

(R-99-61)

RESOLUTION NUMBER R- 290716

ADOPTED ON SEP 15 1998

RESOLUTION ESTABLISHING AN UNDERGROUND
UTILITY DISTRICT TO BE KNOWN AND DENOMINATED
AS THE FAIRMOUNT AVENUE (TALMADGE CANYON
ROAD TO CAMINO DEL RIO SOUTH) UNDERGROUND
UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 290561, 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. 29399-D, entitled "FAIRMOUNT AVENUE (TALMADGE CANYON ROAD TO CAMINO DEL RIO SOUTH) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR- 290561 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:

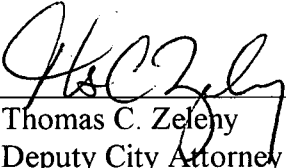
1. The City Council hereby finds and determines that the public health, safety, or general welfare require the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television 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-99-61
Form=uest.res

**GENERAL BOUNDARY DESCRIPTION FOR THE
FAIRMOUNT AVENUE
(TALMADGE CANYON ROAD TO CAMINO DEL RIO SOUTH)
UNDERGROUND UTILITY DISTRICT**

The FAIRMOUNT AVENUE (TALMADGE CANYON ROAD TO CAMINO DEL RIO SOUTH) UNDERGROUND UTILITY DISTRICT shall be established to include the following public rights-of-way:

FAIRMOUNT AVENUE Beginning at a point of intersection of the northerly right-of-way line of FAIRMOUNT AVENUE and the southeasterly line of lot 96 of ALVARADO UNIT NO.2, MAP NO.2823; thence southeasterly along said northerly right-of-way line to an intersection with the easterly line of lot 89 of said MAP NO. 2823; thence leaving said point to a point of intersection of the southerly right-of-way line of MONTEZUMA ROAD and the easterly right-of-way line of FAIRMOUNT AVENUE; thence leaving said right-of-way south +/- 1125 feet; thence west from said south line to an intersection with the westerly right-of-way line of FAIRMOUNT AVENUE; thence northerly along the westerly right-of-way line of FAIRMOUNT AVENUE and CAMINO DEL RIO SOUTH to a point of intersection with the southwesterly prolongation of the southeasterly line of lot 96 of MAP NO. 2823; thence northwesterly along said prolongation of said lot line to the point of beginning.

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. 29399-D.

