

STAFF REPORT



ITEM NO. 9

CITY OF OCEANSIDE

DATE: November 1, 2006

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **GRANT OF EASEMENT TO SDG&E FOR RELOCATION OF UNDERGROUND UTILITIES RELATED TO THE OCEANSIDE MUSEUM OF ART EXPANSION**

SYNOPSIS

Staff recommends that the City Council approve a grant of easement to San Diego Gas and Electric Company ("SDG&E") for the relocation of underground utilities associated with the Oceanside Museum of Art ("OMA") expansion and authorize the Mayor to execute the deed.

BACKGROUND

The electrical service for the OMA, Fire Station 1, and the Nevada Street Annex buildings is currently served from transformers adjacent to the eastern wall of the OMA and former parking lot. To accommodate the new wing of the OMA it is necessary to relocate these transformers.

The electrical service for the OMA will be moved to a new transformer in the parkway of Pier View Way, while the service for Fire Station 1 and the Nevada Street Annex buildings will be from a new transformer to be placed in the planter area adjacent to the parking lot between City Hall East and the Nevada Street Annex buildings.

ANALYSIS

In order for SDG&E to relocate its underground facilities for the OMA expansion it will be necessary for the City Council to grant an easement to SDG&E. The easement will allow SDG&E to move its facilities to accommodate the OMA expansion project and provide access to the relocated SDG&E facilities for ongoing operations and maintenance.

FISCAL IMPACT

There is no budgetary effect from the requested action. All costs associated with the relocation of the subject SDG&E facilities will be paid by the OMA.

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 a grant of easement to SDG&E for the relocation of underground utilities associated with the Oceanside Museum of Art expansion within the Civic Center Complex, 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, Assistant to the City Manager

Peter A. Weiss, Public Works Director

Douglas E. Eddow, Real Property Manager





Exhibit A

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.: 544305-010
Const. No.: 2861830
A.P.N.: 147-109-01
Sketch: OS-13415

Transfer Tax None
SAN DIEGO GAS & ELECTRIC COMPANY

EASEMENT

CITY OF OCEANSIDE, A MUNICIPAL CORPORATION, hereinafter called "Grantor", grants to SAN DIEGO GAS & ELECTRIC COMPANY, a corporation, "Grantee", an easement and right of way to erect, construct, change the size of, improve, reconstruct, relocate, repair, maintain and use facilities consisting of: (1) Underground electric facilities, and appurtenances for the transmission and distribution of electricity, (2) Underground communication facilities, and appurtenances, together with the right of ingress thereto and egress therefrom over said easement and over other practical routes across Grantor's land situated in the City of Oceanside, County of San Diego, State of California described as follows:

Parcel 2 of Parcel Map 15115 filed January 25, 1988 at Recorder's File No. 88-032910, in the Office of the County Recorder 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.

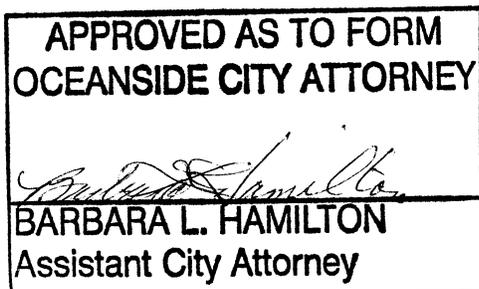
Grantor grants to Grantee the right to erect and maintain on Grantor's property immediately adjacent to this easement retaining walls and/or protective barricades as may be necessary for Grantee's purposes.

Grantor will exercise only such reserved rights in said land as will not interfere with or prohibit the free and complete use and enjoyment by Grantee, its successor or assigns, of the rights hereby granted. Grantee shall have the right to assign any or all rights granted in this easement in whole or in

part to other companies providing utility or communication services. Grantee shall have the right to top, cut, remove, or trim interfering plants and trees, and to keep said easement free from and to prevent any person, including Grantor and successors and assigns, from erecting, placing, or storing on said easement any flammable or other hazards and any structures, objects, or earth fills/cuts or other obstructions.

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.

Dated _____



THE CITY OF OCEANSIDE,
A MUNICIPAL CORPORATION

By: _____

Title: _____

Prepared by: LGomez
Checked:
Date September 26, 2006

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO ^{SS.}

On _____, before me _____
_____ (name, title of officer), appeared _____

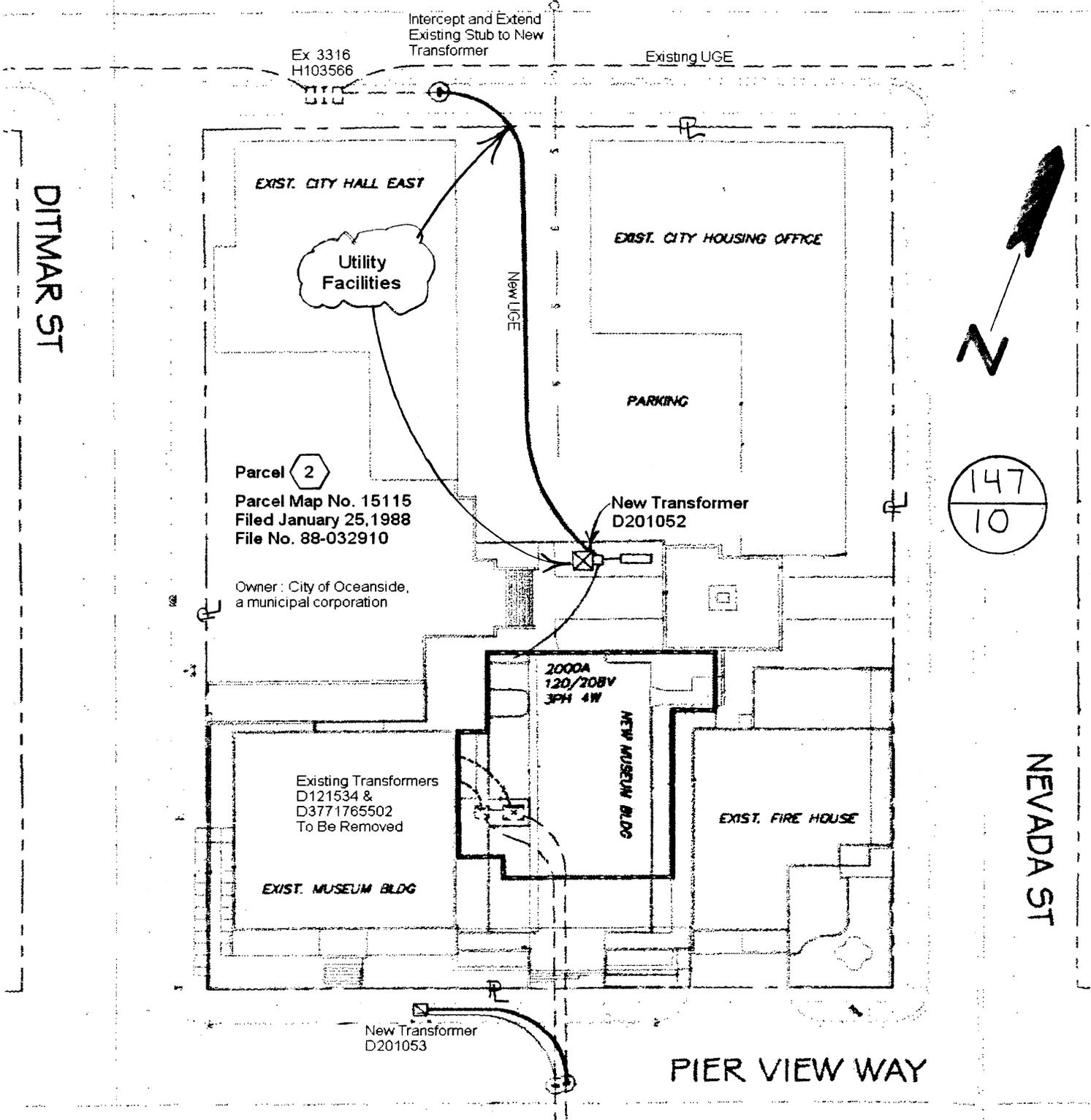
- personally known to me
- proved to me on the basis of satisfactory evidence

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 _____

CIVIC CENTER DR



CONST. NO.: 2861830

PROJECT NO.: 544305-010

THOS. BROS.: 1086-A7
(SD COUNTY)

PROJECT NAME & LOCATION OCEANSIDE MUSEUM OF ART OCEANSIDE CIVIC CENTER OCEANSIDE, CA	DRAWN BY: LGOMEZ	OK TO INSTALL:	DRAWING NO:
	DATE: 09/26/2006	R/W OK:	OS-13415
	SCALE: NONE	JOB TYPE: UGE	COORDINATES
	REFERENCES: R/W 142648		376-1653D

EXHIBIT "A"