

MAR 7 1972

RESOLUTION NO. 205051

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE ROSECRANS STREET (FORT ROSECRANS TO ROGERS STREET) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. 204832, a public hearing was called for on MAR 7 1972 at the hour of 9:30 a.m. in the Council Chamber of the City Administration Building, 202 C Street, San Diego, California, to determine whether the public health, safety or general welfare require the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service within that certain area of the City of San Diego more particularly described as follows:

The following portions of La Playa, Misc. Map No. 35: the easterly 100 feet of Block 120; the easterly 75 feet of Block 125; the easterly 100 feet of Block 133; the easterly 150 feet of Block 138; the easterly 100 feet of Block 152, excepting therefrom the easterly 100 feet of the southerly 75 feet of Lot 4; Lots 3 and 4, Block 162, excepting therefrom the westerly 20 feet of Lots 3 and 4, and including that portion of Perry Street and Qualtrough Street closed; the southerly 75 feet of Lot 4, Block 166, and including that portion of Qualtrough Street and San Dionico Street closed; the westerly 50 feet of Block 163; the westerly 100 feet of Block 156; the westerly 50 feet of Block 153, excepting therefrom the westerly 50 feet of the northerly 75 feet of Lot 2, Block 153; the westerly 50 feet of Blocks 137 and 134; and the westerly 100 feet of Blocks 124 and 121;

that portion of Record of Survey 613 bounded by: the westerly prolongation of the northerly line of Rogers Street, a line parallel to and 75 feet northerly of the north line of Rogers Street; lines parallel to and 50 feet westerly and easterly of the westerly and easterly lines of Rosecrans Street, respectively;

said district to include the following described public rights-of-way:

ROSECRANS STREET, between the U. S. Naval Reservation (Fort Rosecrans) boundary and a line parallel to and 75 feet northerly of the north line of Rogers Street; KELLOGG STREET, between lines parallel to and 100 feet westerly and easterly of the westerly and easterly lines of Rosecrans Street, respectively; LAWRENCE STREET, between the easterly line of Rosecrans Street and a line parallel to and 100 feet easterly of the east line of Rosecrans Street; McCALL STREET, between lines parallel to and 100 feet westerly and easterly of the west and east lines of Rosecrans Street, respectively; OWEN STREET, between a line parallel to and 100 feet westerly of the west line of Rosecrans Street and a line parallel to and 50 feet easterly of the east line of Rosecrans Street; QUALTROUGH STREET, between the southerly prolongation of Lot 4, Block 166, La Playa, Misc. Map No. 35 and a line parallel to and 100 feet easterly of the east line of Rosecrans Street; SAN DIONICO STREET, adjacent to the southerly 75 feet of Lot 4, Block 166, La Playa, Misc. Map No. 35; and ROGERS STREET, between the easterly line of Rosecrans Street and a line parallel to and 50 feet easterly of the east line of Rosecrans Street,

and all as more particularly shown on Drawing No. 14928-D, entitled "ROSECRANS STREET (FORT ROSECRANS TO ROGERS STREET) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. 738933 and attached hereto and incorporated herein as Exhibit A; and

WHEREAS, notice of such hearing has been given by the City Clerk to all affected property owners as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code, and the utilities concerned in the manner and for the time required by law; and

WHEREAS, such hearing has been duly and regularly held and all persons interested have been given an opportunity to be heard; NOW, THEREFORE,

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

1. The City Council does hereby find and determine that the public health, safety and general welfare require the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service within the area set forth above and that pursuant to Chapter VI, Article 1, Division 5 of the San Diego Municipal Code, the above-described area is hereby declared to be an underground utility district in the City of San Diego, and the map and document referred to above are hereby incorporated as a part of this resolution.

2. The following exception shall be allowed in said underground utility district:

A temporary cable pole located on the west side of Rosecrans Street, approximately 70 feet northerly of the north line of Rogers Street.

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3. The City Council does hereby fix the date of SEP 15 1972 as the date upon which the property in the district must be ready to receive underground service, and does hereby order the removal of all poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service within said district by DEC 29 1972.

4. The City Clerk be, and he is hereby instructed to notify all affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code, and all affected utility companies of the adoption of this resolution within ten (10) days after the date of such adoption. The City Clerk shall further notify said affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code of the necessity that if they desire to continue to receive electric, communication, community antenna television or similar or associated service, they shall provide, at their own expense, all necessary facility changes on their premises so as to receive underground service from the lines relocated underground of the supplying utility company subject to applicable rules, regulations and tariffs of the respective utility company on file with the Public

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Utilities Commission of the State of California as of the date of adoption of this resolution and subject to all other applicable requirements of State law and City ordinances. The Clerk's notification shall be made in the manner provided in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.

5. The City Council hereby finds that the underground utility district created herein is required by the public health, safety and general welfare for the following reason:

This street is extensively used by the general public and carries a heavy volume of pedestrian and vehicular traffic.

APPROVED: JOHN W. WITT, City Attorney

By C. Alan Sumption
C. Alan Sumption, Deputy

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Passed and adopted by the Council of The City of San Diego on MAR 7 1972,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

By Judith A. Biller, Deputy.

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 CITY CLERK'S OFFICE
 1972 FEB -2 PM 12:00
 SAN DIEGO, CALIF.
 (REV. 12-71)

Office of the City Clerk, San Diego, California

Resolution Number 205051 Adopted MAR 7 1972
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