

R-77-170

RESOLUTION NO. **216794**

SEP 15 1976

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE SMYTHE AVENUE (FOOTHILL ROAD TO AVENIDA DE LA MADRID) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. **216573**, a public hearing was called for on SEP 15 1976 at the hour of 2:00 p.m. in the Council Chambers of the City Administration Building, 202 C Street, San Diego, California, to determine whether the public health, safety or general welfare requires the removal of poles, overhead wires and associated 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:

Lots A-171 and A-172 excluding the southerly 170 feet of Lot A-172 of ADDITION NO. 2 TO SAN YSIDRO, MAP 1246; The westerly 50 feet of Lot A-212 of SAN YSIDRO ADDITION NO. 4, MAP 1324; The portion of the Southwest 1/4 of Section 36, Township 18 South, Range 2 West, as shown on City of San Diego Drawing No. 16547-D.

Said district shall also include the following described public right-of-way:

SMYTHE AVENUE between the south line of Foothill Road and the south line of Lot 11, Barrio San Martin, Map 7042; FOOTHILL ROAD between the east line of Lot A-209, San Ysidro Addition No. 4, Map 1324 and the west line of Lot A-186, Addition No. 2 to San Ysidro, Map 1246.

and all as more particularly shown on Drawing No. 16547-D, entitled "SMYTHE AVENUE, Foothill Rd - Avenida de la Madrid, UNDERGROUND UTILITY CONVERSION," copies of which are on file in the office of the City Clerk as Document No. **756316** 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 maps and document referred to above are hereby incorporated as a part of this resolution.

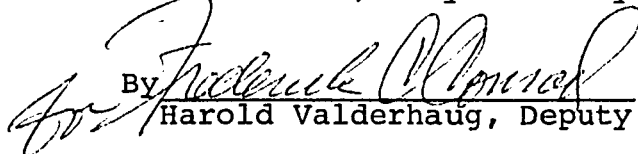
2. The City Council shall by subsequent resolution fix the date upon which the property in the district must be ready to receive underground service, and shall by subsequent resolution order the removal of all poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service.

3. 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 fifteen (15) 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 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.

