

RESOLUTION NUMBER R- 299628

ADOPTED ON SEP 13 2004

A RESOLUTION CALLING FOR A PUBLIC HEARING TO DETERMINE WHETHER THE PUBLIC HEALTH, SAFETY, OR GENERAL WELFARE REQUIRES THE FORMATION OF UNDERGROUND UTILITY DISTRICTS FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, Chapter VI, Article 1, Division 5 of the San Diego Municipal Code establishes a procedure for the creation of underground utility districts and requires as an initial step in such procedure the holding of a public hearing to determine whether the public health, safety, or general welfare requires 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 in any such district; and

WHEREAS, it has been recommended that the following underground utility districts be formed:

- District CCDC Area 1, Phase 2, Job 2, from Beech Street to Cedar Street and State Street to 7th Avenue, as described in Exhibit A to this resolution and more particularly shown on Drawing No. 33316-D; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that Notice is hereby given that a public hearing will be held by the Council of the City of San Diego on

NOV 09, 2004, 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

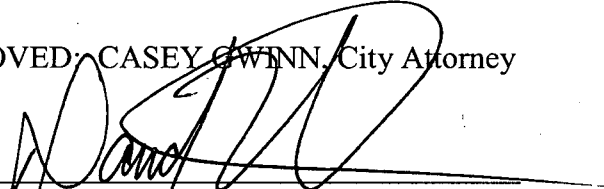
overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service in the Districts described above.

BE IT FURTHER RESOLVED, that at such hearing, all persons interested shall be given an opportunity to be heard and the hearing may be continued from time to time as may be determined by the City Council. The decision of the City Council as to the formation of the Districts as described above shall be final and conclusive.

BE IT FURTHER RESOLVED, that the City Clerk shall notify all affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code and each utility company concerned of the time and place of the hearing by following the procedure set forth in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.

APPROVED: CASEY GWINN, City Attorney

By


David Miller
Deputy City Attorney

DM:nda
08/25/04
Aud.Cert:N/A
Or.Dept:E&CP
R-2005-226

**GENERAL BOUNDARY DESCRIPTION FOR THE
CCDC AREA 1 PHASE II, JOB 2
BEECH STREET FROM BEECH STREET TO CEDAR STREET,
AND STATE STREET TO 7TH AVENUE
UNDERGROUND UTILITY DISTRICT**

The CCDC AREA 1 PHASE II, JOB 2, BEECH STREET FROM BEECH STREET TO CEDAR STREET, AND STATE STREET TO 7TH AVENUE UNDERGROUND UTILITY DISTRICT shall be established to include the following described parcels:

Lots 7 thru 11, Portion Lot 6 of BLOCK 33, Lots 1, 2 and 6 of BLOCK E of MAP OF CCI-1874 MIDDLETOWN, Map No. CCI-1874;

LOT 1 OF Block 208 ½, Lots L and G of BLOCK 197, Lots A, I, J, and L of BLOCK 207, Lots C and G of BLOCK 206, Lots A and L of BLOCK 200, Lot 2 of BLOCK 214, and Lots I thru K of BLOCK 203 of map of HORTONS ADDITION LOCKLING, Map No. DB13 PG 522;

Lots 4 thru 8 of BLOCK 8, Lot 12 of BLOCK 7 of MAP OF BAY VIEW HOMESTEAD, SAN DIEGO, Map No. 150;

Lot 1 of BLOCK 8 of MAP OF WINDEGARDNER SUBDIVISION, Map No. 5234.

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

UNION STREET Between the northerly line of ASH STREET to the northerly line of DATE STREET.

CEDAR STREET Between the easterly line of STATE STREET to the westerly line of UNION STREET.

BEECH STREET a line parallel to and ± 176 feet east of the easterly line of UNION STREET.

BEECH STREET Between the easterly line of FRONT STREET to the westerly line of 4TH AVENUE.

CEDAR STREET Between the easterly line of Front Street to the westerly line of 4TH AVENUE.

1ST AVENUE Between the northerly line of ASH STREET to the northerly line of CEDAR STREET.

2ND AVENUE Between the northerly line of ASH STREET to the northerly line of CEDAR

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STREET.

3RD AVENUE Between the northerly line of ASH STREET to the northerly line of CEDAR STREET.

6TH AVENUE Between the northerly line of BEECH STREET to the southerly line of INTERSTATE 5.

CEDAR STREET Between a line parallel to and ± 99 feet west of the westerly line of 6TH AVENUE to the westerly line of 7TH AVENUE

All as more particularly shown on City Engineer's Drawing No. 33316-D.

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EXHIBIT A