

NOV 23 1977  
R. 78-604

RESOLUTION NO. 219752

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE BALBOA AVENUE (MT. ABERNATHY AVENUE TO INTERSTATE 805) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. 219519, a public hearing was called for on NOV 23 1977 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:

Lot 6, BALBOA SHOPPING CENTER RESUB, #1, MAP 5638; the northerly 100 feet of the westerly 70.33 feet of Lot 1, BALBOA CREST UNIT #1, MAP 5329, D. P. 199; the northerly 10 feet of the easterly 500 feet of THE SCHWEITZER ELEMENTARY SCHOOL SITE, ASSESSOR'S PARCEL NO. 419-120-35.

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

BALBOA AVENUE between the westerly line of Mt. Alifan/ Mt. Abernathy and the westerly right-of-way line of Interstate 805; MT. ALIFAN between the southerly line of Balboa Avenue and a line parallel to and 25 feet south of said southerly line; the westerly half of MT. ABERNATHY between the northerly line of Balboa Avenue and the continuation of the northerly lot line of Lot 6, BALBOA SHOPPING CENTER RESUB. #1, MAP 5638; CANNINGTON DRIVE between the northerly line of Balboa Avenue and a line parallel to and 25 feet northerly of said line; MT. ALBERTINE AVENUE between the southerly line of Balboa Avenue and a line parallel to and 25 feet southerly of said line.

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and all as more particularly shown on Drawing No. 17191-D entitled "BALBOA AVENUE (Mt. Abernathy Avenue to Interstate 805) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. 761585 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.

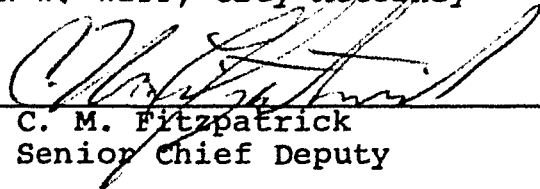
2. The City Council shall by subsequent resolution fix the date upon which the property in the district must be ready to receive underground service, and shall by subsequent resolution order the removal of all poles, overhead wires and associated overhead structures and the underground installation of 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.

