

105

RESOLUTION NUMBER R- 305516

DATE OF FINAL PASSAGE JAN 11 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE TWO EASEMENT AGREEMENTS TO ACQUIRE AN EASEMENT FROM THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM AND AN EASEMENT FROM SAN DIEGO & ARIZONA EASTERN RAILWAY COMPANY FOR INSTALLATION AND MAINTENANCE OF AN UNDERGROUND SEWER PIPELINE

WHEREAS, a sewer line in the vicinity of 54th and Market Streets has a severely displaced joint not encased in concrete or steel as required by the City's current standards; and

WHEREAS, the 54th & Market Street Accelerated Sewer Project [Project] will redirect and replace approximately 70 feet of sewer line; and

WHEREAS, the Project will also include approximately 42 feet of 8-inch pipeline in steel casing to be micro-tunneled under trolley and train tracks; and

WHEREAS, an easement from the San Diego Metropolitan Transit System, a California public agency [MTS], will be necessary to complete the Project; and

WHEREAS, an easement from the San Diego & Arizona Eastern Railway Company, a Nevada corporation and wholly-owned subsidiary of MTS, will be necessary to complete the Project; and

WHEREAS, acquisition of the property rights will cost \$2,000 and costs for Real Estate Assets Department labor charges, title, appraisal, and miscellaneous costs associated with the acquisition of the property rights will be \$10,000; NOW, THEREFORE,

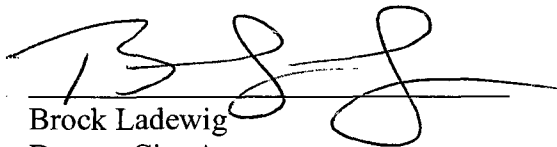
BE IT RESOLVED, by the Council of The City of San Diego, that the Mayor or his designee is authorized to execute and deliver, on behalf of the City, that "Easement Agreement" between the City and San Diego Metropolitan Transit System, a California public agency, on file in the Office of the City Clerk as Document No. RR- 305516 - 1.

BE IT FURTHER RESOLVED, the Mayor or his designee is authorized to execute and deliver, on behalf of the City, that "Easement Agreement" between the City and San Diego & Arizona Eastern Railway Company, a Nevada corporation, on file in the Office of the City Clerk as Document No. RR- 305516 - 2.

BE IT FURTHER RESOLVED, the City's Chief Financial Officer is authorized to disburse up to \$12,000 from CIP A-JB.00001 (Legacy CIP No. 40-933.0), Annual Allocation - MWWD Trunk Sewers for 54th & Market Streets Accelerated Sewer Project - Easement Acquisition, for the easement acquisitions and other related costs, contingent upon the City Comptroller furnishing a certificate certifying that funds necessary for the expenditure are or will be on deposit with the City Treasurer.

APPROVED: JAN I. GOLDSMITH, City Attorney

By


Brock Ladewig
Deputy City Attorney

BL:mm
12/01/09
Or.Dept:READ
R-2010-415
MMS#11099

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 5 2010.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 1.11.10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor