

12462 OCT 16 1978

ORDINANCE NO. _____ O. 79-53)
(New Series)

AN ORDINANCE AMENDING ORDINANCE NO. 8760 (NEW SERIES) AND CONSTITUTING THE SECOND AMENDMENT TO ORDINANCE NO. 8760 (NEW SERIES), RELATING TO THE GRANTING OF A NON-EXCLUSIVE PIPELINE FRANCHISE TO SAN DIEGO PIPELINE COMPANY FOR A PERIOD OF FORTY YEARS TO INSTALL, CONSTRUCT, MAINTAIN AND OPERATE A PIPELINE FOR THE TRANSPORTATION OF REFINED PETROLEUM PRODUCTS AND OTHER HYDROCARBON SUBSTANCES IN CERTAIN CITY STREETS OF AND WITHIN THE CITY OF SAN DIEGO.

WHEREAS, San Diego Pipeline Company was awarded a franchise by The City of San Diego on November 27, 1962, for forty (40) years, which covers approximately 11.6 miles of fuel pipeline facilities in public streets; and

WHEREAS, said franchise was amended by Ordinance No. 10955 (New Series) on November 21, 1972; and

WHEREAS, due to the relocation of Kearny Villa Road it is necessary to amend said franchise again to relocate certain fuel pipeline facilities as more clearly set forth on Exhibit II attached hereto and by this reference made a part hereof; and

WHEREAS, all costs relating to this proposed relocation will be borne by San Diego Pipeline Company; NOW, THEREFORE,

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

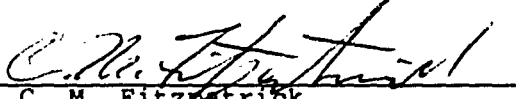
Section 1. That Ordinance No. 8760 (New Series) be and it is hereby amended by adding to Appendix A thereto the legal description attached hereto as Exhibit I to incorporate within the franchise area that portion of realigned Kearny Villa Road and Aero Drive and eliminate from the franchise area that portion of

Kearny Villa Road which has been vacated, all as more clearly set forth on Exhibit II attached hereto and by this reference made a part hereof.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


C. M. Fitzpatrick
Senior Chief Deputy

CMF:vl:422

9/8/78

Or. Dept.: Eng. & Dev.

CITY OF SAN DIEGO

APPENDIX "A"

The following is a general description of the proposed San Diego Pipeline Company pipeline route in the City of San Diego. It should be noted that in part the distances and bearings have been scaled and therefore are approximate.

The route of the pipeline commences in the city limits of San Diego at a point on the North line of the South half of Section One, Township 14 South, Range 4 West, distant approximately 1230 feet West of the East line of said Section One. From this point the pipeline route is generally within and 5 feet West of the East line of said Section One. From this point the pipeline route is generally within and 5 feet West of the East right of way line of the existing Encinas - Old Town right of way of San Diego Gas and Electric Company to the northwesterly boundary of Miramar Naval Air Station. From the above described point thence within the Encinas - Old Town right of way and private property South $33^{\circ} 07' 51''$ East 250 feet; thence South $37^{\circ} 29' 51''$ East 1940 feet to the centerline of the crossing of Via de la Valle; thence continuing South $37^{\circ} 29' 51''$ East 3400 feet to the centerline of the crossing of the El Camino Real. Thence continuing South $37^{\circ} 29' 51''$ East within the powerline right of way and private property 4420 feet; thence South $25^{\circ} 38' 46''$ East 180 feet to a point on the South line of Section Seven, Township 14 South, Range 3 West, distant thereon West 200 feet from the Southeast corner of Section Seven. Thence continuing South $25^{\circ} 38' 46''$ East 630 feet, thence South $8^{\circ} 09' 56''$ East 650 feet, thence South $0^{\circ} 02' 36''$ East 1450 feet to the centerline of the crossing of 4th Street Extension (RS1255). Thence South $2^{\circ} 57' 24''$ West 2650 feet to a point on the South line of Section 17, distant thereon East 40 feet from the Southwest corner of Section 17, Township 14 South, Range 3 West. Thence continuing South $2^{\circ} 57' 24''$ West 860 feet; thence South $0^{\circ} 36' 54''$ East 1800 feet; thence South $0^{\circ} 34' 54''$ East 520 feet to the centerline of the crossing of Carmel Valley Road (RS 758). Thence continuing South $0^{\circ} 34' 54''$ East within the Encinas - Old Town right of way and private property 2140 feet to the Southeast corner of Section 19, Township 14 South, Range 3 West;

