

RESOLUTION NUMBER R- 306564

DATE OF FINAL PASSAGE JAN 28 2011

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT FOR POTOMAC STREET (CALLE TRES LOMAS TO SEA BREEZE DR.) FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, by Resolution No. R- 306463, 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]:

- Lot 9 of Map PARADISE HILLS, Subdivision Map No. 1936.
- Portion of QSEC 8I with a line having a direction of N 70°51'15" E from the northwest corner of 2145 Sea Breeze Dr with an offset of ±117 feet from the centerline of Potomac Street of Map RHO DE LA NACION – POR QSEC 8I, Subdivision Map No. 166 (M 815).
- Lots 1 through 10 in Block 6 of Map HUNTINGTON PARK UNIT NO. 2, Subdivision Map No. 2911.
- Portion of QSEC 8I with line having a direction of N 70°51'15" E from the southwest corner of 2205 Sea Breeze Dr with an offset of ±117 feet from the centerline of Potomac Street of Map RHO DE LA NACION – POR QSEC 8I, Subdivision Map No. 166 (M 815).
- Lots 19 through 26 in Block 5 of Map HUNTINGTON PARK UNIT NO. 2, Subdivision Map No. 2911.
- Lots 11 through 13 in Block 6 of Map HUNTINGTON PARK UNIT NO. 3, Subdivision Map No. 3026.
- Lots 14 through 17 in Block 6 of Map HUNTINGTON PARK UNIT NO. 3, Subdivision Map No. 3026.

- Lots 9 through 11 in Block 7 of Map HUNTINGTON PARK UNIT NO. 3, Subdivision Map No. 3026.
- Lots 27 through 34 in Block 5 of Map HUNTINGTON PARK UNIT NO. 2, Subdivision Map No. 2911.
- Lots 12 through 14 in Block 2 of Map HUNTINGTON PARK UNIT NO. 3, Subdivision Map No. 3026.
- Lot 29 in Block 7 of Map NORTH KNOLLS, Subdivision Map No. 3653.
- Lots 167 through 170 in Block 10 of Map HOMESITES UNIT NO. 5, Subdivision Map No. 3614.
- Lots 1 through 5 in Block 11 of Map TRES LOMAS, Subdivision Map No. 2160.

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

- POTOMAC STREET between lines extending southeasterly from the southwest corner of Lot 9 in Block 7 of Map PARADISE HILLS, Subdivision Map No. 1936 & southwesterly from the southeast corner of Lot 170 of Map HOMESITES UNIT NO. 5, Subdivision Map No. 3614.
- CALLE TREPADORA between line extending southeasterly from the southeast side of Lot 14 of Map HUNTINGTON PK. UNIT NO. 3, Subdivision Map No. 3026 and intersection with Potomac St.
- VALNER WAY between line extending southeasterly from the east side of Lot 11 in Block 7 of HUNTINGTON PARK UNIT NO 3, Subdivision Map No. 3026 with an offset of  $\pm 60$  feet from the southeast corner and intersection with Potomac St.
- CALLE SERENA between lines extending easterly from the northeast corner of Lot 17 in Block 6 HUNTINGTON PARK UNIT NO 3, Subdivision Map No. 3026 & westerly from the southwest corner of Lot 12 in Block 2 of Map HUNTINGTON PK. UNIT NO. 3, Subdivision Map 3026.
- SEA BREEZE DR extending  $\pm 117$  feet northwesterly and southeasterly from the intersection of Potomac St.

