Diego, to-wit: ONE THOUSAND SIX HUNDRED TWENTY DOLLARS (\$1,620.00)

And said Council does hereby require and fix the sum of FOUR HUNDRED FIVE DOLLARS (\$405.00) as the penal sum of the undertaking to be given for the faithful performance of the contract for the doing of said work.

The Clerk of said City of San Diego is hereby directed to serve written notice upon the said San Diego Gas & Electric Company, the bidder depositing the said lowest responsible bid, that the contract has been awarded to said bidder, for the doing of said work.

AND BE IT FURTHER RESOLVED, that a majority of the members of the Council of said City of San Diego be, and they are, authorized and directed to enter into said contract with said San Diego Gas & Electric Company on behalf of said City of San Diego.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

RESOLUTION OF AWARD NO. 74223  
Alley in Block 150, University Heights.

RESOLVED, that the Council of the City of San Diego, California, having in open session on the 6th day of May, 1941, opened, examined and publicly declared all sealed proposals or bids for the following work to be done and improvement to be made in said City, to-wit:

All the street work described in Resolution of Intention No. 73506, adopted by the Council on February 25, 1941, and on file in the office of the City Clerk of said City for the grading and paving of the ALLEY IN BLOCK 150, UNIVERSITY HEIGHTS, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent. per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

Said Council hereby rejects all of said proposals or bids, except the next herein mentioned, and hereby awards the contract for said work or improvement to the lowest, regular responsible bidder, to-wit: To GRIFFITH COMPANY, a corporation, at the prices named in its bid, for said work, on file in the office of the Clerk of said City of San Diego, to-wit:

Excavation, per cubic yard, .....\$0.20  
Preparation of subgrade, per square foot, .....\$0.01  
Pavement, per square foot, .....\$0.16

The City Clerk of said City is hereby directed to cause a notice of this award to be published twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough  
NAYS - Councilmen: None  
ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL) FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 74224  
DIRECTING NOTICE INVITING SEALED PROPOSALS, LOMA PORTAL  
LIGHTING DISTRICT NO. 1

BE IT RESOLVED By the Council of the City of San Diego, California, as follows:

That the City Clerk of the City of San Diego, California, be, and he hereby is, directed to publish for two days, in the newspaper hereinafter designated, in the manner and form required by law, notice inviting sealed proposals or bids for doing all of the following work, to-wit:

The furnishing of electric current for the lighting of the ornamental street lights located on the following streets, in the City of San Diego, California, to-wit:

At the intersection of LOCUST STREET with Curtis Street, Dumas Street, Elliott Street, Freeman Street, Goldsmith Street, Homer Street, Ibsen Street, James Street and Kingsley Street;

At the intersection of EVERGREEN STREET with Curtis Street, Dumas Street, Elliott Street, Freeman Street, Goldsmith Street, Homer Street, Ibsen Street, James Street and Kingsley Street;

At the intersection of WILLOW STREET with Curtis Street, Dumas Street, Elliott Street and Freeman Street;

At the intersection of PLUM STREET with Curtis Street;

At the intersection of CLOVE STREET with Curtis Street, Dumas Street and Elliott Street;

On DUMAS STREET, between Clove Street and Willow Street;

On ELLIOTT STREET, between Willow Street and the northwesterly line of Plumosa Park;

On FREEMAN STREET, between Chatsworth Boulevard and Willow Street;

On GOLDSMITH STREET, between Chatsworth Boulevard and Evergreen Street;

On CHATSWORTH BOULEVARD, between the southwesterly line of Curtis Street produced

northwesterly and its termination in Lytton Street;

On LYTTON STREET, between its termination in Chatsworth Boulevard and Rosecrans Street (excepting the northeasterly side of said Lytton Street between Evergreen Street and Rosecrans Street);

On the northwesterly side of ROSECRANS STREET, between the northeasterly line of Curtis Street produced southeasterly and Lytton Street;

On POINSETTIA DRIVE, between Elliott Street and Amaryllis Drive;

On JONQUIL DRIVE, between Elliott Street and Lotus Drive;

On NARCISSUS DRIVE, between Elliott Street and Lotus Drive;

On HYACINTH DRIVE, between the northerly line of Wing Street produced westerly and the northeasterly line of Plumosa Park;

On AZALEA DRIVE, between Hyacinth Drive and the northeasterly line of Plumosa Park;

On WISTERIA DRIVE, between Azalea Drive and the northeasterly line of Plumosa Park;

On LOTUS DRIVE, between Poinsettia Drive and Hyacinth Drive;

On PLUMOSA DRIVE, between Hyacinth Drive and Chatsworth Boulevard; and

On AMARYLLIS DRIVE, between Poinsettia Drive and Lotus Drive.

