

RESOLUTION NUMBER R- 290730

ADOPTED ON SEP 15 1998

RESOLUTION ESTABLISHING AN UNDERGROUND  
UTILITY DISTRICT TO BE KNOWN AND DENOMINATED  
AS THE VOLTAIRE STREET (EBERS STREET TO BACON  
STREET) AND THE BACON STREET (VOLTAIRE STREET  
TO WEST POINT LOMA BOULEVARD) UNDERGROUND  
UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 290566, 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. 29395-D, entitled "VOLTAIRE STREET (EBERS STREET  
TO BACON STREET) AND THE BACON STREET (VOLTAIRE STREET TO WEST POINT  
LOMA BOULEVARD) UNDERGROUND UTILITY DISTRICT," copies of which are on file  
in the office of the City Clerk as Document No. RR-290566; 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:

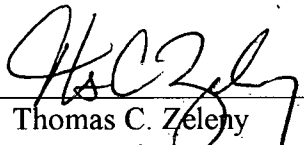
1. The City Council hereby finds and determines that the public health, safety, or general welfare require the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television 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-99-73  
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**GENERAL BOUNDARY DESCRIPTION FOR THE  
VOLTAIRE STREET  
(EBERS STREET TO BACON STREET) &  
BACON STREET  
(VOLTAIRE STREET TO WEST POINT LOMA BOULEVARD)  
UNDERGROUND UTILITY DISTRICT**

The VOLTAIRE STREET (EBERS STREET TO BACON STREET) & BACON STREET (VOLTAIRE STREET TO WEST POINT LOMA BOULEVARD) UNDERGROUND UTILITY DISTRICT shall be established to include the following described parcels:

Portion lot 53, lots 54-58 of BLOCK 103, Portion Lots 5 - 11 and Lots 12-15 of BLOCK 99, Lots 25 and 26 of Block 98, Lots 7 and 8 of Block 94 of MAP OF OCEAN BAY BEACH MAP 1189:

Portion of PUEBLO LOT 205 OF MISCELLANEOUS MAP 36:

Lot 42 of BLOCK 11, Lots 37 and 38 of BLOCK 12, Lots 38,39,41 and 42 of BLOCK 13, Lots 11,12,15 and 16 of BLOCK 18 of MAP OF OCEAN BEACH PARK MAP 1167

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

BACON STREET between the north easterly line of WEST POINT LOMA BOULEVARD and a line parallel to and 100' feet south westerly of the south westerly line of VOLTAIRE STREET;

LOTUS STREET between the northerly line of BACON STREET and a line parallel to and 50' feet north of the northerly line of BACON STREET;

VOLTAIRE STREET between a line parallel to and 50' feet north of the northerly line of BACON STREET and a line parallel to and 50' feet south easterly of the southerly line of EBERS STREET;

CABLE STREET between a line parallel to and 90' feet north easterly of the northerly line of VOLTAIRE STREET and a line parallel to and 100' feet south westerly of the southerly line of VOLTAIRE STREET;

EBERS STREET between a line parallel to and 90' feet north easterly of the northerly line of VOLTAIRE STREET and a line parallel to and 100' feet south westerly of the southerly line of VOLTAIRE STREET;

All as more particularly shown on City Engineer's Drawing No.29395-D.

290730

