

RESOLUTION NO. 222598

FEB 6 1979
R. 79-1028

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE KEARNY MESA AREA UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. 222504, a public hearing was called for on FEB 6 1979 at the hour of 2 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:

The southeasterly 50 by 50 foot corner area of Lot 1 HAWTHORNE MACHINERY TRACT UNIT 2 MAP 4540 adjacent to the northerly line of Othello Avenue and the westerly line of Kearny Mesa Road; the easterly 50 feet of Lot 1 CUTLER TRACT MAP 3874, adjacent to the westerly line of Kearny Mesa Road; the easterly 75 feet of PARCEL A DP 158 Lot 3 FED-MART TRACT UNIT 2 MAP 5265 adjacent to the westerly line of Convoy Street; the northeasterly 25 by 75 foot corner of Lot 1 KEARNY MESA - DUNN BUSINESS PARK UNIT 1 MAP 8732, adjacent to the westerly line of Convoy Street; an area of 100 foot depth from the easterly line of Convoy Street, the northerly boundary being an extension of the northerly boundary of Parcel A DP 158 Lot 3 FED-MART TRACT UNIT 2 MAP 5265, the southerly boundary being an extension of the southerly boundary of Lot 1 Kearny Mesa - Dunn Business Park Unit 1 Map 8732, all in a portion of lot 1 FED-MART TRACT UNIT 1 MAP 4696, a portion of Lot 2 FED-MART TRACT UNIT 2 MAP 5265 and a portion of Lot 2 NICHOL'S RIDGE MAP 4883; Lot 3 and PARCEL B NICHOL'S RIDGE MAP 4883, between the easterly line of Convoy Street and the westerly line of Highway 163; an area to the west of MONTGOMERY AIRPORT adjacent to the easterly line of Kearny Villa Road, the northerly boundary being coincident with the northern district boundary on Kearny Villa Road, the easterly boundary

MICROFILMED

00332

being 300 feet parallel to the easterly boundary of Highway 163 in the easterly portion of Lots 10, 11 and 12 NEW RIVERSIDE MAP 679 R.O.S. 1295; the area enclosed by the easterly line of Kearny Villa Road, the westerly line of Aero Court (non-dedicated) and the northerly line of Aero Drive a portion of Lot 10 NEW RIVERSIDE MAP 679 R.O.S. 1295; the area enclosed by the easterly line of Highway 163, the westerly line of Kearny Villa Road and the northerly line of Aero Drive a portion of Lots 10 and 11 NEW RIVERSIDE MAP 679 R.O.S. 1295; a portion of Lots 8 and 9 NEW RIVERSIDE MAP 679 R.O.S. 4371 County Assessor's Parcel Numbered 421-320-09 adjacent to the southerly line of Aero Drive and to the easterly line of Kearny Villa Road.

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

KEARNY VILLA ROAD between the Interstate 805 overpass and a line which is 600 feet north of the northerly boundary of the Fire Station and Repair Facility NEW RIVERSIDE MAP 679; AERO DRIVE between the easterly line of Kearny Villa Road and the easterly line of Afton Drive; AERO COURT (non-dedicated) between the northerly line of Aero Drive and its northern terminus; KEARNY MESA ROAD between the easterly line of Convoy Street and a line parallel to and 50 feet north of the northerly line of Othello Avenue; OTHELLO AVENUE between a line parallel to and 50 feet west of the westerly line of Kearny Mesa Road and the westerly line of said road; CONVOY STREET between an extension of the northerly boundary of Parcel A DP 158 FED-MART TRACT UNIT 2 MAP 5265 and the southerly line of Kearny Mesa Road;

and all as more particularly shown on Drawing No. 18055-1D and 2D entitled "KEARNY MESA AREA UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. 765347 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

