

RESOLUTION NUMBER R- 306501

DATE OF FINAL PASSAGE JAN 28 2011

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT FOR RESIDENTIAL PROJECT BLOCK 7R (ALLIED GARDENS) FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, by Resolution No. R- 306468, a public hearing was called for on DEC 07 2010, 2010, 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 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]:

- Lots 1 through 46 of MAP 4731 – ALLIED GARDENS UNIT NO. 16
- Lot 1 of MAP 9099 – MISSION GORGE CONDOMINIUMS
- Lots 2188 through 2217; Lots 2389 through 2416; Lots 2333 through 2336; Lots 2353 through 2388; Lots 2218 through 2222 of MAP 3439 – ALLIED GARDENS UNIT NO. 10
- Lots 2116 through 2127; Lots 2128 through 2154; Portion of Lots 2155 through 2157; Lots 2158 through 2163; Lots 2164 through 2187; Lots 2015 through 2069; Lots 2093 through 2103 of MAP 3438 – ALLIED GARDENS UNIT NO. 9
- Portion of Lot 2157 of MAP 3873 – ALLIED GARDENS UNIT NO. 15
- Portion of Lots 2155 & 2156 of MAP 4731 – ALLIED GARDENS UNIT NO. 16
- Lots 2468 through 2491, Lots 2424 through 2447 of MAP 3527 – ALLIED GARDENS UNIT NO. 11
- Parcel 2 in Subdivision MAP PM 18742 – THE CLIFFS MOBILE HOME PARK

- Lot 1 of Map 5172 – MISSION VALLEY INDUSTRIAL PARK UNIT NO. 1
- Lot 5 & 6 of Map 5321 – MISSION VALLEY INDUSTRIAL PARK UNIT NO. 2
- Parcel 1 & 2 in Subdivision MAP PM 1937 – MISSION VALLEY INDUSTRIAL PARK UNIT NO. 2
- Lots 2656 through 2679 of MAP 2873 – ALLIED GARDENS UNIT NO. 15
- Portion of Lots 12 through 15 of MAP 1550
- Lot 1 of MAP 9336 – Valley Meadows North Condm
- Lot 1 of MAP 9335 – Valley Meadows Condm
- Lots 1 through 3 of MAP 5673 – Zion Tract
- Lot 1 of MAP 9380 – Mission Knolls (Condm)

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

- OLD CLIFFS ROAD between east end of Old Cliffs Rd. and line extending southwesterly from the southwest corner of Lot 1 and of MAP 5172 – MISSION VALLEY INDUSTRIAL PARK UNIT NO.1.
- ALFRED AVENUE between lines extending southwesterly from the southwest corner Lot 2218 to the northwest corner of Lot 2357 and northeasterly from northeast corner Lot 2353 to the southeast corner of Lot 2222 of MAP 3449 – ALLIED GARDENS UNIT NO. 10.
- CARTWRIGHT STREET between lines extending northeasterly from the northwest corner Lot 2394 to the southwest corner of Lot 2359 and easterly from southeast corner Lot 2382 to the southwest corner of Lot 2375 of MAP 3439 – ALLIED GARDEN UNIT NO. 10.
- MILLBROOK STREET between the south corner of Lot 2204 and the northwest corner of Lot 2218 of Map 3439 – ALLIED GARDENS UNIT NO. 10.
- GREENBRIER AVENUE between lines extending northeasterly from the northwest corner Lot 2416 to the southwest corner of Lot 2199 and northerly from northeast corner Lot 2376 to the southeast corner of Lot 2375 of MAP 3439 – ALLIED GARDENS UNIT NO. 10.
- ALLIED ROAD between lines extending northeasterly from the northwest corner Lot 45 to the southwest corner of Lot 1 of MAP 4731 – ALLIED UNIT NO. 16 and easterly from northeast corner Lot 2335 to the northwest corner of Lot 2334 of MAP 3439 – ALLIED GARDENS UNIT NO. 10.

- CLARA LEE AVENUE between the south side of Zion Ave. of MAP 3438 – GARDENS UNIT NO. 9 and line extending eastwardly from the upper northeast corner Lot 2300 to the upper northwest corner of Lot 2293 of MAP 3439 – ALLIED GARDENS UNIT NO. 10.
- ARCHWOOD AVENUE between the north side of Zion Ave. and boundary of Burgundy St. of MAP 3873 – ALLIED GARDENS UNIT NO. 15.
- CRAWFORD STREET between line extending northwesterly from the upper northwest corner Lot 2178 to the upper northeast corner of Lot 2159 of MAP 3438 – ALLIED UNIT NO. 9 and easterly from lower southeast corner Lot 2667 to the lower southwest corner of Lot 2666 of MAP 3873 – ALLIED GARDENS UNIT NO. 15.
- BURGUNDY STREET between boundary of Archwood Ave. of MAP 3438 – ALLIED GARDENS UNIT NO. 9 and north side of Orcutt Ave. of MAP 3527 – ALLIED GARDENS UNIT NO. 11.
- SEAMAN STREET between the north end of Seaman St. of MAP and north side of Orcutt Ave. of MAP 3438 – ALLIED GARDENS UNIT NO. 9.
- CARTWRIGHT STREET between the northwest corner of Lot 2127 and the southwest corner of Lot 2116 of Map 3438 – ALLIED GARDENS UNIT NO. 9.
- DELBARTON STREET between the north side of Zion Ave. and west side of Clara Lee Ave. of MAP 3438 – ALLIED GARDENS UNIT NO. 9.
- ZION AVENUE between the east side of Mission Gorge Rd. of Map 5673 – ZION TRACT and line extending southeasterly from the southeast corner of Lot 2017 of MAP 3438 – ALLIED GARDENS UNIT NO. 9 to northeast corner of Lot 2508 of MAP 3526 – ALLIED GARDENS UNIT NO. 12.

