

(R-85-16)

RESOLUTION NUMBER R- 261538

Adopted on SEP 11 1984

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE FIRST AVENUE (INTERSTATE 5 TO LAUREL STREET) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 261215, a public hearing was called for on September 11, 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:

Lots G and H of BLOCK 223, the westerly 25 feet of Lots C and D and all of Lots A and B of BLOCK 233, the northerly 9 feet of Lot G and the westerly 25 feet of Lots G through L of BLOCK 234, the westerly 50 feet of Lots E, F and A through C of BLOCK 239, the easterly 50 feet of Lots I through L of BLOCK 238, the westerly 50 feet of Lots A through F of BLOCK 248, the easterly 50 feet of Lots G through J and the easterly 50 feet of Lot L of BLOCK 249, Lots A through F of BLOCK 256, Lots G through L of BLOCK 255, the westerly 50 feet of Lots A through D of BLOCK 265, the southerly 37.5 feet of Lot B and the westerly 50 feet of Lots B through F of BLOCK 278, HORTON'S ADDITION LOCKLING DB 13, PG 522.

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

FIRST AVENUE between the northerly line of Elm Street and the southerly line of Laurel Street; FIR STREET between a line parallel to and

25 feet west of the westerly line of First Avenue and a line parallel to and 25 feet east of the easterly line of First Avenue; GRAPE STREET between a line parallel to and 50 feet west of the westerly line of First Avenue and a line parallel to and 100 feet east of the easterly line of First Avenue; HAWTHORN STREET between a line parallel to and 50 feet west of the westerly line of First Avenue and a line parallel to and 25 feet east of the easterly line of First Avenue; IVY STREET between a line parallel to and 25 feet west of the westerly line of First Avenue and a line parallel to and 25 feet east of the easterly line of First Avenue; JUNIPER STREET between a line parallel to and 100 feet west of the westerly line of First Avenue and a line parallel to and 25 feet east of the easterly line of First Avenue; KALMIA STREET between a line parallel to and 25 feet west of the westerly line of First Avenue and a line parallel to and 50 feet east of the easterly line of First Avenue.

all as more particularly shown on Drawing No. 21427-D entitled "FIRST AVENUE (INTERSTATE 5 TO LAUREL STREET) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR- 261215 - / 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

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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   
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John K. Riess, Deputy

JKR:mem:460  
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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 SEP 11 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

(Seal)

By *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <b>R-261538</b>	Adopted <b>SEP 11 1984</b>

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