MICROFILMED

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

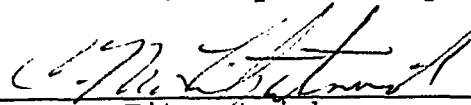
MICROFILMED

222598

00334

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

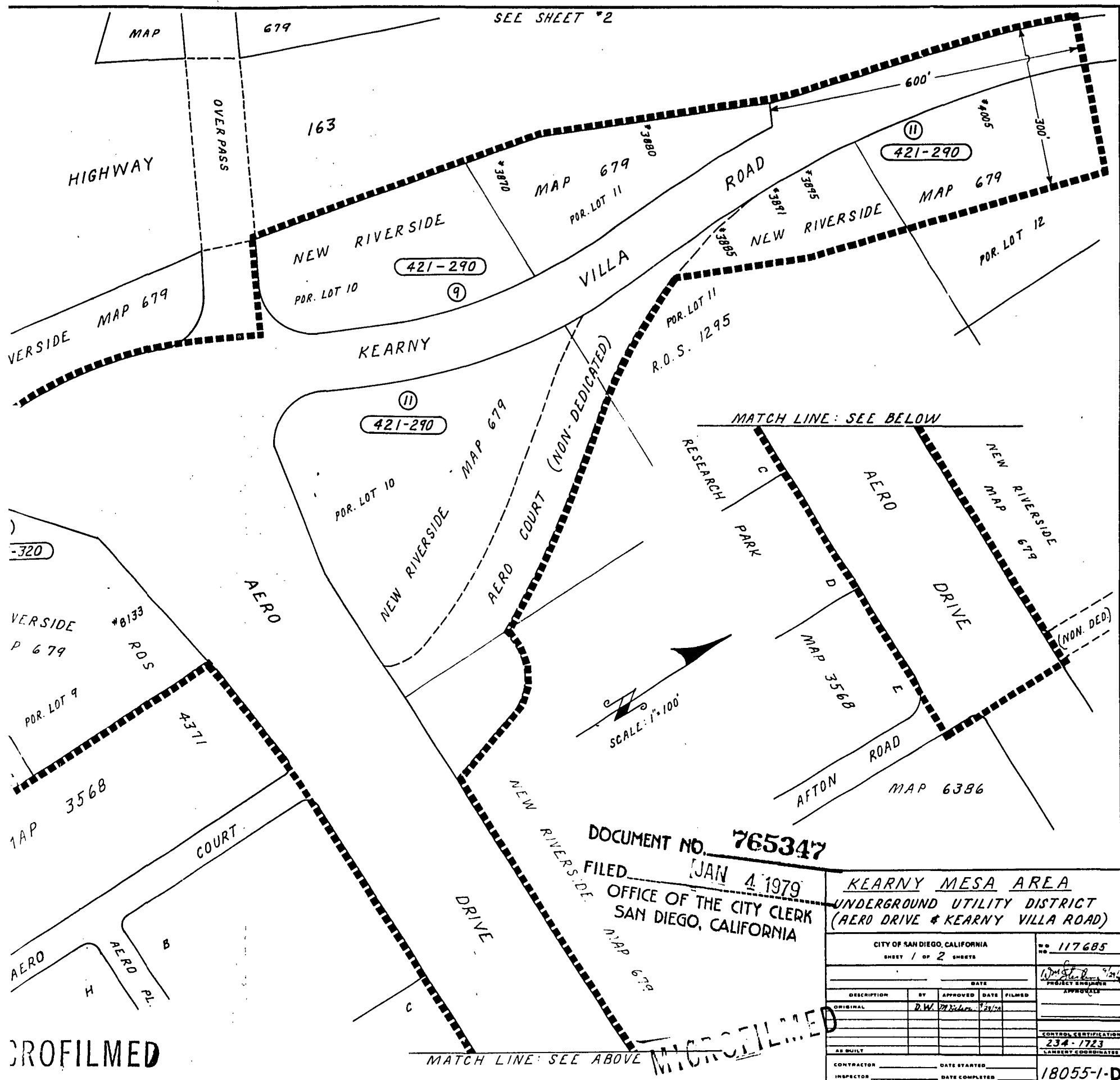
By 
C. M. Fitzpatrick
Senior Chief Deputy

CMF:vl:460
11/27/78
Or. Dept.: Eng. & Dev.

MICROFILMED

222598

00335



DOCUMENT NO. 765347

FILED JAN 4 1979
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

KEARNY MESA AREA
UNDERGROUND UTILITY DISTRICT
(AERO DRIVE & KEARNY VILLA ROAD)

CITY OF SAN DIEGO, CALIFORNIA
SHEET 1 OF 2 SHEETS

NO. 117685

DESCRIPTION	BY	APPROVED	DATE	FILED	APPROVED
ORIGINAL	D.W. Fisher		2/2/79		
AS BUILT					
CONTRACTOR			DATE STARTED		
INSPECTOR			DATE COMPLETED		

