RESOLUTION NO. <u>R- 251615</u>

R. 80-1699 APR 15 1980

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE 69 KV TRANSMISSION LINE WITHIN THE ATCHESON, TOPEKA AND SANTA FE AND SAN DIEGO ARIZONA EASTERN RAIL-ROAD RIGHT-OF-WAY (BETWEEN "E" STREET AND SIXTH AVENUE, AND ON "K" STREET BETWEEN THIRD AVENUE AND SIXTH AVENUE) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. \Re - 251499 , a public
hearing was called for on March 31, 1980 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 under-
ground 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.

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

ATCHESON, TOPEKA AND SANTA FE RAILROAD RIGHT-OF-WAY between the southerly line of "E" Street and the easterly line of Fifth Avenue; SAN DIEGO AND ARIZONA EASTERN RAILROAD RIGHT-OF-WAY between the northerly line of Tisland Avenue and the easterly line of Fifth Avenue; "K" STREET between the westerly line of Third Avenue and the easterly line of Sixth Avenue;

and all as more particularly shown on Drawing No. 19085-D entitled "69 KV TRANSMISSION LINE WITHIN THE ATCHESON, TOPEKA AND SANTA FE AND SAN DIEGO ARIZONA EASTERN RAILROAD RIGHT-OF-WAY (between "E" Street and Sixth Avenue, and on "K" Street between Third Avenue and Sixth Avenue) Underground Utility District", copies of which are on file in the office of the City Clerk as Document No. Re-251499 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.

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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.