Such furnishing of electric current shall be for a period of one year from and including June 28, 1941, to-wit, to and including June 27, 1942.

All of said work shall be done strictly in accordance with the plans and specifications contained in the report of the City Engineer of said City, being document entitled, "Engineer's Report and Assessment for Loma Portal Lighting District No. 1," filed April 1, 1941, in the office of the City Clerk of said City.

That The SAN DIEGO UNION, a daily newspaper, published and circulated and of general circulation in said City of San Diego, is hereby designated as the newspaper in which said notice inviting sealed proposals for doing the said work, shall be published, in the manner and form, and by the persons required by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### RESOLUTION ORDERING WORK NO. 74225

Fenelon Street

RESOLVED, By the Council of The City of San Diego, California, that the public interest and convenience require the work hereinafter described to be done, and therefore the said Council hereby orders the following work to be done and improvement to be made in said City, to-wit:

All the street work and improvement described in Resolution of Intention No. 73836, adopted by the Council on April 8, 1941, and on file in the office of the City Clerk of said City for the grading, paving and otherwise improving of FENELON STREET, in the City of San Diego, California, within the limits and as particularly described in said Resolution of Intention.

For a particular description of the work reference is hereby made to said Resolution of Intention.

The costs and expenses of said work and improvement are to be assessed upon the district which is more particularly described in said Resolution of Intention.

The said Council determined that serial bonds extending over a period ending nine years from the second day of January next succeeding the fifteenth day of the next October following their date, bearing interest at the rate of six per cent per annum, shall be issued to represent assessments of twenty-five dollars or more for the expenses of said work and improvement, as provided by the Improvement Act of 1911, and amendments thereto.

For further particulars, reference is hereby made to said Resolution of Intention.

The City Clerk of said City is hereby directed to post conspicuously for five (5) days, on or near the Council chamber door of the said Council, in the manner and form required by law, a notice, with specifications, together with a copy of the prevailing wage adopted by Resolution No. 73737, adopted on the 25th day of March, 1941, all of which is more particularly set forth in the Resolution of Intention, inviting sealed proposals or bids for doing the work ordered; and said Clerk is hereby directed to publish twice in the San Diego Union, a daily newspaper published and circulated in said City, and hereby designated for that purpose by said Council a notice inviting such proposals for doing the said work, and referring to the specifications and prevailing wage schedule posted or on file.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy



R E S O L U T I O N NO. 74226  
RESOLUTION DIRECTING THE ASSESSMENT TO BE MADE AND SIGNED  
BY THE CITY ENGINEER-FENELON STREET.

WHEREAS, the Council of The City of San Diego, did on the 8th day of April, 1941, pass Resolution of Intention No. 73836, ordering certain work and improvements to be made in pursuance of proceedings taken under the "Improvement Act of 1911" and which are described in said Resolution of Intention, reference to said Resolution being hereby expressly made for further particulars; and

WHEREAS, said Council desires that the assessment hereafter to be made in the proceeding shall be made and signed by the City Engineer; now, therefore,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the assessment hereafter to be made, covering cost and expenses of the work to be done and improvement to be made, as described in said Resolution of Intention No. 73836, shall be made and signed by the City Engineer instead of by the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL) City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

R E S O L U T I O N NO. 74227  
RESOLUTION DIRECTING THE WORK TO BE DONE UNDER THE  
DIRECTION OF THE CITY ENGINEER - FENELON STREET.

WHEREAS, the Council of The City of San Diego did, on the 8th day of April, 1941, pass its Resolution of Intention No. 73836 to order certain work to be done and improvement to be made in a portion of FENELON STREET, which Resolution of Intention is hereby expressly referred to for further particulars, and said Council did thereafter on the 20th day of May 1941, duly pass its Resolution Ordering Work No. 74225, ordering said work to be done and said improvement to be made in said Fenelon Street, which said Resolution Ordering Work is also hereby referred to for further particulars; and

WHEREAS, said Council desires that said work be done under the direction of the City Engineer of said City; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That said Council does hereby direct that the aforesaid work shall be done under the direction of the City Engineer of said City, and the materials used shall comply with said specifications and be to the satisfaction of said City Engineer, instead of the Superintendent of Streets of said City.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL) City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

