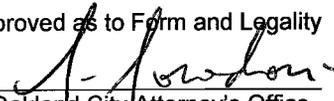


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 MAR 26 PM 5: 14

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 81923 C.M.S.

RESOLUTION CONFIRMING THE AMENDED REASSESSMENTS AND DIRECTING ACTIONS WITH RESPECT THERETO SKYLINE SEWER ASSESSMENT DISTRICT

RESOLVED by the City Council (the "Council") of the City of Oakland, County of Alameda, State of California, that:

WHEREAS, this Council adopted Resolution No. _____, entitled "Resolution Ordering the Making of Amended Assessments Pursuant to Part 10 of Division 10 of the Streets and Highways Code and Directing Actions with Respect Thereto", in which the Council ordered the Superintendent of Streets to prepare and file with the City Clerk the Assessment Apportionment Reports (the "Reports"), an Amended Assessment Diagram and Amended Assessment Roll of Assessment Numbers 1G and 1H, which were previously recorded on the 24th day of June 1994 in Book 9, Page 35, Document No. 94234810, segregating and apportioning the unpaid installments of the original Assessments in accordance with the benefits to the several parts of the original parcel; and

WHEREAS, said Reports were duly made and filed, and duly considered by this Council and found to be sufficient in every particular, whereupon it was determined that said Reports should stand as the Report for all subsequent proceedings under and pursuant to the aforesaid Resolution No. _____; and

WHEREAS, April 21, 2009, at the hour of 7 o'clock p.m., in the regular meeting place of this Council, was appointed as the time and place for hearing protests in relation to the Amended Assessment Diagram and Amended Assessment Roll of the parcels of land designated as Assessment Numbers 1G and 1H, which were previously recorded on the 24th day of June 1994 in Book 9, Page 35, Document No. 94234810, segregating and apportioning the unpaid installments of the original Assessments in accordance with the benefits of the several parts of the original parcels, plus costs and fees of making such apportionments, notices of which hearing were duly and regularly published; and

WHEREAS, said hearing was duly and regularly held, and all persons interested in the original Assessments, or in the lands affected thereby or in the bonds secured thereby desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to said Amended Assessments were fully heard and considered by this Council, and all protests, both written and oral, were duly heard and considered;

NOW, THEREFORE IT IS ORDERED, that:

1. All written and oral protests are hereby overruled, and this Council has thereby acquired jurisdiction to order said Amended Assessments and re-confirms said Amended Assessment Diagram and Amended Assessment Roll, referenced herein, and the costs and expenses thereof.
2. Said Amended Assessment Diagram and said Amended Assessment Roll, referenced herein, filed with the City Clerk pursuant to “Resolution Ordering the Making of Amended Assessments Pursuant to Part 10 of Division 10 of the Streets and Highways Code and Directing Actions with Respect Thereto” is hereby, ratified, approved, and re-confirmed.
3. The City Clerk of the City of Oakland shall forthwith:
 - a) cause an Amended Notice of Assessment, amending the Notice of Assessment which was previously recorded on the 24th day of June 1994 in Book 9, Page 35, Document No. 94234810 for the Assessment Numbers 1G and 1H, executed by the City Clerk of the City of Oakland, to be filed and recorded, in the office of the County Recorder of the County of Alameda and such Amended Notice of Assessment to be in substantially the same form as provided in Section 3114 of the Streets and Highways Code of California;
 - b) cause an Amended Assessment Diagram, amending the Assessment Diagram which was previously recorded on the 24th day of June 1994 in Book 9, Page 35, Document No. 94234810 for the Assessment Numbers 1G and 1H, executed by the City Clerk of the City of Oakland, to be filed and recorded, in the office of the County Recorder of the County of Alameda and such Amended Assessment Diagram to be in substantially the same form as provided in Section 3114 of the Streets and Highways Code of California;

- c) deliver the Amended Assessment Roll to the Superintendent of Streets, together with the Amended Assessment Diagram, as approved and re-confirmed by this Council, with a certificate of such confirmation and the date thereof, executed by the City Clerk of the City of Oakland thereon. The Superintendent of Streets will record the Amended Assessment Diagram and Amended Assessment Roll in his office in a suitable book to be kept for that purpose, and appended thereto his certificate of the date of such recording, and such recordation shall be and constitute the Amended Assessment Roll herein.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 21 2009

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California