

(R-93-1394)

RESOLUTION NUMBER R- 281795

ADOPTED ON APR 20 1993

A RESOLUTION ESTABLISHING AN UNDERGROUND  
UTILITY DISTRICT TO BE KNOWN AND DENOMINATED  
AS THE DIVISION STREET (I-5 TO 43RD STREET)  
UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 281629, a public hearing was called for on April 20, 1993 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:

Parcel A of Parcel Map 983; Lots 25-29 of Hayden's Subdivision Map 24; Lots 25-29 of Block 3 of Nordica Heights No. 1, Map 1446; Lots 4-5 of Block 14, Lot 8 of Block 15, portions of Lot 4 and Lot 9 of Block 16, Lot 10 of Block 17, Lots 34-37 of Block 10, Lots 15-31 of Block 11 of Nordica Heights No. 2, Map 1455.

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

DIVISION STREET between the easterly boundary of I-5 north and the westerly line of 43rd Street; all of DALBERGIA COURT; DALBERGIA STREET between the northerly line

of Division Street and a line parallel to and 120' north of the northerly line of Division Street; 40TH STREET between the northerly line of Division Street and a line parallel to and 50' north of the northerly line of Division Street; 41ST STREET between the northerly line of Division Street and a line parallel to and 50' north of the northerly line of Division Street; MARINEVIEW AVENUE between the northerly line of Division Street and a line parallel to and 50' north of the northerly line of Division Street; COTTONWOOD STREET between the northerly line of Division Street and a line parallel to and 100' north of the northerly line of Division Street; 42ND STREET between the northerly line of Division Street and a line parallel to and 70' north of the northerly line of Division Street; Westerly ALLEY BLOCK 11 between the northerly line of Division Street and a line parallel to and 50' north of the northerly line of Division Street and easterly Alley Block 11 between the northerly line of Division Street and a line parallel to and 140' north of the northerly line of Division Street; all as more particularly shown on Drawing No. 26780-D entitled "DIVISION STREET (I-5 TO 43RD STREET) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR-281629 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

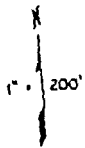
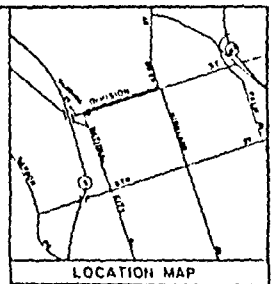


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John K. Riess  
Deputy City Attorney

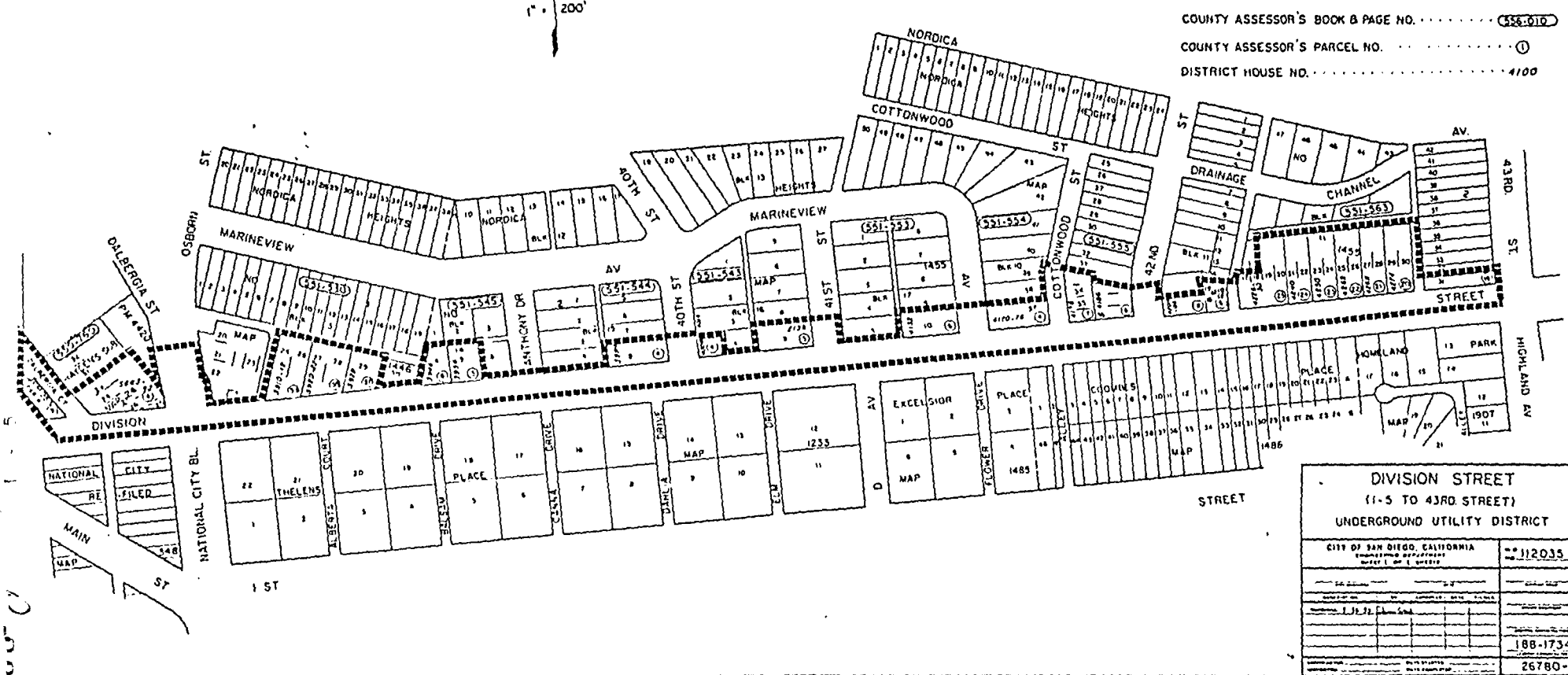
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Or.Dept:E&D  
R-93-1394  
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JMENT NO. RR-281629  
 MAR 22 1993

OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA



LEGEND:  
 BOUNDARY OF UTILITY DISTRICT .....  
 COUNTY ASSESSOR'S BOOK & PAGE NO. .... (556-010)  
 COUNTY ASSESSOR'S PARCEL NO. .... ①  
 DISTRICT HOUSE NO. .... 4100



DIVISION STREET (1-5 TO 43RD STREET) UNDERGROUND UTILITY DISTRICT	
CITY OF SAN DIEGO, CALIFORNIA ENGINEERING DEPARTMENT MARKET & 1 <sup>ST</sup> AVENUE	NO. J12035
DATE: 1/11/93	BY: J. J. J. J.
188-1734	26780-D

334  
01-03

Passed and adopted by the Council of The City of San Diego on APR 20 1993  
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"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING  
Mayor of The City of San Diego, California.

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

By Bronda B. Barnes, Deputy.

Office of the City Clerk, San Diego, California

Resolution R-281795 APR 20 1993  
Number ..... Adopted .....