R E S O L U T I O N NO. 74228  
RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN BUENA VISTA  
STREET, LA MANCHA DRIVE, CROWN POINT DRIVE, FRONTERA STREET,  
PROMONTORY STREET; AND PUBLIC  
RIGHTS OF WAY.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, paving and otherwise improving of BUENA VISTA STREET, between the westerly line of Ingraham Street and the southerly line of Moorland Drive; LA MANCHA DRIVE, between the easterly line of Frontera Street and the westerly line of Crown Point Drive; CROWN POINT DRIVE, between the easterly prolongation of the northerly line of Lot 14, Block 1, Crown Point and the easterly prolongation of the southerly line of Lot 321, Block 14, Crown Point; FRONTERA STREET, between the westerly prolongation of the northerly line of Lot 153, Block 7, Crown Point, and the westerly prolongation of the southerly line of Lot 164, Block 8, Crown Point; PROMONTORY STREET, between the northerly line of La Cima Drive and the easterly prolongation of the northerly line of Lot 224, Crown Point; PUBLIC RIGHTS OF WAY across Lots 28 to 52, inclusive, Block 2; Lots 53 to 75, inclusive, Block 3; Lots 76 to 97, inclusive, Block 4; Lots 98 to 119, inclusive, Block 5; Lots 120 to 141, inclusive, Block 6; Lots 142 to 163, inclusive, Block 7; Lots 164 to 185, inclusive, Block 8; Lots 186 to 207, inclusive, Block 9; Lots 208 to 229 inclusive, Block 10; Lots 230 to 235, inclusive, and 239 to 245 inclusive, Block 11; Lots 301, 314 and 315, Block 14; Lots 338 to 358 inclusive, Block 16; Lots 359, 360, 361 and 366, Block 17; Lots 367 to 370, inclusive, Block 18; Lots 378 to 400 inclusive, Block 19; Lots 401 to 419, inclusive, Block 20; Lots 423 to 428 inclusive and Lots 429 to 432 inclusive, Block 21; Lots 435 to 447 inclusive, Block 22, all in Crown Point, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file

in the office of the City Clerk of said City under Document No. 329138. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 74229  
RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS  
IN THE ALLEY IN BLOCK 158, UNIVERSITY HEIGHTS.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading and paving of the ALLEY IN BLOCK 158, UNIVERSITY HEIGHTS, between the north line of Polk Avenue and the south line of Howard Avenue, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 329098. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

## R E S O L U T I O N NO. 74230

## RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN WINONA AVENUE.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, sidewalking and curbing of WINONA AVENUE, between the easterly prolongation of a line parallel to and distant 15 feet southerly from the northerly line of University Avenue and the easterly prolongation of the northerly line of Polk Avenue, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 329097. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

## R E S O L U T I O N NO. 74231

## RELATING TO PROPOSED ASSESSMENT FOR IMPROVEMENTS IN PORTIONS

## OF PANAMA PLACE AND PUBLIC RIGHT OF WAY.

BE IT RESOLVED, By the Council of The City of San Diego, California, that it contemplates the passage of a resolution of intention to make certain improvements for which an assessment will be levied, and that it is hereby determined as follows:

1. That the proposed improvement consists of the grading, paving and otherwise improving of PANAMA PLACE, between the northwesterly line of North Mountain View Drive and the southeasterly lines of Lots 24 and 25, in Tract 1353; and PUBLIC RIGHT OF WAY in Lot 24, Tract 1353, in the City of San Diego, California.

2. That the boundary of the proposed district of lands to be assessed to pay the costs and expenses of said contemplated improvement is shown upon that certain plat on file in the office of the City Clerk of said City under Document No. 329252. Reference is hereby made to said plat for a particular description of such district.

3. That said proposed improvement and said proposed assessment is to be done and made under the provisions of that certain act of the legislature of California commonly known and designated as the "Improvement Act of 1911" (Statutes of 1911, p. 730), and amendments thereto.

4. That, after considering the preliminary report of the City Engineer thereon and having determined the above matters, the initial view of this Council is that the said contemplated improvement is one in which the probable assessments will not exceed the limitations set up by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931."

BE IT FURTHER RESOLVED, that the City Clerk of said City of San Diego be, and he is hereby authorized and directed to mail, prepaid, post cards, each with an addressed reply post card attached thereto, with the return postage thereon guaranteed, giving notice of said contemplated action, by addressing and mailing said cards to each person to whom land in the proposed assessment district is assessed on the last equalized County Assessment Roll, at his address as shown upon such roll, 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 said City Clerk. Said return post card as sent out shall be addressed to the City Clerk of San Diego; said Clerk shall file his affidavit of mailing such notices and must include therein a list of the names and addresses to whom such notices were sent, all in manner and form as provided by law.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy



I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 74232

Florence Street

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading, paving and otherwise improving of FLORENCE STREET, between the east line of 37th Street and the west line of 38th Street, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 H.P.      | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborers, common                      | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for overtime and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 74233

Alley in Block 47, University Heights.

