

(0-89-42)

ORDINANCE NUMBER O- 17169 (NEW SERIES)

ADOPTED ON OCT 24 1988

AN ORDINANCE OF THE CITY OF SAN DIEGO, WHICH GRANTED ORDINANCE NO. O-10639 (NEW SERIES), TO APPLIED ENERGY, INCORPORATED, A NON-EXCLUSIVE FRANCHISE FOR A PERIOD OF FIFTY YEARS TO CONSTRUCT, MAINTAIN AND USE PIPES AND APPURTENANCES TO CARRY TEMPERATURE-CONTROLLED WATER FOR HEATING AND COOLING PURPOSES IN STREETS WITHIN THE CITY OF SAN DIEGO AND TO UTILIZE SAID PIPES AND APPURTENANCES IN SAID STREETS FOR TRANSMITTING TEMPERATURE-CONTROLLED WATER FOR USE OUTSIDE THE BOUNDARIES OF THE CITY FOR HEATING AND COOLING PURPOSES, IS HEREBY AUTHORIZED TO BE ASSIGNED TO ENERGY FACTORS, INCORPORATED, WHICH WILL ASSIGN THE AGREEMENT TO SAN DIEGO CENTRAL COOLING COMPANY, PURSUANT TO THE PROVISIONS OF SECTION 15 OF THE AGREEMENT.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Applied Energy, Incorporated is hereby authorized to assign its rights and obligations under that certain Contract Regarding Non-exclusive Franchise by and between City and Applied Energy, Incorporated, dated July 29, 1971, (the "Agreement") to Energy Factors, Incorporated.

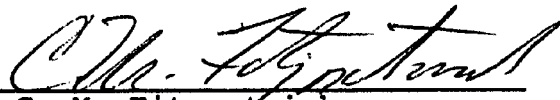
Section 2. That Energy Factors, Incorporated, is hereby authorized to assign its rights and obligations under the Agreement to San Diego Central Cooling Company, pursuant to Section 15 of the Agreement, and to guarantee San Diego Central Cooling Company's performance under the Agreement.

Section 3. That City hereby accepts the above assignments of the Agreement, under the terms and conditions on file in the

office of the City Clerk as Document No. OO- 17169 and
releases Applied Energy, Incorporated from any liability
thereafter occurring under the Agreement.

Section 4. This ordinance shall take effect and be in force
on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By 
C. M. Fitzpatrick
Assistant City Attorney

CMF:js:smm
08/26/88
Or.Dept:Atty.
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Form=o.none

OCT 24 1988

Passed and adopted by the Council of The City of San Diego on
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

(Seal)

By *Jana Martin*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

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, and on

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

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

(Seal)

By *Jana Martin*, Deputy.

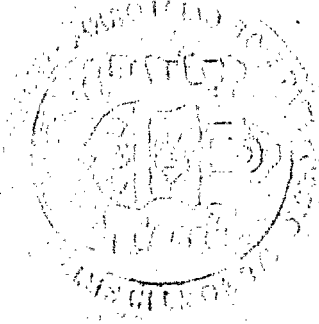
Office of the City Clerk, San Diego, California

Ordinance Number *0-17169* Adopted OCT 24 1988

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SAN DIEGO, CA



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