

(R-85-1733)

RESOLUTION NUMBER R- 263176

ADOPTED ON MAY 14 1985

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

WHEREAS, by Resolution No. R-262827, a public hearing was called for on May 14, 1985, 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 I and J of BLOCK 304, Lots I and H of BLOCK 307, Lot H of BLOCK 327, Lot I of BLOCK 330, Lot C of BLOCK 329, Lot F of BLOCK 354, the westerly 50 feet of Lots B through E of BLOCK 354, the westerly 50 feet of Lots E and F of BLOCK 356, all of Lots A through D of BLOCK 356, all of Lots H and L of BLOCK 357, Lots B, C, and D of BLOCK 386, Lots I through L of BLOCK 388, HORTON'S ADDITION LOCKLING, Deed Book 13-pg. 522; Lots 1 through 3 and Lots 5 through 8 of BLOCK 5, Lots 2 and 3, and the westerly 50 feet of Lot 4 of BLOCK 4, LOMA GRANDE MAP 692; Lot 13 and Lots 22 through 24 of BLOCK 8, Lots 1 through 6 of BLOCK 7, Lots 2 and 3

of BLOCK 6, Lots 10 through 13 of BLOCK 3, Lots 3 and 4 of BLOCK 5, Lots 1 through 3 of BLOCK 4, BROOKES ADDITION MAP 596; Lots 1 through 3 of BLOCK 5, Lots 5 through 7 of BLOCK 4, NUTT'S ADDITION MAP 628.

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

FIFTH AVENUE between the northerly line of Laurel Street, and the southerly line of Robinson Avenue - also between a line parallel to and 25 feet south of the northerly line of Robinson Avenue and the northerly line of Robinson Avenue; MAPLE STREET between a line parallel to and 25 feet west of the westerly line of Fifth Avenue and a line parallel to and 90 feet east of the easterly line of Fifth Avenue; NUTMEG STREET between a line parallel to and 50 feet west of the westerly line of Fifth Avenue and a line parallel to and 50 feet east of the easterly line of Fifth Avenue; OLIVE STREET between a line parallel to and 25 feet west of the westerly line of Fifth Avenue and a line parallel to and 25 feet east of the easterly line of Fifth Avenue; PALM STREET between a line parallel to and 25 feet west of the westerly line of Fifth Avenue and a line parallel to and 25 feet east of the easterly line of Fifth Avenue; QUINCE STREET between a line parallel to and 25 feet west of the westerly line of Fifth Avenue and a line parallel to and 100 feet east of the easterly line of Fifth Avenue; REDWOOD STREET between a line parallel to and 25 feet west of the westerly line of Fifth Avenue and a line parallel to and 90 feet east of the easterly line of Fifth Avenue; SPRUCE STREET between a line parallel to and 25 feet west

of the westerly line of Fifth Avenue and a line parallel to and 100 feet east of the easterly line of Fifth Avenue; THORN STREET between a line parallel to and 25 feet west of the westerly line of Fifth Avenue and a line parallel to and 75 feet east of the easterly line of Fifth Avenue; UPAS STREET between a line parallel to and 25 feet west of the westerly line of Fifth Avenue and a line parallel to and 90 feet east of the easterly line of Fifth Avenue; WALNUT AVENUE between a line parallel to and 100 feet west of the westerly line of Fifth Avenue and the westerly line of Fifth Avenue; the south 25 feet of IVY LANE between a line parallel to and 100 feet east of the easterly line of Fifth Avenue and the easterly line of Fifth Avenue; BROOKES AVENUE between a line parallel to and 25 feet west of the westerly line of Fifth Avenue and a line parallel to and 25 feet east of the easterly line of Fifth Avenue; ANDERSON PLACE between a line parallel to and 50 feet east of the easterly line of Fifth Avenue and the easterly line of Fifth Avenue; PENNSYLVANIA AVENUE between a line parallel to and 50 feet west of the westerly line of Fifth Avenue and a line parallel to and 25 feet east of the easterly line of Fifth Avenue; EVANS PLACE between a line parallel to and 50 feet east of the easterly line of Fifth Avenue and the easterly line of Fifth Avenue; the northerly 25 feet of ROBINSON AVENUE between a line parallel to and 25 feet west of the westerly line of Fifth Avenue and a line parallel to and 25 feet east of the easterly line of Fifth Avenue; all as more particularly shown on Drawing No. 21971-D entitled "FIFTH AVENUE (LAUREL STREET TO UNIVERSITY AVENUE) UNDERGROUND UTILITY

DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR- 262827 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:3/19/85
Or.Dept:E&D
R-85-1733

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(a)

MAY 14 1985

Passed and adopted by the Council of The City of San Diego on _____,
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"/>
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 Struikma	<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.

(Seal)

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

By June A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-263176 Adopted MAY 14 1985

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