

# STAFF REPORT



# ITEM NO. 12

## CITY OF OCEANSIDE

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DATE: January 10, 2007

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **GRANT OF EASEMENT TO SAN DIEGO GAS AND ELECTRIC COMPANY TO ACCOMMODATE IMPROVEMENTS AT MANCE BUCHANON PARK**

### **SYNOPSIS**

Staff recommends that the City Council approve the grant of easement to San Diego Gas and Electric Company ("SDG&E") for the relocation of an anchorage facility to accommodate the improvements at Mance Buchanan Park and authorize the Mayor to execute the deed.

### **BACKGROUND**

SDG&E has existing overhead electrical transmission lines and facilities along the eastern edge of the Mance Buchanan Park (formerly River Park) site. The park improvements require replacing down guys and anchors, within an existing 4-foot-wide easement held by SDG&E, with a 6-foot-wide 300 kip steel stud. The existing guy anchors conflict with an adjacent soccer field and could cause a hazard to players and spectators alike. The stud anchor would allow SDG&E to relocate the facility away from the playing field to the other side of a proposed walkway and abate the risk of injury to persons.

Since the new anchoring facility is greater in size than the existing 4-foot-wide SDG&E easement, SDG&E is requesting that an additional easement be granted to support this new facility. The requested easement would cover the area of the foundation for stub and have exterior sidelines measured 3 feet from the exterior sides of the foundation, as shown on Exhibit "A" of the proposed easement deed.

### **ANALYSIS**

The granting of the requested easement to SDG&E is necessary to complete the park improvements. Additionally, the installation of the stud anchor would abate potential trip and other hazards posed by the existing down guy anchorage.

**FISCAL IMPACT**

On October 11, 2006, the City Council approved a purchase order in the amount of \$147,485 for the design, replacement and relocation of the anchorage facility. The cost for this work is included in the project's overall budget of \$10.2 million.

**COMMISSION OR COMMITTEE REPORT**

Does not apply.

**CITY ATTORNEY'S ANALYSIS**

The referenced document has been reviewed by the City Attorney and approved as to form.

**RECOMMENDATION**

Staff recommends that the City Council approve the grant of easement to SDG&E for the relocation of the anchorage facility to accommodate the improvements at Mance Buchanan Park and authorize the Mayor to execute the deed.

PREPARED BY:

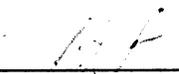
  
\_\_\_\_\_  
William F. Marquis  
Senior Property Agent

SUBMITTED BY:

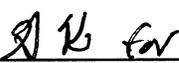
  
\_\_\_\_\_  
Barry E. Martin  
Interim City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Interim Deputy City Manager

  
\_\_\_\_\_

Peter A. Weiss, Public Works Director

  
\_\_\_\_\_

Douglas E. Eddow, Real Property Manager

  
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Recording Requested by  
San Diego Gas & Electric Company

When recorded, mail to:

San Diego Gas & Electric Company  
8335 Century Park Court, Suite 100  
San Diego, CA 92123-1569  
Attn: Real Estate Records - CP11D

SPACE ABOVE FOR RECORDER'S USE

Project No.: 636828-010  
Const. No.: 2807620  
A.P.N.: 157-080-53  
Sketch No.: O.S. 13483

Transfer Tax None  
SAN DIEGO GAS & ELECTRIC COMPANY

ANCHORAGE EASEMENT

CITY OF OCEANSIDE, a municipal corporation, (Grantor), grants to SAN DIEGO GAS & ELECTRIC COMPANY, a corporation (Grantee), an easement and right of way in, upon, over, under and across the lands hereinafter described, to erect, construct, reconstruct, replace, repair, maintain and use, guy poles and/or anchors together with connecting wires, as Grantee may now or hereafter deem convenient or necessary to support that certain pole line located upon or adjacent to said lands, together with the right of ingress and egress, to, from and along this easement in, upon, over and across the hereinafter described lands.

The property in which this easement and right of way is hereby granted is situated in the County of San Diego, State of California, described as follows:

Parcel "A", as shown and described in a Certificate of Compliance recorded December 10, 2004 as Document No. 2004-1164445 of Official Records of said County of San Diego, being a portion of the Southeast Quarter of Section 4, Township 11 South, Range 4 West, San Bernardino Meridian

The easement in the aforesaid property shall be a strip of land, including all of the area lying between the exterior sidelines, which sidelines shall be three (3) feet, measured at right angles, on each exterior side of each and every facility installed, the approximate location being shown and delineated as "ANCHORAGE FACILITIES" on the Exhibit "A", attached hereto and made a part hereof.

Grantor shall not increase or decrease the ground surface elevations within this easement after installation of Grantee's facilities, without prior written consent of Grantee, which consent shall not unreasonably be withheld.

Grantor further grants to Grantee the right to assign any or all of the rights granted in this easement in whole or in part to other companies providing utility or communication facilities/services.

The legal description for this easement was prepared by San Diego Gas & Electric Company pursuant to Section 8730 of the Business and Professions Code, State of California.

This easement shall be binding upon and inure to the benefit of successors, heirs, executors, administrators, permittees, licensees, agents or assigns of Grantor and Grantee.

IN WITNESS WHEREOF, Grantor executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

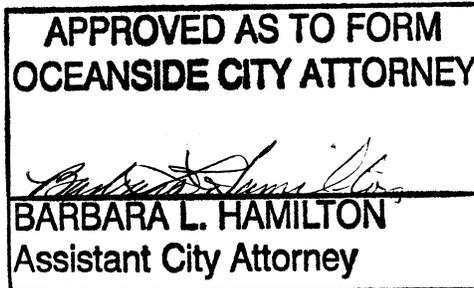
CITY OF OCEANSIDE, a municipal corporation

By: \_\_\_\_\_

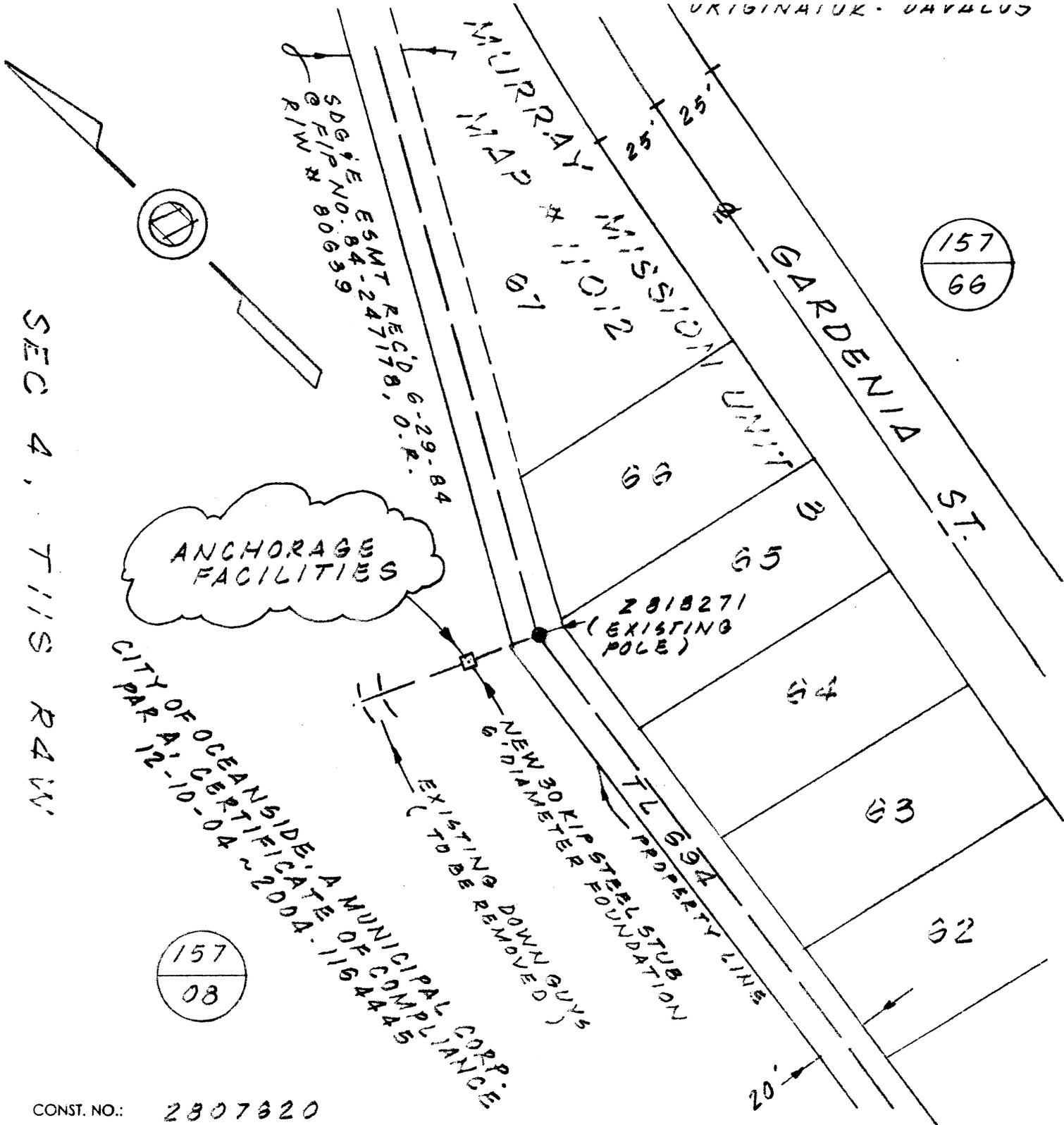
Title: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_



Drawn Richards (riverpark.doc)  
Checked \_\_\_\_\_  
Sketch O. S. # 13483  
Date 11-15-06, revised vesting 12-06-06



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66

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08

SEC 4, THIS RAW

CITY OF OCEANSIDE A MUNICIPAL CORP.  
PAR A CERTIFICATE OF COMPLIANCE  
12-10-04 ~ 2004. 1164445

CONST. NO.: 2807620  
PROJECT NO.: 636823-010

THOS. BROS.: 1066-17

PROJECT NAME & LOCATION <b>RIVER PARK</b> <b>OCEANSIDE -</b>	DRAWN BY: <b>KAR</b>	OK TO INSTALL:	DRAWING NO: <b>OS.13483</b>
	DATE: <b>11-15-06</b>	R/W OK:	COORDINATES <b>394.1677</b>
	SCALE: NONE	JOB TYPE:	
	REFERENCES: <b>S-3333-163</b>		

# EXHIBIT "A"