

(R-86-1057)

RESOLUTION NUMBER R- 265226

ADOPTED ON MAR 11 1986

A RESOLUTION ESTABLISHING AN UNDERGROUND
UTILITY DISTRICT TO BE KNOWN AND DENOMINATED
AS THE LOGAN AVENUE (43RD STREET TO EUCLID
AVENUE) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R-264910, a public hearing was called for on MAR 11 1986 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:

Lot 11 in National Highlands Annex, Map 2270; the westerly half of lots 23 and 24 in Block G, lot 24 in Block F in Alta Vista Suburb, Map 1008; lot 55 in Horton's Purchase, Map 283; the northerly 75 feet of lot 4 in Block 60 in Caruther's Addition, Map 27 between a line parallel to and 175 feet east of the easterly line of 43rd Street and the easterly line of lot 4; the northerly 75 feet of lot 3 in Block 60 in Caruther's Addition, Map 27; the northerly 25 feet of lots 1 and 58 in Eastgate Patio Homes, Map 10937; lot 61 in Horton's Purchase, Map 283; the northerly 150 feet of lot 1 in Lodi Plaza, Map 4706; Parcel 2 in lot 1 and all of lot 2 in Euclid Plaza, Map 3954.

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

LOGAN AVENUE between the easterly line of 43rd Street and a line parallel to and 150 feet west of the westerly line of Euclid Avenue; DOMINION STREET between a line parallel to and 50 feet north of the northerly line of Logan Avenue and the northerly line of Logan Avenue; 44TH STREET between a line parallel to and 25 feet north of the northerly line of Logan Avenue and the northerly line of Logan Avenue; ELIZABETH STREET between a line parallel to and 25 feet north of the northerly line of Logan Avenue and the northerly line of Logan Avenue; 45TH STREET between a line parallel to and 25 feet north of the northerly line of Logan Avenue and a line parallel to and 50 feet south of the southerly line of Logan Avenue; WEST STREET between a line 50 feet north of the northerly line of Logan Avenue and the northerly line of Logan Avenue; ALLEY IN BLOCK H, and ALLEY IN BLOCK G OF ALTA VISTA SUBURB, MAP 1008, between a line parallel to and 25 feet north of the northerly line of Logan Avenue and the northerly line of Logan Avenue; 46TH STREET between a line parallel to and 25 feet north of the northerly line of Logan Avenue and the northerly line of Logan Avenue; 47TH STREET between a line parallel to and 25 feet south of the southerly line of Logan Avenue and the southerly line of Logan Avenue; MAGENTA STREET between a line parallel to and 25 feet south of the southerly line of Logan Avenue and the southerly line of Logan Avenue; 49TH STREET between a line parallel to and 100 feet south of the southerly line of Logan Avenue and the southerly

line of Logan Avenue; all as more particularly shown on Drawing No. 22498-D entitled "LOGAN AVENUE (43RD STREET TO EUCLID AVENUE) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR- 264910 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:

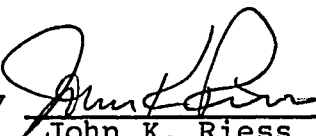
1. The City Council does hereby find and determine that the public health, safety and general welfare require the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television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

JKR:mem
12/6/85
Or.Dept:E&D
R-86-1057
Form=r.uest

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Passed and adopted by the Council of The City of San Diego on MAR 11 1986,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Judy McCarty	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

ED STRUIKSMA
Deputy Mayor of The City of San Diego, California.

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

(Seal)

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R 265226 Adopted MAR 11 1986