

(R-85-22)

RESOLUTION NUMBER R- 261431

Adopted on AUG 21 1984

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE MISSION BAY DRIVE (GRAND AVENUE NORTHERLY TO I-5) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 261217, a public hearing was called for on August 21, 1984 at the hour of 10:00 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:

The westerly 50 feet of Lot 1, MOTOR SUBDIVISION MAP 5303; a portion of Lot 4, EUREKA LEMON TRACT MAP 753; the westerly 50 feet of the northerly 100 feet of Parcel 2, PARCEL MAP 4184; the westerly 50 feet of a portion of Lot 28 beginning 150 feet south of the southerly line of Garnet Avenue, EUREKA LEMON TRACT MAP 753; the westerly 50 feet of Lot 2 of BLOCK 1, HOMELAND VILLAS MAP 1010; the southwesterly 50 feet of Pueblo Lot 1788 bounded by the northerly line of Damon Avenue and the easterly line of Mission Bay Drive, the easterly 50 feet of Pueblo Lot 1788 bounded by the CAPEHART HOUSING on the north, LANE SQUARE MAP 5517 on the south and the westerly line of Mission Bay Drive on the east, MISCELLANEOUS MAP 36; the easterly 50 feet of Lots 14, 15 and 16 of BLOCK 31, MISSION BAY PARK TRACT RESUBDIVISION MAP 1530; and Lots 7 through 15 of BLOCK 32, MISSION BAY PARK TRACT MAP 1120.

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

MISSION BAY DRIVE between the northerly line of Grand Avenue and a line parallel to and 50 feet north of the northerly line of Bluffside Avenue; BUNKER HILL STREET between the easterly line of Mission Bay Drive and a line parallel to and 50 feet east of the easterly line of Mission Bay Drive; MAGNOLIA AVENUE between the westerly line of Mission Bay Drive and a line parallel to and 100 feet west of the westerly line of Mission Bay Drive; BLUFFSIDE AVENUE between the westerly line of Mission Bay Drive and a line parallel to and 50 feet west of the westerly line of Mission Bay Drive.

all as more particularly shown on Drawing No. 21488-D entitled "MISSION BAY DRIVE (GRAND AVENUE NORTHERLY TO I-5) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR- 261217-(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 

John K. Riess, Deputy

JKR:mem:460
7/3/84
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Or.Dept:E&D
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Passed and adopted by the Council of The City of San Diego on AUG 21 1984,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
 Mayor of The City of San Diego, California.

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

By *Barbara Baxter*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-261431 Adopted AUG 21 1984

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