FAIRMOUNT AVENUE (TALMADGE CANYON RD. TO CAMINO DEL RIO SOUTH) UNDERGROUND UTILITY DISTRICT

DOCUMENT NO. RR 290561

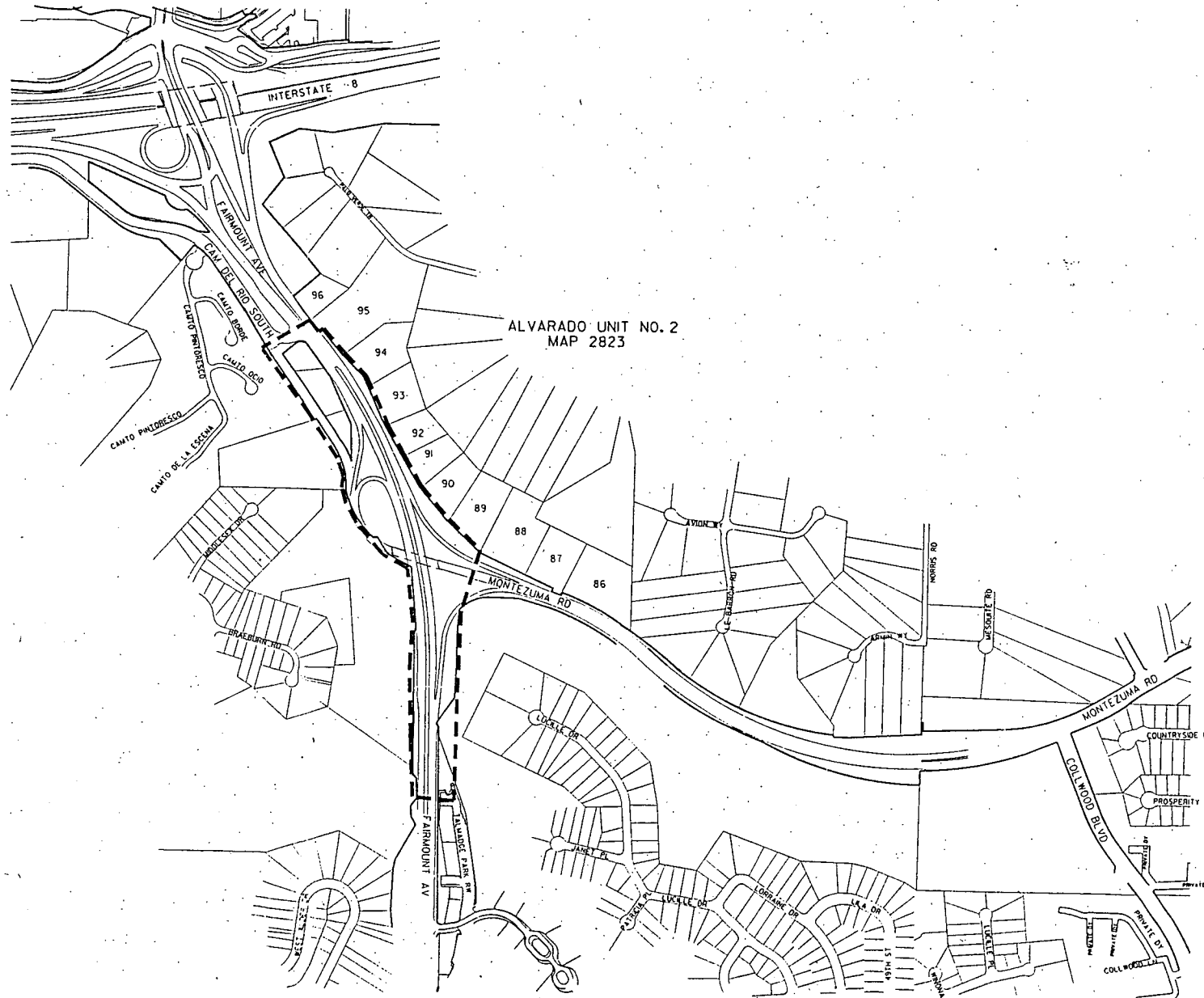
FILED AUG 03 1998

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

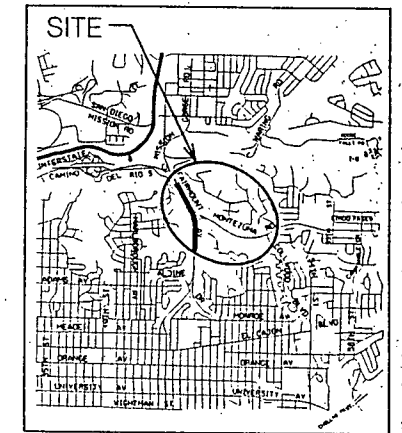
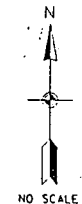
LEGEND:

--- DISTRICT BOUNDARY

RESOLUTION NO. R 290561
DATE ADOPTED: AUG 03 1998



ALVARADO UNIT NO. 2
MAP 2823



VICINITY MAP



Every reasonable effort has been made to assure the accuracy of this map however, neither the P.U.S. participants nor San Diego Data Processing Corporation assume any liability arising from its use. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. PROPRIETARY INFORMATION: The use of the information contained herein is prohibited except as otherwise provided in writing or in accordance with such authorizing agreements.

FAIRMOUNT AVENUE, (TALMADGE CANYON RD TO CAMINO DEL RIO SOUTH) UNDERGROUND UTILITY DISTRICT			
CITY OF SAN DIEGO, CALIFORNIA ENGINEERING AND DEVELOPMENT DEPARTMENT SHEET 1 OF 1 SHEETS			W.O. NO. 112037
FOR CITY ENGINEER	DATE	APPROVED	DIVISION HEAD
DESCRIPTION	BY	DATE	FILED
FILE NO.	DATE	FILED	DESIGN ENGINEER
			CONTROL CERTIFICATION
			000-0000
			LAMBERT COORDINATES
CONTRACTOR	DATE STARTED		29399-D
DIRECTOR	DATE COMPLETED		

R 290716