

RESOLUTION NO. R-250111

R. 79-2685

AUG 24 1979

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE HORTON PLAZA (BETWEEN FRONT STREET AND FOURTH AVENUE, AND "E" STREET AND "G" STREET) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. 224913, a public hearing was called for on 1 1979 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:

All of BLOCKS 65 and 64, Lots A through G BLOCK 63, all of BLOCK D, all of BLOCKS 66 and 67, Lots A through C BLOCK 68 of HORTON'S ADDITION LOCKLING SUBDIVISION D.P. 13 PAGE 522; Lots G through L BLOCK 40 of NEW SAN DIEGO SUBDIVISION MAP 456.

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

FRONT STREET between the northerly line of "G" Street and the northerly line of "F" Street; FIRST AVENUE, SECOND AVENUE, and THIRD AVENUE between the northerly line of "G" Street and the southerly line of "E" Street; "F" STREET between a line parallel with and 100 feet westerly of the westerly line of Front Street and the westerly line of Fourth Avenue;

and all as more particularly shown on Drawing No. 18453-D entitled "HORTON PLAZA (between Front Street and Fourth Avenue, and "E" Street and "G" Street) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document

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No. 766790 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:

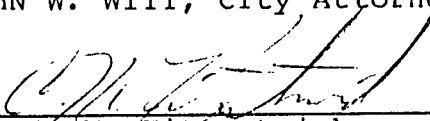
1. The City Council does hereby find and determine that the public health, safety and general welfare require the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television 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.

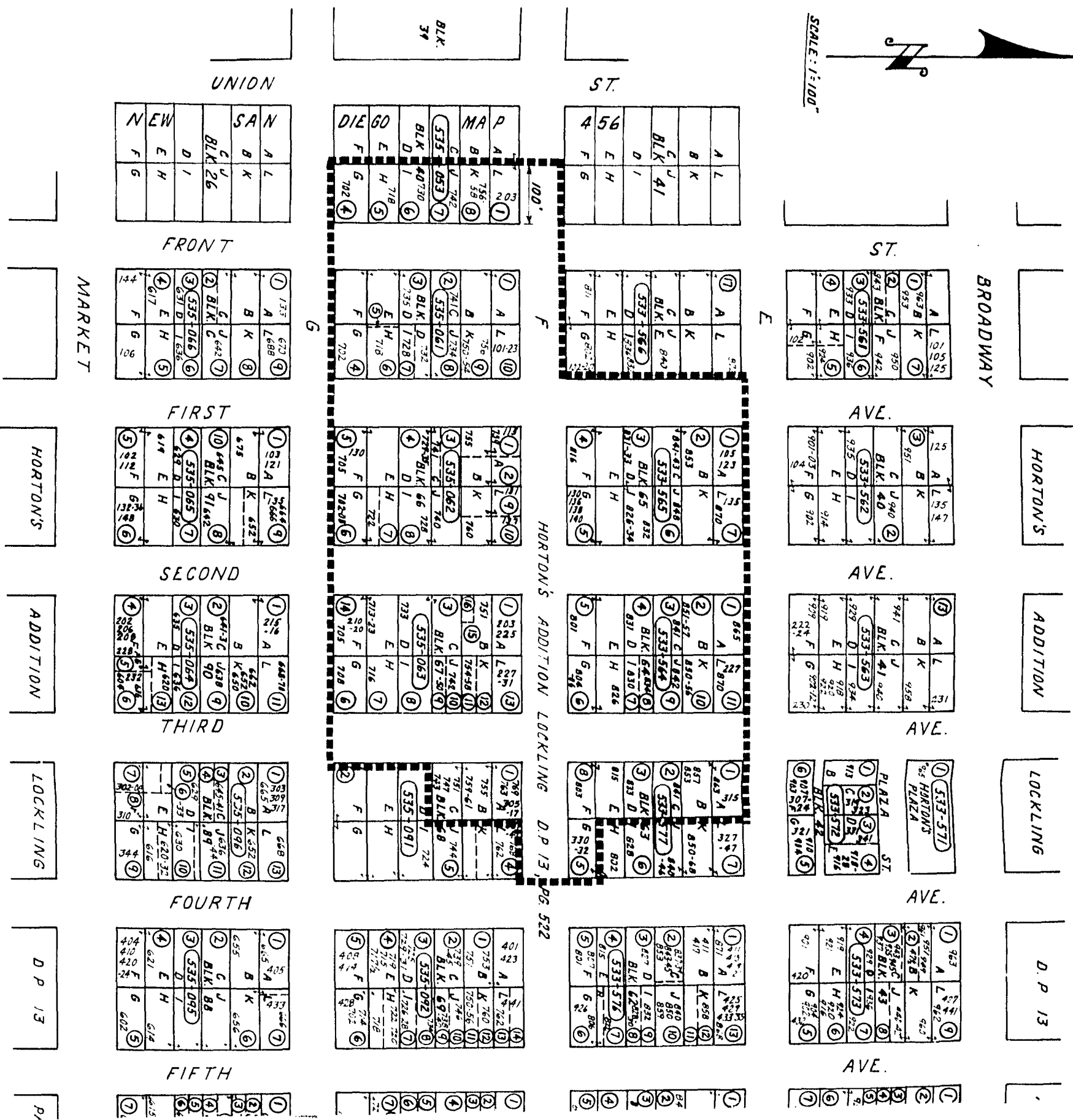
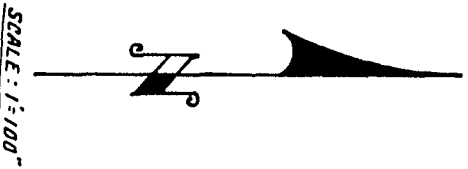
APPROVED: JOHN W. WITT, City Attorney

By   
C. M. Fitzpatrick  
Senior Chief Deputy

CMF:v1:460

6/28/79

Or. Dept.: Eng. & Dev.



HORTON'S ADDITION LOCKLING D.P. 13, PG. 522



Passed and adopted by the Council of The City of San Diego on AUG 24 1979,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

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

By *Walter Beaman*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number	<u>R-250111</u> Adopted <u>AUG 24 1979</u>