

# STAFF REPORT



ITEM NO. 18

CITY OF OCEANSIDE

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DATE: July 12, 2006  
TO: Honorable Mayor and City Councilmembers  
FROM: Public Works Department  
SUBJECT: **GRANT OF EASEMENT TO SDG&E FOR UNDERGROUND UTILITIES FOR MANCE BUCHANON PARK**

## **SYNOPSIS**

Staff recommends that the City Council approve the grant of an easement to San Diego Gas and Electric Company ("SDG&E") for underground utilities to be installed with the Mance Buchanan Park (formerly River Park) project, and authorize the Mayor to execute the document.

## **BACKGROUND**

With the construction of the improvements for the Mance Buchanan Park project SDG&E will be installing underground utilities to serve the restroom, service building and other utilities needs in the park. In order for these utilities to be installed, SDG&E is requesting that it be granted an easement to support its facilities.

## **ANALYSIS**

Granting the requested easement for underground utility purposes to SDG&E would be an appropriate action at this time.

## **FISCAL IMPACT**

The cost for the installation of the utilities at Mance Buchanan Park is included in the Capital Improvements Program budget for this project. Estimated cost for utilities at the park is \$131,500.

## **COMMISSION OR COMMITTEE REPORT**

Does not apply.

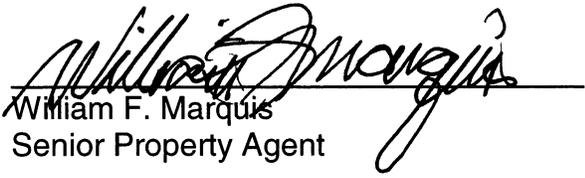
## **CITY ATTORNEY'S ANALYSIS**

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 easement to SDG&E for underground utilities to be installed with the Mance Buchanon Park project, and authorize the Mayor to execute the document.

PREPARED BY:

  
William F. Marquis  
Senior Property Agent

SUBMITTED BY:

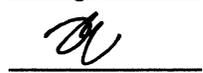
  
Barry E. Martin  
Interim City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager

Peter A. Weiss, Public Works Director

Douglas E. Eddow, Supervising Property Agent

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.: 447654-010

Const. No.: 2833500

A.P.N.: 157-080-53

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:

All that portion of the Southeast Quarter and the Northeast Quarter of Section 4 and Lot 3 of Section 3, Township 11 South, Range 4 West, San Bernardino Meridian, described in Parcel "A" of Certificate of Compliance No. PLA-14-2003, recorded December 10, 2004 as Document No. 2004-1164445 of Official Records of said County of San Diego.

The easement in the aforesaid property shall be those strips of land, including all of the area lying between the exterior sidelines, which sidelines shall be five (5) feet, measured at right angles, on each exterior side of each and every utility facility installed within said property on or before May 31, 2008.

In order to provide adequate working area 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, plant any trees and/or shrubs within eight feet of the front of the door or hinged opening of any aboveground facilities 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 was prepared by me or under my direction in conformance with the Land Surveyors Act on 5-22-06.



Peter C. Golding  
Peter C. Golding LS 4768

Dated \_\_\_\_\_

CITY OF OCEANSIDE, a municipal corporation

BY: \_\_\_\_\_

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE: \_\_\_\_\_

Prepared by: PDC/SCB  
Checked: \_\_\_\_\_  
Date 05/22/06

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO SS.

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

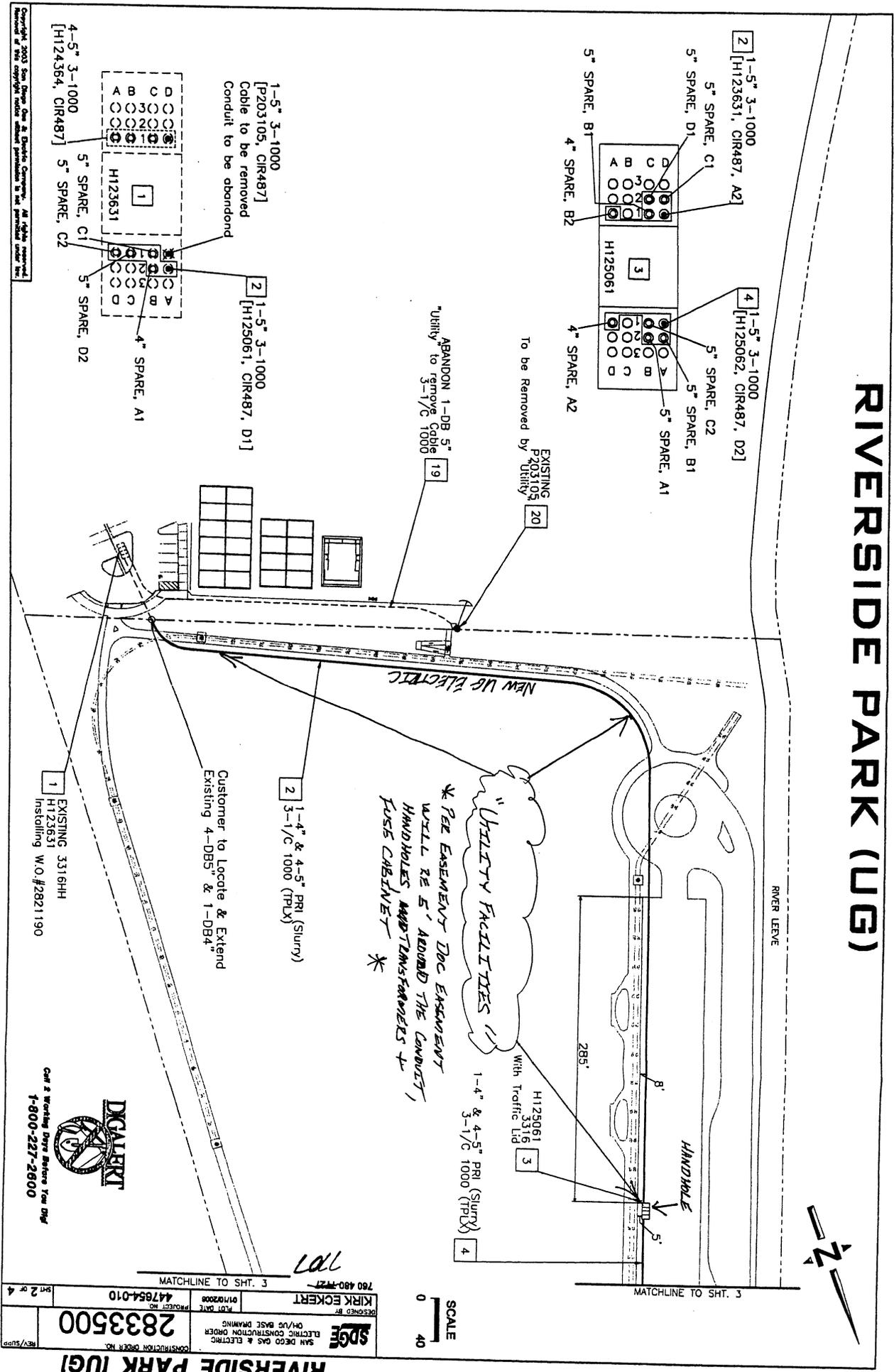
- personally known to me
- proved to me on the basis of satisfactory evidence

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 \_\_\_\_\_

# RIVERSIDE PARK (UG)



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CONSTRUCTION ORDER NO.	2833500
DESIGNED BY	KIRK ECKERT
DATE	01/10/2008
PROJECT NO.	447654-010
REV/5/08	

Call & Working Days Before You Dig  
1-800-227-2600



UTILITY FACILITIES  
 \* PER EASEMENT DEC EASEMENT  
 WILL RE 5' AROUND THE CONDUIT,  
 HANDHOLES AND TRANSFORMERS &  
 FUSE CABINET \*

1 1-4" & 4-5" PRI (Slurry)  
 2 3-1/C 1000 (TPX)  
 Customer to Locate & Extend  
 Existing 4-DB5 & 1-DB4