CONTROL CERTIFICATION
234-1723
LANSBY COORDINATES
18055-1-D

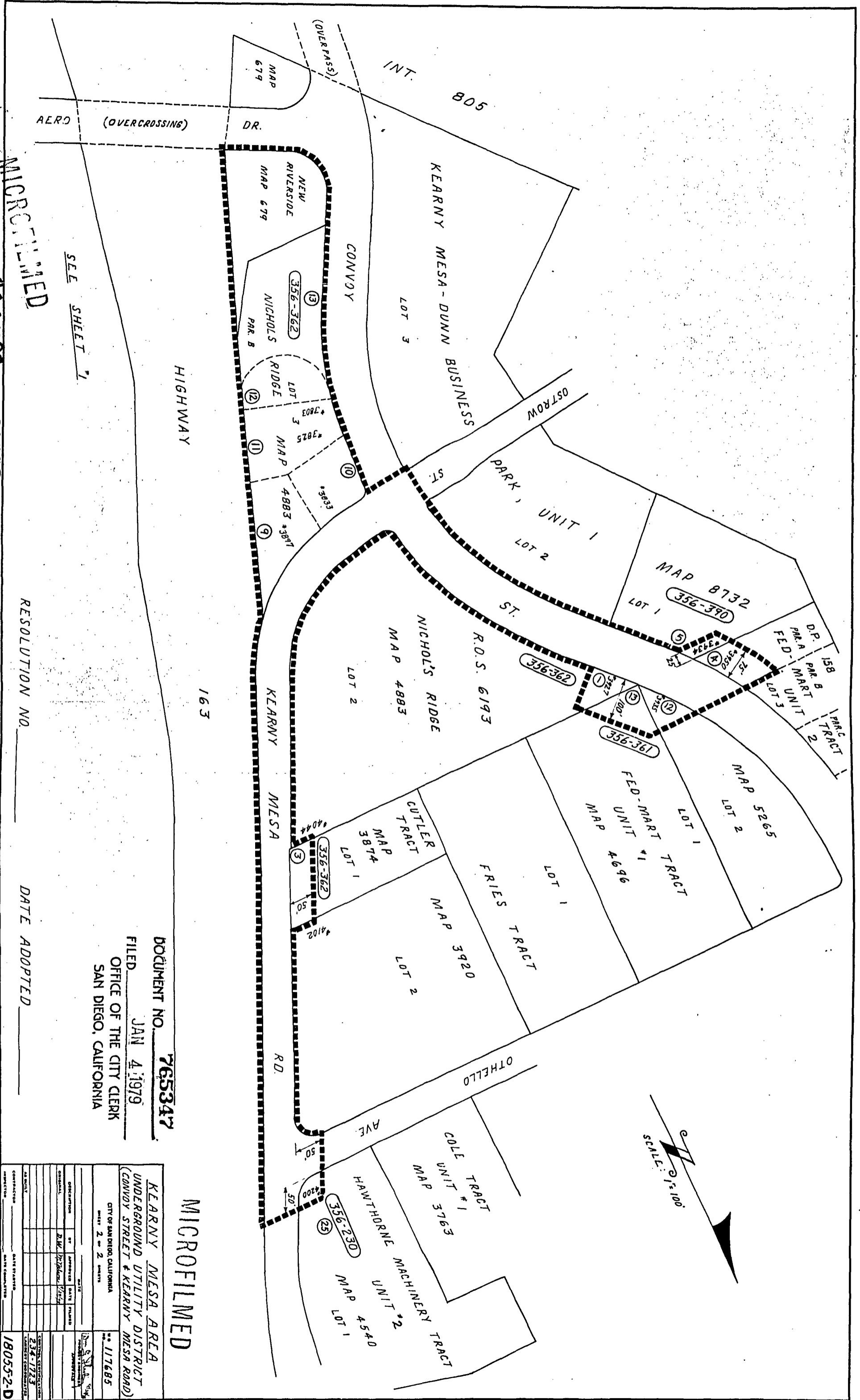
PROFILMED

00336

00337

222598

SCALE: 1" = 100'



MICROFILMED

DOCUMENT NO. 765347
 FILED JAN 4 1979
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

