(R-86-1808)

RESOLUTION NUMBER R- 265715

ADOPTED ON MAY 1 3 1986

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE 30TH STREET (UNIVERSITY AVENUE TO ADAMS AVENUE) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R-265497, a public hearing was called for on MAY 13 1986 at the hour of proof 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 45-48 in Block 12; the easterly half of Lots 25-27 in Block 65; Lots 4-6 in Block 111; the northerly half of Lots 26-30 and the easterly half of Lots 47 and 48 in Block 110; Lots 1-3 and the easterly half of Lots 20-22 in Block 119; the easterly half of Lots 25, 26, 31-34, 40-42 and the easterly 110 feet of Lots 47 and 48 in Block 154; the westerly 100 feet of Lots 1 and 2 in Block 164; the easterly 115 feet of Lots 25 and 26 in Block 165; the westerly 115 feet of Lots 21-24 in Block 207; Lot 48 in Block 206; all in University Heights Map 558.

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

30TH STREET between the northerly line of University Avenue and a line parallel to and 75 feet north of the northerly line of Adams Avenue; LINCOLN AVENUE between a line parallel to and 25 feet east of the easterly line of 30th Street and a line parallel to and 140 feet west of the westerly line of 30th Street; POLK AVENUE between a line parallel to and 100 feet east of the easterly line of 30th Street and a line parallel to and 60 feet west of the westerly line of 30th Street; HOWARD AVENUE between a line parallel to and 140 feet east of the easterly line of 30th Street and a line parallel to and 110 feet west of the westerly line of 30th Street; Alley in BLOCK 118 between a line parallel to and 25 feet east of the easterly line of 30th Street and the easterly line of 30th Street; Alley in BLOCK 119 between a line parallel to and 200 feet west of the westerly line of 30th Street and the westerly line of 30th Street; EL CAJON BOULEVARD between a line parallel to and 75 feet west of the westerly line of 30th Street and the westerly line of 30th Street; Alley in BLOCK 110 between a line parallel to and 125 feet west of the westerly line of 30th Street and the westerly line of 30th Street; Alley in BLOCK 111 between a line parallel to and 25 feet east of the easterly line of 30th Street and the easterly line of 30th Street; MEADE AVENUE between a line parallel to and 70 feet east of the easterly line of 30th Street and a line parallel to and 70 feet west of the westerly line of 30th Street; the northerly half of MONROE AVENUE between a line parallel to and 50 feet east of

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the easterly line of 30th Street and a line parallel to and 40 feet west of the westerly line of 30th Street; the southerly half of MONROE AVENUE between a line parallel to and 60 feet west of the westerly line of 30th Street and a line parallel to and 50 feet east of the easterly line of 30th Street; MADISON AVENUE between a line parallel to and 25 feet east of the easterly line of 30th Street and a line parallel to and 60 feet west of the westerly line of 30th Street; all as more particularly shown on Drawing No. 22759-D entitled "30TH STREET (UNIVERSITY AVENUE TO ADAMS AVENUE) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No.

