

293620 (R-2000-1519 Corrected)

RESOLUTION NUMBER R-\_\_\_\_\_

ADOPTED ON AUG 01 2000

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS LA JOLLA SCENIC DRIVE SOUTH (FROM LA JOLLA MESA DRIVE TO SOLEDAD MOUNTAIN ROAD) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 293363, a public hearing was called for on August 1, 2000, 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, as more particularly shown in the Legal Description attached hereto as Exhibit A and incorporated herein, and as more particularly shown in Drawing Number 30257-1-D, entitled "La Jolla Scenic Drive South (from La Jolla Mesa Drive to Soledad Mountain Road) Underground Utility District," copies of which are on file in the office of the City Clerk as Document Number RR- 293363; and

WHEREAS, notice of such hearing has been given by the City Manager 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 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 Manager is hereby authorized to establish the date by which the property in the District must be ready to receive underground service, and the date when all poles, overhead wires, and associated overhead structures are to be removed and replaced by the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service.

3. The City Manager 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 Manager 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 the 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 the adoption of this resolution) and subject to all other applicable requirements of State law and City ordinances.

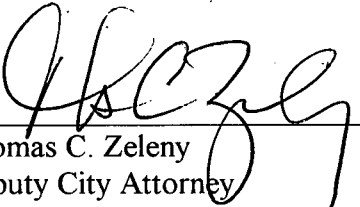
4. The City Auditor and Comptroller is hereby authorized to establish Fund No.78125 for the purpose of depositing Public Utilities Commission Case 8209 Utility Underground Allocation Funds.

5. The City Treasurer is hereby authorized to receive these funds from San Diego Gas & Electric Company.

6. Reimbursement payments to all qualified property owners in La Jolla Scenic Drive South (from La Jolla Mesa Drive to Soledad Mountain Road) Underground Utility District is hereby authorized as reimbursement for the electrical service underground conversion work done on private property, to be reimbursed from Case 8209 Funds deposited by SDG&E with the City Treasurer for this purpose.

7. The City Treasurer is authorized to return to SDG&E undisbursed funds, if any, on written notice from SDG&E to the City that all electrical service conversions within the subject La Jolla Scenic Drive South (from La Jolla Mesa Drive to Soledad Mountain Road) Underground Utility District have been completed.

APPROVED: CASEY GWINN, City Attorney

By   
Thomas C. Zeleny  
Deputy City Attorney

TCZ:mb  
06/07/00  
06/16/00 Corrected  
Aud.Cert:N/A  
Or.Dept:Eng&CP  
R-2000-1519  
Form=uest.res



**GENERAL BOUNDARY DESCRIPTION FOR THE  
LA JOLLA SCENIC DRIVE SOUTH FROM  
LA JOLLA MESA DRIVE TO SOLEDAD MOUNTAIN ROAD  
UNDERGROUND UTILITY DISTRICT**

The La Jolla Scenic Drive South from La Jolla Mesa Drive to Soledad Mtn. Rd. UNDERGROUND UTILITY DISTRICT shall be established to include the following described parcels:

Lots 1 thru 3, Lots 5 and 6, of MAP OF MUIRLANDS VISTA UNIT NO. 1, Map No. 3133;  
Portion Lots Por 1255 and Por 1774 of MAP OF THE PUEBLO LANDS OF SAN DIEGO,  
Miscellaneous Map No. 36;  
Lots 1 thru 4 of MAP OF GAILLARD SUBDIVISION UNIT NO. 2, Map No. 4983;  
Lots 1 and 2, Lots 47 and 48, Lots 53 and 54 of MAP OF MUIRLANDS CREST UNIT NO. 1;  
Map No. 3194;  
Lot 1 and Portion Lot 2 of MAP OF METCALFE TERRACE, Map No. 3443;  
Lot Par 1 of MAP OF BRINK SUBDIVISION; Map No. 4559;  
Lots 1 thru 3 of MAP OF MUIRLANDS KNOLL, Map No. 3545;  
Lots 89 thru 99 of MAP OF MUIRLANDS CREST UNIT NO. 3, Map No. 3419;  
Lots 55 thru 58 and Lot 88 of MAP OF MUIRLANDS CREST UNIT NO. 2, Map No. 3345;  
Lots 4 thru 6 of MAP OF MUIRLANDS ACRES UNIT NO. 5, Map No. 4190;  
Portion of Lot 1 of MAP OF ALL HALLOWS BEING A SUBDIVISION OF A PORTION OF  
PUEBLO LOT 1255 OF THE PUEBLO LANDS OF SAN DIEGO; Map No. 4620;

Said district shall also include the following public right-of-way.

LA JOLLA SCENIC DRIVE between a line parallel to and  $\pm 140$  feet west of the westerly line of  
CITADEL CIRCLE and to the southwesterly line of SOLEDAD MOUNTAIN ROAD.

CITADEL CIRCLE between the southerly line of LA JOLLA SCENIC DRIVE SOUTH and a line  
parallel to and  $\pm 280$  feet south to the end of the cul-de-sac.

CAMPINA PLACE between the northwesterly line of LA JOLLA SCENIC DRIVE SOUTH and a

line parallel to and  $\pm 150$  feet north to the end of the cul-de-sac.

CARDENO DRIVE between the easterly line of LA JOLLA SCENIC DRIVE SOUTH and a line parallel to and  $\pm 390$  feet east on CARDENO DRIVE.

All as more particularly shown on City Engineer's Drawing No. 30257-D