

RESOLUTION NUMBER R- 305148

DATE OF FINAL PASSAGE JUL 31 2009

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT FOR TROJAN AVENUE (56TH STREET TO 60TH STREET) FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, by Resolution No. R- 305037, a public hearing was called for on JUL 27, 2009, at the hour of 2:00 pm. 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 certain areas of the City of San Diego more particularly described as follows [the District]:

- Portion of Lot 17 & Lots 18 through 24 in Block 13 of Map CERRITOS HEIGHTS UNIT NO. 2, Subdivision Map No. 2010.
- Lots 1 & 2 in Block 2 of Map BELLEVIEW HEIGHTS UNIT NO. 1, Subdivision Map No. 2394.
- Lots 1 through 3 in Block 3 of Map BELLEVIEW HEIGHTS UNIT NO. 1, Subdivision Map No. 2394.
- Lots 1 & 19 in Block 4 of Map BELLEVIEW HEIGHTS UNIT NO. 1, Subdivision Map No. 2394.
- Lot 1 in Block 6 of Map BELLEVIEW HEIGHTS UNIT NO. 1, Subdivision Map No. 2394.
- Lots 1 through 8 in Block 7 of Map BELLEVIEW HEIGHTS UNIT NO. 1, Subdivision Map No. 2394.
- Lot 16 in Block 6 of Map BELLEVIEW HEIGHTS UNIT NO. 2, Subdivision Map No. 2466.
- Lots 9 through 19 in Block 7 of Map BELLEVIEW HEIGHTS UNIT NO. 2, Subdivision Map No. 2466.

- Lot 1 in Block 8 of Map BELLEVIEW HEIGHTS UNIT NO. 2, Subdivision Map No. 2466.
- Lots 1 through 4 in Block 11 of Map BELLEVIEW HEIGHTS UNIT NO. 2, Subdivision Map No. 2466.
- Lots 8 through 13 in Block 13 of Map BELLEVIEW HEIGHTS UNIT NO. 4, Subdivision Map No. 2598.
- Lots 3 through 5 in Block 14 of Map BELLEVIEW HEIGHTS UNIT NO. 4, Subdivision Map No. 2598.
- Lot 1 in Block 15 of Map BELLEVIEW HEIGHTS UNIT NO. 5, Subdivision Map No. 2670.
- Lot 1 in Block 16 of Map BELLEVIEW HEIGHTS UNIT NO. 5, Subdivision Map No. 2670.

Said district shall also include the follow public rights of way:

- TROJAN AVENUE from its intersection with 56th St. to its intersection with 60th St.
- ATHENS STREET between a line from the Southwesterly corner of 4367 Athens St. & the Southeasterly corner of 4366 Athens St. to its intersection with Trojan Ave.
- EAST OVERLOOK DRIVE from its intersection with Trojan Ave. South to a line +/- 70 feet South of Trojan Ave.
- CORINTH STREET from its intersection with Trojan Ave. South to a line +/- 70 feet South of Trojan Ave.
- WEST OVERLOOK DRIVE between a line from the Southwesterly corner of 4375 West Overlook Dr & the Southeasterly corner of 5825 Trojan Ave. to its intersection with Trojan Ave.
- 58TH STREET between a line extending Westerly from the Northwesterly corner of 5806 58th St. to a line extending Easterly from the Southeasterly corner of 4260 58th St.
- VALE WAY between a line from the Southeasterly corner of 5639 Vale Way & the Southeasterly boundary to its intersection with Trojan Ave.

WHEREAS, Exhibit Attachment TROJAN AVENUE UNDERGROUND UTILITY DISTRICT Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR THE

TROJAN UNDERGROUND UTILITY DISTRICT (Pages 1 to 2), Legal Description, depicts the above District with greater specificity; and

WHEREAS, notice of such hearing has been given by the Mayor 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 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 within the areas set forth above and that pursuant to Chapter VI, Article 1, Division 5 of the San Diego Municipal Code, the above areas are hereby declared to be underground utility districts 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 Mayor is hereby authorized to establish schedules for the underground conversion of all poles, overhead wires, and associates structures in said District.

3. The Mayor 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 Mayor 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 permit

the installation of all necessary facility changes on their premises, or provide such changes at their own expense, 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. The Mayor's notification shall be in the manner provided in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.


APPROVED: JAN GOLDSMITH, City Attorney

By 
Ryan Kohut
Deputy City Attorney

RK:sc
06/24/09
Or.Dept:E&CP
R-2009-1346

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 27 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7-31-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

TROJAN AVE (56TH STREET TO 60TH STREET) UNDERGROUND UTILITY DISTRICT



**GENERAL BOUNDARY DESCRIPTION FOR THE TROJAN AVENUE
UNDERGROUND UTILITY DISTRICT**

The TROJAN AVENUE UNDERGROUND UTILITY DISTRICT shall be established to include the following described parcels:

Portion of Lot 17 & Lots 18 through 24 in Block 13 of Map CERRITOS HEIGHTS UNIT NO. 2, Subdivision Map No. 2010.

Lots 1 & 2 in Block 2 of Map BELLEVIEW HEIGHTS UNIT NO. 1, Subdivision Map No. 2394.

Lots 1 through 3 in Block 3 of Map BELLEVIEW HEIGHTS UNIT NO. 1, Subdivision Map No. 2394.

Lots 1 & 19 in Block 4 of Map BELLEVIEW HEIGHTS UNIT NO. 1, Subdivision Map No. 2394.

Lot 1 in Block 6 of Map BELLEVIEW HEIGHTS UNIT NO. 1, Subdivision Map No. 2394.

Lots 1 through 8 in Block 7 of Map BELLEVIEW HEIGHTS UNIT NO. 1, Subdivision Map No. 2394.

Lot 16 in Block 6 of Map BELLEVIEW HEIGHTS UNIT NO. 2, Subdivision Map No. 2466.

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Lot 1 in Block 8 of Map BELLEVIEW HEIGHTS UNIT NO. 2, Subdivision Map No. 2466.

Lots 1 through 4 in Block 11 of Map BELLEVIEW HEIGHTS UNIT NO. 2, Subdivision Map No. 2466.

Lots 8 through 13 in Block 13 of Map BELLEVIEW HEIGHTS UNIT NO. 4, Subdivision Map No. 2598.

Lots 3 through 5 in Block 14 of Map BELLEVIEW HEIGHTS UNIT NO. 4, Subdivision Map No. 2598.

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Lot 1 in Block 15 of Map BELLEVIEW HEIGHTS UNIT NO. 5, Subdivision
Map No. 2670.

Lot 1 in Block 16 of Map BELLEVIEW HEIGHTS UNIT NO. 5, Subdivision
Map No. 2670.

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60th St.

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Athens St. & the Southeasterly corner of 4366 Athens St. to its intersection
with Trojan Ave.

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line +/- 70 feet South of Trojan Ave.

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