EXHIBIT I

12462

8760

thence South $0^{\circ} 08' 44''$ West, 4200 feet; thence South $3^{\circ} 50' 06''$ East, 1140 feet to a point 50 feet East of the Southwest corner of Section 29; thence continuing South $3^{\circ} 50' 06''$ East, 420 feet; thence South $5^{\circ} 18' 54''$ West 520 feet; thence South $36^{\circ} 14' 06''$ East, 220 feet; thence South $85^{\circ} 09' 36''$ East 520 feet; thence South $26^{\circ} 42' 06''$ East, 4500 feet to the South line of Section 32, Township 14 South, Range 3 West, distant thereon 40 feet West of the Rancho Los Penasquitos line. Thence South $72^{\circ} 10' 45''$ East leaving the Encinas - Old Town right of way on private land 1400 feet to a point on the Pueblo Line distant thereon approximately 1900 feet Southeasterly along said Pueblo line from the line common to Township 14 South and Township 15 South, Range 3 West. Thence South $45^{\circ} 40'$ East within City of San Diego property and parallel with the Pueblo line 2750 feet; thence continuing parallel with the Pueblo line and within City property South $26^{\circ} 42' 06''$ East 1100 feet; thence leaving City property and entering the Encinas - Old Town right of way South $71^{\circ} 42' 06''$ East, 260 feet; thence South $26^{\circ} 42' 06''$ East within the right of way and private property 1860 feet to the centerline of the crossing of Sorrento Road (RS 466), the crossing being Easterly along the centerline of said road 195 feet from the Pueblo lands of San Diego Line. Thence South $26^{\circ} 42' 06''$ East, 510 feet; thence South $22^{\circ} 00' 24''$ West, 380 feet; thence South $31^{\circ} 46' 36''$ East, 370 feet; thence South $82^{\circ} 42' 06''$ East, 310 feet. Thence South $26^{\circ} 42' 06''$ within the Encinas - Old Town right of way and private lands 1900 feet to the centerline of the crossing of Miramar Road (RS 304), said point of crossing being easterly 195 feet from the Pueblo Lands Line along the centerline of said road. Thence continuing South $26^{\circ} 42' 06''$ East, 3600 feet, where the pipeline route leaves the Encinas - Old Town right of way within Lot 79 on Rancho Mission of San Diego; thence South $61^{\circ} 48' 27''$ East, 1150 feet to a point on the line common to lots 79 and 78, said line also being the westerly boundary of Miramar Naval Air Station. Thence entering Miramar Naval Air Station and continuing South $61^{\circ} 48' 27''$ East, 650 feet; thence South $57^{\circ} 48' 03''$ East, 698 feet; thence South $39^{\circ} 29' 07''$ East, 298 feet; thence South $26^{\circ} 57' 55''$ East, 179 feet; South $37^{\circ} 31' 25''$ East, 330 feet; thence South $14^{\circ} 58' 35''$ West, 720 feet; thence South $32^{\circ} 31' 25''$ East, 900 feet; thence South $2^{\circ} 28' 35''$ West, 340 feet

