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7/31

RESOLUTION NUMBER R- 302910

DATE OF FINAL PASSAGE AUG 03 2007

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT DEED IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY, FOR AN EASEMENT REQUIRED FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND RELATED ELECTRICAL PURPOSES.

WHEREAS, San Diego Gas & Electric Company [SDG&E] seeks an easement for the transmission and distribution of electricity and related electrical purposes, affecting a portion of the Southeast Quarter of the Northwest Quarter (SD ¼ NW ¼) of Section 33, Township 12 South, Range 1 West, San Bernardino Meridian, County of San Diego, State of California; and

WHEREAS, the easement, as represented in Exhibit "A," allows SDG&E to complete the extension of overhead lines from an existing utility pole westerly to the easterly boundary of the Zoological Society of San Diego dba San Diego Zoo's Wild Animal Park's [Wild Animal Park] leasehold to a new utility pole and then placed underground from that point westward; and

WHEREAS, the easement is for pole, wire, cables, underground facilities and appurtenances for the transmission and distribution of electricity and related electrical purposes. The length of the easement is 744.79 feet with the overhead lines comprising 384 feet and the underground lines 360.79 feet; and

WHEREAS, to cover the City's labor costs and expenses related to processing an Easement Deed, a fee of \$1,590 was deposited into Fund 4150, Revenue Account No. 77438 in the form of a check provided by the Zoological Society of San Diego. SDG&E will not be required to compensate the City for the rights; and

WHEREAS, if Grantee determines that this easement is no longer required to conduct its business, Grantee shall (i) furnish Grantor upon demand a good and sufficient Quitclaim Deed, of all Grantee's right, title, and interest in and to this easement, and (ii) remove, without cost to Grantor, any facilities which were installed by Grantee at its expense; provided, however, Grantee shall not be obligated to remove any underground conduits or substructures.

Notwithstanding the foregoing, in the even of non-use or abandonment of Grantee's facilities for a period of one year, Grantor retains the right to terminate this easement, and, upon written request, Grantee shall provide a Quitclaim Deed, as described above in subparagraph (i); NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his designee, is authorized and empowered to execute, for and on behalf of the City of San Diego, conveying to SDG&E an easement for the purpose of installing an transmission and distribution of electricity and related electrical purposes, affecting a portion of the Southeast Quarter of the Northwest Quarter (SD ¼ NW ¼) of Section 33, Township 12 South, Range 1 West, San Bernardino Meridian, County of San Diego, State of California.

BE IT FURTHER RESOLVED, that the Auditor and Comptroller is authorized to collect and deposit \$1,590 from Fund 4150, Revenue Account No. 77438.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

  
\_\_\_\_\_  
Todd Bradley  
Deputy City Attorney

TB:bas  
07/16/07  
Or.Dept:READ  
R-2008-81

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 31 2007.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 8-3-07  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

EXHIBIT "A"

LEGAL DESCRIPTION

That portion of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) and the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of Section 33, Township 12 South, Range 1 West, San Bernardino Meridian, County of San Diego, State of California, being more particularly described as follows:

Those certain strips of land 12.00 feet in width, being 6.00 feet measured at right angles on each side of the following described centerlines:

Commencing at a 1 inch iron pipe with tag "Div of Hwys" marking the boundary of State Highway No. 78 and the Southeasterly terminus of a line that bears South 66°53'24" East, 1679.26 feet as shown on Sheet 6 of 6 of the State of California, Department of Transportation, District 11, Monumentation Map recorded as Miscellaneous Survey No. 966 in the map records of said San Diego County (MS966), said pipe bears South 66°53'24" East, 1679.36 feet (Record 1679.26 feet grid, 1679.35 feet ground per said MS 966) from a 1 inch iron pipe with tag "Div of Hwys" marking said boundary of State Highway No. 78 and the Northwesterly terminus of the aforementioned line, all as shown on said MS 966; thence South 65°23'00" East, 1106.84 feet to the TRUE POINT OF BEGINNING; thence South 39°52'33" East, 59.00 feet to the beginning of a curve concave Southwesterly having a radius of 25.00 feet; thence Southerly 8.14 feet along said curve through a central angle of 18°38'54"; thence South 21°13'39" East, 269.10 feet; thence South 16°09'07" East, 360.79 feet; thence South 18°37'09" East, 409.00 feet.


Containing 0.305 acres.

EXCEPTING THEREFROM any portion not lying within Grantor's Lands.

All as shown on the map attached hereto and made a part hereof.

Prepared By:

Nolte Associates, Inc.

  
James M. Hart, L.S. 8023      11 Dec 2006  
Date