RESOLUTION NO. _____

DATE ADOPTED _____

SEE SHEET #1

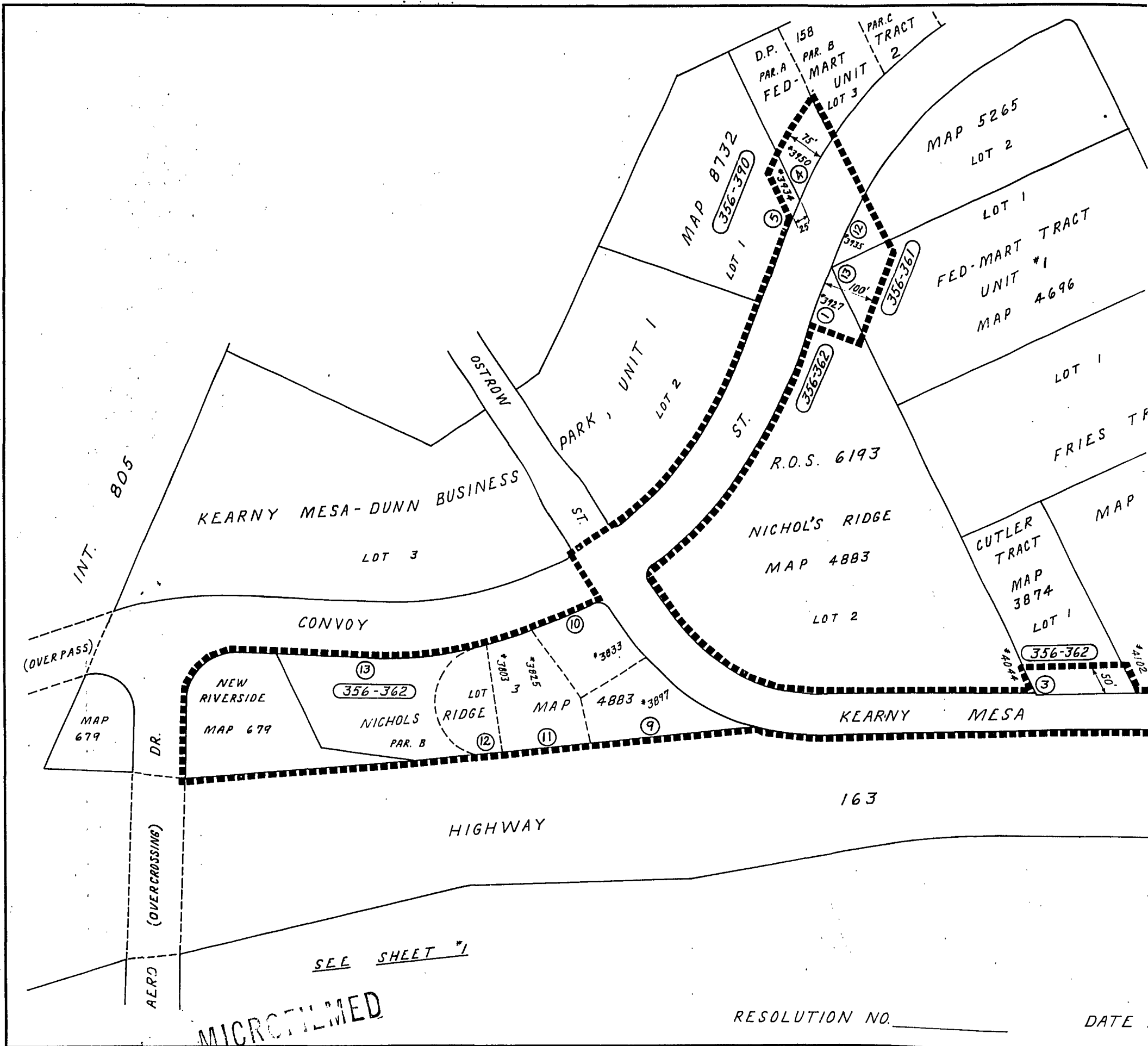
MICROFILMED

222598 00338

222598

00339

KEARNY MESA AREA UNDERGROUND UTILITY DISTRICT (CANDY STREET & KEARNY MESA ROAD) CITY OF SAN DIEGO, CALIFORNIA SHEET 2 OF 2 SHEETS NO. 117685		DATE APPROVED DATE FILED GENERAL DRAWN CHECKED DESIGNED CONTRACTOR DATE ESTABLISHED DATE EXPIRES	117685 234-1723 18055-2-D
--	--	---	---------------------------------



