

RESOLUTION NO. 220684

R.78-1629

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE FIFTH AVENUE (BEECH STREET TO LAUREL STREET) UNDERGROUND UTILITY DISTRICT.

APR 18 1978

WHEREAS, by Resolution No. 220498, a public hearing was called for on APR 18 1978 at the hour of 8:30 a.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 through D, BLOCK 203; Lots J through L, BLOCK 204; Lots G, H and I, BLOCK 213; Lots A through E, K and L, BLOCK 215; the easterly 50 feet of Lots G through L, BLOCK 216; the easterly 50 feet of Lots G through I, BLOCK 227; Lots A through G and L, BLOCK 228; Lots A through G and L, BLOCK 229; the easterly 50 feet of Lots G, K and L, BLOCK 230; Lots B through F, BLOCK 243; Lots A through F, J through L and Parcel 1, HORTON'S ADDITION PARCEL MAP 1612, BLOCK 244; the easterly 50 feet of Lot J, BLOCK 245; the easterly 50 feet of Lots G through L, BLOCK 259; Lots A through L, BLOCK 260; Portion of Lots C and D, Lots E through J and Lots 1 and 2, LORENE WELCH ADDITION MAP 3445, BLOCK 261; the easterly 50 feet of Lots G through K, BLOCK 281, all in HORTON'S ADDITION LOCKLING, D.B. 13, PG. 522.

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

FIFTH AVENUE between a line parallel to and 100 feet north of the northerly line of Beech Street and a line parallel to and 25 feet south of the southerly line of Laurel Street; CEDAR STREET between a line parallel to and 100 feet west of the westerly line of Fifth Avenue and a line parallel to and 50 feet east of the easterly line of said street; ELM STREET between a line parallel to and 50 feet west of the westerly line of Fifth Avenue and the westerly

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line of Sixth Avenue; FIR STREET between the westerly line of Fifth Avenue and the westerly line of Sixth Avenue; GRAPE STREET between the westerly line of Fifth Avenue and the westerly line of Sixth Avenue; IVY STREET between the westerly line of Fifth Avenue and the westerly line of Sixth Avenue; JUNIPER STREET between the westerly line of Fifth Avenue and the westerly line of Sixth Avenue;

and all as more particularly shown on Drawing No. 17655-D entitled "FIFTH AVENUE (Beech Street to Laurel Street) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. 762981 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

2/22/78

Or. Dept.: Eng. & Dev.

Passed and adopted by the Council of The City of San Diego on APR 18 1978,
 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bill Lowery	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jess D. Haro	<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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Betty Goodberg Deputy.

CITY OF SAN DIEGO, CALIF.
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Office of the City Clerk, San Diego, California

Resolution Number 220684 Adopted APR 18 1978

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