WHEREAS, the Council of The City of San Diego proposes to adopt a resolution of intention under the Improvement Act of 1911, Stat. 1911, p. 730, and amendments thereto, for the grading and paving of the ALLEY IN BLOCK 47, UNIVERSITY HEIGHTS, between the south line of Madison Avenue and the north line of Monroe Avenue, in the City of San Diego, California; and

WHEREAS, the Council of The City of San Diego, pursuant to the authority vested in them by the provisions of the Improvement Act of 1911, and amendments thereto, will invite sealed proposals or bids for doing all of the work hereinbefore described, within said above described limits; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That in connection with said work and in accordance with the provisions of Art. XII of the Charter of The City of San Diego, this Council does hereby ascertain and declare that the prevailing rate of per diem wages paid by private employers in the City of San Diego for the same quality of service for a day of eight (8) hours for each craft, laborer, type of workman or mechanic needed to execute said work is as follows:

|                                       | Per 8 hour day | Per hour |
|---------------------------------------|----------------|----------|
| Asphalt raker                         | \$ 6.00        | \$ 0.75  |
| Asphalt spreader                      | 6.00           | 0.75     |
| Auto mechanic                         | 8.00           | 1.00     |
| Blacksmith                            | 6.00           | 0.75     |
| Blademan                              | 6.00           | 0.75     |
| Bricklayer                            | 12.00          | 1.50     |
| Bricklayer tender                     | 7.00           | 0.875    |
| Bulldozer operator                    | 8.00           | 1.00     |
| Bulldozer operator, over 50 H.P.      | 10.00          | 1.25     |
| Carpenter                             | 9.00           | 1.125    |
| Caulker                               | 6.00           | 0.75     |
| Cement finisher                       | 10.00          | 1.25     |
| Clerk                                 | 6.00           | 0.75     |
| Compressor operator                   | 9.00           | 1.125    |
| Concrete mixerman, 10 cu ft and under | 7.00           | 0.875    |
| Concrete mixerman                     | 10.00          | 1.25     |
| Concrete spreader                     | 6.00           | 0.75     |
| Concrete tamper                       | 6.00           | 0.75     |
| Crane operator                        | 12.00          | 1.50     |
| Driller                               | 7.00           | 0.875    |
| Drill sharpener                       | 6.00           | 0.75     |
| Electrician                           | 10.00          | 1.25     |
| Engineer, hoisting                    | 10.00          | 1.25     |
| Engineer, asphalt plant               | 11.00          | 1.375    |
| Finish machine operator               | 10.00          | 1.25     |
| Form setter                           | 9.00           | 1.125    |
| Jackhammerman                         | 7.00           | 0.875    |
| Kettleman, asphalt or lead            | 6.00           | 0.75     |
| Laborer, common                       | 6.00           | 0.75     |
| Materialman                           | 6.00           | 0.75     |
| Pipelayer                             | 8.00           | 1.00     |
| Plumber                               | 11.00          | 1.375    |
| Powderman                             | 8.00           | 1.00     |
| Pumpman                               | 6.00           | 0.75     |
| Reinforcing, preassembled steelworker | 10.00          | 1.25     |
| Road grader operator                  | 10.00          | 1.25     |
| Roller operator                       | 10.00          | 1.25     |
| Shovel operator                       | 12.00          | 1.50     |
| Shovel fireman and watchman           | 8.00           | 1.00     |
| Shovel oiler                          | 7.40           | 0.925    |
| Teamster                              | 5.00           | 0.625    |
| Tractor operator, with attachments    | 10.00          | 1.25     |
| Timekeeper                            | 6.00           | 0.75     |
| Trenching machine operator            | 11.00          | 1.375    |
| Truck driver, 15,000# and under       | 5.60           | 0.70     |
| Truck driver, over 15,000#            | 6.40           | 0.80     |
| Watchman                              | 5.00           | 0.625    |
| Welder                                | 11.00          | 1.375    |
| Skilled laborer, not above listed     | 8.00           | 1.00     |

Legal holidays, including Sundays and Saturdays where crafts work a five day week, and other overtime when permitted by law, to be paid for at the rate of time and one half.

The foregoing schedule of prevailing rates of per diem wages and rates for over-time and legal holidays, is based, unless otherwise specified, upon a working day of eight hours. In the event that laborers, workmen and mechanics are employed less than eight hours per day, or other basis specified, the per diem wages shall be deemed to be that fraction of the foregoing rates that the number of hours of employment bears to eight hours, or other basis specified.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

R E S O L U T I O N NO. 74234

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Engineer is hereby directed to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving the alley in

Block 12, Subdivision of Lots 20 to 50, Block N, Teralta, as particularly described in Resolution of Intention No. 72249 and to be assessed to pay the expenses thereof.

