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(R-2011-428) 336  
1/25

RESOLUTION NUMBER R- 306563

DATE OF FINAL PASSAGE JAN 28 2011

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT FOR REGENTS ROAD (EXECUTIVE DR. TO REGENTS RD.) FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, by Resolution No. R- 306462, 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]:

There are no parcels in this project.

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

- EXECUTIVE DRIVE between offset lines ±60 feet west and ±255 feet east of Regents Rd. with the direction of N 0°20' E in MAP COLLEGIATE PARK – LOTS 1.
- REGENTS ROAD between offset line ±80 feet north of the intersection of Regents Rd. and Executive Dr. and line extending westerly with an offset ±20 feet from the southwest corner of PAR 1 in PM18325 of MAP CONDO REGENTS LA JOLLA DOCO5-265386 (SEE SHEET 2).

WHEREAS, Exhibit Attachment REGENTS ROAD (EXECUTIVE DR. TO REGENTS RD.) Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR REGENTS ROAD (EXECUTIVE DR. TO REGENTS RD.) 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  
11/01/10  
Or.Dept:E&CP  
Pro Law 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   
Deputy City Clerk

Approved: 1-28-11  
(date)

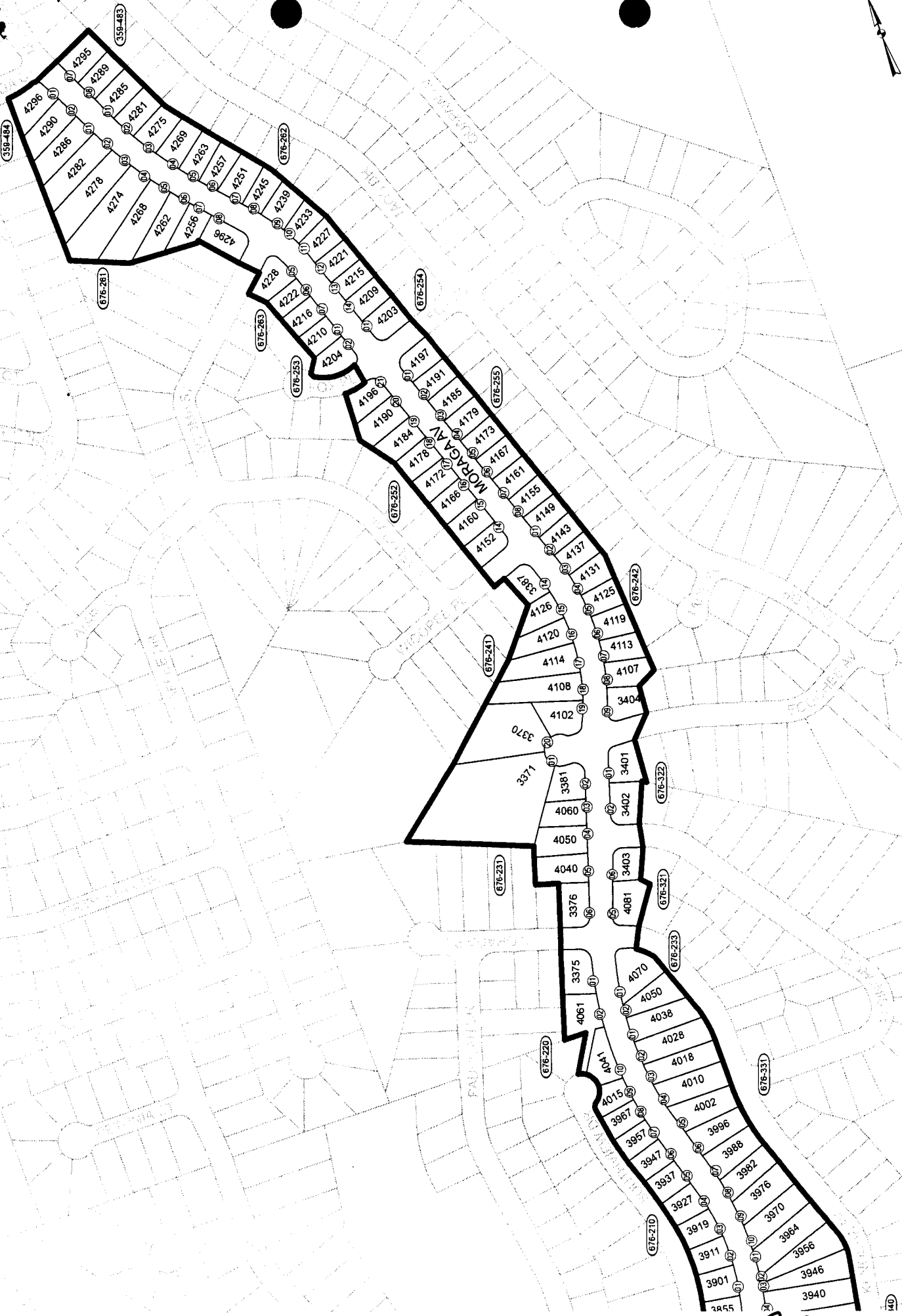
  
JERRY SANDERS, Mayor

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

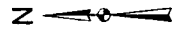
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JERRY SANDERS, Mayor



NO SCALE



R-306563



GREENBERRY



LA JOLLA HILLS

EXCLUSIVE SQ

REGENTS PARK RWY

GREENBERRY

REGENTS RD