APPROVED: JOHN W. WITT, City Attorney

By

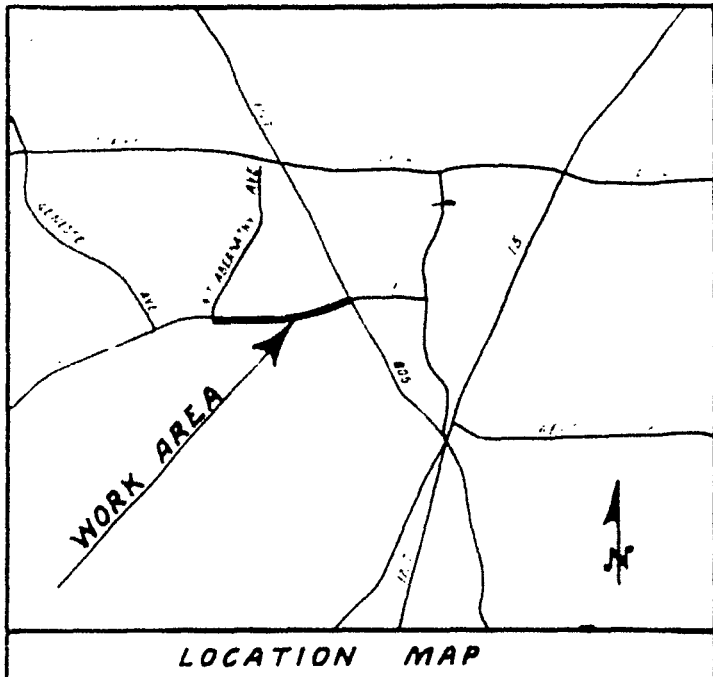
  
C. M. Fitzpatrick  
Senior Chief Deputy

CMF:vl:460

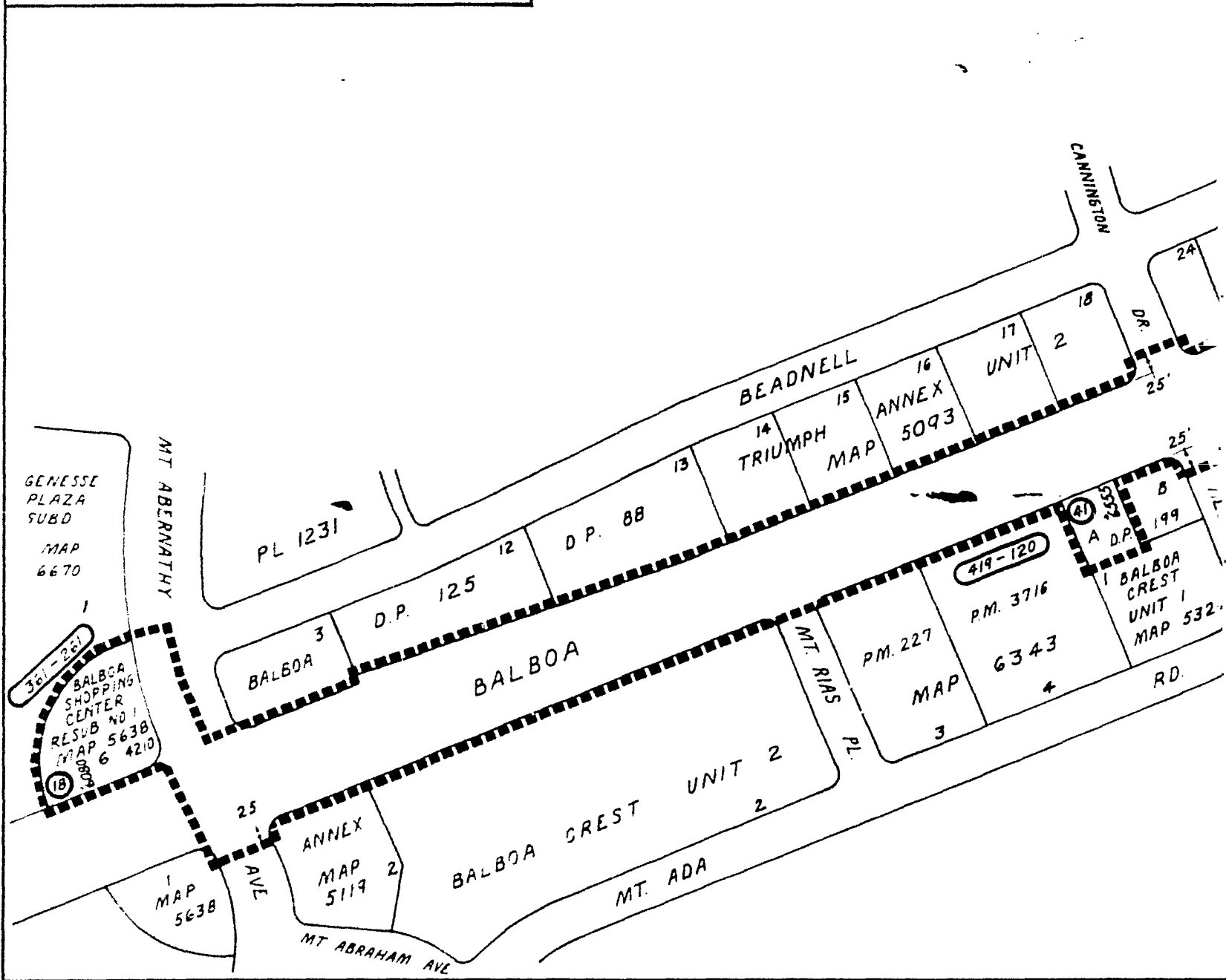
9/26/77

Or. Dept.: Eng. & Dev.

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LEGEND:  
 BOUNDARY OF UTILITY DISTRICT  
 COUNTY ASSESSORS BOOK & PAGE NO.  
 COUNTY ASSESSORS PARCEL NO.  
 DISTRICT HOUSE NO.