#### R E S O L U T I O N N O . 74235

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor of said City be, and he is hereby authorized and directed to transfer the sum of \$125.00 from Outlay (Item 5534, Repair Bonita Pipe Line), A-Division of Development and Conservation, Water Department Fund, to Outlay (Item 5412, New Mains, General), B-Division of Distribution, said Water Department Fund, as provided by Section 24 of Ordinance No. 1880 (New Series) of the ordinances of The City of San Diego.

May 19 1941 approved as to funds available

J. S. BARBER  
City Auditor and Comptroller

#### R E S O L U T I O N N O . 74236

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor of said City be, and he is hereby authorized and directed to transfer the sum of \$20.00 from Maintenance and Support (Item 111, Stationery and office supplies), Serra Museum Fund, to Outlay, said Museum Fund, as provided by Section 20, of Ordinance No. 1880 (New Series) of the ordinances of The City of San Diego.

May 19 1941 approved as to funds available.

J. S. BARBER  
City Auditor and Comptroller

#### R E S O L U T I O N N O . 74237

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Auditor and Comptroller of The City of San Diego be, and he is hereby authorized and directed to transfer the sum of \$1972.12 from Account GE-311 (Gas, oil and grease), Maintenance and Support, to Account GE-5 (Miscellaneous Equipment), Outlay Division of Auto Shop, Department of Public Works Fund, as provided by Section 31 of Ordinance No. 1880 (New Series) of the ordinances of The City of San Diego.

Approved as to form by H. B. DANIEL

Certified as to availability of funds J. S. BARBER City Aud. & Comptr. 5/20/41

#### R E S O L U T I O N N O . 74238

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with six (6) rectifiers for use in connection with cathodic protection on the Bonita Pipe Line, San Diego, California, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 329383.

Approved as to form H. B. DANIEL

as follows: That the City Manager be, and he is hereby authorized and empowered to execute, for and on behalf of The City of San Diego, an application for a

#### R E S O L U T I O N N O . 74239

BE IT RESOLVED by the Council of the City of San Diego, that the City Clerk be, and he is hereby directed to supersedeas bond on appeal in the amount of \$6000.00, to be filed in the case of Virginia Perry v. City of San Diego, which case is to be appealed from the United States District Court to the United States Circuit Court.

Approved as to form by J. H. MCKINNEY

#### R E S O L U T I O N N O . 74240

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the City Manager be, and he is hereby authorized to secure from ASSOCIATION OF BALBOA PARK INSTITUTIONS 400 copies of "A Guide to Balboa Park" at 15¢ each, or a total of \$60.00; and

That a requisition be and it is hereby authorized to be drawn against the Advertising and Publicity Fund of the City of San Diego, as recommended by the Advertising Control Committee.

#### R E S O L U T I O N N O . 74241

WHEREAS, the Harbor Commission of The City of San Diego, pursuant to the powers vested in said Commission by Section 54 of the Charter of said City, is about to enter into a lease of certain portions of the tidelands with KELCO COMPANY, a corporation, for a period of twenty-five (25) years beginning on the 1st day of November 1941, and ending on the 31st day of October, 1966, upon the terms and conditions contained in the form of lease, copy of which is hereto attached and made a part of this resolution; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That said lease, copy of which is hereto attached, between the Harbor Commission of The City of San Diego and Kelco Company, a corporation, be, and the same is hereby in all respects ratified, confirmed and approved.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby directed to cause certified copies of this resolution, omitting therefrom the form of lease, to be attached to the original and duplicate original of said lease.

Approved as to form by H. B. DANIEL

#### L E A S E

THIS INDENTURE OF LEASE, made and entered into this \_\_\_\_ day of May, 1941, by and between THE CITY OF SAN DIEGO, a municipal corporation in the County of San Diego, State of California, acting by and through the Harbor Commission of said City, as Lessor, hereinafter called the City, and KELCO COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Delaware, and authorized to do business in the State of California, as lessee, hereinafter called the "Company," WITNESSETH:

That the City, Lessor as aforesaid, does by these presents demise and lease unto the Company, lessee as aforesaid, upon the terms and conditions and for the purposes and uses hereinafter recited, and the Company hereby hires and accepts from the City, upon the terms and conditions and for the uses and purposes hereinafter recited, the lands bordering and extending into the Bay of San Diego, and being a portion of those lands conveyed to The City of San Diego by the State of California under the provisions of that certain Act of the Legislature of California, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved on the 1st day of May, 1911, and as subse-



quently amended, said property being particularly described as follows, to-wit:

Beginning at a point on the U. S. Bulkhead Line, as said U. S. Bulkhead Line is now established for the Bay of San Diego, distant 498.66 feet southeasterly from Station 185 on said U. S. Bulkhead Line; thence at right angles north  $33^{\circ} 09' 00''$  east a distance of 400.94 feet to a point; thence south  $57^{\circ} 27' 05''$  east a distance of 347.62 feet to a point; thence south  $33^{\circ} 09' 00''$  west a distance of 404.59 feet, more or less, to a point on the said U. S. Bulkhead Line; thence north  $56^{\circ} 51' 00''$  west along said U. S. Bulkhead Line a distance of 347.60 feet, more or less, to the point or place of beginning, containing 140,000 square feet of tideland area.