RR- 265497 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,

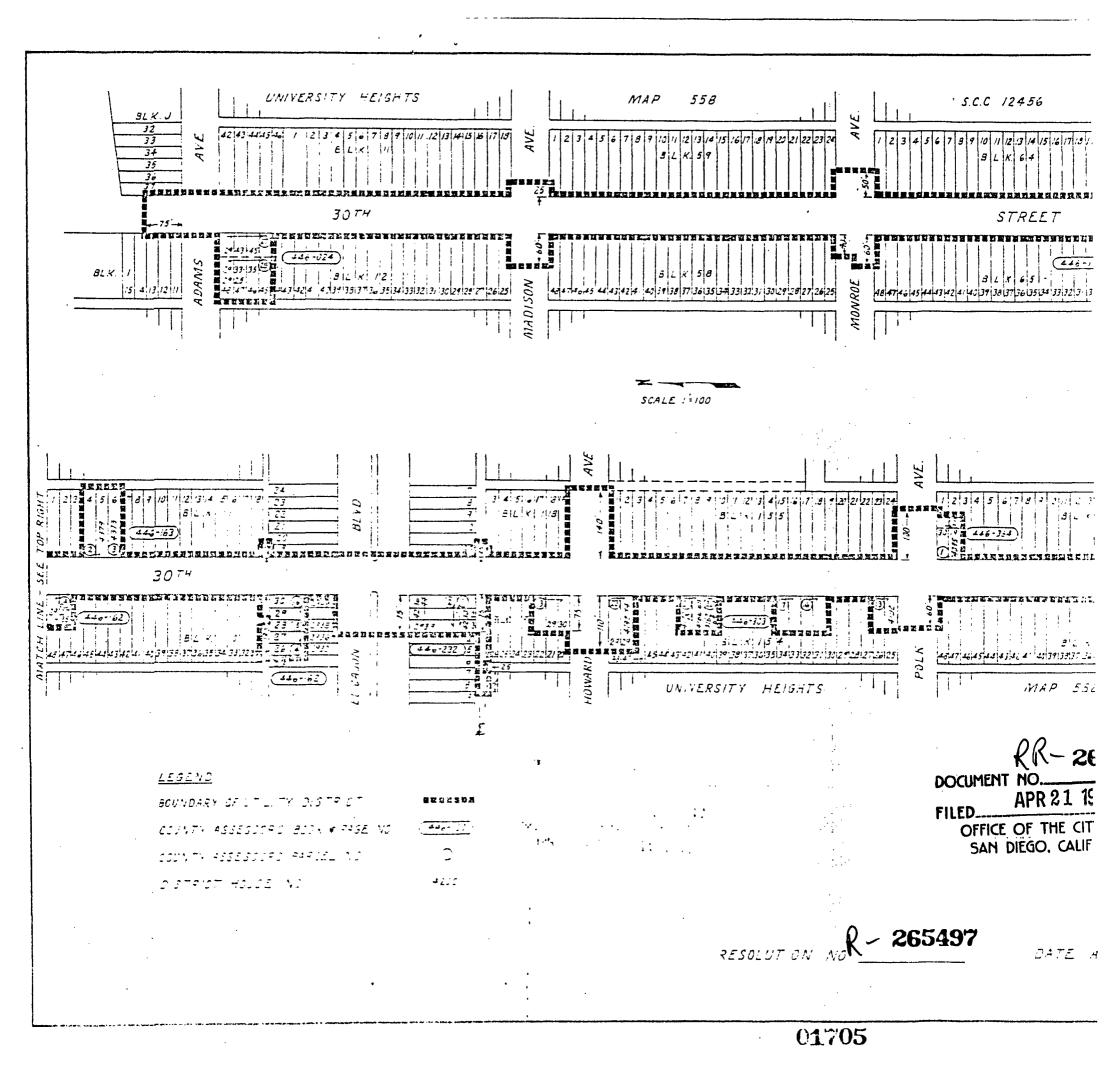
regulations and tariffs of the respective utility company on file with the Public Utilities Commission of the State of California (as of the date of adoption of this resolution) and subject to all other applicable requirements of State law and City ordinances. The Clerk's notification shall be made in the manner provided in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.

