

(R-98-618)

RESOLUTION NUMBER R- 289658

ADOPTED ON JAN 20 1998

RESOLUTION ESTABLISHING AN UNDERGROUND
UTILITY DISTRICT TO BE KNOWN AND DENOMINATED
AS THE STATE STREET (ASH STREET TO JUNIPER
AVENUE) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 289529, a public hearing was called for on December 9, 1997 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, including the described public rights-of-way, more particularly shown in the Legal Description attached hereto as Exhibit A and incorporated herein, and as more particularly shown in Drawing No. 28757-D, entitled "STATE STREET (ASH STREET TO JUNIPER AVENUE) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR- 289529.

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:

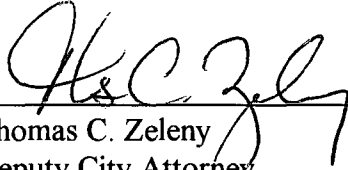
1. The City Council hereby finds and determines that the public health, safety and general welfare require the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television 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 on 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 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: CASEY GWINN, City Attorney

By 
Thomas C. Zeleny
Deputy City Attorney

TCZ:mb
11/25/97
Or.Dept:Eng&CP
R-98-618
Form=uest.res

**LEGAL DESCRIPTION FOR THE
STATE STREET
(ASH STREET TO WEST JUNIPER STREET)
UNDERGROUND UTILITY DISTRICT**

The STATE STREET (ASH STREET TO WEST JUNIPER STREET) UNDERGROUND UTILITY DISTRICT shall be established to include the following described parcels:

Lots 7 - 12 of BLOCK 20, Lots 2 and 3 of Block 21, Lots 1 and 2 and Lots 9 - 12 of Block 25, Lots 1 - 4 and Portion Lots 5 and 6 of BLOCK 24, Lots 7 - 12 of BLOCK 32, Lots 1 - 3 and Lots 5 and 6 of BLOCK 33, Lot 8 of Block 34, Lot 3 of BLOCK 35, Lot 7 and 8 of BLOCK 37, Lots 7 - 12 of BLOCK 44, Portion Lots 5 and 6 of BLOCK 45, Lots 7 - 12 of BLOCK 49 of CCI-1874 MAP of MIDDLETOWN;

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

STATE STREET between the northerly line of WEST ASH STREET and the northerly line of WEST IVY STREET and COLUMBIA STREET;

WEST BEECH STREET between a line parallel to and 150 feet west of the westerly line of STATE STREET and a line parallel to and 100 feet east of the easterly line of STATE STREET;

WEST CEDAR STREET between a line parallel to and 150 feet west of the westerly line of STATE STREET and a line parallel to and 100 feet east of the easterly line of STATE STREET;

WEST DATE STREET between a line parallel to and 100 feet west of the westerly line of STATE STREET and westerly line of UNION STREET;

WEST ELM STREET between a line parallel to and 100 feet west of the westerly line of STATE STREET and the easterly line of STATE STREET;