The said lands hereinabove described being shown on the map or plat attached hereto, marked "Exhibit A," and made a part hereof.

TO HAVE AND TO HOLD the said premises, and each and every parcel thereof, unto the said lessee for a term commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 1941, and terminating on the \_\_\_\_\_ day of \_\_\_\_\_, 1966, unless sooner terminated as herein provided, at the following rentals:

For the first five-year portion of said term, one cent (1¢) per square foot per year;

For the next five-year portion of said term, two cents (2¢) per square foot per year;

For the next ten-year portion of said term, four cents (4¢) per square foot per year;

For the remaining and final five-year portion of said term, five cents (5¢) per square foot per year.

In addition to the premises hereby leased there is granted to the lessee for the term of this lease the right and privilege to construct and maintain a wharf or dock extending into San Diego Bay from any point or points within the boundaries of said leased premises, subject to the approval of the War Department of the United States, for use in connection with the business of the lessee to be carried on upon said leased premises. The lessee shall pay for said right or privilege in addition to the rentals hereinabove reserved the sum of twenty-five dollars (\$25.00) per month.

All rentals hereunder shall be computed on a monthly basis and shall be due and payable monthly in advance upon the first day of each and every month during the term of this lease.

Neither the whole nor any part of this lease shall be assignable or transferable, nor shall the lessee have the right to sublet the leased premises, or any part thereof, without the written consent of the lessor. Provided, however, that said City shall not refuse or withhold its approval to an assignment or transfer of this lease to an assignee for the purpose of conducting a kelp business similar to that conducted or to be conducted on the leased premises by said Company, and whose financial standing and responsibility is at least equal to the present financial standing and responsibility of the lessee herein.

In the event of an assignment of this lease by lessee with the written consent of lessor, then the assignee shall expressly assume the obligations of the lease thereafter accruing and lessee shall have no further liability hereunder.

In addition to the foregoing provisions, it is hereby agreed by the parties hereto that the same is granted and accepted upon the further terms and conditions, to-wit:

(1) That the demised premises hereinabove described shall be used only and exclusively for the operation and maintenance thereon of a kelp plant for the manufacture and sale of kelp products and by-products, including all activities connected therewith and convenient thereto; provided that all such activities shall comply with all health laws and with the requirements and regulations of the Public Health authorities, and shall never be permitted to constitute a public nuisance.

(2) All buildings to be erected upon the lands included in this lease shall be in accordance with all valid City ordinances and regulations having application thereto, and that the plans therefor shall, prior to the erection of such buildings or structures, be submitted to and approved by the Harbor Commission and Planning Commission of said City.

(3) The City reserves the right to construct seawalls, docks and wharves on the bayside of the demised premises, and also reserves the right to lay and maintain water or sewer pipes across any of the premises occupied or to be occupied by the Company hereunder, provided that said Company shall not be disturbed in the possession and use of said premises to any greater degree than may be necessary for such purposes; and provided, further, that the construction of docks or wharves by the City shall not prevent the use by lessee of the bayside of the demised premises for ingress and egress and loading and unloading of boat cargo, nor prevent lessee from using the premises for the purpose for which they are leased.

(4) The lessor shall at all times during ordinary business hours be authorized to enter upon and inspect such premises by its properly authorized representatives.

(5) The Company shall indemnify and keep the City harmless from any claims, costs or judgments proximately resulting from its operations and occupancy under the terms hereof; provided, however, that prompt notice of any such claim as may be filed with the City shall be given to the Company, and it shall be afforded the timely privilege and option of defending the same.

(6) All buildings, structures and improvements placed by the Company on said premises, and all equipment installed on said premises by the Company shall remain the property of the Company, and upon the termination of this lease said buildings, improvements, structures and equipment shall be removed from said premises by the Company, or otherwise disposed of within a reasonable time after termination hereof; subject, however, to any constitutional, statutory or contract lien which the City may have for unpaid rents or charges.

(7) In event of breach by the Company of the covenants herein contained, the City may serve notice in writing upon the Company that if such breach is not cured within a sixty (60) day period, the City may declare this lease at an end, and upon such a declaration by the City of its termination of this lease, the said Company shall remove from the said demised premises and have no further right or claim thereto, and the City shall immediately thereupon, without recourse to the Courts, have the right to take possession of said premises, and said Company shall forfeit all rights and claims thereto and thereunder; provided, however, that in the event of a termination of this lease, as in this paragraph provided, the Company may within such reasonable time as the Harbor Commission may designate, remove all buildings, improvements, structures and equipment and other personal property of the Company from the premises herein leased, or otherwise dispose of the same; provided, further, that no such termination shall in any wise relieve the Company from the obligation to pay any rentals and charges accrued and unpaid up to the time thereof.

