

(R-90-1051)

RESOLUTION NUMBER R- 275268

ADOPTED ON MAR 13 1990

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE BALBOA AVENUE (CLAIREMONT DRIVE TO 2,700' EAST OF CLAIREMONT DRIVE) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R-275094, a public hearing was called for on March 13, 1990 at the hour of 10:00 <sup>a.m.</sup> 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 1208 and 1209 of Clairemont Unit 8, Map 2889; Lots 1185 and 1186 of Clairemont Unit 7, Map 2872; par. 1 of P.M. 5331; par. 1 of P.M. 8421.

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

BALBOA AVENUE from the easterly line of Modoc Drive to 2,700' east of the easterly line of Clairemont Drive; the alley west of Clairemont Drive from, the northerly line of Balboa Avenue to a line parallel to and 100' north; CLAIREMONT DRIVE between the northerly line of Balboa Avenue to a line parallel to and 100'

north of the northerly line of Balboa Avenue; CLAIREMONT DRIVE between the southerly line of Balboa Avenue to and 70' south of the southerly line of Balboa Avenue.

all as more particularly shown on Drawing No. 23928-D entitled "BALBOA AVENUE (CLAIREMONT DRIVE TO 2,700' EAST OF CLAIREMONT DRIVE) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR-275094 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.

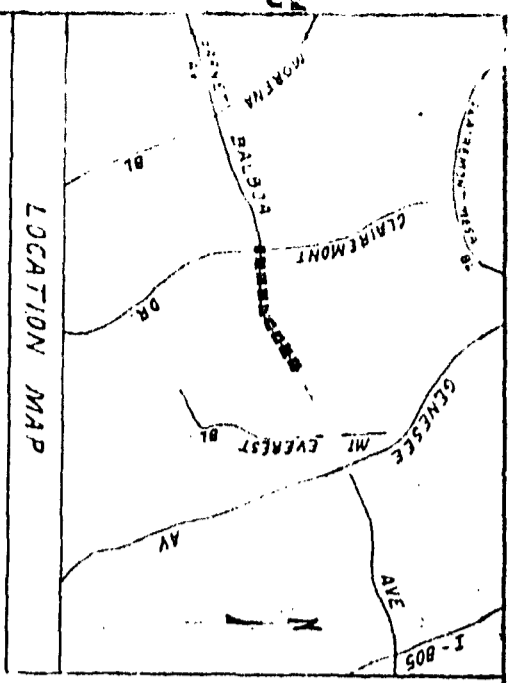
APPROVED: JOHN W. WITT, City Attorney

By

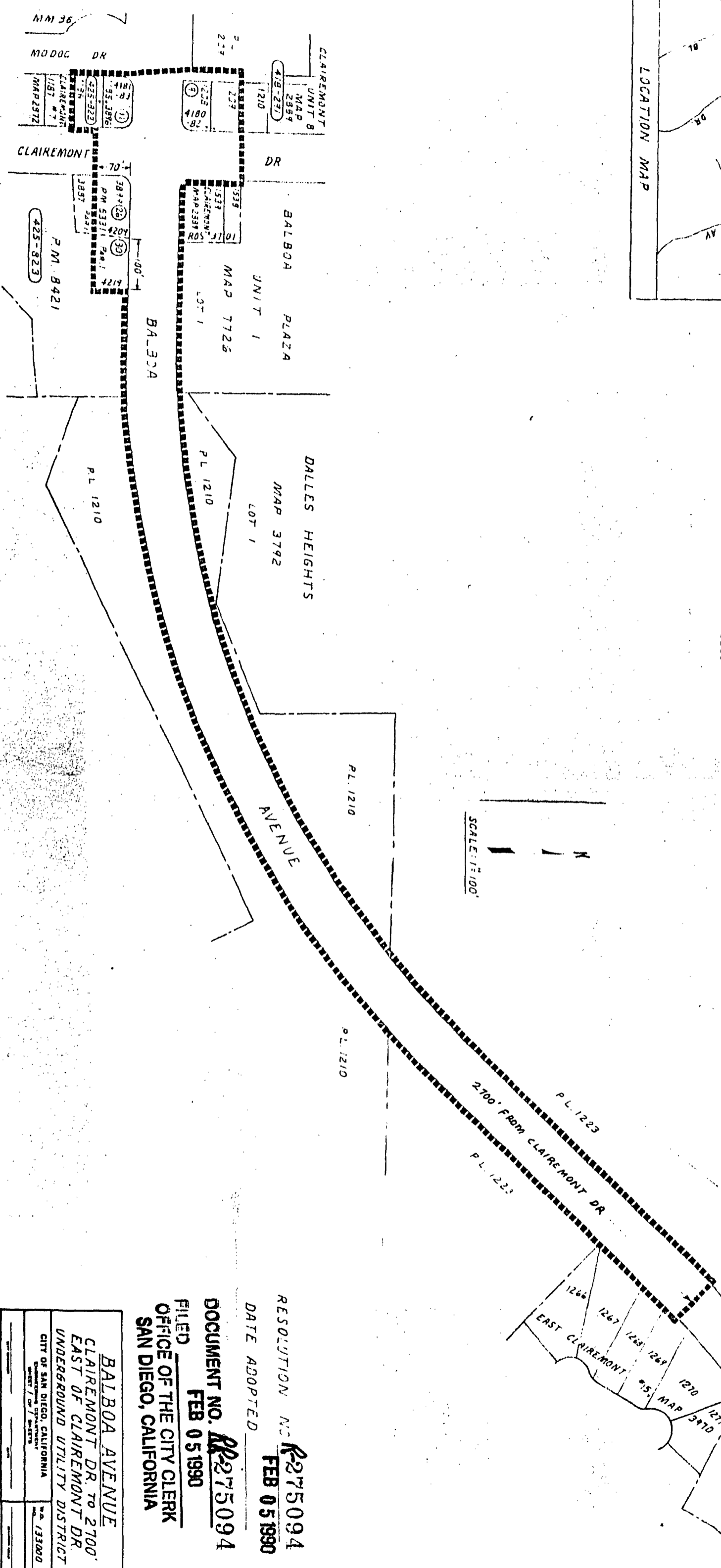


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John K. Riess  
Deputy City Attorney

JKR:pev  
01/04/90  
Or.Dept:E&D  
R-90-1051  
Form=r.uest



**LEGEND:**  
 BOUNDARY OF UTILITY DISTRICT. ....  
 COUNTY ASSESSORS BOOK & PAGE NO. .... 425-100  
 COUNTY ASSESSORS PARCEL NO. .... ①  
 DISTRICT HOUSE NO. .... 3880



SCALE: 1"=100'

R-275268

RESOLUTION NO. **R-275094**  
 DATE ADOPTED **FEB 05 1990**  
 DOCUMENT NO. **R-275094**  
 FILED **FEB 05 1990**  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

BALBOA AVENUE CLAIKEMONT DR. TO 2700' EAST OF CLAIKEMONT DR. UNDERGROUND UTILITY DISTRICT	
CITY OF SAN DIEGO, CALIFORNIA ENGINEERING DEPARTMENT SHEET 1 OF 1 SHEETS	NO. 133000
DATE: FEB 05 1990	BY: [Signature]
SCALE: 1"=100'	DATE: FEB 05 1990
PROJECT NO. 23928-D	DATE: FEB 05 1990

17330  
10 1

**MAR 13 1990**

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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

(Seal)

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

By *Manfred G. Portuono*....., Deputy.

Office of the City Clerk, San Diego, California	
Resolution <b>R - 275268</b>	MAR 13 1990
Number .....	Adopted.....

RECEIVED

90 JAN 18 AM 8:29

CITY CLERKS OFFICE  
SAN DIEGO, CA

Jan 18 1990

Jan 18 1990