SEE SHEET #1

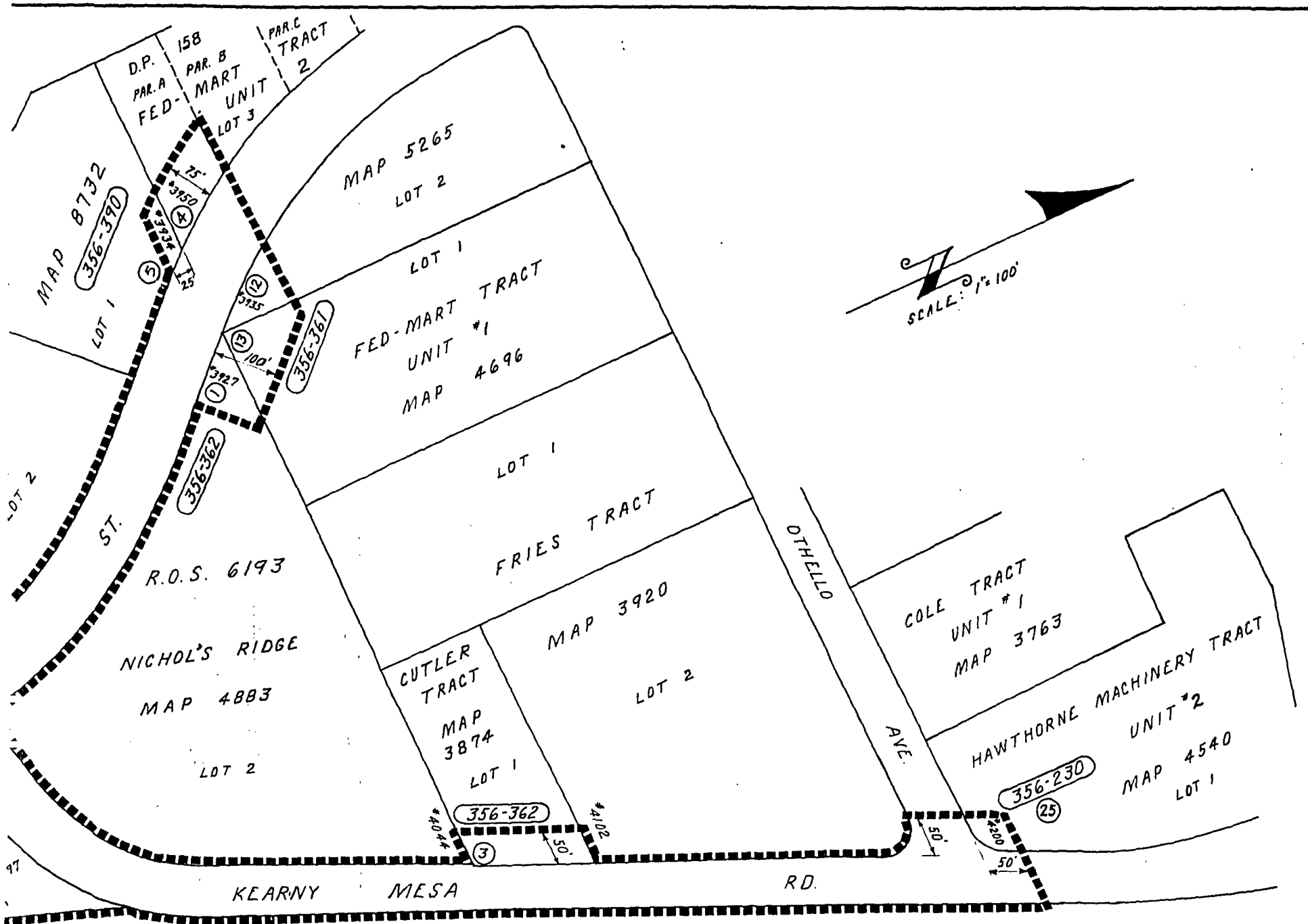
MICROFILMED

RESOLUTION NO. _____

DATE _____

222598

00338



163

DOCUMENT NO. 765347

FILED JAN 4 1979

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

RESOLUTION NO. _____

DATE ADOPTED _____

222598

MICROFILMED

CITY OF SAN DIEGO, CALIFORNIA				NO. 117685	
SHEET 2 OF 2 SHEETS					
DATE				PROJECT ENGINEER	
DESCRIPTION	BY	APPROVED	DATE	FILED	APPROVAL
ORIGINAL	D.W.	D. W. [Signature]	1/24/79		
CONTROL CERTIFICATION				234-1723	
AS BUILT				LAMBERT COORDINATES	
CONTRACTOR				DATE STARTED	
INSPECTOR				DATE COMPLETED	
				18055-2-D	

00339

FEB 5 1979

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 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"/>
Joseph Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *E. H. Cook*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **222598** adopted FEB 5 1979

RECEIVED
CITY CLERK'S OFFICE
1978 DEC 21 AM 7:38
SAN DIEGO, CALIF.

RECEIVED



00340-A

337