

RESOLUTION NUMBER R- 306562

DATE OF FINAL PASSAGE JAN 28 2011

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT FOR MORAGA AVENUE PHASE II (MORAGA CT. TO MONAIR DR.) FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, by Resolution No. R- 306461, a public hearing was called for on DEC 07, 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 3387 through 3389 of Map CLAIREMONT UNIT NO. 16, Subdivision Map No. 3145.
- Lots 3461 through 3468, 3485 through 3487 and 3613 through 3626 of Map CLAIREMONT UNIT NO. 17, Subdivision Map No. 3306.
- Lots 3488, 3489, 3495 through 3502, and 3604 through 3612 of Map CLAIREMONT UNIT NO. 17, Subdivision Map No. 3306.
- Lots 3535 through 3541, and 3595 through 3603 of Map CLAIREMONT UNIT NO. 17, Subdivision Map No. 3306.
- Lots 3574, 3575, 3593 and 3594 of Map CLAIREMONT UNIT NO. 17, Subdivision Map No. 3306.
- Lots 3542 through 3547, 3568 and 3569 of Map CLAIREMONT UNIT NO. 17, Subdivision Map No. 3306.
- Lots 1 through 10 of Map AVALON, Subdivision Map No. 4140.
- Lots 11 through 19 of Map AVALON, Subdivision Map No. 4140.
- Lots 24 through 29 of Map VILLA MARINA UNIT NO. 1, Subdivision Map No. 4950.

- Lots 37 through 43 of Map VILLA MARINA UNIT NO. 2, Subdivision Map No. 5126.
- Lots 44 through 47 and 59 of Map VILLA MARINA NO. 2, Subdivision Map No. 5126.

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

- MORAGA AVENUE between lines extending northeasterly from the north east corner of Lot 3387 of Map CLAIREMONT UNIT NO. 16 – LOTS 3387-3404, 3433, 3434, 3447-3453, Subdivision Map No. 3145 and northeasterly from the southeast corner of Lot 4 of Map MONAIR ESTATES, Subdivision Map No. 5692.
- TACOMA STREET between line extending southeasterly from the southwest corner of Lot 3468 of Map CLAIREMONT UNIT NO. 18 – LOTS 3461-3474, 3481-3487, 3491, 3613-3626, Subdivision Map No. 3306 and intersection with of Moraga Av.
- FOX PLACE between line extending southeasterly from the lower southeast radius corner of Lot 3489 Map CLAIREMONT UNIT NO. 17 – LOTS 3475-3480, 3488, 3489, 3492-3521, 3604-3612, Subdivision Map No. 3306 and intersection with Moraga Av.
- FOX AVENUE between line extending southeasterly from the east corner of Lot 3612 of Map CLAIREMONT UNIT NO. 17 – LOTS 3475-3480, 3488, 3489, 3492-3521, 3604-3612, Subdivision Map No. 3306 and intersection with Moraga Av.
- WICOPEE PLACE between line extending southeasterly from the southwest corner of Lot 3502 of Map CLAIREMONT UNIT NO. 17 – LOTS 3475-3480, 3488, 3489, 3492-3521, 3604-3612, Subdivision Map No. 3306 and intersection with Moraga Av.
- ECOCHEE AVENUE between line extending southwesterly from the southeast corner of Lot 3595 of Map CLAIREMONT UNIT NO. 17 – LOTS 3522-3541, 3595-3603, Subdivision Map No. 3306 and intersection with Moraga Av.
- ELSINORE PLACE between line extending southwesterly from the southeast corner of Lot 3593 of Map CLAIREMONT UNIT NO. 17 – Lots 3570-3594, Subdivision Map No. 3306 and intersection with Moraga Av.
- KENOSHA AVENUE between line extending southwesterly from the southeast corner of Lot 3574 of Map CLAIREMONT UNIT NO. 17 – Lots 3570-3594, Subdivision Map No. 3306 and intersection with Moraga Av.
- MORAGA PLACE between line extending southwesterly from southwest corner of Lot 3547 of Map CLAIREMONT UNIT NO. 17 – Lots 3542-3566, 3568 & 3569, Subdivision Map No. 3306 and intersection with Moraga Av.

- CADDEN DRIVE between line extending southerly from the bottom of the southeast radius corner of Lot 28 of Map VILLA MARINA UNIT NO. 1 – LOTS 12-36, Subdivision Map No. 4950 and intersection with Moraga Av.