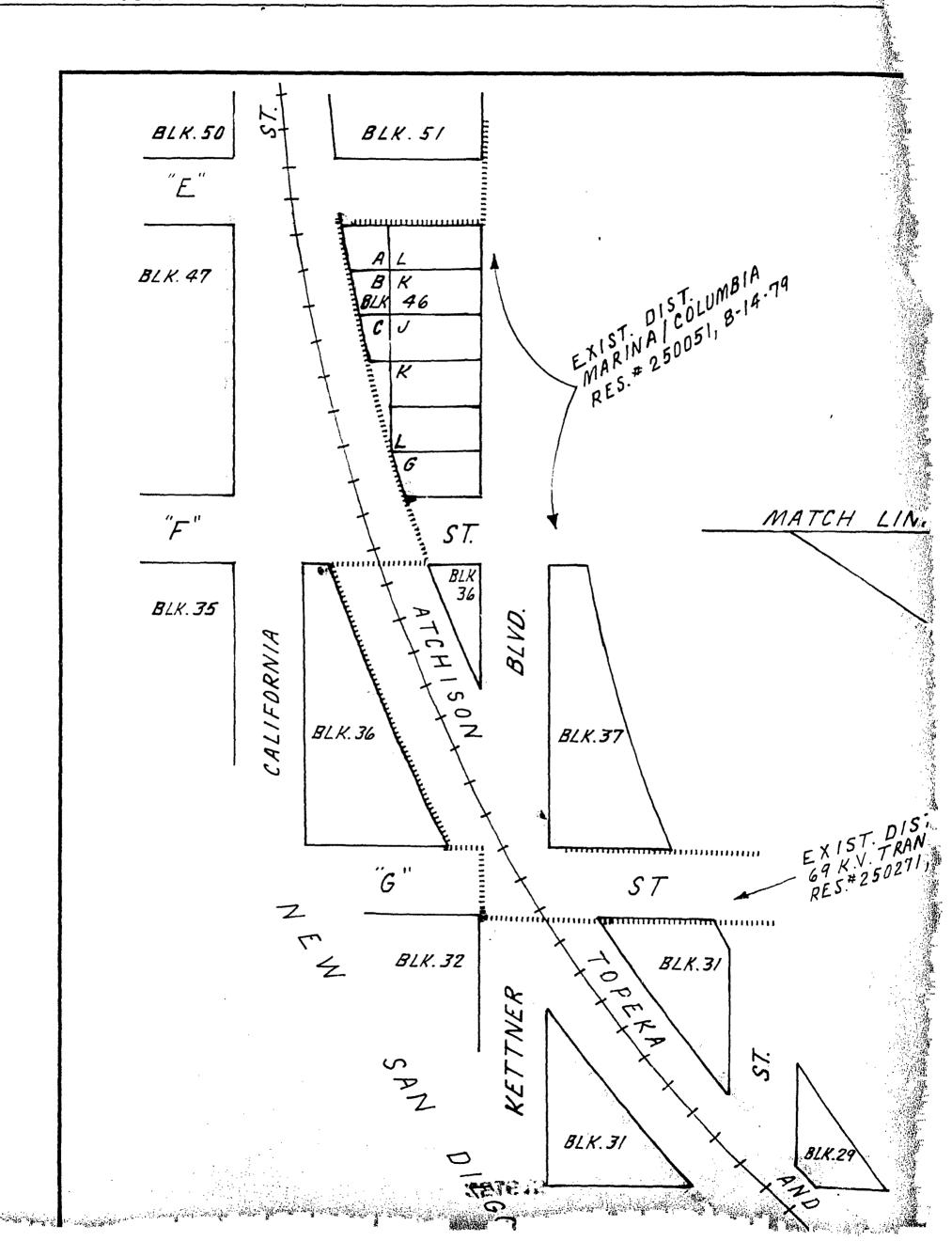
APPROVED: JOHN W. WITT, City Attorney

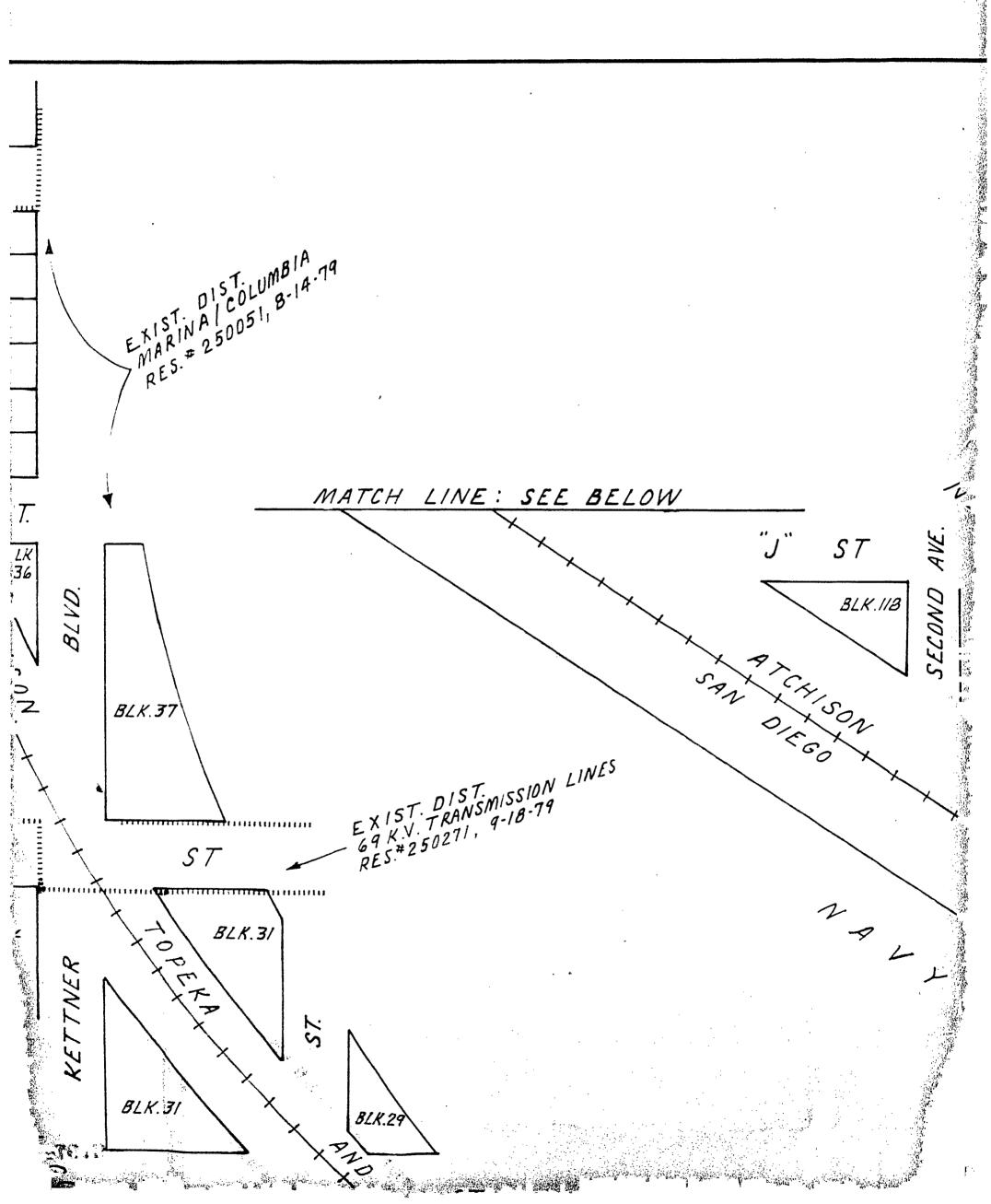
Janis Sammartino Gardner
Deputy City Attorney

JSG: v1:460

Or. Dept.: Eng. & Dev.