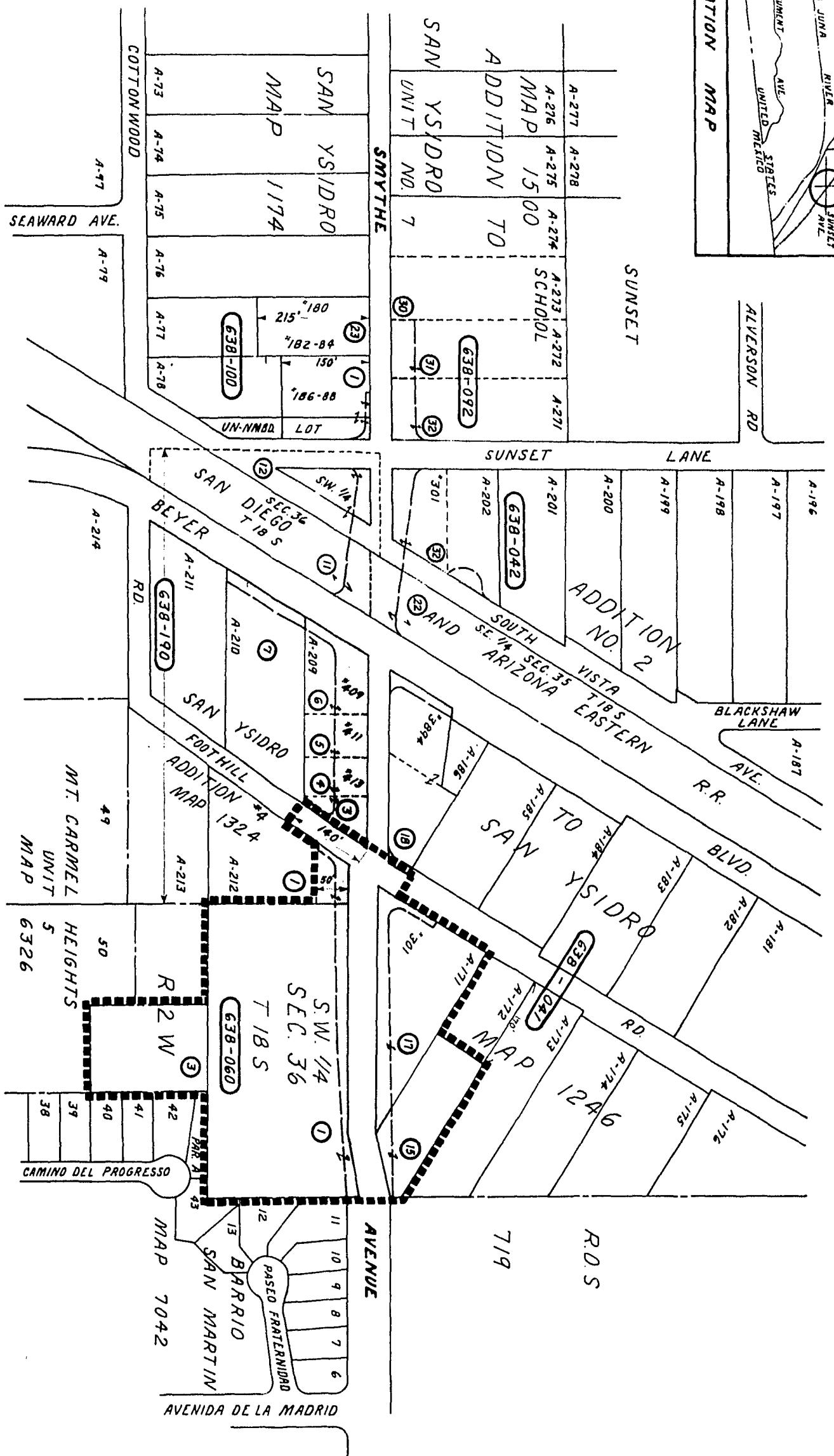
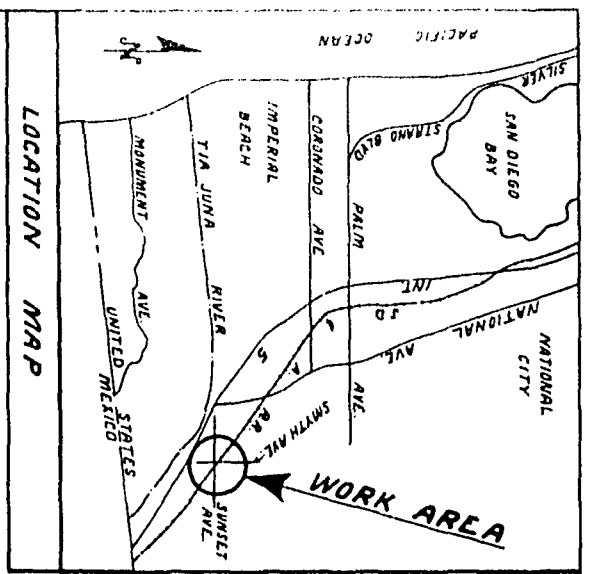
4. The City Council hereby finds that the underground utility district created herein is required by the public health, safety and general welfare for the following reason:

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   
Harold Valderhaug, Deputy

HOV:n 460  
7-22-76  
Or. Dept. E&D



**LEGEND:**

BOUNDARY OF UTILITY DISTRICT

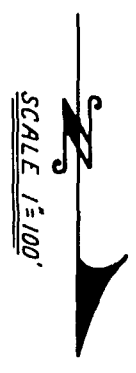
COUNTY ASSESSORS BOOK AND PAGE NO. 638-100

COUNTY ASSESSORS PARCEL NO. 1

DISTRICT HOUSE NO. 3800

PARCEL LINES

PROPOSED STREET WIDENING



RESOLUTION NO. **216794**  
 SEP 15 1976  
 ADOPTED

**SMYTHE AVENUE**  
 FOOTHILL RD - AVENIDA DE LA MADRID  
 UNDERGROUND UTILITY CONVERSION

CITY OF SAN DIEGO, CALIFORNIA

CONTRACT NO.	16547-D
PROJECT NO.	144-1752
DATE	133124
BY	DW
CHECKED	
APPROVED	

SEP 15 1976

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<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"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

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

By *Kathleen Martinez* Deputy.

(Seal)

RECEIVED  
CITY CLERK'S OFFICE  
1976 JUL 30 PM 3:58  
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **216794** Adopted **SEP 15 1976**