

RESOLUTION NO. 207760 APR 17 1973

WHEREAS, this Council did on May 23, 1972 by Resolution No. 205636 establish the Torrey Pines Road (Hidden Valley Road to Prospect Street) Underground Utility District which required the conversion of certain overhead facilities; and

WHEREAS, Section 61.0510 of the San Diego Municipal Code provides procedures for the granting of special permission by the Council to any person or utility company to maintain certain overhead facilities and structures within a district; and

WHEREAS, the utility company has been unable to negotiate an underground easement to accommodate an extension of the system from Torrey Pines Road to two properties on Lowry Place; and

WHEREAS, these properties are now served by overhead facilities from Torrey Pines Road running along the same alignment proposed for the underground system; and

WHEREAS, the City staff and the utility companies have explored alternative solutions and have concluded that the most practical solution would be to abandon, at this time, any attempt to provide underground facilities to these properties and to permit the existing overhead facility to remain; and

WHEREAS, the property owners involved have been advised of the problem and agree to the exception which would leave their existing service uninterrupted; and

WHEREAS, the facts set forth above are deemed to constitute unique and unusual circumstances and the granting of said special permission to the utility companies for the maintenance and use of the above-reference poles and connecting facilities within the district boundaries will not be detrimental to the public health, safety and general welfare; and

WHEREAS, the City Manager recommends the granting of such special permission; NOW, THEREFORE,

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

1. That the utility companies are hereby granted permission to maintain, use and operate two utility poles and connecting facilities within the Torrey Pines Road (Hidden Valley Road to Prospect Street) Underground Utility District at the locations shown on the attached plat and made a part hereof. Such grant of permission shall be temporary and revocable in nature.
2. That Resolution No. 205636 be and the same is hereby amended to reflect the said exceptions granted herein.

APPROVED: JOHN W. WITT, City Attorney

By H. Valderhaug
Harold Valderhaug, Deputy

rp/3-30-73

Passed and adopted by the Council of The City of San Diego on APR 17 1973,
 by the following vote:

RECEIVED CITY CLERK'S OFFICE 1973 APR 11 AM 11:48 SAN DIEGO, CALIF.	Councilmen Gil Johnson Maureen F. O'Connor Henry L. Landt Leon L. Williams Floyd L. Morrow Bob Martinet Allen Hitch Jim Bates Mayor Pete Wilson	Yeas <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Nays <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Excused <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Absent <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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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 Mary Anne Nease Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 207760 *gh* Adopted APR 17 1973
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