

# STAFF REPORT



ITEM NO. 11  
CITY OF OCEANSIDE

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DATE: October 17, 2007  
TO: Honorable Mayor and City Councilmembers  
FROM: Public Works Department  
SUBJECT: **GRANT OF EASEMENT TO SDG&E FOR UNDERGROUND ELECTRICAL SERVICE AT THE HARBOR AQUATICS CENTER**

## **SYNOPSIS**

Staff recommends that the City Council approve the grant of an easement to San Diego Gas and Electric Company (SDG&E) for underground electrical facilities to serve the Harbor Aquatics Center and authorize the Mayor to execute the deed.

## **BACKGROUND**

The Aquatics Center is currently under construction adjacent to the boat launch ramps at the Harbor. The extension of electrical service and the placement of a new transformer on the site are necessary to serve the Center. In order to provide this service, SDG&E is requesting that the City grant an easement to support its facilities placed on the site and outside the Pacific Street right-of-way.

## **ANALYSIS**

Granting the requested easement is necessary and appropriate to support the SDG&E facilities placed on-site and provide service to the Aquatics Center. Therefore, it is recommended that the City Council approve the granting of the easement and authorize the Mayor to execute the deed.

## **FISCAL IMPACT**

Costs associated with the extension of the electrical service to serve the Aquatics Center are included in the project's approved budget. No additional funds are anticipated for this purpose.

## **COMMISSION OR COMMITTEE REPORT**

Does not apply.

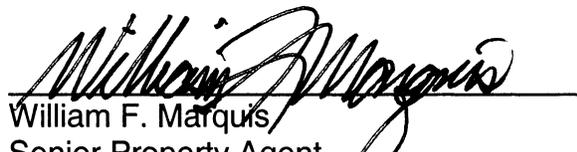
**CITY ATTORNEY'S ANALYSIS**

The referenced documents have been reviewed by the City Attorney and approved as to form.

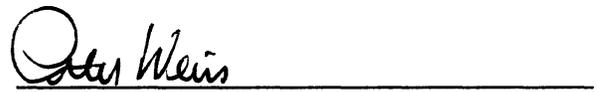
**RECOMMENDATION**

Staff recommends that the City Council approve the grant of an easement to San Diego Gas and Electric Company (SDG&E) for underground electrical facilities to serve the Harbor Aquatics Center and authorize the Mayor to execute the deed.

PREPARED BY:

  
William F. Marquis  
Senior Property Agent

SUBMITTED BY:

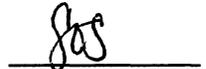
  
Peter A. Weiss  
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager



Joseph Arranaga, Acting Deputy Public Works Director



Douglas E. Eddow, Real Property Manager



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.: 638923-010  
Const. No.: 2868870  
A.P.N. No.: 143-010-16  
Sketch: OS-13826

Transfer Tax None  
SAN DIEGO GAS & ELECTRIC COMPANY

EASEMENT

THE 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, change the size of, improve, reconstruct, relocate, repair, maintain and use facilities consisting of:

1. Underground facilities and appurtenances for the transmission and distribution of electricity.
2. Communication facilities, and appurtenances.

The above facilities will be installed at such locations and elevations upon, along, over and under the hereinafter described easement as Grantee may now or hereafter deem convenient or necessary. Grantee also has the right of ingress and egress, to, from and along this easement in, upon, over and across the hereinafter described lands. Grantee further has the right, but not the duty to clear and keep this easement clear from explosives, buildings, structures and materials.

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

That portion of Lot 4 of Section 22, Township 11 South, Range 5 West, San Bernardino Meridian, as described in a Deed recorded July 26, 1960 at Recorder's File/Page No. 151177 of Official Records of said County of San Diego.

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 "Utility Facilities" on the Exhibit "A", attached hereto and made a part hereof.

In order to provide adequate working space for Grantee, Grantor shall not erect, place or construct, nor permit to be erected, placed or constructed any building or other structure, park any vehicle, deposit any materials, plant any trees and/or shrubs within eight (8) feet of the front of the door or hinged opening of any above ground facility installed within this easement.

Grantor grants to Grantee the right to erect and maintain on Grantor's property immediately adjacent to this easement retaining walls and/or protective barricades as may be necessary for Grantee's purposes.

Grantor shall not erect, place or construct, nor permit to be erected, placed or constructed, any building or other structure, plant any tree, drill or dig any well, within this easement.

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.

Grantee shall have the right but not the duty, to trim or remove trees and brush along or adjacent to this easement and remove roots from within this easement whenever Grantee deems it necessary for access to or maintenance of the easement facilities. Said right shall not relieve Grantor of the duty as owner to trim or remove trees and brush to prevent danger or hazard to property or persons.

**CONDUITS CARRY HIGH VOLTAGE ELECTRICAL CONDUCTORS** therefore, Grantor shall not make or allow any excavation or fill to be made within this easement **WITHOUT FIRST NOTIFYING SAN DIEGO GAS & ELECTRIC COMPANY BY CALLING (619)696-2000, and OBTAINING PERMISSION.**

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 \_\_\_\_\_, 2007.

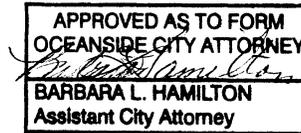
THE CITY OF OCEANSIDE, a municipal corporation

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

Name: \_\_\_\_\_

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

Drawn: LGomez  
Checked: *AM*  
Date: August 14, 2007



STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )SS.