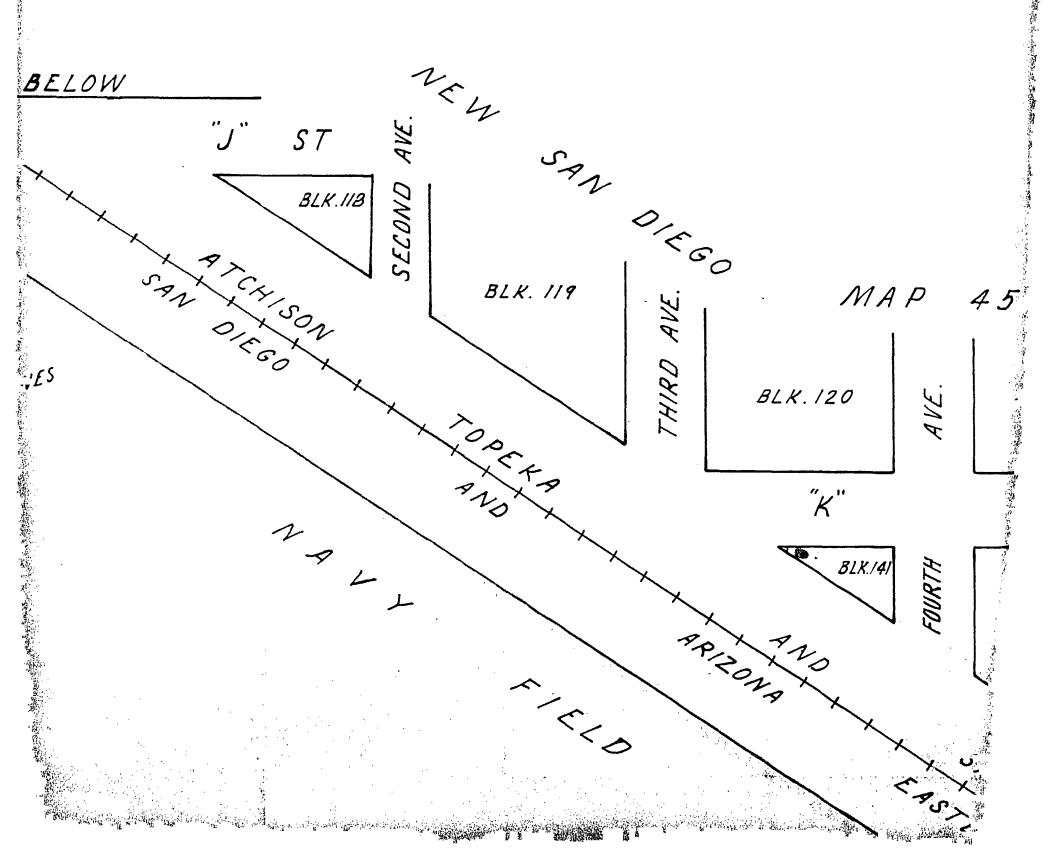
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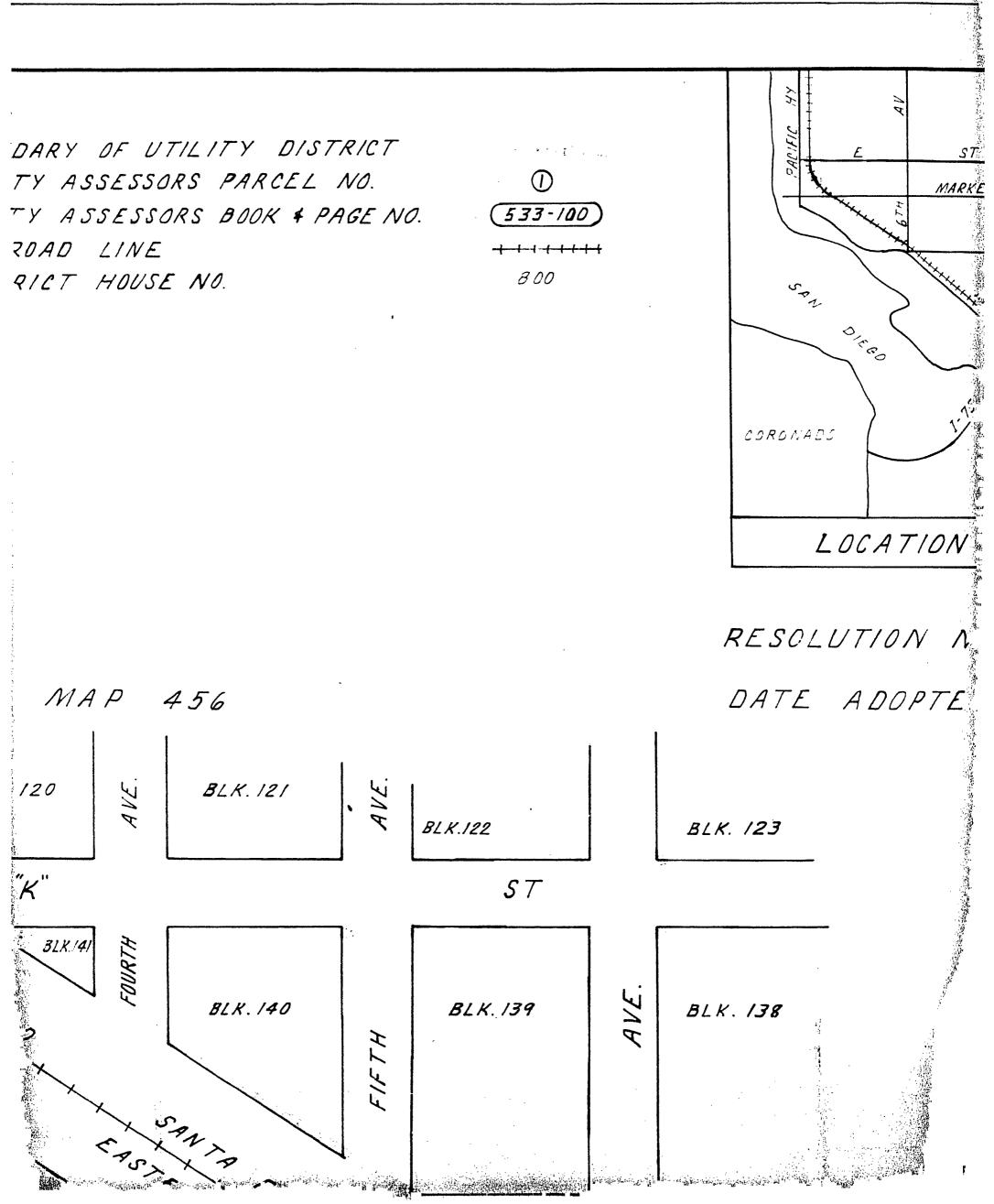