WHEREAS, Exhibit Attachment MORAGA AVENUE PHASE II MORAGA AVENUE PHASE II (MORAGA CT. TO MONAIR DR.) Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR MORAGA AVENUE PHASE II (MORAGA CT. TO MONAIR DR.) UNDERGROUND UTILITY DISTRICT Legal Description, 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
11/01/10
Or.Dept:E&CP/ROWE
ProLaw 2010-02670

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 *Mary Zurney*
Deputy City Clerk

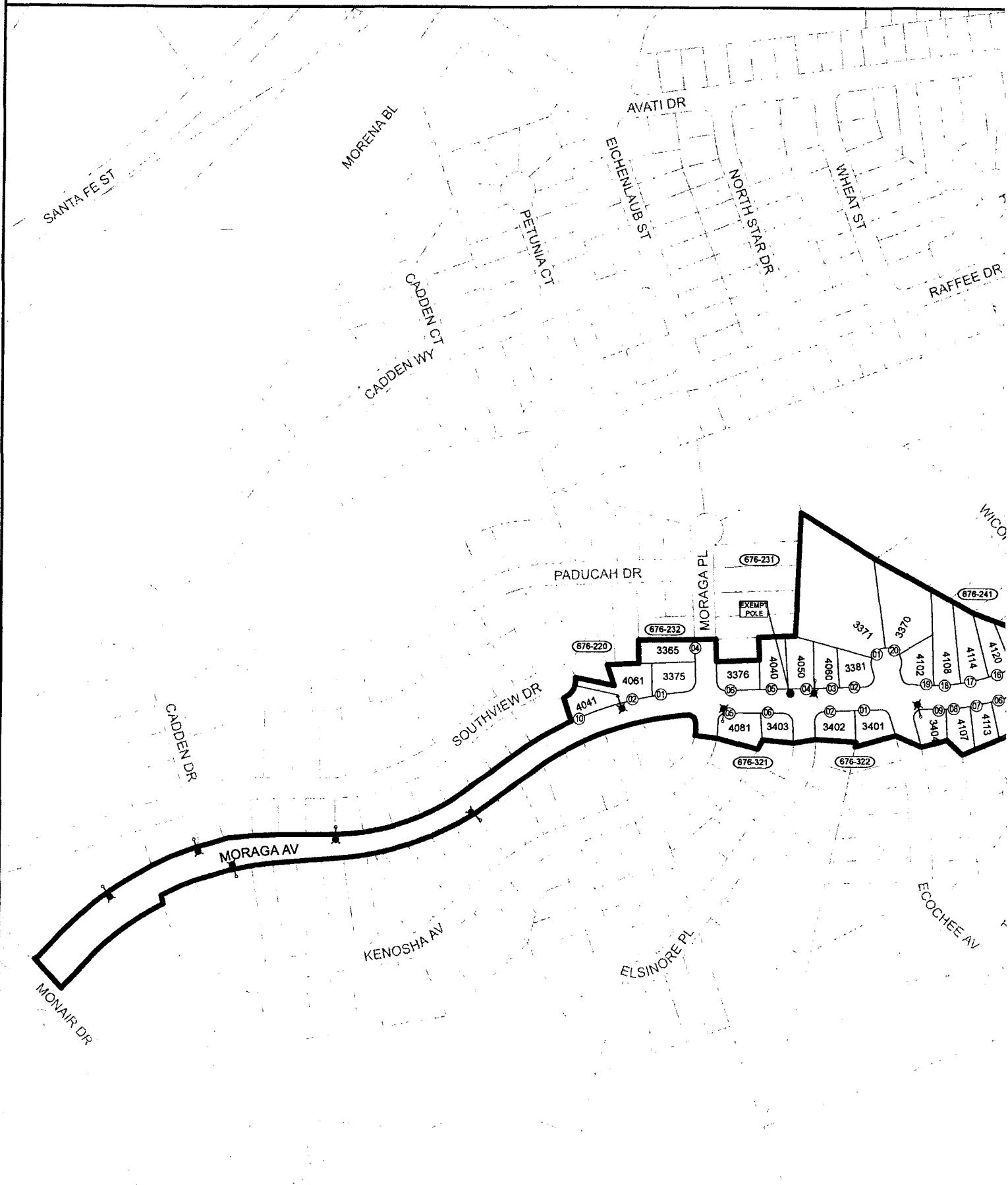
Approved: 1-28-11
(date)

JS
JERRY SANDERS, Mayor

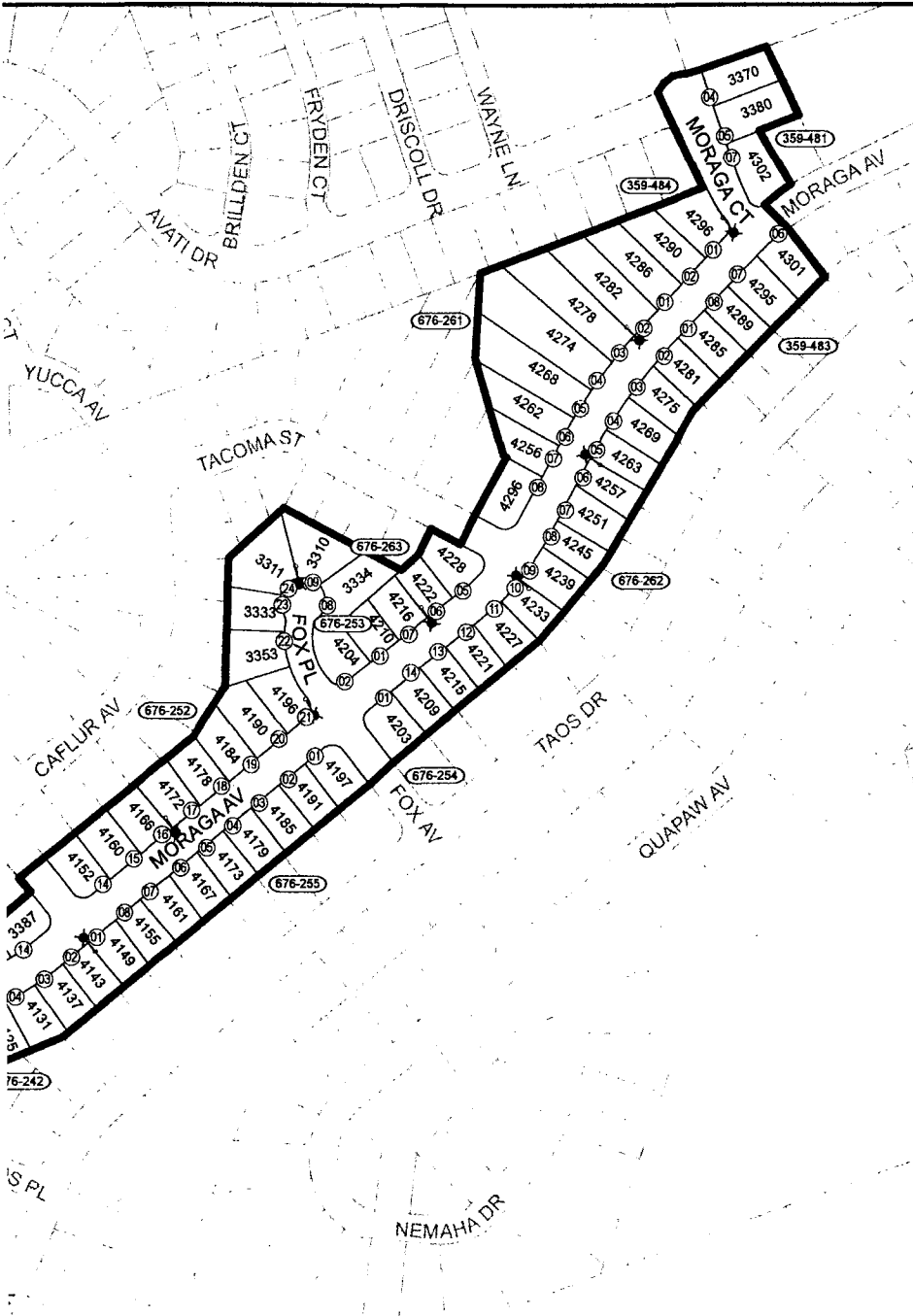
Vetoed: _____
(date)

JERRY SANDERS, Mayor






MORAGA AVE PH II (MORAGA CT UNDERGROUND UTILITY I



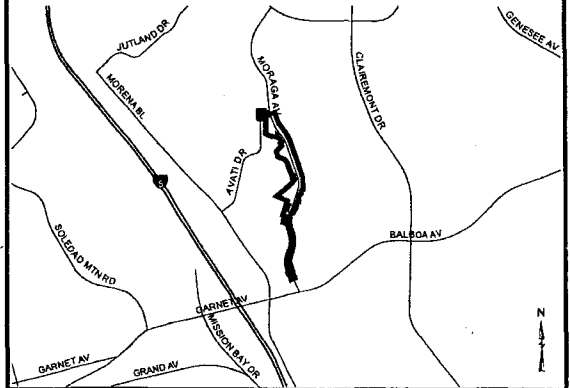
MONAIR DR) STRICT



LEGEND

-  DISTRICT BOUNDARY
-  PARCELS
-  PROPOSED STREET LIGHTS
-  ASSESSOR'S BOOK & PAGE NO.
-  ASSESSOR'S PARCEL NO.
- 1234** ADDRESS

VICINITY MAP



MORAGA AVENUE PH II (MORAGA CT TO MONAIR DR) UNDERGROUND UTILITY DISTRICT

CITY OF SAN DIEGO, CALIFORNIA
ENGINEERING AND CAPITAL PROJECTS DEPARTMENT
SHEET 1 OF 1 SHEET(S)

I.O.
NO. **21002271**

FOR CITY ENGINEER		DATE		DIVISION HEAD	
DESCRIPTION	BY	APPROVED	DATE	FILED	DESIGN ENGINEER
FILE NAME	DATE	AMS			
					CONTROL CERTIFICATION
					236-1704 LAMBERT COORDINATES
AS-BUILT					
CONTRACTOR	DATE STARTED				
INSPECTOR	DATE COMPLETED		35578-D		



Every reasonable effort has been made to assure the accuracy of this map. However, neither the RUIS participants nor San Diego Data Processing Corporation assume any liability arising from its use.

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NO SCALE

D-306562