On \_\_\_\_\_, before me \_\_\_\_\_  
\_\_\_\_\_ (name, title of officer), appeared \_\_\_\_\_  
\_\_\_\_\_

- personally known to me
- proved to me on the basis of satisfactory evidence

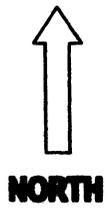
to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

BOAT  
RAMPS

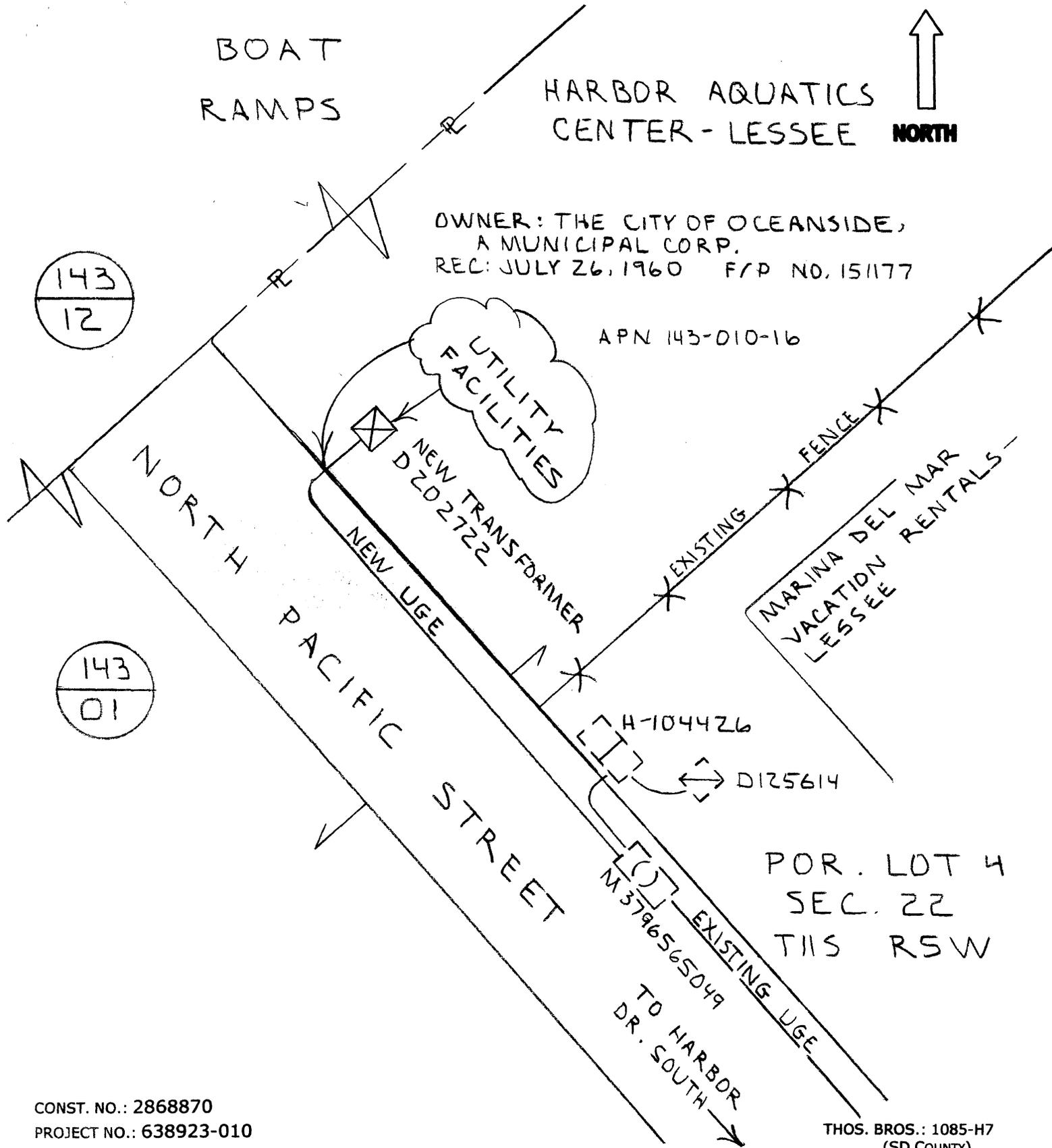
HARBOR AQUATICS  
CENTER - LESSEE



OWNER: THE CITY OF OCEANSIDE,  
A MUNICIPAL CORP.  
REC: JULY 26, 1960 F/P NO. 151177

APN 143-010-16

143  
12



143  
01

MARINA DEL MAR  
VACATION RENTALS -  
LESSEE

H-104426  
D125614

POR. LOT 4  
SEC. 22  
T11S R5W

M3796565049  
EXISTING UGE  
TO HARBOR  
DR. SOUTH

CONST. NO.: 2868870  
PROJECT NO.: 638923-010

THOS. BROS.: 1085-H7  
(SD COUNTY)

<b>PROJECT NAME &amp; LOCATION</b>  <b>HARBOR AQUATICS CENTER</b> NORTH PACIFIC STREET NW OF HARBOR DRIVE SOUTH OCEANSIDE, CA	DRAWN BY: LGOMEZ	OK TO INSTALL:	DRAWING NO:
	DATE: 08/14/2007	R/W OK:	<b>OS-13826</b>
	SCALE: NONE	JOB TYPE: UGE	COORDINATES
	REFERENCES: NONE		378-1650

**EXHIBIT "A"**