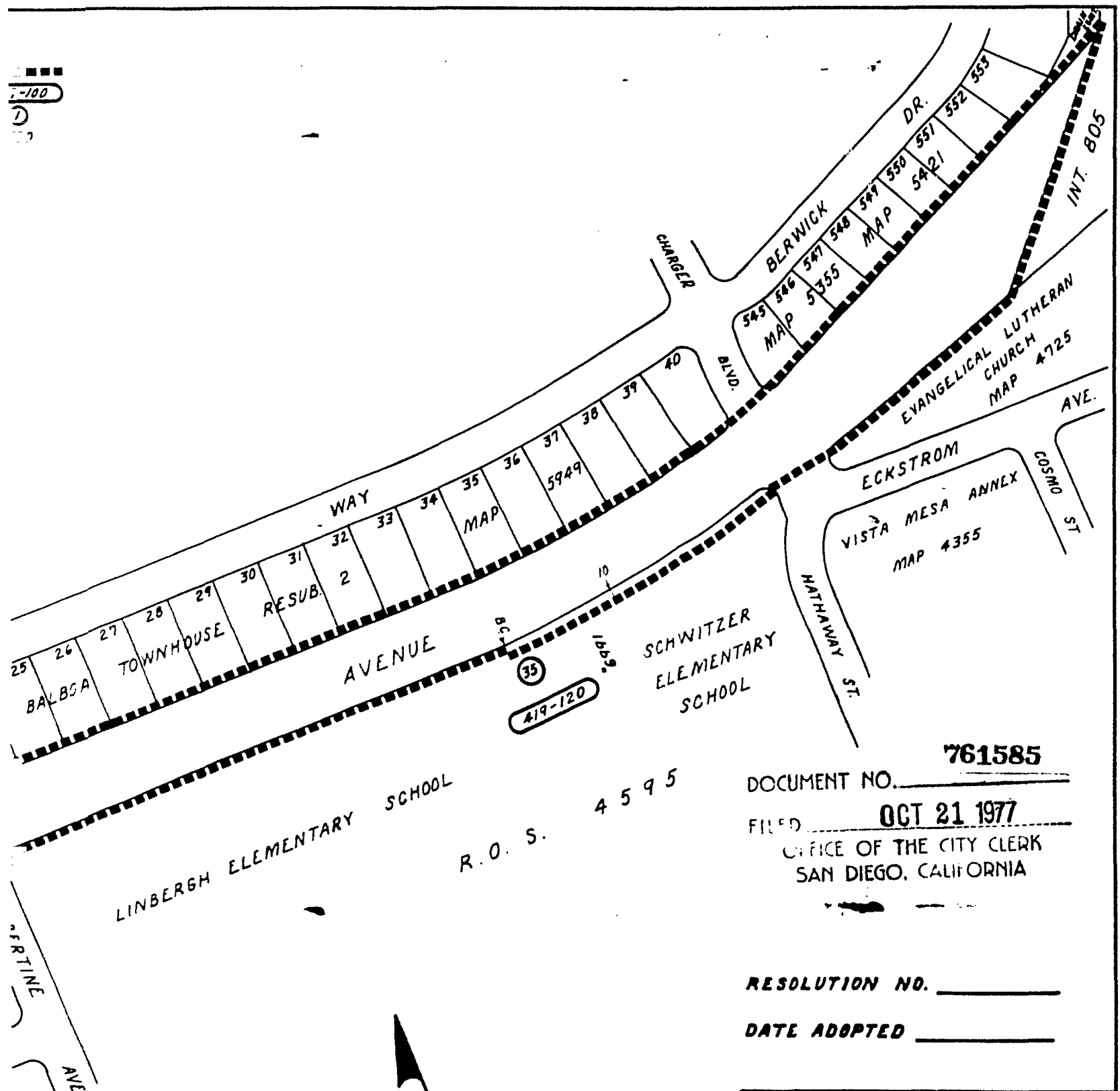


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DOCUMENT NO. \_\_\_\_\_  
 FILED OCT 21 1977  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

RESOLUTION NO. \_\_\_\_\_  
 DATE ADOPTED \_\_\_\_\_

<b>BALBOA AVENUE</b>				<b>MT. ABERNATHY AVE TO INT. 805</b>		<b>UNDERGROUND UTILITY CONVERSION</b>	
CITY OF SAN DIEGO, CALIFORNIA						20095	
SHEET / OF / SHEETS							
DATE				PROPERTY ENGINEER			
DESCRIPTION				APPROVED			
BY				DATE			
APPROVED				FILMED			
ORIGINAL				211			
CONTRACTOR						17191-D	
DATE STARTED							
INSPECTOR						DATE COMPLETED	

00664-2

NOV 23 1977

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

**NOV 23 1977**

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<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.

**CHARLES G. ABDELNOUR**

City Clerk of The City of San Diego, California.

By *Allyn D. Keen*, Deputy.

RECEIVED  
CITY CLERK'S OFFICE  
1977 OCT -7 AM 8:30  
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **219752** Adopted **NOV 23 1977**