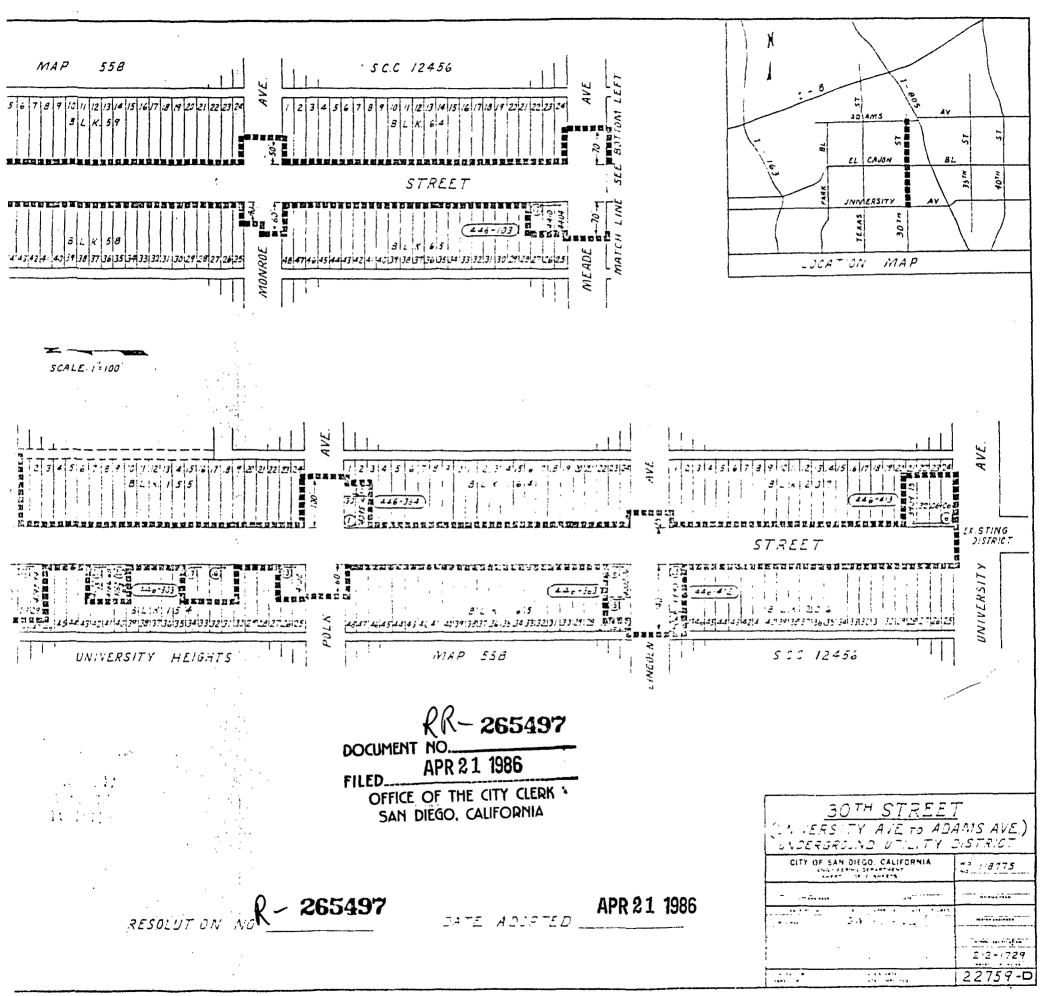
APPROVED: John W. Witt, City Attorney

John K. Riess

Deputy City Attorney

JKR:mem 03/28/86 Or.Dept:E&D R-86-1808 Form=r.uest





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Passed and adopted by the Council of The City of San Diego on by the following vote:		MAY 1 3 1986		
Councilmen Abbe Wolfsheimer Bill Cleator Gloria McColl William Jones Ed Struiksma Mike Gotch Judy McCarty Uvaldo Martinez Mayor	Yeas Nays	Not Present	Ineligible	
AUTHENTICATED BY: ED STRUIKSMA Deputy Mayor of The City of San Diego, California.				
(Seal)	City Clerk of	(2)	ELNOUR Diego, California.	
	Office of the City Cl	Office of the City Clerk, San Diego, California		
	Resolution 265715	Adopted	MAY 1 3 1986	

CC-1276 (Rev. 12-85)

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CITY CLERK'S OFFICE
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SAN DIEGO, CALIF.