WHEREAS, Exhibit Attachment RESIDENTIAL PROJECT BLOCK 7R (ALLIED GARDENS) Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR RESIDENTIAL PROJECT BLOCK 7R (ALLIED GARDENS) UNDERGROUND UTILITY DISTRICT Legal Descriptions, depict 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 One, Division Five 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 One, Division Five 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 One, Division Five 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 One, Division Five 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 One, Division Five of the San Diego Municipal Code.


APPROVED: JAN GOLDSMITH, City Attorney

By   
Ryan Kohut  
Deputy City Attorney

RK:cfq  
11/04/10  
Or.Dept:E&CP  
ProLaw 2010-02667

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 25 2011.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 1-28-11  
(date)

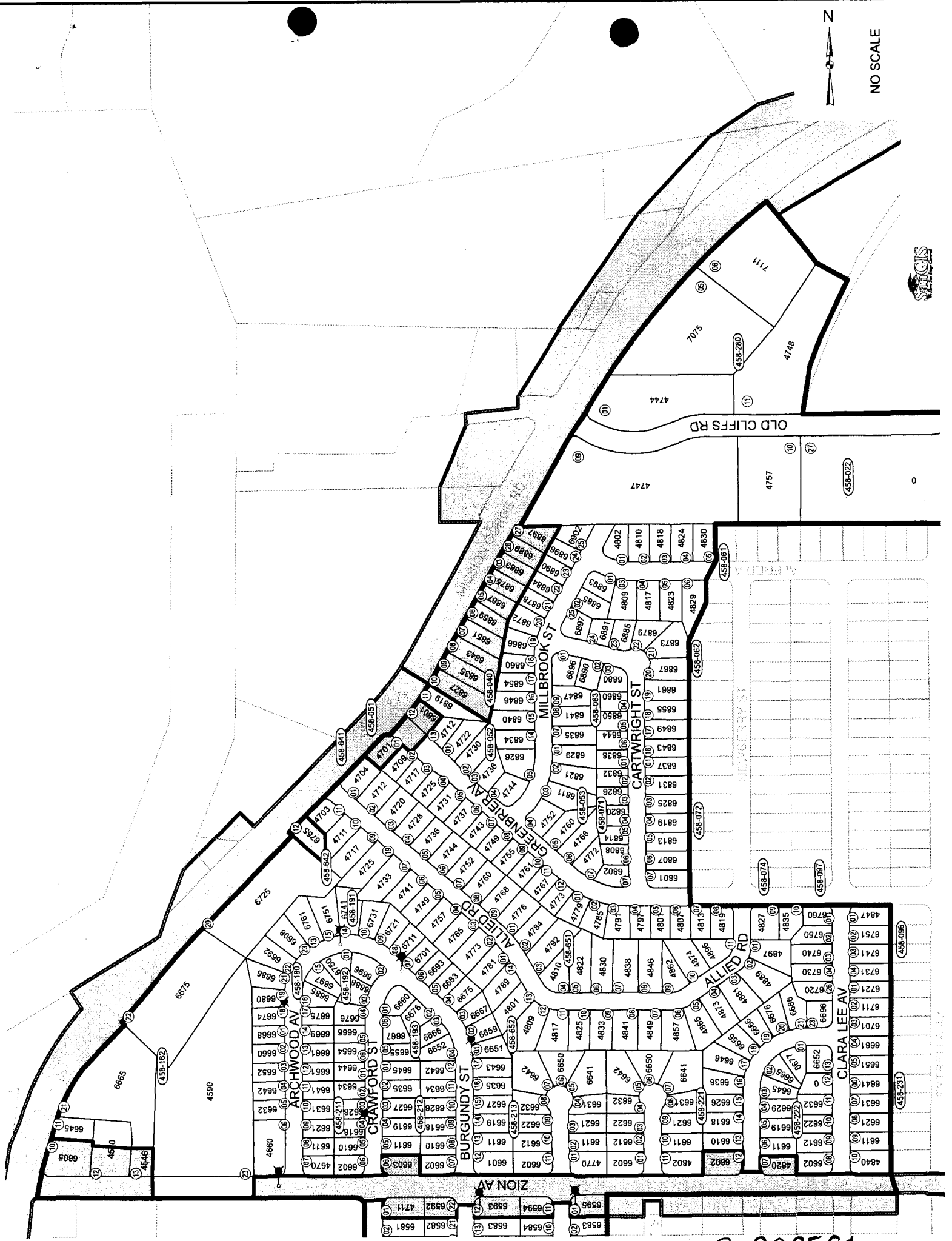
  
JERRY SANDERS, Mayor

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

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



NO SCALE



R-306561