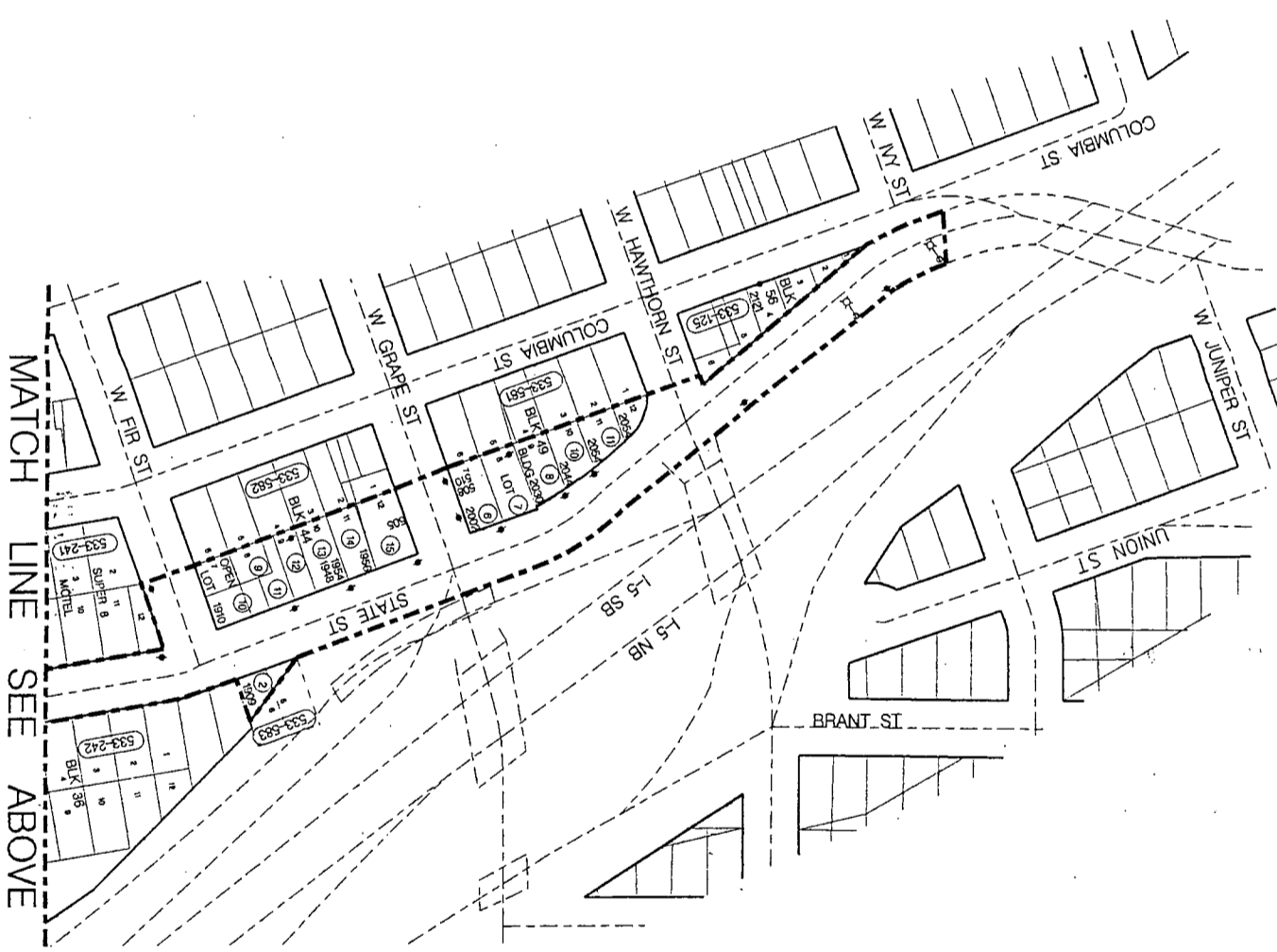
WEST FIR STREET between a line parallel to and 100 feet west of the westerly line of STATE STREET and the easterly line of STATE STREET;

WEST GRAPE STREET between a line parallel to and 100 feet west of the westerly line of STATE STREET and the easterly line of STATE STREET;

All as more particularly shown on City Engineer's Drawing No. 28757-D.

**UNDERGROUND UTILITY DISTRICT
STATE STREET (ASH STREET TO JUNIPER STREET)**

MATCH LINE SEE BELOW

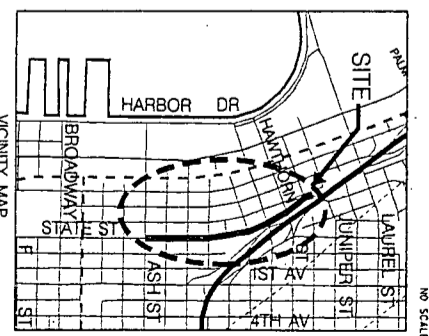


MATCH LINE SEE ABOVE

LEGEND:

- District Boundary
- ASSESSOR'S BOOK & PAGE NO.
- ASSESSOR'S PARCEL NO.
- ADDRESS
- EXISTING POLE
- EXISTING STREET LIGHT

RESOLUTION NO.: _____
DATE ADOPTED: _____



**STATE STREET
(ASH STREET TO WEST JUNIPER STREET)
UNDERGROUND UTILITY DISTRICT**

CITY OF SAN DIEGO, CALIFORNIA
ENGINEERING DEPARTMENT
SHEET 1 OF 1 SHEETS

DATE: 01/15/97
BY: [Signature]

NO. 372955
V. 202-1716
DATE CANCELLED: 20757-D

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