to a point 5 feet easterly of the east boundary of the now existing 138 KV powerline right of way. Thence South 27° 13' 43" East, easterly of and parallel with said 138 KV right of way 6500 feet; thence South 38° 13' 43" East, 1750 feet, now within San Clemente Canyon; thence North 78° 15' 17" East 1200 feet; thence leaving San Clemente Canyon South 9° 44' 43" East, 560 feet; thence South 44° 14' 43" East, 1190 feet; thence South 0° 01' 06" West, 2850 feet to a point on the South line of Miramar Naval Air Station. Thence continuing South 0° 01' 06" West, 1070 feet to a point on Clairemont Mesa Boulevard approximately 2650 feet West of the East line of Section 26, Township 15 South, Range 3 West. Thence East on Clairemont Mesa Boulevard, 43 feet North of the centerline, 665 feet to Ruffner Road; thence Southeasterly on Ruffner Road, 15 feet West of the centerline, 5700 feet to Othello Street; thence East on Othello Street, 23 feet North of the centerline, a distance of 870 feet; thence continuing East on Othello Street, within the paved area 5 feet South of the North curb, 940 feet to Kearny Mesa Road. Thence crossing Kearny Mesa Road, Cabrillo Freeway and Kearny Villa Road, a distance of 350 feet. Thence South 900 feet on Kearny Villa Road, 5 feet West of the East Road right of way line, thence continuing South 475 feet on Kearny Villa Road 3 feet East of the East curb, thence continuing 970 feet on Kearny Villa Road 2.5 feet East of the East curb, to Aero Drive, thence East 850 feet on Aero Drive, 2.5 feet North of the North curb. Thence East on Aero Drive 3 feet North of the North curb, 2600 feet to a point on the East side of the intersection of Aero Drive and Sandrock Road, at which point the pipeline enters City owned property. Thence continuing East on City owned property being parallel with and 35 feet North of an Easterly extension of Aero Drive, 3500 feet to a point where the pipeline enters private land, thence still continuing parallel with and 35 feet North of an Easterly extension of Aero Drive 150 feet to a point 15 feet East of the centerline of Ruffin Road, an undedicated street; thence Southwesterly and Southerly a distance of 1100 feet to a point on the North side of future Success Drive, at which point the pipeline leaves privately owned land and enters the constructed and paved portion of Ruffin Road. Thence continuing South on Ruffin Road, 10 feet West of the East curb, a distance of 1480 feet to Mission Village Drive; thence Southeasterly on Mission Village Drive, 10 feet West of the East curb, 4000 feet to Ronda Street; thence continuing Southeasterly on Mission Village Drive, 3 feet East of the East curb, 2100 feet to Friars Road, thence Easterly on Friars Road 2 feet South of

the North edge of the pavement 800 feet to a point of entering the Murphy Canyon Tank Farm situated on private property, at which point the pipeline leaves the City of San Diego and enters San Diego County.

The Murphy Canyon Tank Farm is bounded on the North and West by the San Diego-City-County line, on the South by Friars Road and on the East by Murphy Canyon Road.

The City extension of the pipeline leaves the Tank Farm in the County of San Diego and crosses Friars Road 250 feet West of the centerline extension of Friars Road and Murphy Canyon Road; thence 1515 feet Southeasterly on private property being parallel to and 8 feet West of the West boundary of Murphy Canyon Road; thence continuing Southeasterly 530 feet to a point on the San Diego City-San Diego County boundary, said point being 50 feet measured Northwesterly along the San Diego City-San Diego County boundary from the intersection of said boundary line with the West boundary of Murphy Canyon Road. At this point the pipeline leaves privately owned land and enters City owned property in Lot 35. Thence Southwesterly 160 feet across Lot 35 to a point on the Lot 35 and Lot 46 boundary, said point being 40 feet measured Northwesterly along the Lot 35 and Lot 46 boundary from the intersection of said boundary line with the West boundary of Murphy Canyon Road.

At this point the pipeline leaves City owned property and enters privately owned land. Thence continuing South and Southwesterly on private property in Lot 46, being parallel to and 8 feet West and North of the West and North boundary of State Highway Number 80, a distance of 890 feet to a point on the North boundary of State Highway Number 80, at which point the pipeline leaves privately owned property and enters upon the Frontage Road immediately North of State Highway Number 80. Thence Westerly 1050 feet, 3 feet North of the North curb of the North Frontage Road of State Highway Number 80; thence South across the North Frontage Road of State Highway Number 80, State Highway Number 80 and the South Frontage Road of State Highway Number 80, a distance of 330 feet; thence Westerly a distance of 480 feet to a point 3 feet South of the South curb of Camino del Rio; thence crossing Camino del Rio a distance of 100 feet to a point 4 feet South of the North curb thereof; thence running Westerly parallel to and 4 feet South of said curb a distance of 1300 feet; thence running Westerly along the North edge of pavement on Camino del Rio a distance of 3300 feet; thence South 40 feet across Camino del Rio,

at which point the pipeline enters upon private property. Thence South parallel to and 3 feet East of the West boundary of Lot 7 a distance of 530 feet; thence Southeasterly a distance of 530 feet to a point 4 feet East of the West curb of Vista Place and at the most Northerly limits of pavement and construction of Vista Place. At this point the pipeline leaves private property and enters the streets of the City of San Diego. Thence South parallel to and 4 feet East of the West curb of Vista Place, a distance of 650 feet to Copley Street; thence West parallel to and 6 feet South of the North curb of Copley Street a distance of 150 feet to Utah Street; thence South on Utah Street parallel to and 10 feet East of the West curb, a distance of 9050 feet to and across Upas Street; thence West along Upas Street, 3 feet North of the South Curb, a distance of 200 feet to an angle crossing of 28th Street; thence South on 28th Street, 49 feet West of the East curb a distance of 1150 feet to Redwood Street; thence continuing South in 28th Street, 37 feet West of the East curb, a distance of 1910 feet to Maple Street; thence continuing South in the dedicated but unimproved extension of 28th Street, 10 feet West of the East boundary of 28th Street a distance of 750 feet; thence Southwesterly 145 feet to a point 30 feet East of the West boundary of 28th Street; thence 210 feet Southwesterly to a point 55 feet East of the West boundary of said street, thence Southeasterly 115 feet to a point 10 feet East of the West boundary of said street, thence South parallel to and 10 feet East of the West boundary of said street a distance of 2270 feet to Date Street; thence continuing South in the pavement of 28th Street 3 feet East of the West curb, 760 feet to Beech Street, thence continuing South in 28th Street 10 feet East of the West curb a distance of 1250 feet to "B" Street; thence continuing South along said street 5 feet East of the West curb a distance of 400 feet to "C" Street; thence continuing South on 28th Street 6 feet West of the West edge of pavement a distance of 670 feet to the South side of "E" Street, thence continuing South on 28th Street 40 feet West of the East curb 260 feet to the South side of Treat Street; thence South on 28th Street 6 feet West of the West edge of pavement 600 feet to the South side of "G" Street, thence South 8 feet East of the West curb 790 feet to the South side of Island Street; thence South on 28th Street 5 feet East of the West curb 760 feet to the South side of "K" Street; thence South on 28th Street 3 feet East of the West curb, 350 feet to "L" Street, thence West on "L" Street 10 feet North of the South curb, 1290 feet to 26th Street;

thence South on 26th Street 5 feet West of the East curb 780 feet to Commercial Street; thence West on Commercial Street 14 feet North of the South curb 900 feet to Crosby Street; thence Southwest on Crosby Street 4 feet Southeast of the Northwest curb, 1790 feet to Logan Avenue; thence Northwest on Logan Avenue 4 feet Northeast of the Southwest curb 670 feet to Beardsley Street; thence Southwest on Beardsley Street 4 feet Southeast of the Northwest curb 1160 feet to Main Street; thence continuing Southwest on Beardsley Street 7 feet Southeast of the northwest curb 560 feet to a point on Beardsley Street 155 feet Southwest of the Southwest boundary of Harbor Drive, at which point the pipeline makes a 90 degree angle and proceeds Northwest, leaving Beardsley Street and entering the manifold on privately owned property.

Thence leaving said manifold on privately owned property turning 90° Southwest on Beardsley Street extended for 130 feet; thence Southerly entering private property Northeasterly of and adjacent to the Atchison, Topeka and Santa Fe Railway for 700 feet to a point in Crosby Street, just Northeasterly of Atchison, Topeka and Santa Fe Railway.

From said point in Crosby Street Northeasterly in Crosby Street 450 feet; thence Northwesterly into private property and terminal facilities Westerly of the intersection of Harbor Drive and Crosby Street.

Also from said point in Crosby Street continuing Southeasterly across Crosby Street generally parallel with and Northeasterly of Atchison, Topeka and Santa Fe Railway for a distance of 2000 feet to the vicinity of Sampson Street; thence continuing Southeasterly on the Southwesterly side of the Atchison, Topeka and Santa Fe Railway and crossing Sampson Street for a distance of 700 feet in private property; thence Northeasterly into private property and terminal facilities Westerly of the intersection of Harbor Drive and Sicard Street.



W. K. MIER FIELD
CITY AIRPORT

STA. EQUA. 5750+50 A.M.
5795+27 B.M.

TIE-IN 5795+07

5790+35 12&17

AERO CT.

DRIVE

AERO

TWO 45°-10' R. SWOP BENDS
1014' O.D. P. 279' MT. API. SLX-42

1,820' OF EXISTING 10 1/2" O.D. 219' MT. SLX-52 PIPE TO BE PURGED
(ABANDONED)

1,820' OF NEW 10 1/2" O.D. 219' MT. SLX-52
PIPE TO BE INSTALLED

KEARNY VILLA RD. (ABANDONED)

970'

KEARNY VILLA RD.

5776+87 12&18
5776+87 12&18

12462



EXHIBIT II

OCT 16 1978

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

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<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"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<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"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess B. Hutto Lucy Killea	<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.

(Seal)

By E. J. Cook, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

OCT 2 1978

OCT 16 1978

, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By E. J. Cook, Deputy.

Office of the City Clerk, San Diego, California

Ordinance
Number

12462

Adopted

OCT 16 1978

JK

ATTORNEY(S)

San Diego, City of
12th floor, City Admin. Bldg.
202 C St.
San Diego, Ca 92101

RECEIVED
CITY CLERK

NOV 21 1978

OFFICIAL

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

AN ORDINANCE AMENDING ORDINANCE NO. 8760 (NEW SERIES) AND CONSTITUTING THE SECOND AMENDMENT TO ORDINANCE NO. 8760 (NEW SERIES). RELATING TO THE GRANTING OF A NON-EXCLUSIVE PIPELINE FRANCHISE TO SAN DIEGO PIPELINE COMPANY

FOR A PERIOD OF FORTY YEARS TO INSTALL, CONSTRUCT, MAINTAIN AND OPERATE A PIPELINE FOR THE TRANSPORTATION OF REFINED PETROLEUM PRODUCTS AND OTHER HYDROCARBON SUBSTANCES IN CERTAIN CITY STREETS OF AND WITHIN THE CITY OF SAN DIEGO.

ORDINANCE NO. 12462

(New Series)

AN ORDINANCE AMENDING ORDINANCE NO. 8760 (NEW SERIES) AND CONSTITUTING THE SECOND AMENDMENT TO ORDINANCE NO. 8760 (NEW SERIES), RELATING TO THE GRANTING OF A NON-EXCLUSIVE PIPELINE FRANCHISE TO SAN DIEGO PIPELINE COMPANY FOR A PERIOD OF FORTY YEARS TO INSTALL, CONSTRUCT, MAINTAIN AND OPERATE A PIPELINE FOR THE TRANSPORTATION OF REFINED PETROLEUM PRODUCTS AND OTHER HYDROCARBON SUBSTANCES IN CERTAIN CITY STREETS OF AND WITHIN THE CITY OF SAN DIEGO.

WHEREAS, San Diego Pipeline Company was awarded a franchise by The City of San Diego on November 27, 1962, for forty (40) years, which covers approximately 11.6 miles of fuel pipeline facilities in public streets; and

WHEREAS, said franchise was amended by Ordinance No. 10888 (New Series) on November 21, 1972; and

WHEREAS, due to the relocation of Kearny Villa Road it is necessary to amend said franchise again to relocate certain fuel pipeline facilities as more clearly set forth on Exhibit II attached hereto and by this reference made a part hereof; and

WHEREAS, all costs relating to this proposed relocation will be borne by San Diego Pipeline Company; NOW, THEREFORE,

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

Section 1. That Ordinance No. 8760 (New Series) be and it is hereby amended by adding to Appendix A thereto the legal description attached hereto as Exhibit I to incorporate within the franchise area that portion of realigned Kearny Villa Road and Aero Drive and eliminate from the franchise area that portion of Kearny Villa Road which has been vacated, all as more clearly set forth on Exhibit II attached hereto and by this reference made a part hereof.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Passed and adopted by the Council of The City of San Diego on October 16, 1978, by the following vote:

YEAS: Mitchell, O'Connor, Lowery, Williams, Schnaubelt, Gade, Stirling, Killea, Wilson.

NAYS: None

ABSENT: None

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 EARNEST H. COOK, Deputy.

SEAL

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on October 2, 1978, and on October 16, 1978.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR,

City Clerk of The City of San Diego, California.

By EARNEST H. COOK, Deputy.

SEAL

Published November 3, 1978

60-1848

I, PATRICIA M. SPAULDING, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14594; and the

ORDINANCE NO. 12462

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to-wit:

November 3, 1978

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 14th day of Nov., 1978.

Patricia M. Spaulding
Signature

11-3-66-77