(8) If at any time during the term of this lease the tenancy hereunder shall interfere with the use of any of the tidelands of San Diego Bay lying bayward of the bulkhead line, as now established, for navigation, commerce and the fisheries, or in any manner become inconsistent with the trusts under which the said tidelands are held from the State of California, the City shall have the right to terminate this lease upon one year's notice and the payment to the Company of reasonable compensation, which shall be based upon and limited to compensation for the actual value at the time of the termination of this lease of such buildings, structures and physical improvements placed upon the demised premises by the Company as are authorized or permitted under the terms of this lease, and shall not be held to include or require compensation to be paid in any amount to said Company for any damage

to or interference with, or loss of business or franchise occasioned by any such termination.

(9) Reference is hereby made to all laws as now existing and as hereafter amended or enacted applicable to the leasing of tidelands by The City of San Diego, and by such reference all restrictions or conditions imposed or reservations made thereby are made a part of this lease with like effect as though the same were expressly set forth herein. Provided that the same shall not limit the term of this lease, nor change the rental to be paid.

It is further understood and agreed that unless this lease shall have been terminated for a cause herein provided, upon the expiration of the term hereby granted the Company shall, provided it is not then in default as to any of the terms or conditions herein contained, have the right to a renewal of this lease, upon the same terms and conditions and for the same purposes and uses, for an additional period of twenty-five (25) years; provided, further, that if the Company shall desire and intend to avail itself of the right to such renewal it shall notify the City in writing thereof at least one (1) year prior to the expiration of the term of this lease. The failure of the Company to give said notice of renewal shall relieve the City from any obligation to make such renewal.

In the event that the lessee shall exercise the option herein provided for, the rentals to be paid for such extended term of twenty-five (25) years shall be agreed upon by The City of San Diego and said Company; provided that if an agreement cannot be reached then the matter shall be determined by submission to a Board of Arbitrators consisting of three members. One arbitrator shall be selected by the City and one arbitrator by the Company, and the two arbitrators so selected shall select a third. The decision of such board shall be final, and both the City and the Company shall be bound thereby.

If the harvesting of kelp or other conditions peculiar to the business herein described, including the passage of legislation injuriously affecting the same, makes the continued operation of the plant on the demised premises unprofitable or impossible, the lessee may terminate this lease to take effect at the expiration of the fifth year of the term, or at the expiration of any year of the term thereafter by giving to the lessor at least six (6) months previous notice in writing of intention to terminate, which notice shall state the effective date of the termination.

On or before the effective date of said termination the lessee shall pay the lessor an additional twelve months' rent, provided, however, that if such termination becomes effective on or after the fifteenth year of the term of this lease, then the amount to be paid shall be \$5,000.00 instead of said twelve months' rental. In the event the lessee fails to make such payment, the termination shall not be effective.

In the event of termination of the lease by lessee under the foregoing provisions, prior to the expiration of the term, the Company may remove all improvements, structures and equipment theretofore placed by it upon the premises, having a reasonable time after the effective date of termination within which to remove the same.

IN WITNESS WHEREOF, a majority of the members of the Harbor Commission of The City of San Diego, acting for and on behalf of said City, have hereunto subscribed their names as and for the act of said City, and the said Company, lessee as aforesaid, has caused this instrument to be executed and its corporate name and seal to be hereunto affixed by its proper officers, and this instrument, when so executed, shall be deemed effective from the date first hereinabove written.

This instrument is executed in duplicate, both of which shall be deemed originals.

THE CITY OF SAN DIEGO

Lessor.

By

Members of the Harbor Commission of The City of San Diego.

ATTEST:

KELCO COMPANY, a corporation  
Lessee

I hereby approve the form of the foregoing Lease this 7th day of May, 1941.

D. L. AULT City Attorney

By H. B. DANIEL

Assistant City Attorney

#### EXHIBIT "A"

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH

Mayor of the City of San Diego, California.