1 EXISTING 3316HH  
 H123631  
 Installing W.O.#2821190

SCALE  
 0 40

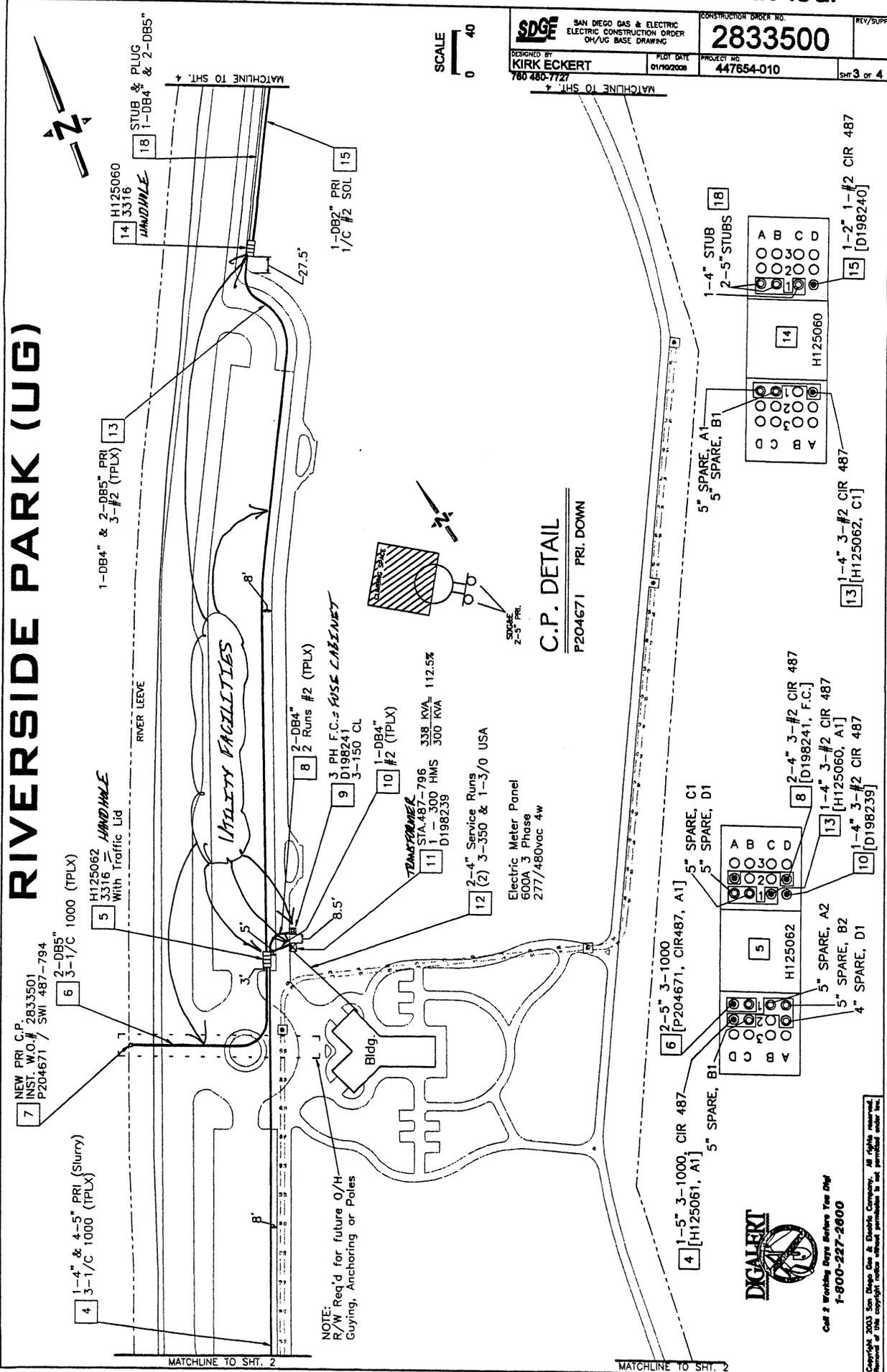


# RIVERSIDE PARK (UG)

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	SAN DIEGO GAS & ELECTRIC ELECTRIC CONSTRUCTION ORDER OH/UG BASE DRAWING		CONSTRUCTION ORDER NO. <b>2833500</b>	REV/SUPP 3 of 4
	DESIGNED BY <b>KIRK ECKERT</b> 780 480-7727	PLOT DATE 01/10/2008	PROJECT NO. <b>447654-010</b>	

SCALE  
0 40



**C.P. DETAIL**  
P204671 PRI. DOWN



Call 2 Working Days Before You Dig  
1-800-227-2600

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