WHEREAS, Exhibit Attachment POTOMAC STREET (CALLE TRES LOMAS TO SEA BREEZE DR.) Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR POTOMAC STREET (CALLE TRES LOMAS TO SEA BREEZE 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

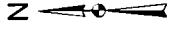
By   
Deputy City Clerk

Approved: 1-25-11  
(date)

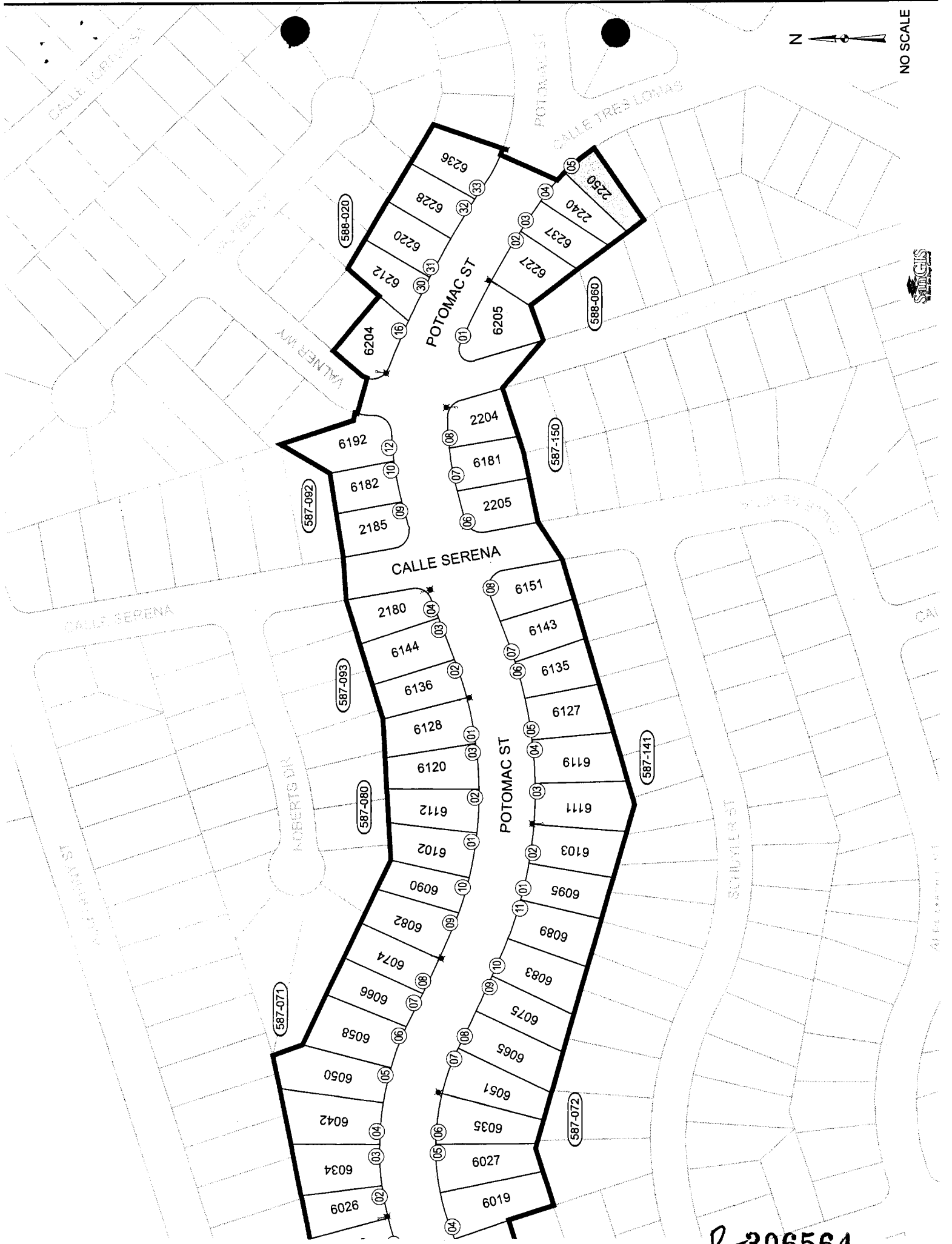
  
JERRY SANDERS, Mayor

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

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



NO SCALE



R-306564