

(R-2009-1177) 330
F# 10333 6/16

RESOLUTION NUMBER R- 304991

DATE OF FINAL PASSAGE JUL 31 2009

RESOLUTION AUTHORIZING THE EXECUTION AND RECORDATION OF A GRANT OF EASEMENT DEED TO THE NAVY FOR INSTALLATION OF A TELECOMMUNICATIONS LINE AND AUTHORIZING THE ACCEPTANCE AND RECORDATION OF A QUITCLAIM DEED FROM THE NAVY.

WHEREAS, by Grant of Easement, Document No. RR-272894, recorded February 21, 1989, the City of San Diego [City] granted the United States of America, Department of the Navy [Navy], a 30-inch-wide easement for the underground installation of telecommunication conduit within Gatchell Road, between the north and sought property lines of the Point Loma Wastewater Treatment Plant; and

WHEREAS, since said grant from City, Navy has experienced frequent disruptions in telecommunication service due to the numerous plant-related utility lines located within the same general area as the Navy's underground conduit; and

WHEREAS, the reliability of Navy's telecommunication services are critical, relating directly to Homeland Security matters; and

WHEREAS, in order to eliminate further disruption in telecommunication services, Navy redesigned the telecommunication conduit alignment so that it would run primarily above ground; and

WHEREAS, because of the critical nature of Navy's telecommunication services, the removal and replacement of Navy's telecommunication conduit was allowed to proceed on the merits of a permit from City; and

WHEREAS, authorization is now sought to allow the Mayor, or his designee, to take all actions necessary to facilitate the grant of an easement to Navy which will allow the Navy in perpetuity to maintain its telecommunication line; and

WHEREAS, authorization is further sought to allow the Mayor, or his designee, following the completion and acceptance of the new telecommunication line installation, to accept the reconveyance of the previously-granted easement from Navy; and

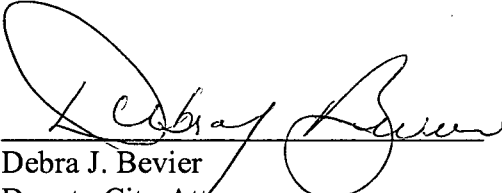
WHEREAS, due to the fact that a segment of the newly-installed communication line will serve/is serving City offices and equipment located at the Treatment Plant facility, and because the Navy will reconvey the easement rights previously-granted for telecommunication line purposes, the grant of the new easement rights should be at no cost to the Navy; NOW, THEREFORE,

BE IT RESOLVED, that the Mayor or his designee, is hereby authorized to take all actions necessary to facilitate the execution and recordation of that certain grant of easement document which conveys to Navy those certain easement rights which will allow for the installation of an above-ground telecommunication line crossing over property owned by City at the Point Loma Wastewater Treatment Plant.

BE IT FURTHER RESOLVED, that the Mayor or his designee, is hereby authorized to take all actions necessary to facilitate the acceptance and recordation of that certain quitclaim deed which reconveys to City those easement rights previously granted to Navy which allowed

for the installation of a telecommunication line over property owned by City at the Point Loma Wastewater Treatment Plant.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Debra J. Bevier
Deputy City Attorney

DJB:mm
05/20/09
Or.Dept:READ
R-2009-1177
MMS#9270

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 16 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7-31-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor