

IN THE MATTER OF)
ACQUISITION AND IMPROVEMENT)
DISTRICT NO. 1)
OF THE)
CITY OF CHULA VISTA.)

RESOLUTION VACATING
A PRIOR RESOLUTION AND
APPOINTING AND
EMPLOYING
"ENGINEER OF WORK"

WHEREAS, on the 6th day of September, 1927, this Council passed and adopted a Resolution appointing and employing D. A. Loebenstein as "Engineer of Work" in the above numbered Acquisition and Improvement District; and

WHEREAS, by error the amount of his compensation was erroneously stated in the said Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, AS FOLLOWS:

Section 1.

That the said Resolution so adopted on the 6th day of September, 1927, be, and the same is hereby vacated and set aside.

Section 2.

That D. A. Loebenstein, a competent person, be, and he is hereby appointed and employed as "Engineer of Work," for the purpose of doing and furnishing all the civil engineering work or services, surveying and all similar work or services necessary to the proper performance of the work to be done in the above numbered Acquisition and Improvement District.

Section 3.

And for the doing of the matters and things hereinbefore mentioned, his compensation shall be, and is hereby, fixed at three per cent (3%) of the contract cost of the said work. PROVIDED, however, that should the owners of more than one-half of the area of the property included within the entire proposed assessment district, in writing, make objec-

tion to the doing of the thing or things proposed to be done, in their entirety, and because thereof the said proposed work is not ordered to be done by this City Council; then and in that event, he shall not be entitled to receive any compensation whatsoever for the said services, it being understood that neither the City of Chula Vista, nor any officer thereof, is to be liable for any portion of the said compensation, but that the same is to be paid exclusively in accordance with the provisions of the said Act, and as a part of the incidental costs and expenses of the proposed improvement.

Passed and adopted by the said City Council of the City of Chula Vista, California, this 4th day of October, 1927, by the following vote, to-wit:

AYES: Councilmen Scott, Lyons, Westworth, Barnes, Peters
NOES: Councilmen None
ABSENT: Councilmen None

W. Peters
President of the
City Council of the
City of Chula
Vista, California.

I HEREBY CERTIFY that the above and foregoing Resolution was passed by the City Council of the said City of Chula Vista, at the time and by the vote above stated.

W. Simmons
City Clerk of the City of
Chula Vista, California,
and ex officio Clerk of
the City Council of the
City of Chula Vista.



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OCT. 4 - 1927
W. Simmons
CITY CLERK OF
CHULA VISTA, CALIF.