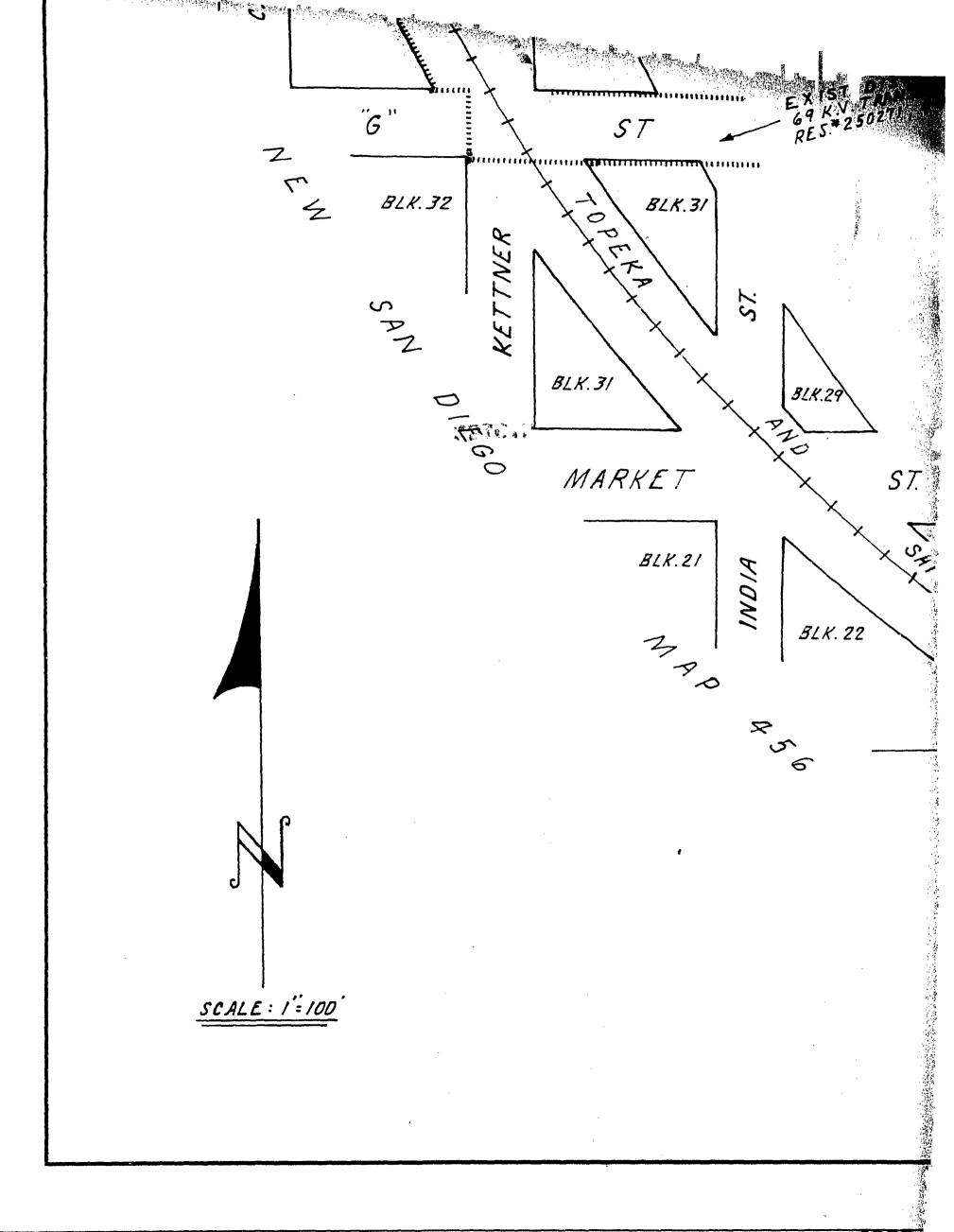
LEGEND:

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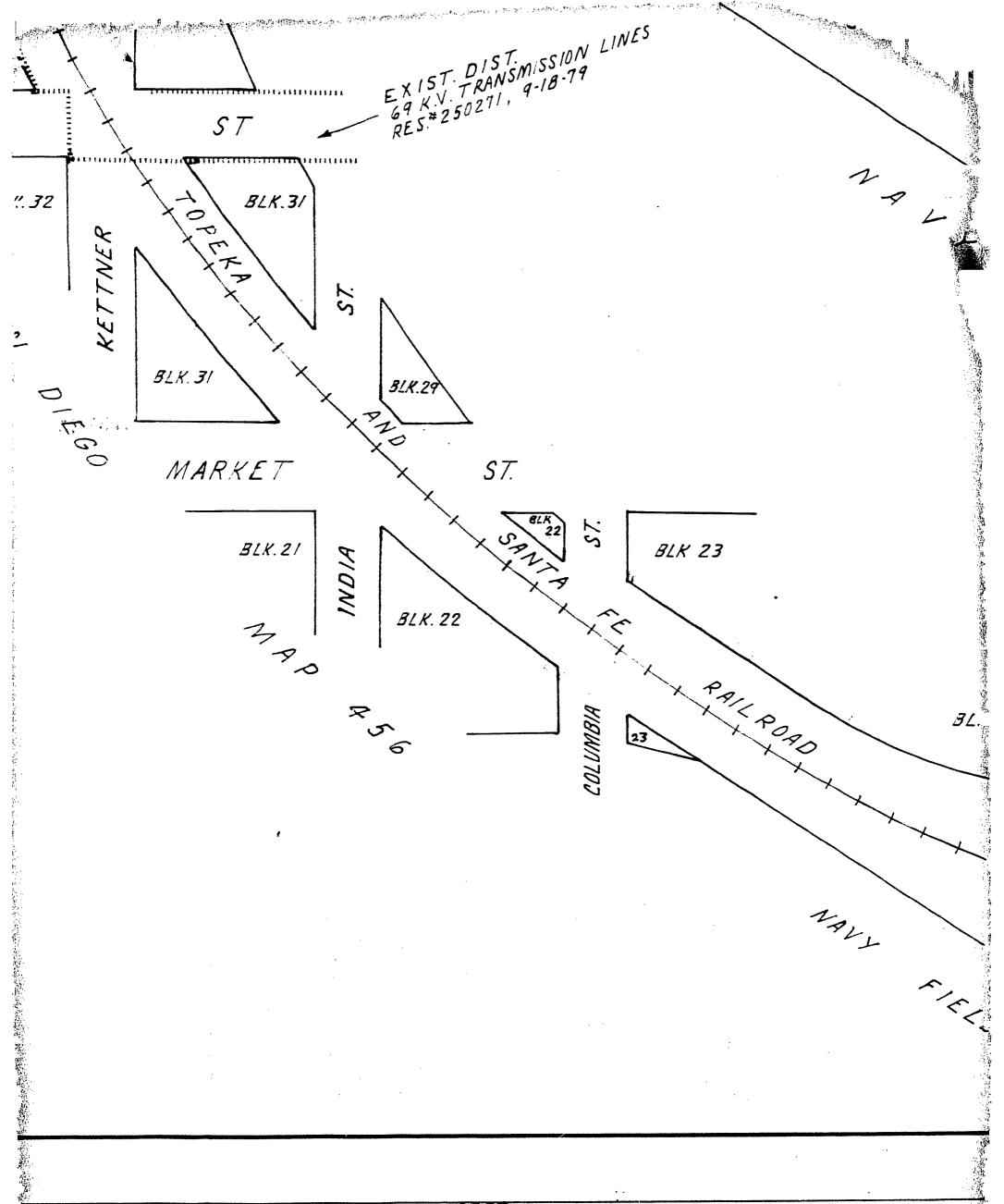