FRED W. SICK

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK

(SEAL)

City Clerk of the City of San Diego, California

By AUGUST M. WADSTROM,

Deputy

#### R E S O L U T I O N NO. 74242

WHEREAS, Resolution No. 73388, adopted by the Council of The City of San Diego on February 11, 1941, determined and declared that the public interest, convenience and necessity of said City required the opening of a public street over and across Lots 5, 6 and 7, Block 1, La Canyada Villa Tract, and directed the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, in the name and on behalf of said City, against all owners and claimants of said property, for the purpose of condemning and acquiring the same; and

WHEREAS, in connection with said proceeding it was necessary to secure an appraisal of said property; and

WHEREAS, said property has been acquired without the necessity of said condemnation suit, and there is now due and owing to Fred B. Mitchell Company the sum of \$125.00 for the cost of said appraisal; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That the City Engineer be, and he is hereby authorized and directed to issue a requisition against the Rights of Way Trust and Revolving Fund of The City of San Diego, as created by Ordinance No. 418 (New Series), adopted March 17, 1934, for the purpose of paying Fred B. Mitchell Company for the appraisal of Lots 5, 6 and 7, Block 1, La Canyada



Villa Tract, in said City.

Approved by MOREY S. LEVENSON.

Passed and adopted by the said Council of the said City of San Diego, California, this 20th day of May, 1941, by the following vote, to-wit:

YEAS - Councilmen: Simpson, Weggenman, Hartley, Boud, Knox, Flowers and Mayor Benbough

NAYS - Councilmen: None

ABSENT-Councilmen: None

(SEAL)

ATTEST: P. J. BENBOUGH  
Mayor of the City of San Diego, California  
FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

(SEAL)

FRED W. SICK  
City Clerk of the City of San Diego, California  
By AUGUST M. WADSTROM,  
Deputy

#### RESOLUTION NO. 74243

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the deed of C.A. Weston, executed in favor of The City of San Diego, bearing date May 10, 1941, conveying to said City an easement and right of way for water pipeline purposes through, along and across a portion of Lot A and a portion of the northwesterly half of Reservoir Drive vacated, abandoned and discontinued as a public highway by the Board of Supervisors of the County of San Diego, October 18, 1920, recorded in Book of Minutes No. 43, page 228, official records of said Board of Supervisors, adjoining said Lot A, all according to the Map of La Mesa Colony No. 346, filed for record in the office of the County Recorder of San Diego County, California, be, and the same is hereby accepted on the conditions therein expressed;

And the City Clerk of said City is hereby authorized and directed to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution.

#### RESOLUTION NO. 74244

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Permission is hereby granted to J. J. Sugarman-Rudolph, 415 E. 9th Street, Los Angeles, California, by E. S. Wattawa, 1035 Bank of America Building, San Diego, to conduct a sale by public auction of presses and equipment and stock in trade of the North Park Press, 3009 Wightman Street, on May 23 and 24, 1941. It is understood that George Arterburn will act as auctioneer. The section of Ordinance 1526 New Series, requiring the application for permit to conduct an auction to be made at least fifteen (15) days before the intended sale is to begin, be, and it is hereby waived. All other regulations regarding auction sales shall be complied with.

#### RESOLUTION NO. 74245

BE IT RESOLVED by the Council of the City of San Diego, as follows:

Mayor P. J. Benbough is hereby authorized to appoint a committee to confer with the Board of Supervisors of San Diego County regarding the cost of operating the Municipal Court for the next fiscal year.

#### RESOLUTION NO. 74246

BE IT RESOLVED by the Council of the City of San Diego, as follows:

That the Purchasing Agent of The City of San Diego be, and he is hereby authorized and directed to advertise for sealed proposals or bids for furnishing The City of San Diego with a 3/4 cubic yard gasoline powered shovel, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 329385.

Approved as to form H. B. DANIEL

#### RESOLUTION NO. 74247

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The City Attorney is hereby authorized and directed to institute proceedings in eminent domain to acquire property for present construction and future expansion of sewer disposal facilities near the south end of Thirty-second Street, as recommended by the City Engineer under Document No. 329388.

BE IT FURTHER RESOLVED, that the City Attorney is hereby authorized to prepare the necessary resolution to provide for the payment of One Hundred Dollars for the cost of appraisal of said property from General Appropriations, "Outlay" (Purchase of various properties).

#### RESOLUTION NO. 74248

BE IT RESOLVED by the Council of the City of San Diego, as follows:

The Record of Survey Map, showing the division of Lots 5 and 6 Block 4, Lots 1 to 7 Block 8, Lots 4 to 7 Block 11, Lots 1 and 6 Block 17, Lots 2 and 5 Block 17 excepting the easterly one foot thereof, also right of way between Blocks 4 and 11, F. T. Scripps Addition to La Jolla Park, be, and it is hereby referred to the City Attorney for instructions on the proper procedure for filing of said map.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of Resolutions Nos. 74187 to 74248, inclusive, of the Resolutions of the City of San Diego, California, as passed and adopted by the Council of said City on the 20th day of May, 1941.

FRED W. SICK  
City Clerk of the City of San Diego, California

By Helen M. Wilby Deputy

End Book # 64