

(R-99-70)

RESOLUTION NUMBER R- 290714

ADOPTED ON SEP 15 1998

RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE MONTEZUMA ROAD (FAIRMOUNT AVENUE TO COLLWOOD BOULEVARD) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 290565, a public hearing was called for on September 15, 1998 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. 29398-D, entitled "MONTEZUMA ROAD (FAIRMOUNT AVENUE TO COLLWOOD BOULEVARD) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR-290565; 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:

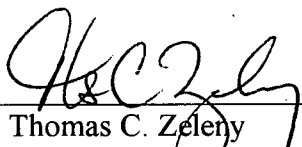
1. The City Council hereby finds and determines that the public health, safety, or general welfare require the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television 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 days after date of adoption. The City Clerk shall further notify 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  
07/20/98  
Or.Dept:Eng&CP  
R-99-70  
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**GENERAL BOUNDARY DESCRIPTION FOR THE  
MONTEZUMA ROAD  
(FAIRMOUNT AVENUE TO COLLWOOD BOULEVARD)  
UNDERGROUND UTILITY DISTRICT**

The MONTEZUMA ROAD (FAIRMOUNT AVENUE TO COLLWOOD BOULEVARD) UNDERGROUND UTILITY DISTRICT shall be established to include the following public rights-of-way:

MONTEZUMA ROAD right-of-way between the following two described lines:

The northerly extension of the easterly line of COLLWOOD BOULEVARD to the northerly line of MONTEZUMA ROAD

A line drawn from the intersection of the northerly line of MONTEZUMA ROAD with the easterly line of lot 89, MAP NO 2823, to the intersection of the easterly right-of-way line of FAIRMOUNT AVENUE and the southerly right-of-way line of MONTEZUMA ROAD.

Excepting therefrom any portions of said described lands lying outside the CITY OF SAN DIEGO right-of-way.

All as more particularly shown on City Engineer's Drawing No. 29398-D.

# MONTEZUMA ROAD (FAIRMOUNT AVE. TO COLLWOOD BLVD.) UNDERGROUND UTILITY DISTRICT

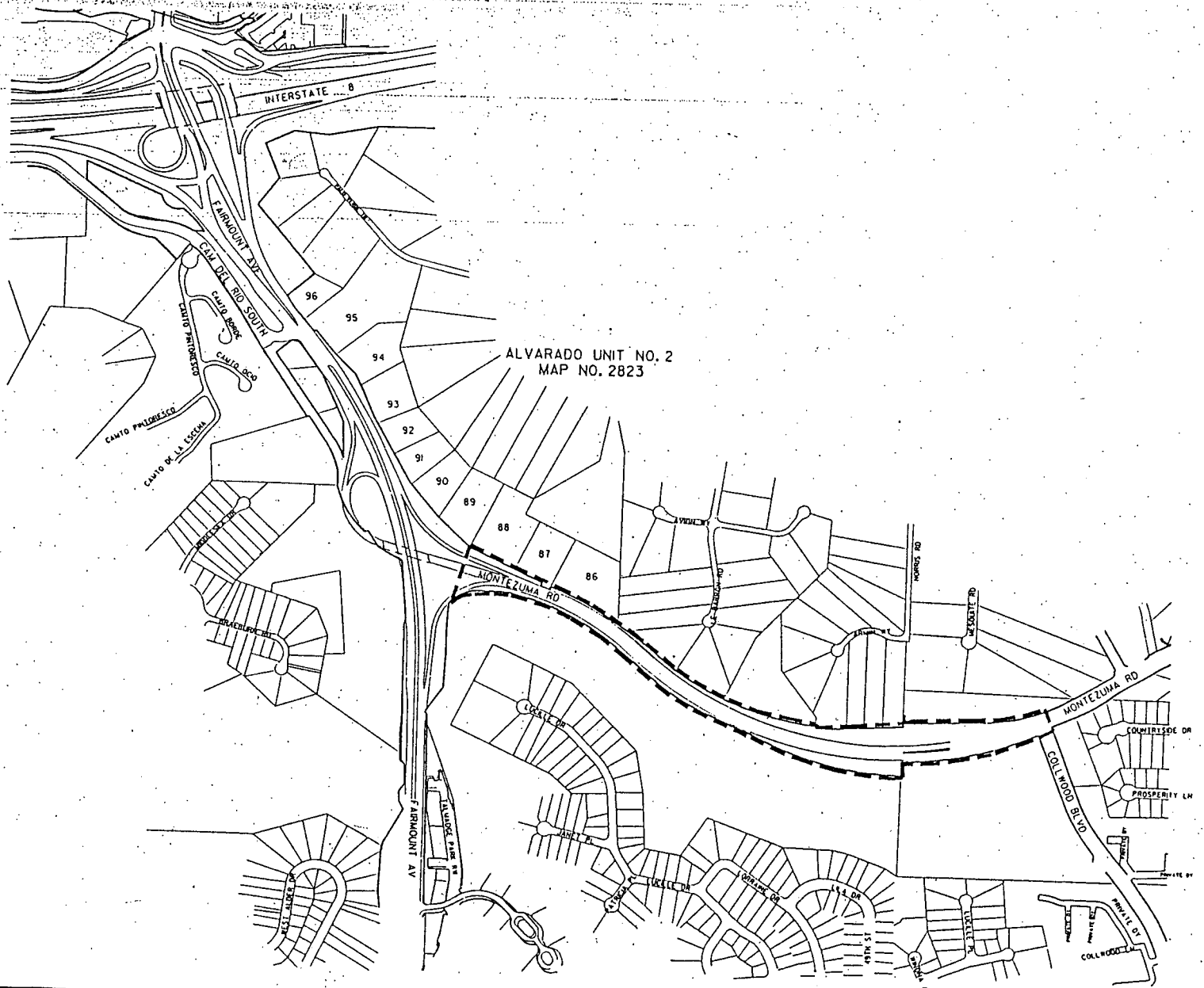
DOCUMENT NO. R-290565

FILED AUG 03 1998  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

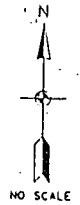
**LEGEND:**

DISTRICT BOUNDARY

RESOLUTION NO.: R-290565  
DATE ADOPTED: AUG 03 1998



ALVARADO UNIT NO. 2  
MAP NO. 2823



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<b>MONTEZUMA ROAD (FAIRMOUNT AVE. TO COLLWOOD BLVD.) UNDERGROUND UTILITY DISTRICT</b>			
CITY OF SAN DIEGO, CALIFORNIA ENGINEERING AND DEVELOPMENT DEPARTMENT SHEET 1 OF 1 SHEETS			W.O. NO. <b>#2039</b>
FOR CITY ENGINEER	BY	DATE	DESIGN HEAD
DESCRIPTION	APPROVED	DATE	FILED
FILE NO. DATE	BY	DATE	DESIGN ENGINEER
			CONTROL CERTIFICATION
			000-0000
			LABORER COORDINATES
CONTRACTOR	DATE STARTED		
INSPECTOR	DATE COMPLETED		<b>29398-D</b>

R-290714