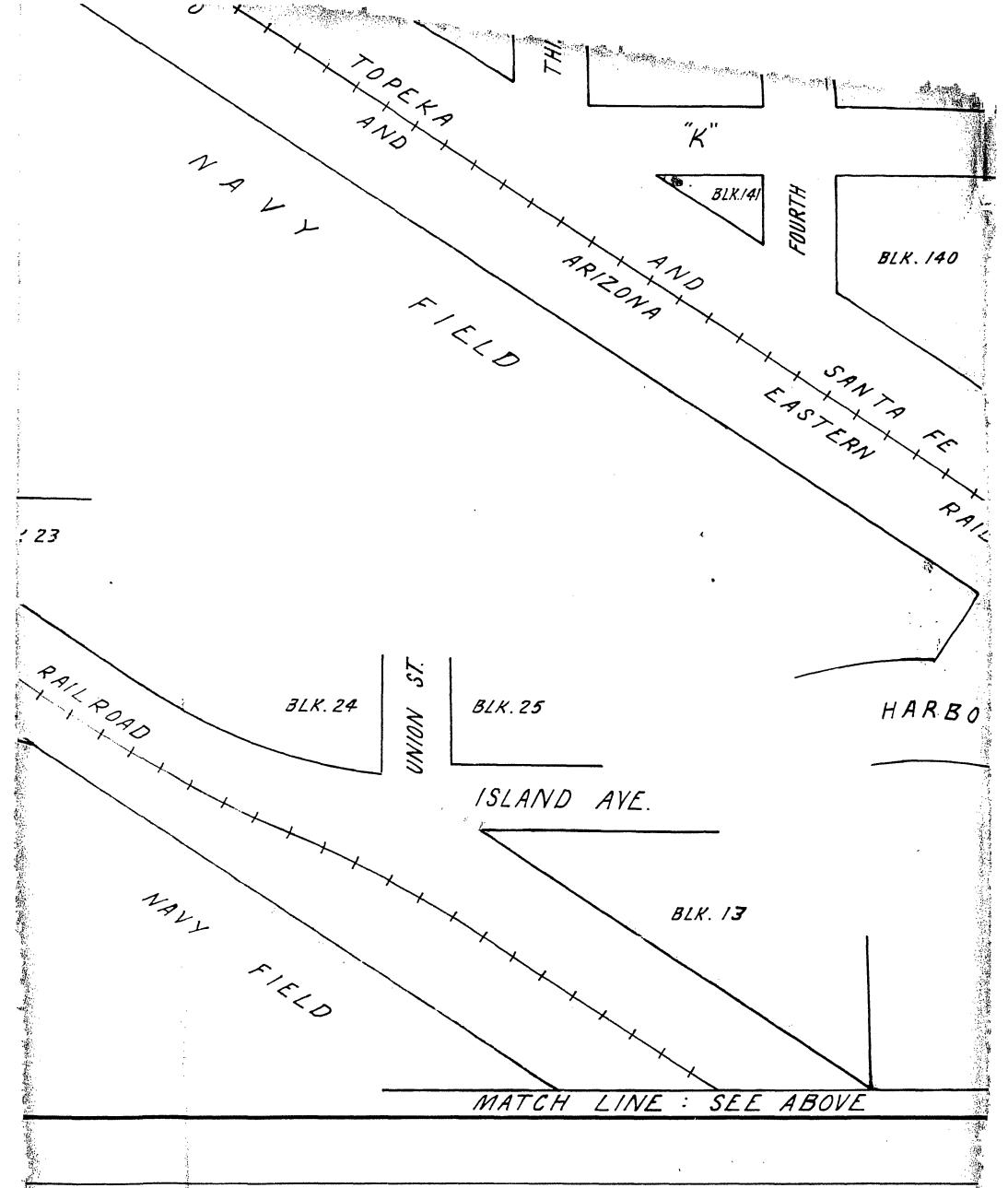
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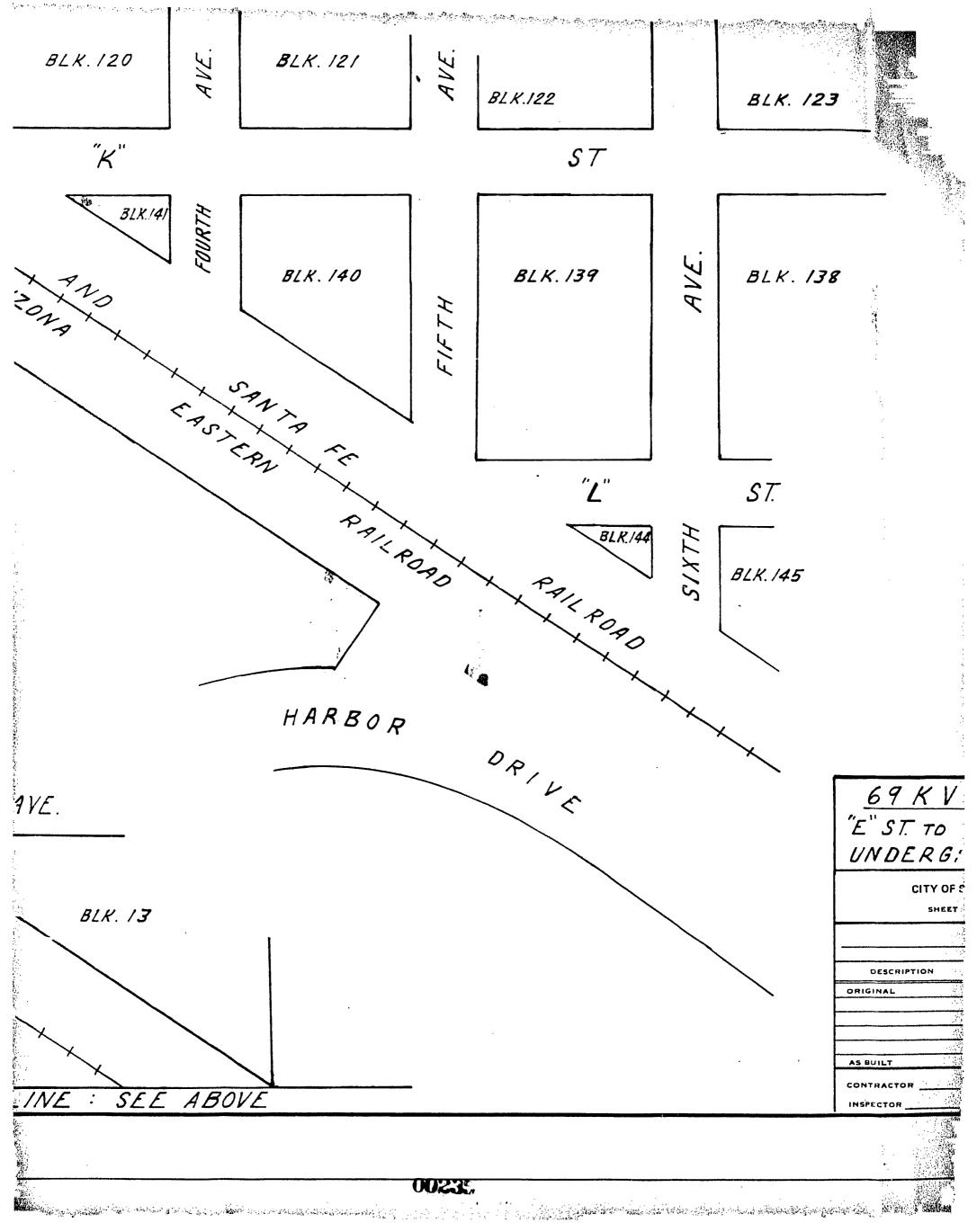
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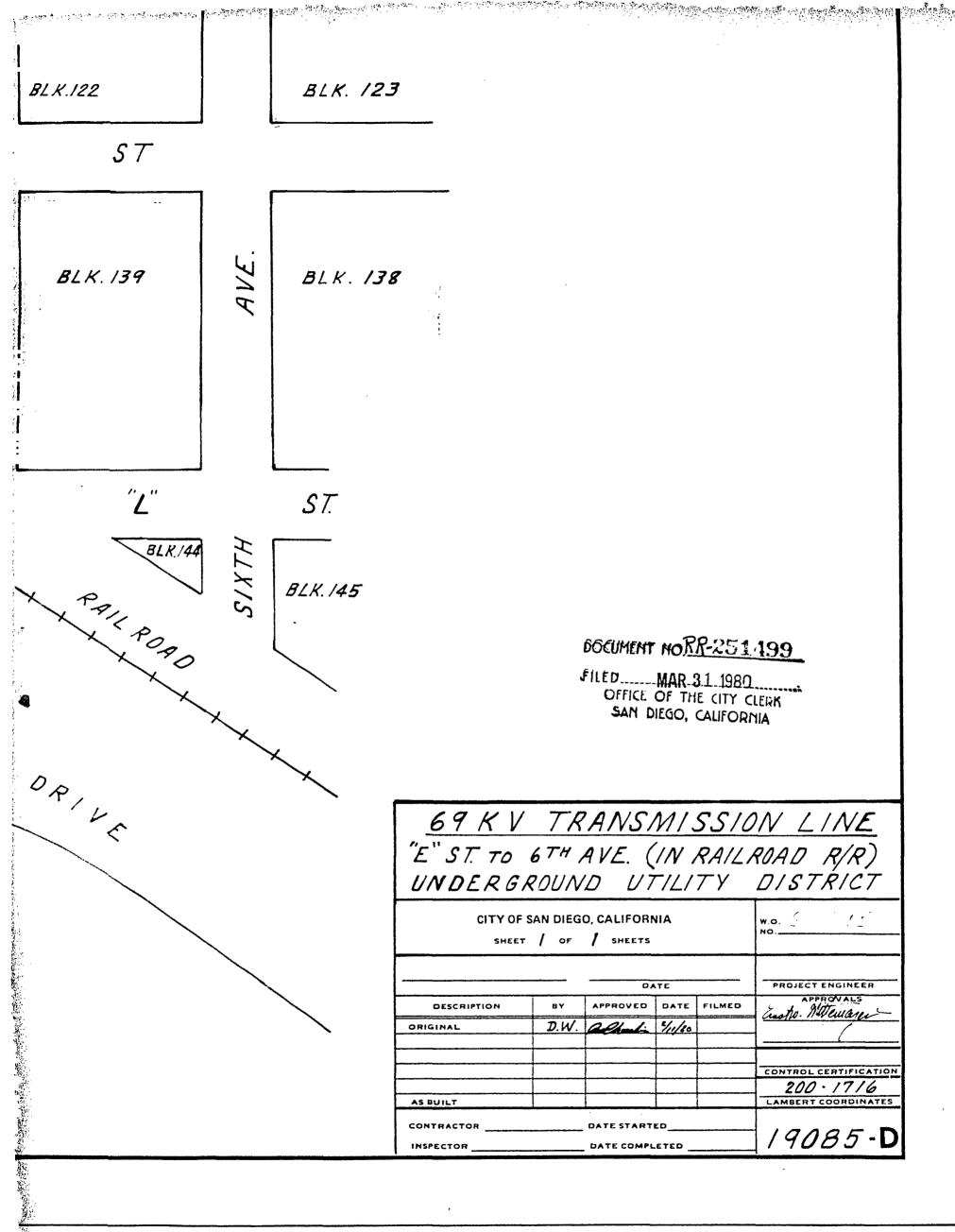
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Passed and adopted by the Courby the following vote:	acil of The City of San Diego on	APR 1 5 1980	
Councilmen Bill Mitchell Bill Cleator Bill Lowery Leon L. Williams Fred Schnaubelt Mike Gotch Larry Stirling Lucy Killea Mayor Pete Wilson	Yeas Nays DDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDD	Not Present Ineligible	
AUTH	ENTICATED BY:	·	
	Varne	PETE WILSON of The City of San Diego, California.	
(Seal)	, , C	HARLES G. ABDELNOUR rk of The City of San Diego, California. Deputy.	
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	Office of the City Clerk, San Diego, California		
	Resolution R-2516:	15 Adopted APR 1 5 1980	

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